

SENATE JOURNAL
OF THE
Sixty-Eighth Legislature
OF THE
STATE OF WASHINGTON
AT
Olympia, the State Capitol

2023 Regular Session
Convened January 9, 2023
Adjourned Sine Die April 23, 2023

2023 First Special Session
Convened May 16, 2023
Adjourned Sine Die May 16, 2023



Official Record of All Senate Actions Compiled, Edited and Indexed
Pursuant to Article II, Section 11 of the Constitution of the State of Washington,

Volume 1

Sean T. Kochaniewicz, *Reading and Journal Clerk*

Brittany Yunker Carlson, *Minute and Status Clerk*

Lieutenant Governor Denny Heck, *President of the Senate*

Senator Karen Keiser, *President Pro Tempore*

Senator John Lovick, *Vice President Pro Tempore*

Sarah Bannister, *Secretary of the Senate*

This page left intentionally blank.

SENATE CAUCUS OFFICERS

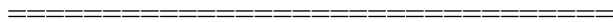
2023

DEMOCRATIC CAUCUS

Majority Leader Andy Billig
Majority Caucus Chair Bob Hasegawa
Majority Floor Leader Jamie Pedersen
Majority Whip T’wina Nobles
Majority Deputy Leader Manka Dhingra
Majority Deputy Leader Emily Randall
Majority Leadership Liaison to Tribal Nations Claudia Kauffman
Majority Leadership Liaison to Tribal Nations Derek Stanford
Majority Caucus Vice Chair Rebecca Saldaña
Majority Assistant Floor Leader Joe Nguyen
Majority Assistant Whip Claire Wilson

REPUBLICAN CAUCUS

Republican Leader John Braun
Republican Caucus Chair Judy Warnick
Republican Floor Leader Shelly Short
Republican Whip Keith Wagoner
Republican Caucus Deputy Leader Chris Gildon
Republican Caucus Vice Chair Ron Muzzall
Republican Assistant Floor Leader Nikki Torres
Republican Assistant Whip Perry Dozier



Secretary of the Senate Sarah Bannister
Deputy Secretary Colleen Rust

This page left intentionally blank.

TABLE OF CONTENTS

VOLUME 1

Regular Session, First Day, January 9, 2023 through, Ninety Second Day, April 10, 2023	1-1179
---	--------

VOLUME 2

Regular Session, (continued) Ninety Third Day, April 11, 2023 through, One Hundred Third Day, April 22, 2023	1180-2347
---	-----------

VOLUME 3

Regular Session, (continued) One Hundred Fourth Day, April 23, 2023 through, One Hundred Fifth Day, April 23, 2023.....	2348-3070
Special Session, First Day, May 16, 2023	3071-3099
Roster of Members and Committee Assignments	3101-3110
Roster of Staff and Other Employees	3111-3120
Governor's Messages	
Senate Bills Signed After Adjournment	3121
Veto and Partial Vetoes of Senate Bills.....	3122-3125
Gubernatorial Appointments.....	3126-3132
Bills, Memorials and Resolutions	
Passed by Both Houses	3133-3141
History of Bills and Other Measures	3142-3172
Other Senate Actions	3173-3179
Reports to the Legislature	3180-3205
General Index.....	3206-3296

This page left intentionally blank.

FIRST DAY

NOON SESSION

Senate Chamber, Olympia
Monday, January 9, 2023

At 12 o'clock noon, pursuant to law, the Senate of the 2023 Regular Session of the Sixty-Eighth Legislature of the State of Washington assembled in the Senate Chamber at the State Capitol. Lieutenant Governor Denny Heck, President of the Senate, called the Senate to order.

The Washington State Patrol Honor Guard, consisting of Lieutenant Matt Fehler, Trooper Kyle Flaig, Trooper Dean Gallanger, Sergeant Kelli Howes and Corporal Alexis Robinson, presented the Colors.

Lt. Governor Heck led the Senate in the Pledge of Allegiance.

The National Anthem was performed in both song and interpreted into American Sign Language (ASL) by the American Sign Language Program class at River Ridge High School, Lacey. The class was led by their teacher, Ms. Cathy Boos.

The Washington State Patrol Honor Guard retired from the Chamber.

The prayer was offered by Pastor Maynard Atik of Edmonds, guest of Senator Pedersen.

REMARKS BY THE PRESIDENT

President Heck: "The President extends his heartfelt congratulations to all of you and especially the new members. You are an impressive lot indeed.

The President also wants to recognize the incredible partnership and sacrifices that your families play in this great process. It defies imagination that anyone could ever go through this without a strong support network and especially that of a family.

Thank you all for your willingness to serve your community.

You are part of a special institution. In our state's entire history, probably fewer than 1,000 people have had the privilege to occupy these seats. Think about that! That's fewer people than the number of students at Olympia High School up the street. So, it is indeed an honor to serve here.

We meet in person for the first time in three years. Now we will practice democracy in the originally intended way – face to face. We are all glad for that and hopefully, we are also aware that this return to normalcy will require some adjustment and patience and grace on each of our parts. The President will extend that to all of you and humbly asks it in return.

This body, including our outstanding staff, acquitted itself these last years in spectacular fashion. Remote operations are hard. We got the technology down thanks to extraordinary effort. But we also got the comportment piece right despite the extraordinary frustrations and tensions.

Indeed, this is said with the utmost sincerity, it is an honor to be a part of a democratic institution where policy disagreements are often prosecuted with strong conviction but also respectfully. It is not true everywhere. It is here. That is part of why the rules exist and they will be enforced.

We all know your communities have sent you here to do good. It is our collective charge. Back home, paying attention to our efforts isn't always the highest priority. Maybe it is just getting by. Or maybe it is the universal pursuit of finding meaning, or a sense of belonging or of well-being. Again, they may not be focusing on this place.

But they have given us the power to do good and it is a sacred opportunity, an opportunity to make a difference in the lives of

people, and to elevate the human condition in however we may individually or collectively define that. Let us all remember, however, that we do not possess that power but only hold it in trust and temporarily.

And so, as the President has said now three years running, let's get started."

The Secretary called the roll of the following holdover members of the Senate, and all were present with the exception of Senator McCune: Senators Billig, Braun, Cleveland, Dozier, Gildon, Hasegawa, Hawkins, Hunt, King, Lovelett, McCune, Mullet, Muzzall, Nobles, Padden, Rivers, Rolfes, Schoesler, Stanford, Van De Wege, Wagoner, Wellman, Wilson, J., and Wilson, L.

MOTION

On motion of Senator Pedersen, the Senate advanced to the third order of business.

LETTER OF RESIGNATION

December 31, 2022

Governor Jay Inslee
Office of the Governor
PO Box 4002
Olympia, WA 98504

Dear Governor Inslee,

I am writing to notify you of my upcoming resignation. My last day serving as Washington State Senator for the 35th Legislative District will be December 31st, 2022.

I am deeply grateful for the opportunity to have spent 32 wonderful years working across the aisles with colleagues in both the House and Senate.

I am honored to be elected. Serving not only the constituents of the 35th Legislative District, but Washington State, has been my great privilege.

Best Regards,

/s/
Senator Tim Sheldon
35th Legislative District

MESSAGE FROM THE SECRETARY OF STATE

December 7, 2022

The Honorable Denny Heck
President of the Senate
P.O. Box 40482
Olympia, WA 98504-0482

Dear President Heck:

The returns of the November 8, 2022 General Election have been certified. My office certifies the results for statewide measures, federal offices, statewide offices, and any legislative or judicial office that crosses county lines. Legislative and judicial offices located entirely within one county were certified by the county canvassing board of that county on November 29, 2022.

FIRST DAY, JANUARY 9, 2023

Enclosed, please find copies of the measures and races certified by my office, as well as a list of all new and returning senators.

Please feel free to contact my office if you have any questions.

Sincerely,

/s/

Steve R. Hobbs
Secretary of State

**The Honorable President of the Senate
The Legislature of the State of Washington Olympia,
Washington**

Mr. President:

I, Steve Hobbs, Secretary of State of the state of Washington, do hereby certify that the following is a full, true, and correct list of persons elected to the Office of State Senator, as shown by the official returns of the November 8, 2022 General Election on file in the Office of the Secretary of State. This list contains newly elected as well as returning Senators.

Senators Elected November 8, 2022

Dist	Name	Party Preference	Counties Represented
6	Jeff Holy	Prefers Republican Party	Spokane
7	Shelly Short	Prefers Republican Party	Douglas, Ferry, Grant, Okanogan, Pend Oreille, Spokane, Stevens
8	Matt Boehnke	Prefers Republican Party	Benton, Franklin
13	Judy Warnick	Prefers Republican Party	Grant, Kittitas, Yakima
15	Nikki Torres	Prefers Republican Party	Yakima
21	Marko Liias	Prefers Democratic Party	Snohomish
26	Emily Randall	Prefers Democratic Party	Kitsap, Pierce
27	Yasmin Trudeau	Prefers Democratic Party	Pierce
29	Steve Conway	Prefers Democratic Party	Pierce
30	Claire Wilson	Prefers Democratic Party	King
31	Phil Fortunato	Prefers Republican Party	King, Pierce
32	Jesse Salomon	Prefers Democratic Party	King, Snohomish
33	Karen Keiser	Prefers Democratic Party	King

Dist	Name	Party Preference	Counties Represented
34	Joe Nguyen	Prefers Democratic Party	King
35	Drew C. MacEwen	Prefers Republican Party	Kitsap, Mason, Thurston
36	Noel Frame	Prefers Democratic Party	King
37	Rebecca Saldana	Prefers Democratic Party	King
38	June Robinson	Prefers Democratic Party	Snohomish
42	Sharon Shewmake	Prefers Democratic Party	Whatcom
43	Jamie Pedersen	Prefers Democratic Party	King
44	John Lovick	Prefers Democratic Party	Snohomish
45	Manka Dhingra	Prefers Democratic Party	King
46	Javier Valdez	Prefers Democratic Party	King
47	Claudia Kauffman	Prefers Democratic Party	King
48	Patty Kuderer	Prefers Democratic Party	King

Returning Senators

Dist.	Name	Party Preference	Counties Represented
1	Derek Stanford	Prefers Democratic Party	King, Snohomish
2	Jim McCune	Prefers Republican Party	Pierce, Thurston
3	Andy Billig	Prefers Democratic Party	Spokane
4	Mike Padden	Prefers Republican Party	Spokane
5	Mark Mullet	Prefers Democratic Party	King
9	Mark G. Schoesler	Prefers GOP Party	Adams, Asotin, Columbia, Franklin, Garfield, Lincoln, Spokane, Whitman
10	Ron Muzzall	Prefers Republican Party	Island, Skagit, Snohomish

Dist.	Name	Party Preference	Counties Represented
11	Bob Hasegawa	Prefers Democratic Party	King
12	Brad Hawkins	Prefers Republican Party	Chelan, Douglas, King, Snohomish
14	Curtis P. King	Prefers Republican Party	Klickitat, Yakima
16	Perry Dozier	Prefers Republican Party	Benton, Franklin, Walla Walla
17	Lynda Wilson	Prefers Republican Party	Clark, Skamania
18	Ann Rivers	Prefers Republican Party	Clark
19	Jeff Wilson	Prefers Republican Party	Cowlitz, Grays Harbor, Lewis, Pacific, Thurston, Wahkiakum
20	John Braun	Prefers Republican Party	Clark, Cowlitz, Lewis, Thurston
22	Sam Hunt	Prefers Democratic Party	Thurston
23	Christine Rolfes	Prefers Democratic Party	Kitsap
24	Kevin Van De Wege	Prefers Democratic Party	Clallam, Grays Harbor, Jefferson
25	Chris Gildon	Prefers Republican Party	Pierce
28	T'wina Nobles	Prefers Democratic Party	Pierce
39	Keith L. Wagoner	Prefers Republican Party	Skagit, Snohomish
40	Elizabeth (Liz) Lovelett	Prefers Democratic Party	San Juan, Skagit, Whatcom
41	Lisa Wellman	Prefers Democratic Party	King
49	Annette Cleveland	Prefers Democratic Party	Clark

I, Steve Hobbs, Secretary of State of the State of Washington, do hereby certify that according to the provisions of RCW 29A.60.250, I have canvassed the returns of the 3,067,686 votes cast in the November 8, 2022 General Election by the registered voters of the state for all statewide measures, statewide offices, those legislative and judicial offices whose jurisdiction encompasses more than one county, as received from the County Auditors. The votes cast for these measures and these candidates are as follows:

Advisory Vote No. 39

Engrossed Substitute Senate Bill 5974

The legislature increased, without a vote of the people, the tax on aircraft fuel from 11 cents to 18 cents per gallon, costing \$14 million in its first ten years, for government spending.

Repealed	1,704,666
Maintained	1,189,673

Advisory Vote No. 40

Engrossed Substitute House Bill 2076

The legislature imposed, without a vote of the people, premiums on "transportation network companies" to provide workers compensation to their drivers, costing an indeterminate amount in its first ten years, for government spending.

Repealed	1,494,471
Maintained	1,378,471

U.S. Senator

Candidate	Party	Votes
Patty Murray	(Prefers Democratic Party)	1,741,827
Tiffany Smiley	(Prefers Republican Party)	1,299,322
WRITE-IN		6,751

Congressional District 1 - U.S. Representative

Candidate	Party Preference	Votes
Suzan DelBene	(Prefers Democratic Party)	181,992
Vincent J Cavaleri	(Prefers Republican Party)	104,329
WRITE-IN		363

Congressional District 2 - U.S. Representative

Candidate	Party Preference	Votes
Rick Larsen	(Prefers Democratic Party)	202,980
Dan Matthews	(Prefers Republican Party)	134,335
WRITE-IN		608

Congressional District 3 - U.S. Representative

Marie Gluesenkamp Perez	(Prefers Democratic Party)	160,314
Joe Kent	(Prefers Republican Party)	157,685
WRITE-IN		1,760

Congressional District 4 - U.S. Representative

Candidate	Party Preference	Votes
Dan Newhouse	(Prefers Republican Party)	150,619
Doug White	(Prefers Democratic Party)	70,710
WRITE-IN		5,318

Congressional District 5 - U.S. Representative

Candidate	Party Preference	Votes
Cathy McMorris Rodgers	(Prefers Republican Party)	188,648
Natasha Hill	(Prefers Democratic Party)	127,585
WRITE-IN		773

Congressional District 6 - U.S. Representative

Candidate	Party Preference	Votes
Derek Kilmer	(Prefers Democratic Party)	208,710
Elizabeth Kreiselmaier	(Prefers Republican Party)	138,754
WRITE-IN		409

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the state of Washington, this 7th day of December, 2022.

(Seal)

STEVE R. HOBBS, Secretary of State

FIRST DAY, JANUARY 9, 2023

Congressional District 7 - U.S. Representative

Candidate	Party Preference	Votes
Pramila Jayapal	(Prefers Democratic Party)	295,998
Cliff Moon	(Prefers Republican Party)	49,207
WRITE-IN		1,442

Congressional District 8 – U.S. Representative

Candidate	Party Preference	Votes
Kim Schrier	(Prefers Democratic Party)	179,003
Matt Larkin	(Prefers Republican Party)	155,976
WRITE-IN		1,059

Congressional District 9 - U.S. Representative

Candidate	Party Preference	Votes
Adam Smith	(Prefers Democratic Party)	171,746
Doug Basler	(Prefers Republican Party)	67,631
WRITE-IN		471

Congressional District 10 - U.S. Representative

Candidate	Party Preference	Votes
Marilyn Strickland	(Prefers Democratic Party)	152,544
Keith R Swank	(Prefers Republican Party)	114,777
WRITE-IN		427

Secretary of State

Candidate	Party Preference	Votes
Steve Hobbs	(Prefers Democratic Party)	1,468,521
Julie Anderson	(Prefers Nonpartisan Party)	1,351,926
WRITE-IN		129,933

Legislative District 1 - State Representative Position 1

Candidate	Party Preference	Votes
Davina Duerr	(Prefers Democratic Party)	48,043
John Peebles	(Prefers Republican Party)	19,740
WRITE-IN		58

Legislative District 1 - State Representative Position 2

Candidate	Party Preference	Votes
Shelley Kloba	(Prefers Democratic Party)	48,198
Jerry Buccola	(Prefers Republican Party)	19,443
WRITE-IN		67

Legislative District 2 - State Representative Position 1

Candidate	Party Preference	Votes
Andrew Barkis	(Prefers Republican Party)	41,291
WRITE-IN		3,009

Legislative District 2 - State Representative Position 2

Candidate	Party Preference	Votes
J.T. Wilcox	(Prefers Republican Party)	38,535
Edward Meer	(States No Party Preference)	13,634
WRITE-IN		1,022

Legislative District 7 - State Senator

Candidate	Party Preference	Votes
Shelly Short	(Prefers Republican Party)	51,661
WRITE-IN		1,638

Legislative District 7 - State Representative Position 1

Candidate	Party Preference	Votes
Jacquelin	(Prefers Republican Party)	42,611
Maycumber		
Lonny Ray Williams	(Prefers Republican Party)	14,771
WRITE-IN		1,180

Legislative District 7 - State Representative Position 2

Candidate	Party Preference	Votes
Joel Kretz	(Prefers Republican Party)	51,074
WRITE-IN		1,534

Legislative District - State Senator

Candidate	Party Preference	Votes
Matt Boehnke	(Prefers Republican Party)	40,808
Ronni Batchelor	(Prefers Independent Party)	15,960
WRITE-IN		143

Legislative District 8 - State Representative Position 1

Candidate	Party Preference	Votes
Stephanie Barnard	(Prefers Republican Party)	37,729
Patrick Guettner	(Prefers Republican Party)	13,015
WRITE-IN		995

Legislative District 8 - State Representative Position 2

Candidate	Party Preference	Votes
April Connors	(Prefers Republican Party)	29,176
Joe Cotta	(Prefers Republican Party)	22,880
WRITE-IN		993

Legislative District 9 - State Representative Position 1

Candidate	Party Preference	Votes
Mary Dye	(Prefers Republican Party)	46,711
WRITE-IN		2,124

Legislative District 9 - State Representative Position 2

Candidate	Party Preference	Votes
Joe Schmick	(Prefers GOP Party)	45,320
WRITE-IN		2,133

Legislative District 10 - State Representative Position 1

Candidate	Party Preference	Votes
Clyde Shavers	(Prefers Democratic Party)	37,375
Greg Gilday	(Prefers Republican Party)	37,164
WRITE-IN		104

Legislative District 10 - State Representative Position 2

Candidate	Party Preference	Votes
Dave Paul	(Prefers Democratic Party)	38,911
Karen Lesetmoe	(Prefers Republican Party)	35,711
WRITE-IN		74

Legislative District 12 - State Representative Position 1

Candidate	Party Preference	Votes
Keith W. Goehner	(Prefers Republican Party)	45,819
WRITE-IN		2,764

Legislative District 12 - State Representative Position 2

Candidate	Party Preference	Votes
Mike Steele	(Prefers Republican Party)	42,812
Robert K. Amenn	(Prefers Republican Party)	9,655
WRITE-IN		2,111

Legislative District 13 - State Senator

Candidate	Party Preference	Votes
Judy Warnick	(Prefers Republican Party)	41,785
WRITE-IN		1,242

Legislative District 13 - State Representative Position 1

Candidate	Party Preference	Votes
Tom Dent	(Prefers Republican Party)	41,617
WRITE-IN		1,235

Legislative District 13 - State Representative Position 2

Candidate	Party Preference	Votes
Alex Ybarra	(Prefers Republican Party)	41,425
WRITE-IN		1,086

Legislative District 14 - State Representative Position 1

Candidate	Party Preference	Votes
Chris Corry	(Prefers Republican Party)	30,367
Laurene Contreras	(States No Party Preference)	15,592
WRITE-IN		135

Legislative District 14 - State Representative Position 2

Candidate	Party Preference	Votes
Gina Mosbrucker	(Prefers Republican Party)	30,940
Liz Hallock	(States No Party Preference)	15,208
WRITE-IN		148

Legislative District 1 - State Senator

Candidate	Party Preference	Votes
Nikki Torres	(Prefers Republican Party)	15,686
Lindsey Keesling	(Prefers Democratic Party)	7,437
WRITE-IN		55

Legislative District 15 - State Representative Position 1

Candidate	Party Preference	Votes
Bruce Chandler	(Prefers Republican Party)	17,856

WRITE-IN		802
Legislative District 15 - State Representative Position 2		
Candidate	Party Preference	Votes
Bryan Sandlin	(Prefers Republican Party)	17,384
WRITE-IN		774
Legislative District 16 - State Representative Position 1		
Candidate	Party Preference	Votes
Mark Klicker	(Prefers Republican Party)	37,792
Jeff Strickler	(Prefers Democratic Party)	17,128
WRITE-IN		63
Legislative District 16 - State Representative Position 2		
Candidate	Party Preference	Votes
Skyler Rude	(Prefers Republican Party)	38,916
Jan Corn	(Prefers Democratic Party)	15,816
WRITE-IN		65
Legislative District 17 - State Representative Position 1		
Candidate	Party Preference	Votes
Terri Niles	(Prefers Democratic Party)	32,423
Kevin Waters	(Prefers Republican Party)	36,901
WRITE-IN		110
Legislative District 17 - State Representative Position 2		
Candidate	Party Preference	Votes
Joe Kear	(Prefers Democratic Party)	31,407
Paul Harris	(Prefers Republican Party)	37,860
WRITE-IN		125
Legislative District 19 - State Representative Position 1		
Candidate	Party Preference	Votes
Jim Walsh	(Prefers Republican Party)	39,940
Kelli Hughes-Ham	(Prefers Democratic Party)	24,232
WRITE-IN		71
Legislative District 19 - State Representative Position 2		
Candidate	Party Preference	Votes
Joel McEntire	(Prefers Republican Party)	39,357
Cara Cusack	(Prefers Democratic Party)	24,643
WRITE-IN		81
Legislative District 20 - State Representative Position 1		
Candidate	Party Preference	Votes
Peter Abbarno	(Prefers Republican Party)	50,693
WRITE-IN		2,059
Legislative District 20 - State Representative Position 2		
Candidate	Party Preference	Votes
Ed Orcutt	(Prefers Republican Party)	50,764
WRITE-IN		1,973
Legislative District 24 - State Representative Position 1		
Candidate	Party Preference	Votes
Mike Chapman	(Prefers Democratic Party)	46,050
Sue Forde	(Prefers Republican Party)	35,354
WRITE-IN		73
Legislative District 24 - State Representative Position 2		
Candidate	Party Preference	Votes
Steve Tharinger	(Prefers Democratic Party)	44,910
Brian Pruiett	(Prefers Republican Party)	36,202
WRITE-IN		53
Legislative District 26 - State Senator		
Candidate	Party Preference	Votes
Emily Randall	(Prefers Democratic Party)	37,081
Jesse L. Young	(Prefers Republican Party)	36,946
WRITE-IN		93
Legislative District 26 - State Representative Position 1		
Candidate	Party Preference	Votes
Adison Richards	(Prefers Democratic Party)	37,081
Spencer Hutchins	(Prefers Republican Party)	37,816
WRITE-IN		45
Legislative District 26 - State Representative Position 2		
Candidate	Party Preference	Votes

Michelle Caldier	(Prefers Republican Party)	42,087
Matt Macklin	(Prefers Democratic Party)	32,741
WRITE-IN		65
Legislative District 31-State Senator		
Candidate	Party Preference	Votes
Phil Fortunato	(Prefers Republican Party)	35,764
Chris Vance	(States No Party Preference)	28,053
WRITE-IN		263
Legislative District 31- State Representative Position 1		
Candidate	Party Preference	Votes
Holly Stanton	(Prefers Democratic Party)	25,929
Drew Stokesbary	(Prefers Republican Party)	39,051
WRITE-IN		69
Legislative District 31- State Representative Position 2		
Candidate	Party Preference	Votes
Eric E. Robertson	(Prefers Republican Party)	40,206
Carrie Wilbur	(Prefers Democratic Party)	24,489
WRITE-IN		86
Legislative District 32 - State Senator		
Candidate	Party Preference	Votes
Jesse Salomon	(Prefers Democratic Party)	43,240
Patricia Weber	(Prefers Democratic Party)	13,159
WRITE-IN		1,396
Legislative District 32 - State Representative Position 1		
Candidate	Party Preference	Votes
Cindy Ryu	(Prefers Democratic Party)	51,038
Lori Theis	(Prefers Election Integrity Party)	11,155
WRITE-IN		298
Legislative District 32 - State Representative Position 2		
Candidate	Party Preference	Votes
Lauren Davis	(Prefers Democratic Party)	50,403
Anthony Hubbard	(Prefers Republican Party)	13,001
WRITE-IN		140
Legislative District 35 - State Senator		
Candidate	Party Preference	Votes
Drew C MacEwen	(Prefers Republican Party)	41,828
Julianne Gale	(Prefers Democratic Party)	32,705
WRITE-IN		74
Legislative District 35 - State Representative Position 1		
Candidate	Party Preference	Votes
Daniel Griffey	(Prefers Republican Party)	43,938
James DeHart	(Prefers Democratic Party)	30,459
WRITE-IN		96
Legislative District 35 - State Representative Position 2		
Candidate	Party Preference	Votes
Sandy Kaiser	(Prefers Democratic Party)	34,762
Travis Couture	(Prefers Republican Party)	39,445
WRITE-IN		57
Legislative District 39 - State Representative Position 1		
Candidate	Party Preference	Votes
Robert J. Sutherland	(Prefers Republican Party)	24,976
Sam Low	(Prefers Republican Party)	31,997
WRITE-IN		1,856
Legislative District 39 - State Representative Position 2		
Candidate	Party Preference	Votes
Carolyn Eslick	(Prefers Republican Party)	38,519
Jessica Wadhams	(Prefers Democratic Party)	26,082
WRITE-IN		123
Legislative District 40 - State Representative Position 1		
Candidate	Party Preference	Votes
Debra Lekanoff	(Prefers Democratic Party)	52,488
Shannon Perkes		23,208
WRITE-IN		142
Legislative District 40 - State Representative Position 2		

FIRST DAY, JANUARY 9, 2023

Candidate	Party Preference	Votes
Alex Ramel	(Prefers Democratic Party)	47,326
Trevor Smith	(Prefers Democratic Party)	14,978
WRITE-IN		1,872
Supreme Court - Justice Position 1		
Candidate		Votes
Mary I. Yu		1,961,152
WRITE-IN		52,447
Supreme Court - Justice Position 5		
Candidate		Votes
Barbara Madsen		1,937,634
WRITE-IN		43,453
Supreme Court-Justice Position 6		
Candidate		Votes
G. Helen Whitener		1,918,080
WRITE-IN		42,740
Court of Appeals, Division 2, District 2 - Judge Position 1		
Candidate		Votes
Erik D. Price		229,277
WRITE-IN		4,963
Court of Appeals, Division 2, District 3 - Judge Position 1		
Candidate		Votes
Anne Cruser		184,274
WRITE-IN		3,252
Court of Appeals, Division 3, District 2 - Judge Position 1		
Candidate		Votes
George Fearing		120,000
WRITE-IN		1,513
Benton, Franklin Superior Court - Judge Position 4		
Candidate		Votes
George F. Cicotte		39,419
Norma Rodriguez		48,898
WRITE-IN		218
Benton, Franklin Superior Court - Judge Position 6		
Candidate		Votes
Jacqueline I. Stam		64,910
WRITE-IN		704

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the state of Washington, this 7th day of December, 2022, at Olympia, the State Capital.

(Seal)

STEVE R. HOBBS, Secretary of State

APPOINTMENT OF SPECIAL COMMITTEE

The President of the Senate appointed a committee of honor consisting of Senators Valdez and Padden to escort the Honorable Steven Gonzalez, Chief Justice of the Supreme Court of the state of Washington, to the rostrum.

APPOINTMENT OF SPECIAL COMMITTEE

The President of the Senate appointed a committee of honor consisting of Senators Lovick and Wagoner to escort the Honorable Steven Hobbs, Secretary of State, to the rostrum.

The Secretary called the roll of the following newly re-elected members of the Senate, and all were present: Conway, Dhingra, Fortunato, Holy, Keiser, Kuderer, Liias, Nguyen, Pedersen, Randall, Robinson, Saldaña, Salomon, Short, Warnick, and Wilson, C.

The Sergeant at Arms, Mr. Andrew Staubitz, escorted each of the newly re-elected members of the Senate to the rostrum of the Senate to receive their oath of office.

Chief Justice Gonzalez thereupon administered the oath of office to each of the newly re-elected senators.

The Secretary of State presented each of the newly re-elected senators a certificate of election.

The Sergeant at Arms escorted each of the newly re-elected senators to their seat on the floor of the Senate.

The Secretary called the roll of the following newly elected members, and all were present: Senators Boehnke, Frame, Kauffman, Lovick, MacEwen, Shewmake, Torres, Trudeau, and Valdez.

The Sergeant at Arms escorted each of the newly elected members of the Senate to the rostrum of the Senate to receive their oath of office.

Chief Justice Gonzalez thereupon administered the oath of office to each of the newly elected senators.

The Secretary of State presented each of the newly elected senators a certificate of election.

The Sergeant at Arms escorted each of the newly elected senators to their seat on the floor of the Senate.

ELECTION OF PRESIDENT PRO TEMPORE

The President declared the Office of President Pro Tempore of the Senate open and called for nominations.

Senator Dhingra nominated Senator Karen Keiser for the position of President Pro Tempore.

Senator King seconded the nomination.

MOTION

On motion of Senator Pedersen, the nominations for the office of President Pro Tempore of the Senate were closed.

REMARKS BY SENATOR DHINGRA

Senator Dhingra: "Thank you Mr. President. It gives me great pleasure to rise to nominate Senator Keiser to the position of Senate President Pro Tempore. Senator Keiser needs no introduction to this body. We all know her past work and the numerous rolls in which she has served this body, from the chair of Healthcare Committee to the Senate Democratic Caucus Capital Lead, a lead on the Capital Budget and her current work as Chair of the Labor & Commerce Committee, and as President Pro Tempore. She has a well-earned reputation of bringing parties together, building consensus. She can always be relied on to find that sweet spot to really creative, create effective legislation. She has shown, in the years that she has served as President Pro Tempore, that she presides thoughtfully, fairly, judiciously, and with a deep knowledge of Senate rules and procedures. She has earned the respect and gratitude of every member of this chamber for so many years. And as a fellow California – Berkeley alum, I have no doubt that many of her great qualities are due to Senator Keiser's excellent education at the University of California-Berkeley. So, I ask for your support for Senator Keiser to continue putting her first-class education and her many years of experience in the Legislature to work for the people of Washington as President Pro Tempore of this body."

MOTION

On motion of Senator Wagoner, Senator McCune was excused.

The President declared the question before the Senate to be the election for the office of President Pro Tempore.

ROLL CALL

The Secretary called the roll for the office of President Pro Tempore and Senator Keiser was elected President Pro Tempore of the Senate by the following vote: Keiser, 48; Excused, 1.

Voting Keiser: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J., and Wilson, L.

Excused: McCune.

APPOINTMENT OF SPECIAL COMMITTEE

The President of the Senate appointed a committee of honor consisting of Senators King and Kuderer to escort Senator Keiser to the rostrum to receive her oath of office.

Chief Justice Gonzalez thereupon administered the oath of office to Senator Keiser.

Senator Keiser returned to her seat on the floor of the Senate.

ELECTION OF VICE PRESIDENT PRO TEMPORE

The President declared the Office of Vice President Pro Tempore of the Senate open and called for nominations.

Senator Shewmake nominated Senator John Lovick for the position of Vice President Pro Tempore.

Senator Wagoner seconded the nomination.

REMARKS BY SENATOR SHEWMAKE

Senator Shewmake: "Thank you. I am new to this body, but I had the honor of serving with Senator Lovick while we were members in the House. And I've got to say that at every point, he always showed so much grace, so much elegance, so much kindness. But, also, he was able to talk about the difficult things while doing so. And so, when we have someone up on the rostrum, I am so excited to have someone that can bring a state of the, the magnanimity of this body. To show us how important the decisions that we're making here today and bring back grace with him. Senator Lovick always has a quote that I'm going to mangle, and 'it's not so much what you say, but how you make people feel,' and I will say that Senator Lovick always makes people feel warm, welcome and invited, and the seriousness and the duty of this job."

MOTION

On motion of Senator Pedersen, the nominations for the office of Vice President Pro Tempore of the Senate were closed.

The President declared the question before the Senate to be the election for the office of Vice President Pro Tempore.

ROLL CALL

The Secretary called the roll for the office of Vice President Pro Tempore and Senator Lovick was elected Vice President Pro Tempore of the Senate by the following vote: Lovick, 48; Excused, 1.

Voting Keiser: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J., and Wilson, L.

Excused: McCune.

APPOINTMENT OF SPECIAL COMMITTEE

The President of the Senate appointed a committee of honor consisting of Senators Lias and Holy to escort Senator Lovick to the rostrum to receive his oath of office.

Chief Justice Gonzalez thereupon administered the oath of office to Senator Lovick.

Senator Lovick returned to his seat on the floor of the Senate.

ELECTION OF SECRETARY OF THE SENATE

The President declared the Office of Secretary of the Senate open and called for nominations.

Senator Billig nominated Mrs. Sarah Bannister for the position of Secretary of the Senate.

Senator Braun seconded the nomination of Mrs. Sarah Bannister.

MOTION

On motion of Senator Pedersen, the nominations for the office of Vice President Pro Tempore of the Senate were closed.

REMARKS BY SENATOR BILLIG

Senator Billig: "Thank you Mr. President. Nice to see you and Happy New Year. It is my pleasure and honor to rise in support of Sarah Bannister's nomination for Secretary of the Senate. Sarah has both the experience and the talent to do this job and to do it well. Speaking of experience, she started in the legislature in 1999. She was a caseworker and a temporary session aide. And then she just kept getting more and more responsibility. And then became the Deputy Leader of this body, or Deputy, excuse me Deputy Secretary of this body. And a year ago elected as the Secretary of the Senate. I just have so much confidence in her to do this job because I've seen her do the job. And it is not an easy job. She's responsible for over 200 staff people and has the responsibility and duty to wrangle 49 independently minded senators. She does it with grace and she does it very effectively. One of the things I especially appreciate about Sarah is how she balances; you know this is an old institution with a lot of traditions. And a lot of those traditions are good and should continue, but we also need to have change when it makes sense, and she seems to get that balance between the old and the new just right. In short, she is exactly the right person for this job, and I urge everybody in this body to join me in re-electing Sarah Bannister as the Secretary of the Senate. Thank you."

REMARKS BY SENATOR BRAUN

Senator Braun: “Thank you Mr. President. I just want to stand briefly and recognize in particular the work Sarah Bannister has done over the last couple of years with respect, humility, frankly with great energy. But also, with resolute determination to do the people’s business in an unprecedented time during the pandemic and the strength to make it happen. I’m very proud, very proud to second the nomination and support her with my vote. Thank you Mr. President.”

The President declared the question before the Senate to be the election for the office of Secretary of the Senate.

ROLL CALL

The Secretary called the roll for the office of Secretary of the Senate and Mrs. Bannister was elected Secretary of the Senate by the following vote: Bannister, 48; Excused, 1.

Voting Keiser: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman. Wilson, C., Wilson, J., and Wilson, L.

Excused: McCune.

APPOINTMENT OF SPECIAL COMMITTEE

The President of the Senate appointed a committee of honor consisting of Senators Nguyen and Short to escort Mrs. Sarah Bannister to the rostrum to receive her oath of office.

Chief Justice Gonzalez thereupon administered the oath of office to Mrs. Sarah Bannister.

Secretary Bannister returned to her seat at the rostrum.

APPOINTMENT OF SPECIAL COMMITTEE

The President of the Senate called upon the committee of honor consisting of Senators Padden and Valdez to escort Chief Justice Steven Gonzalez from the Senate Chamber.

APPOINTMENT OF SPECIAL COMMITTEE

The President of the Senate called upon the committee of honor consisting of Senators Lovick and Wagoner to escort Secretary of State Steve Hobbs from the Senate Chamber.

MOTIONS

On motion of Senator Pedersen, the Senate advanced to the eighth order of business.

Senator Pedersen moved adoption of the following resolution:

SENATE RESOLUTION
8601

By Senators Pedersen and Short

BE IT RESOLVED, That the Rules of the Senate for the ((2019)) 2021 Regular Session of the ((66th)) 67th Legislature, as amended in the ((2019)) 2021 Regular Session and the ((2020)) 2022 Regular Session, be adopted as amended as the Rules of the

Senate for the ((2021)) 2023 Regular Session of the ((67th)) 68th Legislature, to read as follows:

**PERMANENT RULES
OF THE
SENATE
((SIXTY-SEVENTH)) SIXTY-EIGHTH LEGISLATURE
((2021)) 2023**

SECTION I - OFFICERS-MEMBERS-EMPLOYEES

- Rule 1** Duties of the President
- Rule 2** President Pro Tempore
- Rule 3** Secretary of the Senate
- Rule 4** Sergeant at Arms
- Rule 5** Subordinate Officers
- Rule 6** Employees
- Rule 7** Conduct of Members and Officers

SECTION II - OPERATIONS AND MANAGEMENT

- Rule 8** Facilities and Operations
- Rule 9** Use of Senate Chambers
- Rule 10** Admission to the Senate
- Rule 11** Engrossed Printing of Bills
- Rule 12** Furnishing Full File of Bills
- Rule 13** Regulation of Lobbyists
- Rule 14** Security Management

SECTION III - RULES AND ORDER

- Rule 15** Time of Convening
- Rule 16** Quorum
- Rule 17** Order of Business
- Rule 18** Special Order
- Rule 19** Unfinished Business
- Rule 20** Motions and Senate Floor Resolutions (How Presented)
- Rule 21** Precedence of Motions
- Rule 22** Voting
- Rule 23** Announcement of Vote
- Rule 24** Call of the Senate
- Rule 25** One Subject in a Bill
- Rule 26** No Amendment by Mere Reference to Title of Act
- Rule 27** Reading of Papers
- Rule 28** Comparing Enrolled and Engrossed Bills

SECTION IV - PARLIAMENTARY PROCEDURE

- Rule 29** Rules of Debate
- Rule 30** Recognition by the President
- Rule 31** Call for Division of a Question
- Rule 32** Point of Order - Decision Appealable
- Rule 33** Question of Privilege
- Rule 34** Protests
- Rule 35** Suspension of Rules
- Rule 36** Previous Question

- Rule 37** Reconsideration
- Rule 38** Motion to adjourn
- Rule 39** Yeas and Nays - When Must be Taken
- Rule 40** Reed’s Parliamentary Rules
- SECTION V - COMMITTEES**
- Rule 41** Committees - Appointment and Confirmation
- Rule 42** Subcommittees
- Rule 43** Subpoena Power
- Rule 44** Duties of Committees
- Rule 45** Committee Rules
- Rule 46** Committee Meetings During Sessions
- Rule 47** Reading of Reports
- Rule 48** Recalling Bills from Committees
- Rule 49** Bills Referred to Rules Committee
- Rule 50** Rules Committee
- Rule 51** Employment Committee
- Rule 52** Committee of the Whole
- Rule 53** Appropriation Budget Bills

SECTION VI - BILLS, RESOLUTIONS, MEMORIALS AND GUBERNATORIAL APPOINTMENTS

- Rule 54** Definitions
- Rule 55** Prefiling
- Rule 56** Introduction of Bills
- Rule 57** Amendatory Bills
- Rule 58** Joint Resolutions and Memorials
- Rule 59** Senate Concurrent Resolutions
- Rule 60** Committee Bills
- Rule 61** Committee Reference
- Rule 62** Reading of Bills
- Rule 63** First Reading
- Rule 64** Second Reading/Amendments
- Rule 65** Third Reading
- Rule 66** Scope and Object of Bill Not to be Changed
- Rule 67** Matter Related to Disagreement Between the Senate and House
- Rule 68** Bills Committed for Special Amendment
- Rule 69** Confirmation of Gubernatorial Appointees
- Rule 70** Emergency Resolution Authorized

**SECTION I
OFFICERS-MEMBERS-EMPLOYEES
Duties of the President**

Rule 1. 1. The president shall take the chair and call the senate to order precisely at the hour appointed for meeting, and, if a quorum be present, shall cause the journal of the preceding day to be read. (See also Art. 3, Sec. 16, State Constitution.)

2. The president shall preserve order and decorum, and in case of any disturbance or disorderly conduct within the chamber, legislative area, legislative offices or buildings, and legislative hearing and meeting rooms, shall order the sergeant at arms to suppress the same, and may order the arrest of any person creating any disturbance within the senate chamber. Cellular

phone use within the senate chamber during floor session and within a hearing room during a committee hearing must be respectful to the members and the public and the phone must be kept in silent mode within the senate chamber during floor session and within a hearing room during a committee hearing.

3. The president shall have charge of and see that all officers and employees perform their respective duties, and shall have general control of the senate chamber and wings. (See also Art. 2, Sec. 10, State Constitution.)

4. The president may speak to points of order in preference to members, arising from the president’s seat for that purpose, and shall decide all questions of order subject to an appeal to the senate by any member, on which appeal no member shall speak more than once without leave of the senate.

5. The president shall, in open session, sign all acts, addresses and joint resolutions. The president shall sign all writs, warrants and subpoenas issued by order of the senate, all of which shall be attested by the secretary. If the senate is operating in a remote format under the authority of Senate Rule 70, an electronic or scanned signature is authorized in place of a physical signature. (See also Art. 2, Sec. 32, State Constitution.)

6. The president shall appoint all conference, special, joint and hereinafter named standing committees on the part of the senate. The appointment of the conference, special, joint and standing committees shall be confirmed by the senate. In the event the senate refuses to confirm any conference, special, joint or standing committee or committees, such committee or committees shall be elected by the senate.

7. The president shall, on each day, announce to the senate the business in order, and no business shall be taken up or considered until the order to which it belongs shall be declared.

8. The president shall decide and announce the result of any vote taken.

9. When a vote of the senate is equally divided, the lieutenant governor, when presiding, shall have the deciding vote as provided for in the state Constitution. (See also Art. 2, Sec. 10 and 22, State Constitution.)

President Pro Tempore

Rule 2. 1. Upon the organization of the senate the members shall elect one of their number as president pro tempore who shall have all the powers and authority and who shall discharge all the duties of lieutenant governor acting as president when the secretary of the senate receives notice that the lieutenant governor is unable to preside or is unable to confirm the lieutenant governor’s availability within a reasonable time. The president pro tempore shall serve as the vice chair of the committee on rules. The senate shall also elect at least one vice president pro tempore who will serve in the absence of the lieutenant governor and the president pro tempore. (See Art. 2, Sec. 10, State Constitution.)

2. In the absence of the president pro tempore, and vice president pro tempore, or with their consent, the president shall have the right to name any senator to perform the duties of the chair, but such substitution shall not extend beyond an adjournment, nor authorize the senator so substituted to sign any documents requiring the signature of the president.

~~(3. A "majority caucus" is a caucus whose members constitute a majority of the senate and may include members from different political caucuses. The establishment of a majority caucus is evidenced by a majority of the members of the senate demonstrating the intent to caucus together and to lead the senate. Those members not part of the majority caucus constitute the minority caucus or caucuses.)~~

Secretary of the Senate

Rule 3. 1. The senate shall elect a secretary, who shall appoint a deputy secretary, both of whom shall be officers of the senate and shall perform the usual duties pertaining to their offices, and they shall hold office until their successors have been elected or appointed.

2. The secretary is the Personnel Officer of the senate and shall appoint, subject to the approval of the senate, all other senate employees and the hours of duty and assignments of all senate employees shall be under the secretary's directions and instructions and they may be dismissed at the secretary's discretion.

3. The secretary of the senate, prior to the convening of the next regular session, shall prepare the office to receive bills which the holdover members and members-elect may desire to prefile commencing with the first Monday in December preceding any regular session or twenty days prior to any special session of the legislature.

Sergeant at Arms

Rule 4. 1. The director of senate security shall perform the functions of the sergeant at arms for the senate.

2. The sergeant at arms shall not admit to the floor of the senate during the time the senate is not convened any person other than specifically requested in writing by a senator, the president, or the secretary of the senate, (~~in writing~~) or when personally accompanied by a senator.

Subordinate Officers

Rule 5. The subordinate officers of the senate shall perform such duties as usually pertain to their respective positions in legislative bodies under the direction of the president, and such other duties as the senate may impose upon them. Under no circumstances shall the compensation of any employee be increased for past services. (See also Art. 2, Sec. 25, State Constitution.)

Employees

Rule 6. 1. No senate employee shall lobby in favor of or against any matter under consideration.

2. Senate employees are governed by joint rules and chapters 42.17 (the Public Disclosure Act) and 42.52 RCW (the Ethics in Public Service Act).

Conduct of Members and Officers

Rule 7. 1. Indecorous conduct, boisterous or unbecoming language will not be permitted in the senate at any time. Food is prohibited within the senate chamber during floor session. Cellular phone use within the senate chamber during floor session and within a hearing room during a committee hearing must be respectful to the members and the public and the phone must be kept in silent mode within the senate chamber during floor session and within a hearing room during a committee hearing.

2. In cases of breach of decorum or propriety, any senator, officer or other person shall be liable to such censure or punishment as the senate may deem proper, and if any senator be called to order for offensive or indecorous language or conduct, the person calling the senator to order shall report the language excepted to which shall be taken down or noted at the secretary's desk. No member shall be held to answer for any language used upon the floor of the senate if business has intervened before exception to the language was thus taken and noted.

3. If any senator in speaking, or otherwise, transgresses the rules of the senate, the president shall, or any senator may, call that senator to order, and a senator so called to order shall resume the senator's seat and not proceed without leave of the senate, which leave, if granted, shall be upon motion "that the senator be allowed to proceed in order," when, if carried, the senator shall speak to the question under consideration.

4. No senator shall be absent from the senate without leave, except in case of accident or sickness, and if any senator or officer shall be absent the senator's per diem shall not be allowed or paid, and no senator or officer shall obtain leave of absence or be excused from attendance without the consent of a majority of the members present.

5. Members of the senate are subject to the senate's policy on appropriate workplace conduct. Conduct in violation of the policy may result in disciplinary action.

6. In the event of a motion or resolution to censure or punish, or any procedural motion thereto involving a senator, that senator shall not vote thereon. The senator shall be allowed to answer to such motion or resolution. An election or vote by the senate on a motion to censure or punish a senator shall require the vote of a majority of all senators elected or appointed to the senate. A vote to expel a member shall require a two-thirds concurrence of all members elected or appointed to the senate. All votes shall be taken by yeas and nays and the votes shall be entered upon the journal. (See also Art. 2, Sec. 9, State Constitution.)

SECTION II

OPERATIONS AND MANAGEMENT

Facilities and Operations

Rule 8. 1. After the election of new caucus leadership at the beginning of the first regular session during a legislative biennium (~~or anytime during the legislative biennium that a different caucus becomes the majority caucus~~), the majority caucus shall designate four members and the minority caucus shall designate three members to serve on the facilities and operations committee. Each caucus may also designate an alternate. The chair of the facilities and operations committee must be selected by a majority vote of the members of the committee. If a different caucus becomes the majority caucus anytime during the legislative biennium, the operation of the senate shall transfer to the newly designated members after the leadership of the new majority caucus is determined.

2. All necessary expenses of the senate incurred during the session shall be signed for by the secretary and approved by a majority of the committee on facilities and operations. The committee on facilities and operations shall carefully consider all items of expenditure ordered or contracted on the part of the senate, and report upon the same prior to the voucher being signed by the secretary of the senate authorizing the payment thereof. The committee on facilities and operations shall issue postage only as follows:

(a) To elected or appointed members of the senate in an amount sufficient to allow performance of their legislative duties.

(b) To the secretary of the senate in an amount sufficient to carry out the business of the senate.

3. The facilities and operations committee is authorized to adopt respectful workplace policies.

4. The facilities and operations committee may determine the rules by which an individual senator may vote on the floor using a remote access program established by the secretary of the senate. A maximum of six members, three from each caucus, are permitted to vote remotely under this rule during any single day of floor action in the event of illness or emergency. The leader of each caucus may approve up to three members from his or her respective caucus and must give notice to the secretary of the senate of which members are authorized to participate remotely at least two hours prior to the convening of the floor action. Members authorized to participate remotely under this rule may participate in debate according to the provisions of Senate Rule 29 but may not make motions or points of order during floor action. The remote access program must meet the requirements of Senate Rule 70.

Use of Senate Chambers

Rule 9. The senate chamber and its facilities shall not be used for any but legislative business, except by permission of the senate while in session, or by the facilities and operations committee when not in session.

Admission to the Senate

Rule 10. The sergeant at arms shall admit only the following individuals to the floor and adjacent areas of the senate for the period of time beginning one-half hour before convening and ending when the senate has adjourned or recessed for an hour or more:

The governor and/or designees,
Members of the house of representatives,
State elected officials,
Officers and authorized employees of the legislature,
Honored guests being presented to the senate,
Former members of the senate who are not registered lobbyists pursuant to chapter 42.17 RCW,
Representatives of the press,
Persons specifically requested by a senator to the president in writing or only as long as accompanied by a senator.

Printing of Bills

Rule 11. The number of bills printed and reprinted shall be at the discretion of the secretary of the senate, with the approval of the facilities and operations committee.

Furnishing Full File of Bills

Rule 12. Persons, firms, corporations and organizations within the state, desirous of receiving copies of all printed senate bills, shall make application therefor to the secretary of the senate. The bill clerk shall send copies of all printed senate bills to such persons, firms, corporations and organizations as may be ordered by the secretary of the senate. The secretary of the senate is authorized to recoup costs.

Regulation of Lobbyists

Rule 13. All persons who engage in lobbying of any kind as defined in chapter 42.17 RCW are subject to the senate's policy on appropriate workplace conduct. Conduct that constitutes prohibited conduct under the policy may result in restrictions, including, but not limited to, prohibitions on unaccompanied movement within the senate.

Any person registered as a lobbyist pursuant to chapter 42.17 RCW who intervenes in or attempts to influence any personnel decision of the senate regarding any employee may suffer an immediate revocation of all privileges before the senate or such other privileges and for such time as may be deemed appropriate by the senate committee on rules. This restriction shall not prohibit a registered lobbyist from making written recommendations for staff positions.

Security Management

Rule 14. The sergeant at arms shall develop security procedures to protect the senate, including its members, staff, and the visiting public.

SECTION III RULES AND ORDER

Time of Convening

Rule 15. The senate shall convene at 10:00 a.m. each working day, unless adjourned to a different hour. The senate shall adjourn not later than 10:00 p.m. of each working day. The senate shall recess ninety minutes for lunch each working day. When reconvening on the same day the senate shall recess ninety minutes for dinner each working evening. This rule may be suspended by a majority.

Quorum

Rule 16. A majority of all members elected or appointed to the senate shall be necessary to constitute a quorum to do business.

Less than a quorum may adjourn from day to day until a quorum can be had. (See Art. 2, Sec. 8, State Constitution.)

Order of Business

Rule 17. After the roll is called and journal read and approved, business shall be disposed of in the following order:

- FIRST. Reports of (~~standing~~) committees (~~and standing subcommittees~~).
- SECOND. (~~Reports of select committees~~) Motions for reconsideration.
- THIRD. Messages from the governor and other state officers.
- FOURTH. Messages from the house of representatives and concurrence and dispute motions.
- FIFTH. Introduction, first reading and reference of bills, joint memorials, joint resolutions and concurrent resolutions.
- SIXTH. Second reading of bills.
- SEVENTH. Third reading of bills.
- EIGHTH. Presentation of petitions, memorials and floor resolutions.
- NINTH. Presentation of motions.

The order of business established by this rule may be changed and any order of business already dealt with may be reverted or advanced to by a majority vote of those present.

All questions relating to the priority of business shall be decided without debate.

Messages from the governor, other state officers, and from the house of representatives may be considered at any time with the consent of the senate.

Special Order

Rule 18. The president shall call the senate to order at the hour fixed for the consideration of a special order, and announce that the special order is before the senate, which shall then be considered unless it is postponed by a majority vote of the members present, and any business before the senate at the time of the announcement of the special order shall take its regular position in the order of business, except that if a cutoff established by concurrent resolution occurs during the special order, the senate may complete the measure that was before the senate when consideration of the special order was commenced.

Unfinished Business

Rule 19. The unfinished business at the preceding adjournment shall have preference over all other matters, excepting special orders, and no motion or any other business shall be received without special leave of the senate until the former is disposed of.

Motions and Senate Floor Resolutions (How Presented)

Rule 20. 1. No motion shall be entertained or debated until announced by the president and every motion shall be deemed to have been seconded. It shall be reduced to writing and read by the secretary, if desired by the president or any senator, before it shall be debated, and by the consent of the senate may be withdrawn before amendment or action.

2. The senate shall consider no more than one floor resolution per day in session: Provided, That this rule shall not apply to floor resolutions essential to the operation of the senate; and further Provided, That there shall be no limit on the number of floor resolutions considered on senate pro forma session days. Senate floor resolutions shall be acted upon in the same manner as motions. All senate floor resolutions shall be on the secretary's desk at least twenty-four hours prior to consideration. Members' names shall be added to the resolution only if the member signs the resolution, except by unanimous consent of the senate. Members shall have until thirty minutes after the senate is

FIRST DAY, JANUARY 9, 2023

convened the following day the senate is in a regular or pro forma session to add or remove their names to the floor resolution. A motion may be made to close the period for signatures at an earlier time. If the senate is operating in a remote format under the authority of Senate Rule 70, an electronic or scanned signature is authorized in place of a physical signature.

Precedence of Motions

Rule 21. When a motion has been made and stated by the chair the following motions are in order, in the rank named:

PRIVILEGED MOTIONS

Adjourn, recess, or go at ease

Reconsider

Demand for call of the senate

Demand for roll call

Demand for division

Question of privilege

Orders of the day

INCIDENTAL MOTIONS

Points of order and appeal

Method of consideration

Suspend the rules

Reading papers

Withdraw a motion

Division of a question

SUBSIDIARY MOTIONS

1st Rank: To lay on the table

2nd Rank: For the previous question

3rd Rank: To postpone to a day certain

To commit or recommit

To postpone indefinitely

4th Rank: To amend

No motion to postpone to a day certain, to commit, or to postpone indefinitely, being decided, shall again be allowed on the same day and at the same stage of the proceedings, and when a question has been postponed indefinitely it shall not again be introduced during the session.

A motion to lay an amendment on the table shall not carry the main question with it unless so specified in the motion to table.

At no time shall the senate entertain a Question of Consideration.

Voting

Rule 22. 1. In all cases of election by the senate, the votes shall be taken by yeas and nays, and no senator or other person shall remain by the secretary's desk while the roll is being called or the votes are being counted. No senator shall be allowed to vote except when within the bar of the senate, or upon any question upon which he or she is in any way personally or directly interested, nor be allowed to explain a vote or discuss the question while the yeas and nays are being called, nor change a vote after the result has been announced. A member of the senate voting remotely is considered in attendance within the bar of the senate if the member is participating in the session through a remote access program established by the secretary of the senate as provided in Senate Rule 70. (See also Art. 2, Secs. 27 and 30, State Constitution.)

2. A member not voting by reason of personal or direct interest, or by reason of an excused absence, or a member having inadvertently voted contrary to the member's intent, may explain the reason for not voting or the member's intended vote by a brief statement not to exceed fifty words in the journal.

3. The yeas and nays shall be taken when called for by one-sixth of all the senators present, and every senator within the bar of the senate shall vote unless excused by the unanimous vote of the members present, except as provided for in Senate Rule 7,

subsection 4, and the votes shall be entered upon the journal. (See also Art. 2, Sec. 21, State Constitution.)

When once begun the roll call may not be interrupted for any purpose other than to move a call of the senate. (See also Senate Rule 24.)

4. A senator having been absent during roll call may ask to have his or her name called. Such a request must be made before the result of the roll call has been announced by the president. If, during a roll call vote, the vote of a member participating remotely is unable to be taken due to connectivity issues, the member shall be automatically excused. The member may request in writing that their vote be reflected in the senate journal, though it will not count towards the final roll call.

5. The passage of a bill or action on a question is lost by a tie vote, but when a vote of the senate is equally divided, the lieutenant governor, when presiding, shall have the deciding vote on questions as provided for in the state Constitution. (See also Art. 2, Secs. 10 and 22, State Constitution.)

6. The order of the names on the roll call shall be alphabetical by last name.

7. All votes in a committee (~~or subcommittee~~) shall be recorded, and the record shall be preserved as prescribed by the secretary of the senate. One-sixth of the committee may demand an oral roll call.

8. If a member of the majority is going to be absent due to a health matter or other emergency, then a member of the minority may publicly announce on the floor of the senate that he or she will cast votes as he or she believes the absent member would have voted in order to avoid results that would only occur because of the unanticipated absence.

Announcement of Vote

Rule 23. The announcement of all votes shall be made by the president.

Call of the Senate

Rule 24. Although a roll call is in progress, a call of the senate may be moved by three senators, and if carried by a majority of all present the secretary shall call the roll, after which the names of the absentees shall again be called. The doors shall then be locked and the sergeant at arms directed to take into custody all who may be absent without leave, and all the senators so taken into custody shall be presented at the bar of the senate for such action as the senate may deem proper.

One Subject in a Bill

Rule 25. No bill shall embrace more than one subject and that shall be expressed in the title. (See also Art. 2, Sec. 19, State Constitution.)

No Amendment by Mere Reference to Title of Act

Rule 26. No act shall ever be revised or amended by mere reference to its title, but the act revised or the section amended shall be set forth at full length. (See also Art. 2, Sec. 37, State Constitution.)

Reading of Papers

Rule 27. When the reading of any paper is called for, and is objected to by any senator, it shall be determined by a vote of the senate, without debate.

Any and all copies of reproductions of newspaper or magazine editorials, articles or cartoons or publications or material of any nature distributed to senators' desks must bear the name of at least one senator granting permission for the distribution. This shall not apply to materials normally distributed by the secretary of the senate or the majority or minority caucuses.

Comparing Enrolled and Engrossed Bills

Rule 28. Any senator shall have the right to compare an enrolled bill with the engrossed bill and may note any objections in the Journal.

**SECTION IV
PARLIAMENTARY PROCEDURE**

Rules of Debate

Rule 29. When any senator is about to speak in debate, or submit any matter to the senate, the senator shall rise, and standing in place, respectfully request recognition by the President, and when recognized shall, in a courteous manner, speak to the question under debate, avoiding personalities; provided that a senator may refer to another member using the title "Senator" and the surname of the other member. With respect to any senators participating remotely under the authority of Senate Rule 8, each caucus shall designate a single member who is charged with seeking recognition on behalf of a senator from that caucus who is participating remotely and wishes to speak. Any senator participating remotely who wishes to speak in debate or submit any matter permitted by Senate Rule 8 to the senate, shall notify the designated member of the senator's desire to speak. The designated member shall seek recognition under the provisions of this section on behalf of the senator participating remotely and, upon recognition, the designated member shall defer to the senator participating remotely. No senator shall impeach the motives of any other member or speak more than twice (except for explanation) during the consideration of any one question, on the same day or a second time without leave, when others who have not spoken desire the floor, but incidental and subsidiary questions arising during the debate shall not be considered the same question. A majority of the members present may further limit the number of times a member may speak on any question and may limit the length of time a member may speak but, unless a demand for the previous question has been sustained, a member shall not be denied the right to speak at least once on each question, nor shall a member be limited to less than two minutes on each question. In any event, the senator who presents the motion may open and close debate on the question.

Recognition by the President

Rule 30. When two or more senators rise at the same time to address the chair, the president shall name the one who shall speak first, giving preference, when practicable, to the mover or introducer of the subject under consideration. (See also Reed's Rule 214).

Call for Division of a Question

Rule 31. Any senator may call for a division of a question, which shall be divided if it embraces subjects so distinct that one being taken away a substantive proposition shall remain for the decision of the senate; but a motion to strike out and insert shall not be divided.

Point of Order - Decision Appealable

Rule 32. 1. Every decision of points of order by the president shall be subject to appeal by any senator, and discussion of a question of order shall be allowed. In all cases of appeal the question shall be: "Shall the decision of the president stand as the judgment of the senate?"

2. When a member appeals the decision of the presiding officer, the presiding officer may not preside over the appeal.

3. An appeal from the decision of the presiding officer is timely if brought before the body on the day the decision was made unless the decision affected a measure that is no longer in possession of the senate.

Question of Privilege

Rule 33. Any senator may rise to a question of privilege and explain a personal matter by leave of the president, but shall not discuss any pending question in such explanations, nor shall any question of personal privilege permit any senator to introduce any person or persons in the galleries. The president upon notice

received may acknowledge the presence of any distinguished person or persons.

A question of privilege shall involve only subject matter which affects the particular senator personally and in a manner unique and peculiar to that senator.

Protests

Rule 34. Any senator or senators may protest against the action of the senate upon any question. Such protest may be entered upon the journal if it does not exceed 200 words. The senator protesting shall file the protest with the secretary of the senate within 48 hours following the action protested.

Adoption and Suspension of Rules

Rule 35. 1. The permanent senate rules adopted at the first regular session during a legislative biennium shall govern any session subsequently convened during the same legislative biennium. Adoption of permanent rules may be by majority of the senate without notice and a majority of the senate may change a permanent rule without notice at the beginning of any session, as determined pursuant to Article 2, Section 12 of the State Constitution. No permanent rule or order of the senate shall be rescinded or changed without a majority vote of the members of the senate, and one day's notice of the motion.

2. A permanent rule or order may be temporarily suspended for a special purpose by a vote of two-thirds of the members present unless otherwise specified herein. When the suspension of a rule is called, and after due notice from the president no objection is offered, the president may announce the rule suspended, and the senate may proceed accordingly. Motion for suspension of the rules shall not be debatable, except, the mover of the motion may briefly explain the purpose of the motion and at the discretion of the president a rebuttal may be allowed.

3. For the purposes of this rule, one day's notice means written notice is provided to all members of the Senate by 5:00 p.m. the day prior to the amendment to the permanent rules being offered and the notice must include, at a minimum, a description of the change to be offered.

Previous Question

Rule 36. The previous question shall not be put unless demanded by three senators, and it shall then be in this form: "Shall the main question be now put?" When sustained by a majority of senators present it shall preclude all debate, except the senator who presents the motion may open and close debate on the question and the vote shall be immediately taken on the question or questions pending before the senate, and all incidental question or questions of order arising after the motion is made shall be decided whether on appeal or otherwise without debate.

Reconsideration

Rule 37. 1. After the final vote on any measure, before the adjournment of that day's session, any member who voted with the prevailing side may give notice of reconsideration unless a motion to immediately transmit the measure to the house has been decided in the affirmative. Such motion to reconsider shall be in order only under the ~~((order of motions of))~~ second order of business the day immediately following the day upon which such notice of reconsideration is given, and may be made by any member who voted with the prevailing side.

2. A motion to reconsider shall have precedence over every other motion, except a motion to adjourn; and when the senate adjourns while a motion to reconsider is pending or before passing the order of motions, the right to move a reconsideration shall continue to the next day of sitting. On and after the tenth day prior to adjournment sine die of any session, as determined pursuant to Article 2, Section 12, or concurrent resolution, or in the event that the measure is subject to a senate rule or resolution or a joint rule or concurrent resolution, which would preclude

FIRST DAY, JANUARY 9, 2023

consideration on the next day of sitting a motion to reconsider shall only be in order on the same day upon which notice of reconsideration is given and may be made at any time that day. Motions to reconsider a vote upon amendments to any pending question may be made and decided at once.

Motion to Adjourn

Rule 38. Except when under call of the senate, a motion to adjourn shall always be in order. The name of the senator moving to adjourn and the time when the motion was made shall be entered upon the journal.

Yeas and Nays - When Must be Taken

Rule 39. The yeas and nays shall be taken when called for by one-sixth of all the senators present, and every senator within the bar of the senate shall vote unless excused by the unanimous vote of the members present, and the votes shall be entered upon the journal. (See also Art. 2, Sec. 21, State Constitution.)

When once begun the roll call may not be interrupted for any purpose other than to move a call of the senate. (See also Senate Rules 22 and 24.)

Reed's Parliamentary Rules

Rule 40. The rules of parliamentary practice as contained in Reed's Parliamentary Rules shall govern the senate in all cases to which they are applicable, and in which they are not inconsistent with the rules and orders of this senate and the joint rules of this senate and the house of representatives.

**SECTION V
COMMITTEES**

Committees - Appointment and Confirmation

Rule 41. The president shall appoint all conference, special, joint and standing committees (~~(and standing subcommittees)~~) on the part of the senate. The appointment of the conference, special, joint and standing committees (~~(and standing subcommittees)~~) shall be confirmed by the senate.

In the event the senate shall refuse to confirm any conference, special, joint or standing committee (~~(or standing subcommittee)~~), such committee (~~(or standing subcommittee)~~) shall be elected by the senate.

The following standing committees shall constitute the standing committees of the senate:

Standing Committee	Total Membership
1. Agriculture, Water, Natural Resources & Parks	((7))
2. Business, Financial Services, <u>Gaming & Trade</u>	((7))
3. Early Learning & K-12 Education	9
4. Environment, Energy (;) & Technology	((13)) 8
5. Health & Long-Term Care	((12)) 10
6. Higher Education & Workforce Development	5
7. Housing ((& Local Government))	11
8. Human Services (-Reentry & Rehabilitation))	7
9. Labor (;) & Commerce ((& Tribal Affairs))	9
10. Law & Justice	((9)) 11
11. <u>Local Government, Land Use & Tribal Affairs</u>	5
12. Rules	16 (plus the Lieutenant Governor)
((12-)) 13. State Government & Elections	((5)) 7
((13-)) 14. Transportation	17
((14-)) 15. Ways & Means	24

~~((The following constitutes a standing subcommittee of the senate:~~

- ~~1. Behavioral Health Subcommittee to Health & Long Term Care 5))~~

Subcommittees

Rule 42. ~~((1. A standing subcommittee has authority to hold work sessions and public hearings and take executive action on measures referred to it by the relevant standing committee. The~~

~~committee requirements in Senate Rules 44 through 49 apply equally to standing subcommittees created under Senate Rule 41.~~

~~2. In addition to standing subcommittees created under Senate Rule 41, committee))~~ Committee chairs may create subcommittees of the standing committee and designate subcommittee chairs thereof to study subjects within the jurisdiction of the standing committee. These subcommittees do not have executive action authority ~~((and are not considered standing subcommittees for purposes of senate rules))~~. The committee chair shall approve the use of committee staff and equipment assigned to the subcommittee. Subcommittee activities shall further be subject to facilities and operations committee approval to the same extent as are the actions of the standing committee from which they derive their authority.

Subpoena Power

Rule 43. Any ~~((of the above referenced committees, including subcommittees thereof))~~ standing committee, or any special ~~((committees))~~ committee created by the senate, may have the powers of subpoena, the power to administer oaths, and the power to issue commissions for the examination of witnesses in accordance with the provisions of chapter 44.16 RCW. The committee chair shall file with the committee on rules, prior to issuance of any process, a statement of purpose setting forth the name or names of those subject to process. The rules committee shall consider every proposed issuance of process at a meeting of the rules committee immediately following the filing of the statement with the committee. The process shall not be issued prior to consideration by the rules committee. The process shall be limited to the named individuals and the committee on rules may overrule the service on an individual so named.

Duties of Committees

Rule 44. The several committees shall fully consider measures referred to them.

The committees shall acquaint themselves with the interest of the state specially represented by the committee, and from time to time present such bills and reports as in their judgment will advance the interests and promote the welfare of the people of the state: PROVIDED, That no executive action on bills may be taken during an interim.

Committee Rules

Rule 45. 1. At least five days' notice shall be given of all public hearings held by any committee other than the rules committee. Such notice shall contain the date, time and place of such hearing together with the title and number of each bill, or identification of the subject matter, to be considered at such hearing. By a majority vote of the committee members present at any committee meeting such notice may be dispensed with. The reason for such action shall be set forth in a written statement preserved in the records of the meeting.

2. No committee may hold a public hearing during a regular or extraordinary session on a proposal identified as a draft unless the draft has been made available to the public at least twenty-four hours prior to the hearing. This rule does not apply during the five days prior to any cutoff established by concurrent resolution nor does it apply to any measure exempted from the resolution.

3. During its consideration of or vote on any bill, resolution or memorial, the deliberations of any committee or subcommittee of the senate shall be open to the public. In case of any disturbance or disorderly conduct at any such deliberations, the chair shall order the sergeant at arms to suppress the same and may order the meeting closed to any person or persons creating such disturbance.

4. No committee shall amend a measure, adopt a substitute bill, or vote upon any measure or appointment absent a quorum. A committee may conduct a hearing absent a quorum. A majority of

any committee shall constitute a quorum and committees shall be considered to have a quorum present unless the question is raised. Any question as to quorum not raised at the time of the committee action is deemed waived.

5. Bills reported to the senate from a standing committee must have a majority report, which shall be prepared upon a printed standing committee report form; shall be adopted at a regularly or specially called meeting during a legislative session and shall be signed by a majority of the committee; and shall carry only one of the following recommendations:

- a. Do pass;
- b. Do pass as amended;
- c. That a substitute bill be substituted therefor, and the substitute bill do pass; or
- d. Without recommendation.

In addition to one of the above-listed recommendations, a report may also recommend that a bill be referred to another committee.

6. A majority report of a committee must carry the signatures of a majority of the members of the committee. In the event a committee has a quorum pursuant to subsection 4 of this rule, ~~((subject to the limitation of subsection 12 of this rule,))~~ a majority of the members present may act on a measure, subject to obtaining the signatures of a majority of the members of the committee on the majority report. If, after executive action on a measure, the signatures of all members are not included on either a majority or minority report, the committee shall hold the signature sheets for the measure for 24 hours, not counting Saturdays or Sundays, from adjournment of the committee hearing at which executive action was taken on the measure. This 24-hour hold period applies even if a majority of the members of the committee has signed the majority report. After the 24-hour hold period, the signature sheets must be submitted to the workroom if there is a majority of signatures on the majority report. Once signature sheets have been submitted to the senate workroom by committee staff, a member may not sign or remove his or her signature from a majority or minority signature sheet. If a majority of members of the committee have not signed the majority report, the measure or appointment remains in the possession of the committee. The 24-hour hold period does not apply within the five days preceding any cutoff date and does not apply to a biennial or supplemental omnibus operating budget, omnibus capital budget, or omnibus transportation budget.

7. Any measure, appointment, substitute bill, or amendment still within a committee's possession before it has been reported out to the full senate may be reconsidered to correct an error, change language, or otherwise accurately reflect the will of the committee in its majority and minority reports to the full senate. Any such reconsideration may be made at any time, by any member of the committee, provided that the committee has not yet reported the measure, appointment, substitute bill, or amendment out to the full senate. Any such reconsideration made after a vote has been taken or signatures obtained will require a new vote and signature sheet. Any measure which does not receive a majority vote of the members present may be reconsidered at that meeting and may again be considered upon motion of any committee member if one day's notice of said motion is provided to all committee members. ~~((For purposes of this rule, a committee is deemed to have reported a measure, appointment, substitute bill, or amendment out when it has delivered its majority and minority reports to the senate workroom. After such delivery, the committee no longer has possession of the measure, appointment, substitute bill, or amendment and no further committee action, including reconsideration, may be taken.))~~

8. Any member of the committee not concurring in the majority report may sign a minority report containing a recommendation of "do not pass" or "without recommendation," which shall be signed by those members of the committee subscribing thereto, and submitted with the majority report. Unless the signatory of a minority report expressly indicates a "do not pass" recommendation, the member's vote shall be deemed to be "without recommendation." In every case where a majority report form is circulated for signature, a minority report form shall also be circulated.

9. When a committee reports a substitute for an original bill with the recommendation that the substitute bill do pass, it shall be in order to read the substitute bill the first time and have the same ordered printed.

A motion for the substitution of the substitute bill for the original bill shall not be in order until the committee on rules places the original bill on the second reading calendar.

10. No vote in any committee shall be taken by secret ballot nor shall any committee have a policy of secrecy as to any vote on action taken in such committee.

11. All reports of standing committees must be on the secretary's desk one hour prior to convening of the session in order to be read at said session. During any special session of the legislature or within the three days ((of)) preceding any cut-off date or sine die, this rule may be suspended by a majority vote of those present. This rule does not apply to reports of biennial or supplemental omnibus operating budget, omnibus capital budget, or omnibus transportation budget bill.

12. ~~((When a standing committee is operated by cochairs, the committee may not vote upon any measure or appointment without the consent of each cochair.~~

13. ~~When a standing committee has a standing subcommittee established under Senate Rule 41, the chair of the committee may rerefer any measures referred to the committee to the standing subcommittee with the consent of the ranking member of the committee or, in the event of a dispute between the chair and ranking member, referral may occur with a majority vote of the committee))~~ For purposes of this rule, a committee is deemed to have reported a measure, appointment, substitute bill, or amendment out when it has delivered its majority and minority reports to the senate workroom. After such delivery, the committee no longer has possession of the measure, appointment, substitute bill, or amendment and no further committee action, including reconsideration or a member adding or removing his or her signature to a majority or minority report, may be taken.

13. All committees will rely upon and use the Electronic Bill Book. Committee staff should add all materials relating to hearings, work sessions, or executive sessions to the Electronic Bill Book as early as possible or when the material has been made public. Paper copies will not be provided to members. All materials submitted by the public shall be submitted electronically.

14. All committees will use the online Committee Sign-In system. All committee members will be able to view the list of individuals who have signed in to testify on each measure or appointment. Members of the public wishing to testify in-person or remotely may sign up remotely no later than one hour before the committee is scheduled to meet.

15. With the exception of the ways and means and transportation committees, the chairs of standing committees must publish the list of measures and appointments that may be considered for executive session by 4:00 p.m. two days preceding executive session. The chairs of the ways and means committee and the transportation committee must publish the list of measures and appointments that may be considered for executive

FIRST DAY, JANUARY 9, 2023

session by 7:00 p.m. two days preceding executive session. A chair, with the consent of the ranking member, has discretion to waive this deadline in extraordinary circumstances. A published measure or appointment may be rescheduled for executive action at the committee's next meeting without additional notice, provided no additional amendments are considered.

16. Members must have amendment requests to nonpartisan committee staff by 12:00 p.m. the day before scheduled executive action. A chair, with the consent of the ranking member, has discretion to waive this deadline in extraordinary circumstances or to accept technical revisions to perfect an amendment. Members should be considerate of staff and turn in amendment requests earlier if they are long or complex, keeping in mind the final deadline for consideration of amendments.

17. All amendments, including substitutes, must be sponsored by a committee member. All amendments and effect statements must be either drafted or reviewed, or both, by nonpartisan committee staff. To be eligible for consideration at an executive session in a committee meeting scheduled to begin prior to 12:00 p.m., amendments must be released from confidentiality and posted to the Electronic Bill Book for committee members and the public by 4:00 p.m. the day before the executive session or the amendments will be considered out of order. To be eligible for consideration at an executive session in a committee meeting scheduled to begin on or after 12:00 p.m., amendments must be released from confidentiality and posted to the Electronic Bill Book for committee members and the public by 7:00 p.m. the day before the executive session or the amendments will be considered out of order. A chair with the consent of the ranking member has discretion to waive this deadline in extraordinary circumstances or to accept technical revisions to perfect an amendment.

18. A committee chair may choose to allow other committee members to participate remotely in committee meetings. The committee chair shall notify the secretary of the senate prior to the first day of the legislative session if the chair will allow committee members to participate remotely. A chair that initially chooses to allow only in-person participation may later choose to allow remote participation but must provide the secretary of the senate with notice of the change at least 24 hours prior to the committee hearing in which the change will become effective. Once a chair has chosen to allow members to participate remotely, this choice cannot be changed during the remainder of the session. If a chair allows committee members to participate remotely, those members will be considered "present" for the purposes of this rule and Senate Rule 49. A chair may not participate remotely in a committee meeting. Members participating remotely shall be allowed to participate in committee activities to the same extent as those attending in person.

Committee Meetings During Sessions

Rule 46. No committee shall sit during the daily session of the senate unless by special leave.

No committee shall sit during any scheduled caucus.

Reading of Reports

Rule 47. The majority report, and minority report, if there be one, together with the names of the signers thereof, shall be read by the secretary, unless the reading be dispensed with by the senate, and all committee reports shall be spread upon the journal.

Recalling Bills from Committees

Rule 48. Any standing committee (~~(or subcommittee)~~) of the senate may be relieved of further consideration of any bill, regardless of prior action of the committee, by a majority vote of the senators elected or appointed. The senate may then make such orderly disposition of

the bill as they may direct by a majority vote of the members of the senate.

Bills Referred to Rules Committee

Rule 49. All bills reported by a committee (~~(or subcommittee)~~) to the senate shall then be referred to the committee on rules for second reading without action on the report unless otherwise ordered by the senate. (See also Senate Rules 63 and 64.) A bill may not be referred to the committee on rules for second reading unless a standing committee (~~(or subcommittee)~~) has held a public hearing on the bill. (~~(By a majority vote of the committee members present at any executive session, the public hearing requirement may be dispensed with)~~) This rule does not apply when the committee is considering a bill whose official companion has already been heard. By a majority vote of the committee members present at any executive session, the public hearing requirement may be dispensed with when the committee is considering a biennial or supplemental omnibus operating budget, omnibus capital budget, or omnibus transportation budget bill and the committee has already had a hearing on a substantially similar omnibus budget bill.

Rules Committee

Rule 50. The lieutenant governor shall be a voting member and the chair of the committee on rules. The president pro tempore shall be a voting member and the vice chair of the committee on rules. The committee on rules shall have charge of the daily second and third reading calendar of the senate and shall direct the secretary of the senate the order in which the bills shall (~~(be considered by the senate)~~) appear on the calendars and the committee on rules shall have the authority to directly refer any bill before them to any other standing committee. Such referral shall be reported out to the senate on the next day's business.

The order of consideration of bills on the second or third reading calendar will be set by the floor leader of the majority caucus. A majority of members present may vote to change the order.

The calendar, except in emergent situations, as determined by the committee on rules, shall be (~~(on the desks and in the offices of the)~~) available electronically to senators each day and shall cover the bills for consideration on the next following day.

Employment Committee

Rule 51. The employment committee for committee staff shall consist of six members, three from the majority party and three from the minority party. The chair shall be appointed by the majority leader. All decisions shall be determined by majority vote. The committee shall operate within staffing, budget levels and guidelines as authorized and adopted by the facilities and operations committee.

Committee of the Whole

Rule 52. At no time shall the senate sit as a committee of the whole.

The senate may at any time, by the vote of the majority of the members present, sit as a body for the purpose of taking testimony on any measure before the senate.

Appropriation Budget Bills

Rule 53. No biennial or supplemental omnibus operating budget, omnibus capital budget, or omnibus transportation budget bill may be acted upon in second reading until twenty-four hours after the bill has been placed on the second reading calendar by the rules committee. This rule does not apply to conference committee reports of biennial or supplemental omnibus budget bills, which are governed by joint rules. This rule may be suspended with a majority vote of those present within three days of sine die. The rules committee shall establish by separate motion the time at which a bill has been placed on the second reading calendar for purposes of this rule.

**SECTION VI
BILLS, RESOLUTIONS, MEMORIALS AND
GUBERNATORIAL APPOINTMENTS**

Definitions

Rule 54. "Measure" means a bill, joint memorial, joint resolution, or concurrent resolution.

"Bill" when used alone means bill, joint memorial, joint resolution, or concurrent resolution.

"Majority" shall mean a majority of those members present unless otherwise stated.

Prefiling

Rule 55. Holdover members and members-elect to the senate may prefile bills with the secretary of the senate on any day commencing with the first Monday in December preceding any session year; or twenty days prior to any special session of the legislature. Such bills will be printed, distributed and prepared for introduction on the first legislative day. No bill, joint memorial or joint resolution shall be prefiled by title and/or preamble only. (See also Senate Rule 3, Sub. 3.)

Introduction of Bills

Rule 56. 1. All bills, joint resolutions, and joint memorials introduced shall be endorsed with a statement of the title and the name of the member introducing the same. Any member desiring to introduce a bill, joint resolution, or joint memorial shall file the same with the secretary of the senate by noon of the day before the convening of the session at which said bill, joint resolution, or joint memorial is to be introduced. Sponsor sheets shall be available in both physical and electronic formats. A member may introduce a bill electronically by emailing the bill to the office of the code reviser. Only bills that have been emailed by a member or the member's legislative assistant may be considered for electronic introduction.

2. For bills introduced electronically, the sponsoring member may designate one cosponsor of the bill by providing the cosponsor's name in the email and by including the cosponsor's name in the cc line of the email. Additional members may add themselves as cosponsors to the bill by emailing the senate workroom by 5:00 p.m. of the day of its introduction. Agency and governor request legislation may follow this process and the sponsoring member or member's legislative assistant must email such legislation to the office of the code reviser.

3. Provided that a vote has not been taken on final passage of a bill, joint resolution, or joint memorial, a member may add his or her name as a cosponsor until ((2:00)) 5:00 p.m. of the day of its introduction. For any bill, joint resolution, or joint memorial that has been prefiled for a regular session, a member has until ((2:00)) 5:00 p.m. of the day following introduction to add his or her name as a cosponsor.

4. To be considered during a regular session, a bill must be introduced at least ten days before final adjournment of the legislature, unless the legislature directs otherwise by a vote of two-thirds of all the members elected to each house, said vote to be taken by yeas and nays and entered upon the journal. The time limitation for introduction of bills shall not apply to substitute bills reported by standing committees for bills pending before such committees and general appropriation and revenue bills. (See also Art. 2, Sec. 36, State Constitution.)

5. The introduction of title-only bills is prohibited. For the purposes of this subsection, a title-only bill is a bill containing a title or short summary of the intended subject matter, without laying forth the full changes intended to any act or sections of law.

Amendatory Bills

Rule 57. Bills introduced in the senate intended to amend existing statutes shall have the words which are amendatory to

such existing statutes underlined. Any matter to be deleted from the existing statutes shall be indicated by setting such matter forth in full, enclosed by double parentheses, and such deleted matter shall be lined out with hyphens. No bill shall be printed or acted upon until the provisions of this rule shall have been complied with.

Sections added by amendatory bill to an existing act, or chapter of the official code, need not be underlined but shall be designated "NEW SECTION" in upper case type and such designation shall be underlined. New enactments need not be underlined.

When statutes are being repealed, the Revised Code of Washington section number to be repealed, the section caption and the session law history, from the most current to the original, shall be cited.

Joint Resolutions and Memorials

Rule 58. Joint resolutions and joint memorials, up to the signing thereof by the president of the senate, shall be subject to the rules governing the course of bills.

Senate Concurrent Resolutions

Rule 59. Concurrent resolutions shall be subject to the rules governing the course of bills and may be adopted without a roll call. Concurrent resolutions authorizing investigations and authorizing the expenditure or allocation of any money must be adopted by roll call and the yeas and nays recorded in the journal. Concurrent resolutions are subject to final passage on the day of the first reading without regard to Senate Rules 62, 63, and 64.

Committee Bills

Rule 60. Committee bills introduced by a standing committee during a legislative session may be filed with the secretary of the senate and introduced, and the signature of each member of the committee shall be endorsed upon the cover of the original bill.

Committee bills shall be read the first time by title, ordered printed, and referred to the committee on rules for second reading.

Committee Reference

Rule 61. When a motion is made to refer a subject, and different committees are proposed, the question shall be taken in the following order:

FIRST: A standing committee.

SECOND: A select committee.

Reading of Bills

Rule 62. Every bill shall be read on three separate days unless the senate deems it expedient to suspend this rule. On and after the tenth day preceding adjournment sine die of any session, or three days prior to any cut-off date for consideration of bills, as determined pursuant to Article 2, Section 12 of the Constitution or concurrent resolution, or during any special session of the legislature, this rule may be suspended by a majority vote. (See also Senate Rules 59 and 64).

First Reading

Rule 63. The first reading of a bill shall be by title only, unless a majority of the members present demand a reading in full.

After the first reading, bills shall be referred to an appropriate committee pursuant to Senate Rule 61. Draft bill referrals will be electronically published by 7:00 p.m. the evening before any session to consider them. All objections or requests for rereferral must be communicated in an email by a member to the majority floor leader by 9:00 a.m. the day of convening.

Upon being reported back by committee, pursuant to Senate Rule 49, all bills shall be referred to the committee on rules for second reading, unless otherwise ordered by the senate.

A bill shall be reported back by the committee chair upon written petition therefor signed by a majority of its members. The

FIRST DAY, JANUARY 9, 2023

petition shall designate the recommendation as provided in Senate Rule 45, Sub. 5.

No committee chair shall exercise a pocket veto of any bill.

Should there be a two-thirds majority report of the committee membership against the bill, a vote shall be immediately ordered for the indefinite postponement of the bill.

Second Reading/Amendments

Rule 64. Upon second reading, the bill shall be read section by section, in full, and be subject to amendment.

Any member may, if sustained by three members, remove a bill from the consent calendar as constituted by the committee on rules. A bill removed from the consent calendar shall take its place as the last bill on the second reading calendar.

No amendment shall be considered by the senate until it shall have been sent to the secretary's desk in writing and read by the secretary.

All amendments adopted on the second reading shall then be securely fastened to the original bill.

All amendments rejected by the senate shall be spread upon the journal, and the journal shall show the disposition of all amendments.

When no further amendments shall be offered, the president shall declare the bill has passed its second reading, and shall be referred to the committee on rules for third reading.

Third Reading

Rule 65. Bills on third reading shall be read in full by sections, and no amendment shall be entertained.

When a bill shall pass, it shall be certified to by the secretary, together with the vote upon final passage, noting the day of its passage thereon.

The vote must be taken by yeas and nays, the names of the senators voting for and against the same to be entered upon the journal and the majority of the members elected to the senate must be recorded thereon as voting in its favor to secure its passage by the senate.

Scope and Object of Bill Not to be Changed

Rule 66. No amendment to any bill shall be allowed which shall change the scope and object of the bill. (See also Art. 2, Sec. 38, State Constitution.) Substitute bills shall be considered amendments for the purposes of this rule. A point of order raising the question of scope and object may be raised at any time during consideration of an amendment prior to voting on the amendment. (~~(A proposed amendment to an unamended title only bill shall be within the scope and object of the bill if the subject of the amendment fits within the language in the title.)~~)

Matters Related to Disagreement Between the Senate and House

Rule 67. When there is a disagreement between the senate and house on a measure before the senate, the senate may act upon the measure with the following motions which have priority in the following order:

- To concur
- To non-concur
- To recede
- To insist
- To adhere

These motions are in order as to any single amendment or to a series of amendments. (See Reed's Rules 247 through 254.)

A senate bill, passed by the house with amendment or amendments which shall change the scope and object of the bill, upon being received in the senate, shall be referred to an appropriate committee and shall take the same course as for original bills, unless a motion to ask the house to recede, to insist or to adhere is made prior to the measure being referred to committee.

Bills Committed for Special Amendment

Rule 68. A bill may be committed with or without special instructions to amend at any time before taking the final vote.

Confirmation of Gubernatorial Appointees

Rule 69. When the names of appointees to state offices are transmitted to the secretary of the senate for senate confirmation, the communication from the governor shall be recorded and referred to the appropriate standing committee.

The standing committee, or subcommittee, pursuant to Senate Rule 42, shall require each appointee referred to the committee for consideration to complete the standard questionnaire to be used to ascertain the appointee's general background and qualifications. The committee may also require the appointee to complete a supplemental questionnaire related specifically to the qualifications for the position to which he has been appointed.

Any hearing on a gubernatorial appointment, held by the standing committee, or subcommittees, pursuant to Senate Rule 42, shall be a public hearing. The appointee may be required to appear before the committee on request. When appearing, the appointee shall be required to testify under oath or affirmation. The chair of the committee or the presiding member shall administer the oath or affirmation in accordance with RCW 44.16. (See also Article 2, Sec. 6 of the State Constitution.)

Nothing in this rule shall be construed to prevent a standing committee, or subcommittee, pursuant to Senate Rule 42, upon a two-thirds vote of its members, from holding executive sessions when considering an appointment.

When the committee on rules presents the report of the standing committee before the senate, the question shall be the confirmation of the name proposed, and the roll shall then be called and the yeas and nays entered upon the journal. In the event a message is received from the governor requesting return of an appointment or appointments to the office of the governor prior to confirmation, the senate shall vote upon the governor's request and the appointment or appointments shall be returned to the governor if the request is approved by a majority of the members elected or appointed. (Article 13 of the State Constitution.)

Emergency Resolution Authorized

Rule 70. 1. If the Facilities and Operations Committee determines through a majority vote that physically convening all members and staff in a single location presents a danger to the health or safety of the participants or is impractical because of a publicly declared statewide emergency or catastrophic incident under RCW 43.06.010, the senate shall adopt a resolution establishing the rules and procedures governing any special or regular legislative session.

2. For purposes of adopting the senate resolution required by this rule, some or all members may vote using a remote access program established by the Secretary of the Senate. The remote access program must provide a mechanism approved by the President of the Senate by which the President can verify a member's remote presence. Members are considered in attendance within the bar of the senate when using the remote access program, including for purposes of establishing quorum. To the extent practicable, a member participating remotely under this rule has the same privileges, rights, and responsibilities under the Senate Rules as if the member were physically present.

MOTION

Senator Short moved that the following amendment no. 0002 by Senator Short be adopted:

On page 9, beginning on line 19, strike all material through "70." on line 32

On page 14, beginning on line 20, after "announced." strike all material through "70." on line 24

On page 15, beginning on line 6, after "president." strike all material through "call." on line 11

On page 17, beginning on line 1, after "member." strike all material through "remotely." on line 11

Senator Short spoke in favor of adoption of the amendment.
 Senator Pedersen spoke against adoption of the amendment.
 The President declared the question before the Senate to be the adoption of amendment no. 0002 by Senator Short on page 9, line 19 to Senate Resolution No. 8601.

The motion by Senator Short did not carry and amendment no. 0002 was not adopted by voice vote.

MOTION

On motion of Senator Wagoner, Senator Hawkins was excused.

MOTION

Senator Pedersen moved that the following amendment no. 0001 by Senator Pedersen be adopted:

On page 33, line 6, after "before" strike "any session to consider them" and insert "the session in which the referrals will be considered"

Senators Pedersen and Short spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0001 by Senator Pedersen on page 33, line 6 to Senate Resolution No. 8601.

The motion by Senator Pedersen carried and amendment no. 0001 was adopted by voice vote.

Senator Pedersen spoke in favor of adoption of the resolution.
 The President declared the question before the Senate to be the adoption of Engrossed Senate Resolution No. 8601.

The motion by Senator Pedersen carried and the resolution was adopted by voice vote.

MOTION

Senator Pedersen moved adoption of the following resolution:

SENATE RESOLUTION
 8602

By Senators Pedersen and Short

WHEREAS, The Facilities and Operations Committee has the authority to determine whether physically convening all members and staff in a single location could present a danger to health or safety of the participants and requires continued operational changes to adhere to public health guidance during the 2023 legislative session; and

WHEREAS, Permanent Senate Rule 70 establishes a process by which the Senate will adopt a resolution establishing the rules and procedures to govern floor and committee action for such a legislative session;

NOW, THEREFORE, BE IT RESOLVED, By the Senate of the state of Washington, That the following be adopted as the Emergency Parliamentary Rules of the Sixty-Eighth Legislature:

**"EMERGENCY PARLIAMENTARY RULES
 OF THE SENATE
 SIXTY-((SEVENTH)) EIGHTH LEGISLATURE
 ((2022)) 2023**

SECTION I: GENERAL

- Rule A** Public Health Measures.
- ~~((Rule B~~ Filing of Bills.
- ~~Rule C~~ Electronic Signatures.))
- Rule ((D)) B** Interpretation of Permanent Senate Rules.

SECTION II: PARLIAMENTARY PROCEDURES

- Rule ((E)) C** Remote Voting.
- ~~((Rule F~~ Attendance and Quorum.
- ~~Rule G~~ Rules of Debate.))
- Rule ((H)) D** Call of the Senate.
- Rule ((I)) E** ~~((Referral of Bills to~~ Relieving Rules ~~Committee.))~~ Committee of Bills.
- Rule ((J)) F** Floor Amendments.

SECTION III: COMMITTEES

- Rule ((K)) G** Committee Procedures.

**SECTION I
 GENERAL**

Public Health Measures

A. (1) Senate members and employees must comply with the ~~((2022))~~ 2023 Senate Session Guidelines adopted by the Facilities and Operations Committee, including any subsequent amendments and as implemented by Senate Administration. These guidelines govern mask-wearing, social distancing, and COVID-19 ~~((quarantine))~~ isolation procedures ~~((in accordance with the most recent public health guidelines)).~~

(2)(a) ~~((Except as provided in (b) of this subsection, regular))~~ Regular floor action will occur in a hybrid remote format with only the number of members present as determined by the Facilities and Operations Committee and subject to the ~~((2022))~~ 2023 Senate Session Guidelines.

~~((b))~~ ~~((If the Facilities and Operations Committee determines that public health conditions no longer require floor action to be conducted in a hybrid remote format, regular floor action will occur with all members present on the floor, subject to the 2022 Senate Session Guidelines. Only those members who are required to quarantine or isolate by the Senate Human Resource Officer due to COVID-19 exposure or infection will be permitted to vote remotely.~~

~~((c))~~ Committee hearings and executive action will be held remotely.

(3) Public access to the Senate galleries during floor action shall be determined by the Facilities and Operations Committee. All committee and floor proceedings will be broadcast to the public via streaming or televised platforms to ensure public access. (See Article II, Section 11 of the state Constitution.)

((Filing of Bills

~~**B.** (1) Any member desiring to introduce a bill shall email the bill to the office of the code reviser by noon of the day before the convening of the session at which the bill is to be introduced. Only bills that have been emailed by a member or the member's legislative assistant may be considered for introduction.~~

~~(2) Sponsor sheets will be electronically available for introducing the bill. The member emailing the bill and~~

FIRST DAY, JANUARY 9, 2023

corresponding sponsor sheet shall be considered the sponsor of the bill. The sponsoring member may designate one cosponsor of the bill by providing the cosponsor's name in the email and by including the cosponsor's name in the cc line of the email.

(3) Additional members may add themselves as cosponsors to the bill by emailing the Senate workroom by 5:00 p.m. of the day of its introduction.

(4) Agency and governor request legislation shall follow this process and the sponsoring member or member's legislative assistant must email such legislation to the office of the code reviser.

(5) The introduction of title only bills is prohibited. For the purposes of this subsection, a title only bill is a bill containing a title or short summary of the intended subject matter, without laying forth the full changes intended to any act or sections of law.

Electronic Signatures

C. Electronic or scanned signatures are authorized in place of any physical signatures that are otherwise required in order for a member to conduct legislative business.)

Interpretation of Permanent Senate Rules

(D) B. To the extent that a matter is not addressed in this Resolution, the Permanent Rules of the Senate adopted January ((40, 2022)) 9, 2023, will govern. The President will interpret all rules and procedures to facilitate legislative business in a fair and efficient manner in light of the ongoing emergency and remote session.

SECTION II

PARLIAMENTARY PROCEDURES

Remote Voting

(E) C. (1) Members will record their vote using the remote voting system. The clerk will close electronic voting and announce each member's vote individually. The President will call on those members who are present but have not yet voted. The President will then provide members a final opportunity to be recognized and change their votes. The clerk will then announce the vote.

(2) ((Should the Facilities and Operations Committee determine that public health conditions no longer require floor action to be conducted in a hybrid remote format in accordance with Emergency Rule A, members will vote orally. During any roll call vote where more than five members are participating remotely, members participating remotely will record their vote using the remote voting system. In such cases, the clerk will close electronic voting and announce the vote of remote members individually. The President will call on those members who are present but have not yet voted. The President will then provide members a final opportunity to be recognized and change their votes. The clerk will then announce the vote.

(3) If, during a roll call vote, the vote of each member participating remotely is unable to be taken, the member will be automatically excused. The member may request in writing that their vote be reflected in the Senate journal, though it will not count towards the final roll call.

(4)) In accordance with Senate Rule 22, once begun, a roll call vote will not be interrupted because a member participating remotely has connectivity issues. However, if a majority of members elected is no longer present due to connectivity issues, a majority of those still present may defer consideration of a bill, adjourn, or recess the Senate until a quorum can be reestablished.

(Attendance and Quorum

F. A member of the Senate voting remotely is considered in attendance within the bar of the Senate if the member is participating in the session through a remote access program

established by the Secretary of the Senate as provided in Senate Rule 70.

Rules of Debate

G. In accordance with Senate Rule 29, when present on the floor of the Senate, any senator about to speak in debate or submit any matter to the Senate shall rise and respectfully request recognition by the President by both voice and electronic means:))

Call of the Senate

((H) D. A call of the Senate may be moved by the majority or minority floor leader and sustained by three Senators. If carried by a majority of those present, the Secretary shall call the roll, after which the names of the absentees shall again be called. The business of the Senate will be suspended until the absent senators are considered within the bar of the Senate for such action as the Senate may deem proper. A call of the Senate may not interrupt a roll call vote, and no penalties shall be sustained for members experiencing connectivity issues.

((Referral of Bills to Committee)) Relieving Rules Committee of Bills

((I) E. ((1) Draft bill referrals will be electronically published by 8:00 p.m. the evening before any session to consider them. All objections or requests for rereferal must be communicated in writing by a member to the majority floor leader by 8:00 a.m. the day of convening.

(2)) The Senate may relieve the Rules Committee of a bill with the consent of a majority of the Senate, provided that two hours' notice has been given to the President and all members of the Senate by the majority leader. The majority leader will consult with the President prior to giving such notice.

Floor Amendments

((J) F. Any floor amendments must be submitted electronically by a member to the Secretary of the Senate for consideration. Each floor amendment shall be submitted in a separate email with the number of the bill to be amended included in the subject line of the email. Floor amendments received after second reading on the bill has begun shall not be in order.

SECTION III

COMMITTEES

Committee Procedures

((K) G. (1) All committees will meet remotely, except that, after consultation with the President, the majority leader may choose to hold a Rules Committee meeting in person. A member shall be considered in attendance at a committee hearing if the member is participating through a remote access program established by the Secretary of the Senate as provided in Senate Rule 70.

(2) ((All committees will rely upon and use the Electronic Bill Book. Committee staff should add all materials relating to hearings, work sessions, or executive sessions to the Electronic Bill Book as early as possible or when the material has been made public. Paper copies will not be provided to members.

(3) All committees will use the Committee Sign In system used in the past by the public, which has been modified to allow universal remote testimony sign in for all committee hearings. All committee members will be able to view the list of individuals who have signed in to testify on each bill. All testimony will be taken remotely or in writing. Members of the public wishing to testify may sign up remotely up to one hour before the committee is scheduled to meet.

(4) Chairs must publish the list of bills that may be considered for executive session by 4:00 p.m. two days preceding executive session. A chair with the consent of the ranking member has discretion to waive this deadline in extraordinary circumstances.

~~(5) Members must have amendment requests to nonpartisan committee staff by noon the day before scheduled executive action. Members should be considerate of staff and turn in amendment requests earlier if they are long or complex, keeping in mind the final deadline for consideration of amendments.~~

~~(6) All amendments, including substitutes, must be sponsored by a committee member. All amendments and effect statements must be either drafted or reviewed, or both, by nonpartisan committee staff. To be eligible for consideration at an executive session in a committee meeting scheduled to begin prior to 12:00 p.m., amendments must be released from confidentiality and posted to the Electronic Bill Book for committee members and the public by 4:00 p.m. the day before the executive session or the amendments will be considered out of order. To be eligible for consideration at an executive session in a committee meeting scheduled to begin on or after 12:00 p.m., amendments must be released from confidentiality and posted to the Electronic Bill Book for committee members and the public by 7:00 p.m. the day before the executive session or the amendments will be considered out of order. A chair with the consent of the ranking member has discretion to waive this deadline in extraordinary circumstances.~~

~~(7))~~ Committee voting will be done through recorded roll call votes with the results transmitted to the Secretary of the Senate via electronic means. Members must be present and visible to be eligible to vote during the executive session. Voting will not be allowed "subject to signatures."

~~((8))~~ (3) Electronic reports of standing committees must be received one hour prior to convening of the session in order to be read at said session. This requirement may be suspended by a majority of the Senate. This rule does not apply to reports of biennial or supplemental omnibus operating appropriations act, omnibus capital appropriations act, or omnibus transportation appropriations act bills.

Senators Pedersen and Short spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8602.

The motion by Senator Pedersen carried and the resolution was adopted by voice vote.

STANDING COMMITTEE ASSIGNMENTS

The President announced the following appointments to the standing committees, listed on the document entitled "2023 Senate Standing Committee Membership"

2023 SENATE STANDING COMMITTEE MEMBERSHIP

Agriculture, Water, Natural Resources & Parks

Van De Wege, Chair *Muzzall, Ranking*
Salomon, Vice Chair *Short*
Shewmake *Wagoner*
Stanford *Warnick*
Rolfes

Business, Financial Services, Gaming & Trade

Stanford, Chair *Dozier, Ranking*
Frame, Vice Chair *Boehnke*
Hasegawa *Gildon*
Mullet *MacEwen*
Lovick

Early Learning & K-12 Education

Wellman, Chair *Hawkins, Ranking*
Nobles, Vice Chair *Dozier*
C. Wilson, Vice Chair *McCune*
Hunt
Mullet
Pedersen

Environment, Energy & Technology

Nguyen, Chair *MacEwen, Ranking*
Lovelett, Vice Chair *Short*
Lovick *Boehnke*
Trudeau
Wellman

Health & Long Term Care

Cleveland, Chair *Rivers, Ranking*
Robinson, Vice Chair *Muzzall, Asst. Ranking*
Conway *Holy*
Dhingra *Padden*
Randall
Van De Wege

Higher Education & Workforce Development

Randall, Chair *Holy, Ranking*
Nobles, Vice Chair *Hawkins*
Liias

Housing

Kuderer, Chair *Fortunato, Ranking*
Frame, Vice Chair *Braun*
Cleveland *Gildon*
Saldaña *Rivers*
Shewmake *J. Wilson*
Trudeau

Human Services

C. Wilson, Chair *Boehnke, Ranking*
Kauffman, Vice Chair *Warnick*
Frame *J. Wilson*
Nguyen

Labor & Commerce

Keiser, Chair *King, Ranking*
Conway, Vice Chair *Braun*
Saldaña, Vice Chair *MacEwen*
Stanford *Schoesler*
Robinson

Law & Justice

Dhingra, Chair *Padden, Ranking*
Trudeau, Vice Chair *McCune*
Kuderer *Torres*
Pedersen *Wagoner*
Salomon *L. Wilson*
Valdez

Local Government, Land Use & Tribal Affairs

Lovelett, Chair *Torres, Ranking*
Salomon, Vice Chair *Short*
Kauffman

State Government & Elections

Hunt, Chair *J. Wilson, Ranking*
Valdez, Vice Chair *Dozier*
Hasegawa *Fortunato*

APPOINTMENT OF SPECIAL COMMITTEE

Transportation

Lias, Chair
Lovick, Vice Chair
Shewmake, Vice Chair
Cleveland
Kauffman
Lovelett
Nobles
Randall
C. Wilson
Valdez

King, Ranking
Holy, Asst. Ranking
Fortunato
Hawkins
MacEwen
Padden
J. Wilson

Ways & Means

Rolfes, Chair
Robinson, Vice Chair,
Operating & Revenue
Mullet, Vice Chair, Capital
Billig
Conway
Dhingra
Hasegawa
Hunt
Keiser
Nguyen
Pedersen
Saldaña
Van De Wege
Wellman

L. Wilson, Ranking, Operating
Gildon, Asst. Ranking,
Operating
Schoesler, Ranking, Capital
Rivers, Asst. Ranking, Capital
Warnick, Asst. Ranking, Capital
Boehnke
Braun
Muzzall
Torres
Wagoner

Rules

Lt. Governor Heck, Chair
Keiser, Vice Chair
Billig
Cleveland
Hasegawa
Kuderer
Lovick
Pedersen
Salomon
Saldaña
C. Wilson

Braun, Ranking
Gildon
King
Muzzall
Rivers
Short

MOTIONS

On motion of Senator Pedersen, the appointments to the standing committees were confirmed by voice vote.

Senator Pedersen moved adoption of the following resolution:

SENATE RESOLUTION
8600

By Senators Pedersen and Short

BE IT RESOLVED, That a committee consisting of two members of the Senate be appointed by the President of the Senate to notify the Governor that the Senate is organized and ready to conduct business.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8600.

The motion by Senator Pedersen carried and the resolution was adopted by voice vote.

In accordance with Senate Resolution No. 8600, the President appointed Senators Frame and Torres to notify the Governor that the Senate is organized and ready to conduct business.

The special committee retired from the chamber.

MOTIONS

On motion of Senator Pedersen, the Senate reverted to the fourth order of business.

On motion of Senator Pedersen, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 5000 by Senator Wagoner

AN ACT Relating to recognizing contributions of Americans of Chinese descent; and adding a new section to chapter 43.117 RCW.

Referred to Committee on State Government & Elections.

SB 5001 by Senators Hawkins and Hunt

AN ACT Relating to public facilities districts created by at least two city or county legislative authorities; and amending RCW 35.57.010, 35.57.020, and 82.14.048.

Referred to Committee on Local Government, Land Use & Tribal Affairs.

SB 5002 by Senators Lovick and Lias

AN ACT Relating to alcohol concentration; amending RCW 46.61.502, 46.61.504, 46.61.5055, and 46.61.506; creating a new section; prescribing penalties; providing an effective date; and declaring an emergency.

Referred to Committee on Law & Justice.

SB 5003 by Senators Lovick and Robinson

AN ACT Relating to increasing the number of district court judges in Snohomish county; and amending RCW 3.34.010.

Referred to Committee on Law & Justice.

SB 5004 by Senators Pedersen and Padden

AN ACT Relating to making updates to the Washington business corporation act; amending RCW 23B.01.400, 23B.06.210, 23B.10.020, and 23B.11.030; adding a new section to chapter 23B.06 RCW; and adding a new section to chapter 23B.11 RCW.

Referred to Committee on Law & Justice.

SB 5005 by Senators Pedersen and Padden

AN ACT Relating to real property; adding a new chapter to Title 7 RCW; and adding a new chapter to Title 64 RCW.

Referred to Committee on Law & Justice.

SB 5006 by Senators Pedersen and Rivers

AN ACT Relating to clarifying waiver of firearm rights; amending RCW 9.41.040, 9.41.350, and 9.41.352; reenacting RCW 9.41.010; adding a new section to chapter 9.41 RCW; and prescribing penalties.

Referred to Committee on Law & Justice.

SB 5007 by Senator Short

AN ACT Relating to creating a wine retailer shipper's permit; amending RCW 66.20.365; and adding a new section to chapter 66.20 RCW.

Referred to Committee on Labor & Commerce.

SB 5008 by Senator McCune

AN ACT Relating to providing parents and legal guardians access to instructional materials; adding a new section to chapter 28A.320 RCW; and prescribing penalties.

Referred to Committee on Early Learning & K-12 Education.

SB 5009 by Senator McCune

AN ACT Relating to requiring parental or legal guardian approval before a child participates in comprehensive sexual health education; amending RCW 28A.300.475; and creating a new section.

Referred to Committee on Early Learning & K-12 Education.

SB 5010 by Senators Wilson, L., Holy, Wilson, J., Braun, Schoesler, King, Short, Fortunato, Padden, Torres and Dozier

AN ACT Relating to updating the endangerment with a controlled substance statute to include fentanyl or synthetic opioids; and amending RCW 9A.42.100.

Referred to Committee on Law & Justice.

SB 5011 by Senators Wilson, L., Padden, Holy, Wilson, J., Fortunato, Boehnke, Schoesler, Wagoner, Warnick, Braun, Dozier and Short

AN ACT Relating to the repeal of resentencing provisions for individuals sentenced as a persistent offender due to a robbery in the second degree conviction; amending RCW 9.94A.345; and repealing RCW 9.94A.647.

Referred to Committee on Law & Justice.

SB 5012 by Senators Wilson, L., King and Braun

AN ACT Relating to studying the construction of a third bridge over the Columbia river between southwest Washington and Oregon; creating new sections; and making an appropriation.

Referred to Committee on Transportation.

SB 5013 by Senators Warnick and Keiser

AN ACT Relating to providing a tax exemption for the first 20,000 gallons of wine sold by a winery in Washington; adding a new section to chapter 66.24 RCW; and creating a new section.

Referred to Committee on Business, Financial Services, Gaming & Trade.

SB 5014 by Senator Fortunato

AN ACT Relating to prohibiting the adoption of rules for the enforcement of gubernatorial emergency orders without legislative approval; and adding a new section to chapter 34.05 RCW.

Referred to Committee on State Government & Elections.

SB 5015 by Senator Fortunato

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

Referred to Committee on State Government & Elections.

SB 5016 by Senator Fortunato

AN ACT Relating to addressing homelessness through providing emergency shelter, incentivizing employment of workers experiencing homelessness, and building homes for a better future; adding a new section to chapter 43.185C RCW; adding a new section to chapter 36.01 RCW; adding new sections to chapter 36.70A RCW; adding new sections to chapter 82.04 RCW; adding a new section to chapter 82.16 RCW; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; adding a new section to chapter 84.36 RCW; creating new sections; providing an effective date; providing expiration dates; and declaring an emergency.

Referred to Committee on Housing.

SB 5017 by Senator Fortunato

AN ACT Relating to dedicating the sales tax on motor vehicles to highway uses; amending RCW 82.08.020, 82.12.020, and 46.68.090; providing an effective date; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 5018 by Senator Fortunato

AN ACT Relating to sales tax revenues of transportation projects being used for transportation purposes; and adding a new section to chapter 82.32 RCW.

Referred to Committee on Transportation.

SB 5019 by Senator Wellman

AN ACT Relating to classified staff providing student and staff safety; amending RCW 28A.150.260 and 28A.150.260; providing an effective date; and providing an expiration date.

Referred to Committee on Early Learning & K-12 Education.

SB 5020 by Senator Wellman

AN ACT Relating to elementary education starting at six years of age; amending RCW 28A.225.010, 28A.225.018, 28A.225.020, 28A.225.025, 28A.225.030, 28A.225.035, 28A.225.090 and 28A.200.010; creating a new section; repealing RCW 28A.225.015; and providing an effective date.

Referred to Committee on Early Learning & K-12 Education.

FIRST DAY, JANUARY 9, 2023

SB 5021 by Senator Wagoner

AN ACT Relating to the audiology and speech-language pathology interstate compact; adding a new chapter to Title 18 RCW; and providing a contingent effective date.

Referred to Committee on Health & Long-Term Care.

SB 5022 by Senators Muzzall and Cleveland

AN ACT Relating to exempting fentanyl testing equipment from the definition of drug paraphernalia; and amending RCW 69.50.102.

Referred to Committee on Law & Justice.

SB 5023 by Senators Wilson, J. and Lovick

AN ACT Relating to roadside safety measures; amending RCW 46.37.196 and 46.61.212; and creating a new section.

Referred to Committee on Transportation.

SB 5024 by Senator Dozier

AN ACT Relating to establishing parents' bill of rights related to their child's public education; adding new sections to chapter 28A.605 RCW; and adding a new section to chapter 28A.345 RCW.

Referred to Committee on Early Learning & K-12 Education.

SB 5025 by Senator Dozier

AN ACT Relating to implementation of technology systems at the department of corrections; adding a new section to chapter 72.09 RCW; and creating a new section.

Referred to Committee on Human Services.

SB 5026 by Senators Mullet and Dozier

AN ACT Relating to the elimination of prelicensing education requirements for licensed insurance producers; and amending RCW 48.17.090.

Referred to Committee on Business, Financial Services, Gaming & Trade.

SB 5027 by Senators Fortunato, Padden, Holy, Wilson, J., Braun, Short and Warnick

AN ACT Relating to promoting housing affordability by incentivizing the construction of American dream homes; adding a new section to chapter 36.70A RCW; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; adding a new section to chapter 82.04 RCW; creating new sections; providing an effective date; providing expiration dates; and declaring an emergency.

Referred to Committee on Housing.

SB 5028 by Senators Pedersen and Wagoner

AN ACT Relating to revising the process for individuals to request name changes; and amending RCW 4.24.130.

Referred to Committee on Law & Justice.

SB 5029 by Senator Short

AN ACT Relating to empowering school district boards of directors; amending RCW 28A.150.290 and 28A.300.040; and creating a new section.

Referred to Committee on Early Learning & K-12 Education.

SB 5030 by Senators Van De Wege, Short, Wellman and Schoesler

AN ACT Relating to changing the expiration date for the sales and use tax exemption of hog fuel to comply with the 2045 deadline for fossil fuel-free electrical generation in Washington state and to protect jobs with health care and retirement benefits in economically distressed communities; amending RCW 82.08.956, 82.12.956, and 82.32.605; creating new sections; and providing expiration dates.

Referred to Committee on Ways & Means.

SB 5031 by Senator Wellman

AN ACT Relating to safety net award distributions for students receiving special education services outside of the state of Washington; and amending RCW 28A.150.392.

Referred to Committee on Early Learning & K-12 Education.

SB 5032 by Senators Padden and Lovick

AN ACT Relating to extending the felony driving under the influence lookback to 15 years while providing additional treatment options through the creation of a drug offender sentencing alternative for driving under the influence; amending RCW 9.94A.030, 9.94A.190, 9.94A.501, 9.94A.505, 9.94A.525, 9.94A.633, 9.94A.6332, 9.94A.660, 9.94A.701, 46.61.502, 46.61.5055, and 46.61.504; adding a new section to chapter 9.94A RCW; providing an effective date; and declaring an emergency.

Referred to Committee on Law & Justice.

SB 5033 by Senators Padden and Van De Wege

AN ACT Relating to reclassifying the sentence for the crime of custodial sexual misconduct; amending RCW 9A.44.160, 9A.44.170, and 9.94A.515; and prescribing penalties.

Referred to Committee on Law & Justice.

SB 5034 by Senators Padden, Fortunato, Short, Holy, Wilson, L., MacEwen, King, Boehnke, Torres, Braun, Warnick, Muzzall, Schoesler, Wilson, J., Dozier and Wagoner

AN ACT Relating to providing the authority for a peace officer to engage in a vehicular pursuit when there is reasonable suspicion a person has violated the law and the officer follows appropriate safety standards; amending RCW 10.116.060; and declaring an emergency.

Referred to Committee on Law & Justice.

SB 5035 by Senators Padden, Fortunato, Short, Wilson, J., MacEwen, Boehnke, Schoesler, Warnick, Dozier and Wagoner

AN ACT Relating to possession of controlled substances; amending RCW 69.50.4011; repealing RCW 10.31.115; repealing 2021 c 311 ss 15 and 16; repealing 2021 c 311 s 29 (uncodified); and prescribing penalties.

Referred to Committee on Law & Justice.

SB 5036 by Senator Muzzall

AN ACT Relating to extending the time frame in which real-time telemedicine using both audio and video technology may be used to establish a relationship for the purpose of providing audio-only telemedicine for certain health care services; and amending RCW 41.05.700, 48.43.735, and 74.09.325.

Referred to Committee on Health & Long-Term Care.

SB 5037 by Senators Wilson, L. and MacEwen

AN ACT Relating to ensuring that the Washington state energy code may not prohibit the use of natural gas in buildings; amending RCW 19.27A.020; creating a new section; and providing for submission of this act to a vote of the people.

Referred to Committee on Environment, Energy & Technology.

SB 5038 by Senators Mullet and Wellman

AN ACT Relating to the modification of notification deadlines for certain education employment contracts and related dates; amending RCW 28A.405.210, 28A.310.250, 28A.405.220, 28A.405.230, and 28A.405.245; and providing an effective date.

Referred to Committee on Early Learning & K-12 Education.

SB 5039 by Senator Rolfes

AN ACT Relating to mitigating the risk of wildfires through electric utility planning and identification of best management practices appropriate to each electric utility's circumstances; amending RCW 76.04.780; adding a new section to chapter 43.21F RCW; adding a new section to chapter 80.28 RCW; adding a new section to chapter 19.29A RCW; and creating a new section.

Referred to Committee on Environment, Energy & Technology.

SB 5040 by Senators Wilson, J. and Fortunato

AN ACT Relating to requiring notation on enhanced documents that the holder of the document has demonstrated the citizenship requirements sufficient to register to vote; amending RCW 46.20.202; and providing an effective date.

Referred to Committee on Transportation.

SB 5041 by Senators Lovick and King

AN ACT Relating to compliance with federal motor carrier safety administration requirements for the drug and alcohol clearinghouse; amending RCW 46.25.052, 46.25.060, 46.25.088, 46.25.100, 46.25.090, 46.25.120, and 46.20.324; reenacting and amending RCW 46.25.010; adding a new section to chapter 46.25 RCW; repealing RCW 46.25.123 and 46.25.125; and providing an effective date.

Referred to Committee on Transportation.

SB 5042 by Senator Padden

AN ACT Relating to authorizing the use of vascular neck restraints; amending RCW 10.116.020; and adding a new section to chapter 43.101 RCW.

Referred to Committee on Law & Justice.

SB 5043 by Senator Short

AN ACT Relating to recognizing that power plants that comply with the state greenhouse gas emissions performance standard are consistent with Washington's long-term policy for electricity; amending RCW 19.405.050; and creating a new section.

Referred to Committee on Environment, Energy & Technology.

SB 5044 by Senator Muzzall

AN ACT Relating to expanding opportunities for physical therapy and occupational therapy professionals to form professional service corporations; and amending RCW 18.100.050.

Referred to Committee on Health & Long-Term Care.

SB 5045 by Senator Kuderer

AN ACT Relating to incentivizing rental of accessory dwelling units to low-income households; amending RCW 84.36.400; creating new sections; and providing an expiration date.

Referred to Committee on Housing.

SB 5046 by Senators Saldaña, Nguyen, Trudeau, Wilson, C. and Dhingra

AN ACT Relating to postconviction access to counsel; amending RCW 2.70.020 and 10.73.150; creating new sections; and providing an effective date.

Referred to Committee on Law & Justice.

SB 5047 by Senators Saldaña, Trudeau, Nguyen, Wilson, C. and Dhingra

AN ACT Relating to enhancing the Washington voting rights act; amending RCW 29A.92.010, 29A.92.030, 29A.92.040, 29A.92.060, 29A.92.090, 29A.92.110, 29A.92.070, 29A.92.080, 29A.92.130, and 36.32.020; adding new sections to chapter 29A.92 RCW; and providing an effective date.

Referred to Committee on State Government & Elections.

SB 5048 by Senators Mullet and Rolfes

AN ACT Relating to eliminating college in the high school fees; amending RCW 28A.600.287 and 28B.76.730; adding a new section to chapter 28B.10 RCW; and repealing RCW 28A.600.290.

Referred to Committee on Higher Education & Workforce Development.

SB 5049 by Senator Wilson, L.

AN ACT Relating to firearm theft; amending RCW 9.94A.515 and 9.94A.589; adding a new section to chapter 9A.56 RCW; and prescribing penalties.

FIRST DAY, JANUARY 9, 2023

Referred to Committee on Law & Justice.

SB 5050 by Senator Wellman

AN ACT Relating to informed consent for breast implant surgery; adding a new section to chapter 18.130 RCW; and creating a new section.

Referred to Committee on Health & Long-Term Care.

SB 5051 by Senator Wellman

AN ACT Relating to language understanding of documents used in dissolution proceedings; and adding a new section to chapter 26.09 RCW.

Referred to Committee on Law & Justice.

SB 5052 by Senators Liias and King

AN ACT Relating to establishing leasehold excise tax parity and accountability for certain arenas and stadiums; amending RCW 82.29A.130; creating a new section; providing an effective date; and providing an expiration date.

Referred to Committee on Business, Financial Services, Gaming & Trade.

SB 5053 by Senator Wellman

AN ACT Relating to adding sublimits of coverage to an insurance policy's declaration page; and amending RCW 48.18.140.

Referred to Committee on Business, Financial Services, Gaming & Trade.

SB 5054 by Senator Wellman

AN ACT Relating to promoting and facilitating the use of professional learning communities; amending RCW 28A.150.205, 28A.415.430, and 28A.415.434; and creating a new section.

Referred to Committee on Early Learning & K-12 Education.

SB 5055 by Senator Padden

AN ACT Relating to repealing an unconstitutional ban on contracting with private prisons in the state of Washington pursuant to the 9th circuit ruling in *The Geo Group v. Newsom*; and repealing RCW 70.395.010, 70.395.020, 70.395.030, 70.395.900, and 70.395.901.

Referred to Committee on Human Services.

SB 5056 by Senator Padden

AN ACT Relating to a special allegation for habitual property offenders; reenacting and amending RCW 9.94A.533; adding a new section to chapter 9.94A RCW; creating a new section; and prescribing penalties.

Referred to Committee on Law & Justice.

SB 5057 by Senators Mullet and Schoesler

AN ACT Relating to creating a work group to evaluate the costs of the state energy performance standard for covered commercial buildings; amending RCW 19.27A.210 and

19.27A.250; creating a new section; and providing an expiration date.

Referred to Committee on Environment, Energy & Technology.

SB 5058 by Senators Padden and Pedersen

AN ACT Relating to exempting buildings with 12 or fewer units that are no more than two stories from the definition of multiunit residential building; and amending RCW 64.55.010.

Referred to Committee on Law & Justice.

SB 5059 by Senators Kuderer and Trudeau

AN ACT Relating to prejudgment interest; amending RCW 4.56.110; and repealing RCW 4.56.111.

Referred to Committee on Law & Justice.

SB 5060 by Senators Kuderer and Trudeau

AN ACT Relating to the registration of rental and vacant housing units; reenacting and amending RCW 43.79A.040; and adding a new chapter to Title 59 RCW.

Referred to Committee on Housing.

SB 5061 by Senators Kuderer and Stanford

AN ACT Relating to access to personnel records; amending RCW 49.12.250; and creating a new section.

Referred to Committee on Labor & Commerce.

SB 5062 by Senators Lovick, Kuderer, King, Salomon and Short

AN ACT Relating to online marketplace consumer protection caused by organized retail crime; adding a new chapter to Title 19 RCW; and declaring an emergency.

Referred to Committee on Environment, Energy & Technology.

SB 5063 by Senators Wilson, L. and Mullet

AN ACT Relating to establishing balanced legislative oversight of gubernatorial powers during a declared emergency; amending RCW 43.06.210 and 43.06.220; and creating a new section.

Referred to Committee on State Government & Elections.

SB 5064 by Senator Wellman

AN ACT Relating to excess cost allocations for special education programs; and amending RCW 28A.150.390.

Referred to Committee on Early Learning & K-12 Education.

SB 5065 by Senators Short and Wellman

AN ACT Relating to public school instruction in awareness of bone marrow donation; adding a new section to chapter 28A.210 RCW; and creating a new section.

Referred to Committee on Early Learning & K-12 Education.

SB 5066 by Senators Short and Rolfes

AN ACT Relating to clarifying that health care benefit managers must file contracts with health carriers with the office of the insurance commissioner; amending RCW 48.200.040; and declaring an emergency.

Referred to Committee on Health & Long-Term Care.

SB 5067 by Senator Dozier

AN ACT Relating to meetings of county legislative authorities; and amending RCW 36.32.080.

Referred to Committee on Local Government, Land Use & Tribal Affairs.

SB 5068 by Senator MacEwen

AN ACT Relating to dedicating the state sales tax on motor vehicles for transportation; amending RCW 82.08.020, 82.12.020, and 43.84.092; adding a new section to chapter 46.68 RCW; creating a new section; and providing an effective date.

Referred to Committee on Ways & Means.

SB 5069 by Senators Rivers, Keiser, King and Stanford

AN ACT Relating to interstate cannabis agreements; adding a new section to chapter 43.06 RCW; and providing a contingent effective date.

Referred to Committee on Labor & Commerce.

SB 5070 by Senators Nobles and Dhingra

AN ACT Relating to victims of nonfatal strangulation; amending RCW 7.68.803; providing an effective date; and declaring an emergency.

Referred to Committee on Human Services.

SB 5071 by Senators Nobles and Wagoner

AN ACT Relating to creating the purple star award; adding a new section to chapter 28A.625 RCW; and creating a new section.

Referred to Committee on Early Learning & K-12 Education.

SB 5072 by Senators Nobles and Wellman

AN ACT Relating to advancing equity in programs for highly capable students; amending RCW 28A.185.020, 28A.185.030, 28A.185.050, and 28A.300.042; adding a new section to chapter 28A.185 RCW; and creating a new section.

Referred to Committee on Early Learning & K-12 Education.

SB 5073 by Senator Wilson, L.

AN ACT Relating to the responsibilities of the three branches of government for administrative rules and procedure; adding new sections to chapter 34.05 RCW; and creating a new section.

Referred to Committee on State Government & Elections.

SB 5074 by Senators Wilson, L. and Cleveland

AN ACT Relating to coverage for biomarker testing; adding a new section to chapter 48.43 RCW; adding a new section to chapter 41.05 RCW; and adding a new section to chapter 74.09 RCW.

Referred to Committee on Health & Long-Term Care.

SB 5075 by Senators Wilson, L. and Padden

AN ACT Relating to establishing a judicial sentencing database; amending RCW 9.94A.475; adding a new section to chapter 9.94A RCW; and providing an effective date.

Referred to Committee on Law & Justice.

SB 5076 by Senators Wilson, L. and Padden

AN ACT Relating to the authority to hold a person without bail until their first appearance on a domestic violence or protection order case; and amending RCW 10.31.100 and 7.105.450.

Referred to Committee on Law & Justice.

SB 5077 by Senators Pedersen and Wagoner

AN ACT Relating to the uniform commercial code; amending RCW 62A.1-201, 62A.1-204, 62A.1-301, 62A.1-306, 62A.2-102, 62A.2-106, 62A.2-201, 62A.2-202, 62A.2-203, 62A.2-205, 62A.2-209, 62A.2A-102, 62A.2A-103, 62A.2A-107, 62A.2A-201, 62A.2A-202, 62A.2A-203, 62A.2A-205, 62A.2A-208, 62A.3-104, 62A.3-105, 62A.3-401, 62A.3-604, 62A.4A-103, 62A.4A-201, 62A.4A-202, 62A.4A-203, 62A.4A-207, 62A.4A-208, 62A.4A-210, 62A.4A-211, 62A.4A-305, 62A.5-104, 62A.5-116, 62A.7-102, 62A.7-106, 62A.8-102, 62A.8-103, 62A.8-106, 62A.8-110, 62A.8-303, 62A.9A-102, 62A.9A-104, 62A.9A-105, 62A.9A-203, 62A.9A-204, 62A.9A-207, 62A.9A-208, 62A.9A-209, 62A.9A-210, 62A.9A-301, 62A.9A-304, 62A.9A-305, 62A.9A-310, 62A.9A-312, 62A.9A-313, 62A.9A-314, 62A.9A-316, 62A.9A-317, 62A.9A-323, 62A.9A-324, 62A.9A-330, 62A.9A-331, 62A.9A-332, 62A.9A-334, 62A.9A-341, 62A.9A-404, 62A.9A-406, 62A.9A-408, 62A.9A-509, 62A.9A-513, 62A.9A-601, 62A.9A-605, 62A.9A-608, 62A.9A-611, 62A.9A-613, 62A.9A-614, 62A.9A-615, 62A.9A-616, 62A.9A-619, 62A.9A-620, 62A.9A-621, 62A.9A-624, and 62A.9A-628; adding new sections to Article 9A of Title 62A RCW; adding new articles to Title 62A RCW; and providing an effective date.

Referred to Committee on Law & Justice.

SB 5078 by Senators Pedersen and Dhingra

AN ACT Relating to protecting public safety by establishing duties of firearm industry members engaged in the sale, manufacturing, distribution, importing, or marketing of firearms, ammunition, component parts, or accessories, to adopt and implement reasonable controls to prevent the diversion of firearms and related products to straw purchasers, firearm traffickers, unauthorized individuals, and individuals who pose a risk to themselves or others, to prohibit such firearm industry members from creating or maintaining a public nuisance, providing for investigation and enforcement by the attorney general, and creating a private right of action; adding a new section to chapter 7.48 RCW; creating new sections; and prescribing penalties.

FIRST DAY, JANUARY 9, 2023

Referred to Committee on Law & Justice.

SB 5079 by Senators Braun and Liias

AN ACT Relating to the date by which tuition operating fees are established; and amending RCW 28B.15.067.

Referred to Committee on Higher Education & Workforce Development.

SB 5080 by Senator Saldaña

AN ACT Relating to expanding and improving the social equity in cannabis program; amending RCW 69.50.331, 69.50.335, 69.50.345, and 69.50.345; providing an effective date; and providing an expiration date.

Referred to Committee on Labor & Commerce.

SB 5081 by Senators Nobles and Trudeau

AN ACT Relating to victim notification; amending RCW 72.09.712 and 72.09.714; and adding a new section to chapter 42.56 RCW.

Referred to Committee on Human Services.

SB 5082 by Senators Kuderer and Hunt

AN ACT Relating to encouraging electoral participation and making ballots more meaningful by abolishing advisory votes; amending RCW 29A.32.070, 29A.64.090, 29A.72.040, 29A.72.250, 29A.72.290, and 29A.32.031; adding a new section to chapter 29A.32 RCW; creating a new section; and repealing RCW 29A.72.283, 29A.72.285, and 43.135.041.

Referred to Committee on State Government & Elections.

SB 5083 by Senator Wagoner

AN ACT Relating to protecting third parties from hazardous conditions arising from conservation easements; and adding a new section to chapter 64.04 RCW.

Referred to Committee on Law & Justice.

SB 5084 by Senators Braun and Keiser

AN ACT Relating to creating a separate fund for the purposes of self-insured pensions and assessments; amending RCW 43.84.092, 43.84.092, 51.16.120, 51.32.242, 51.44.070, 51.44.073, 51.44.080, 51.44.100, 51.44.115, 51.44.140, 51.44.142, and 51.44.160; adding a new section to chapter 51.44 RCW; providing effective dates; providing an expiration date; and declaring an emergency.

Referred to Committee on Labor & Commerce.

SB 5085 by Senators Wellman and Mullet

AN ACT Relating to principal and assistant principal terms of employment; amending RCW 41.59.080, 28A.405.230, 28A.405.245, 28A.400.302, and 28A.405.130; and creating a new section.

Referred to Committee on Early Learning & K-12 Education.

SB 5086 by Senators Lovick and Wagoner

AN ACT Relating to training for tribal police officers and employees; and amending RCW 43.101.230.

Referred to Committee on Law & Justice.

SB 5087 by Senators Pedersen and Mullet

AN ACT Relating to removing language from the Revised Code of Washington that has been identified by the justices of the supreme court or judges of the superior courts as defects and omissions in the laws pursuant to Article IV, section 25 of the Washington state Constitution; amending RCW 2.43.040, 2.48.190, 4.16.190, 48.140.010, 6.25.030, 10.105.900, 7.80.120, 9.94A.530, 9A.46.020, 10.05.030, 10.95.030, 10.95.035, 10.95.030, 41.56.0251, 35A.66.020, 43.135.034, and 9A.72.160; and repealing RCW 2.48.210, 4.56.250, 7.48.050, 7.48.052, 7.48.054, 7.48.056, 7.48.058, 7.48.060, 7.48.062, 7.48.064, 7.48.066, 7.48.068, 7.48.070, 7.48.072, 7.48.074, 7.48.076, 7.48.078, 7.48.080, 7.48.085, 7.48.090, 7.48.100, 9.81.010, 9.81.020, 9.81.030, 9.81.040, 9.81.050, 9.81.060, 9.81.070, 9.81.080, 9.81.082, 9.81.083, 9.81.090, 9.81.110, 9.81.120, 9.91.180, 9.92.100, 10.52.100, 10.58.090, 10.95.040, 10.95.050, 10.95.060, 10.95.070, 10.95.080, 10.95.090, 10.95.100, 10.95.110, 10.95.120, 10.95.130, 10.95.140, 10.95.150, 10.95.160, 10.95.170, 10.95.180, 10.95.185, 10.95.190, 10.95.200, 10.95.901, 18.108.190, 35.13.165, 36.105.010, 36.105.020, 36.105.030, 36.105.040, 36.105.050, 36.105.060, 36.105.070, 36.105.080, 36.105.090, 36.105.100, 39.88.010, 39.88.020, 39.88.030, 39.88.040, 39.88.050, 39.88.060, 39.88.070, 39.88.080, 39.88.090, 39.88.100, 39.88.110, 39.88.120, 39.88.130, 39.88.900, 39.88.905, 39.88.910, 41.20.110, 47.44.030, 49.32.072, 49.32.073, 49.32.074, 66.24.480, 66.28.080, 73.04.050, 73.04.060, and 85.05.130.

Referred to Committee on Law & Justice.

SB 5088 by Senators Keiser and King

AN ACT Relating to adding references to contractor registration and licensing laws in workers' compensation, public works, and prevailing wage statutes; and amending RCW 39.04.350, 39.06.020, 39.12.050, 39.12.055, 39.12.065, 39.12.100, 51.08.070, 51.08.180, 51.08.181, 51.12.070, 51.12.120, 51.16.070, and 51.48.022.

Referred to Committee on Labor & Commerce.

SB 5089 by Senator King

AN ACT Relating to making changes to factory assembled structures, manufactured or mobile homes, commercial coaches, conversion vending units, medical units, recreational vehicles, and park trailers requirements, including adding board members to the factory assembled structures advisory committee; amending RCW 43.22.420, 43.22A.010, 43.22A.020, 43.22A.080, 43.22A.110, 43.22A.120, 43.22A.140, and 43.22.495; and reenacting and amending RCW 43.22A.005.

Referred to Committee on Labor & Commerce.

SB 5090 by Senators Padden and Kuderer

AN ACT Relating to tort actions; amending RCW 4.24.005; adding new sections to chapter 4.24 RCW; and creating a new section.

Referred to Committee on Law & Justice.

SB 5091 by Senator King

AN ACT Relating to creating and expanding tax incentives for the research, development, production, and sale of hydrogen fuel cells in Washington state; adding new sections to chapter 82.04 RCW; creating a new section; and providing expiration dates.

Referred to Committee on Business, Financial Services, Gaming & Trade.

SB 5092 by Senator King

AN ACT Relating to expanding the sales and use tax exemption to include hybrid electric and gasoline vehicles but not plug-in hybrid vehicles; amending RCW 82.08.9999 and 82.12.9999; providing an effective date; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 5093 by Senators Rolfes and Lovelett

AN ACT Relating to improving climate resilience through updates to the state's integrated climate response strategy; amending RCW 70A.05.010, 70A.05.020, 70A.05.030, and 70A.05.040; adding a new section to chapter 70A.05 RCW; and creating a new section.

Referred to Committee on Environment, Energy & Technology.

SB 5094 by Senator Rolfes

AN ACT Relating to adding a climate resilience element to water system plans; amending RCW 70A.125.180; adding a new section to chapter 43.20 RCW; and creating a new section.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SB 5095 by Senators Nobles and Lovelett

AN ACT Relating to creating the "parks Rx" health and wellness pilot programs; creating new sections; and providing an expiration date.

Referred to Committee on Health & Long-Term Care.

SB 5096 by Senators Padden and Pedersen

AN ACT Relating to expanding employee ownership; adding new sections to chapter 43.330 RCW; adding a new section to chapter 82.04 RCW; creating new sections; providing an effective date; and providing an expiration date.

Referred to Committee on Business, Financial Services, Gaming & Trade.

SB 5097 by Senators Holy and Liias

AN ACT Relating to creating an advisory council on rare diseases; adding new sections to chapter 43.70 RCW; and creating a new section.

Referred to Committee on Health & Long-Term Care.

SB 5098 by Senator Padden

AN ACT Relating to prohibiting abortion on the basis of Down syndrome; amending RCW 9.02.110; reenacting and amending RCW 9.02.170; adding new sections to chapter 9.02 RCW; and prescribing penalties.

Referred to Committee on Health & Long-Term Care.

SB 5099 by Senators Braun and Keiser

AN ACT Relating to transferring extraordinary revenue collections from the estate tax to the developmental disabilities community services account; reenacting and amending RCW 83.100.230; and creating a new section.

Referred to Committee on Ways & Means.

SB 5100 by Senators Wellman and Rivers

AN ACT Relating to breast or chest wall reconstruction surgery; adding a new section to chapter 48.43 RCW; adding a new section to chapter 43.70 RCW; and repealing RCW 48.44.330, 48.46.280, 48.20.395, and 48.21.230.

Referred to Committee on Health & Long-Term Care.

SB 5101 by Senators Saldaña and Warnick

AN ACT Relating to extraordinary medical placement for incarcerated individuals at the department of corrections; and reenacting and amending RCW 9.94A.728.

Referred to Committee on Human Services.

SB 5102 by Senator Wellman

AN ACT Relating to school library information and technology programs; amending RCW 28A.320.240; adding new sections to chapter 28A.320 RCW; and creating a new section.

Referred to Committee on Early Learning & K-12 Education.

SB 5103 by Senators Muzzall and Cleveland

AN ACT Relating to payment to acute care hospitals for difficult to discharge medicaid patients who do not need acute care but who are waiting in the hospital to be appropriately and timely discharged to postacute and community settings; and amending RCW 74.09.520.

Referred to Committee on Health & Long-Term Care.

SB 5104 by Senators Salomon and Rolfes

AN ACT Relating to surveying Puget Sound marine shoreline habitat; adding a new section to chapter 43.21A RCW; and creating a new section.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SB 5105 by Senator Mullet

AN ACT Relating to authorizing digital driver's licenses through a mobile application; amending RCW 46.20.017 and 46.20.161; creating a new section; providing an effective date; providing an expiration date; and declaring an emergency.

Referred to Committee on Transportation.

FIRST DAY, JANUARY 9, 2023

SB 5106 by Senator Hunt

AN ACT Relating to updating timelines for adopting county commissioner district boundaries following expansion from three to five commissioners; and amending RCW 36.32.0552.

Referred to Committee on Local Government, Land Use & Tribal Affairs.

SB 5107 by Senator Shewmake

AN ACT Relating to increasing the cap on gross sales for cottage food operations; amending RCW 69.22.050; and adding a new section to chapter 69.22 RCW.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SB 5108 by Senator Padden

AN ACT Relating to a regional training model for basic law enforcement training; reenacting and amending RCW 43.101.200; creating a new section; and providing an expiration date.

Referred to Committee on Law & Justice.

SB 5109 by Senators Saldaña and Valdez

AN ACT Relating to creating a wage replacement program for certain Washington workers excluded from unemployment insurance; reenacting and amending RCW 42.56.410; adding new chapters to Title 50C RCW; adding a new title to the Revised Code of Washington to be codified as Title 50C RCW; and prescribing penalties.

Referred to Committee on Labor & Commerce.

SB 5110 by Senator Keiser

AN ACT Relating to adding penalties for certain prohibited practices in chapter 49.44 RCW; adding a new section to chapter 49.44 RCW; and prescribing penalties.

Referred to Committee on Labor & Commerce.

SB 5111 by Senator Keiser

AN ACT Relating to requiring payment for accrued and unused sick leave for certain construction workers; and amending RCW 49.46.210.

Referred to Committee on Labor & Commerce.

SB 5112 by Senator Hunt

AN ACT Relating to updating processes related to voter registration; amending RCW 29A.08.010, 29A.08.030, 29A.08.110, 29A.08.125, 29A.08.210, 29A.08.220, 29A.08.260, 29A.08.270, 29A.08.330, 29A.08.340, 29A.08.350, 29A.08.355, 29A.08.357, 29A.08.359, 29A.08.362, 29A.08.365, 29A.08.370, 29A.08.615, 46.20.153, 46.20.155, 46.20.156, 46.20.205, 29A.08.625, 29A.08.630, 29A.08.635, 29A.08.710, 29A.08.810, 29A.08.820, 29A.08.835, 29A.08.840, 29A.04.611, 29A.84.110, 29A.04.058, and 29A.08.115; reenacting and amending RCW 29A.08.320; adding a new section to chapter 29A.08 RCW; repealing RCW 29A.08.375; and providing an effective date.

Referred to Committee on State Government & Elections.

SB 5113 by Senators Warnick and Randall

AN ACT Relating to faculty in dental schools; and amending RCW 18.32.195.

Referred to Committee on Health & Long-Term Care.

SB 5114 by Senators Wilson, C. and Trudeau

AN ACT Relating to supporting adults with lived experience of sex trafficking; adding a new section to chapter 43.280 RCW; and creating a new section.

Referred to Committee on Human Services.

SB 5115 by Senator Hunt

AN ACT Relating to clarifying what constitutes mental abuse of vulnerable adults; and amending RCW 74.34.020.

Referred to Committee on Law & Justice.

SB 5116 by Senator Padden

AN ACT Relating to oversight of bail funds; amending RCW 19.09.020 and 19.09.075; adding a new section to chapter 19.09 RCW; and adding a new section to chapter 43.09 RCW.

Referred to Committee on Law & Justice.

SB 5117 by Senator Wilson, L.

AN ACT Relating to reforming the state building code council, its operations and procedures, and its statutory authority; amending RCW 19.27.031, 19.27.070, 19.27.074, and 19.27A.025; adding new sections to chapter 19.27 RCW; and creating a new section.

Referred to Committee on State Government & Elections.

SB 5118 by Senators Kuderer and Wellman

AN ACT Relating to modifying the multifamily property tax exemption to promote development of long-term affordable housing; and amending RCW 84.14.010, 84.14.020, and 84.14.021.

Referred to Committee on Housing.

SB 5119 by Senator Dhingra

AN ACT Relating to authorizing the state auditor to receive nonconviction data; and amending RCW 10.97.050 and 43.101.460.

Referred to Committee on Law & Justice.

SB 5120 by Senators Dhingra and Wagoner

AN ACT Relating to establishing 23-hour crisis relief centers in Washington state; amending RCW 71.05.020, 71.05.020, 71.05.050, 71.05.150, 71.05.150, 71.05.590, 71.05.590, 71.34.020, 71.34.020, 71.34.351, 71.34.700, 71.34.700, 71.05.755, 71.24.890, 10.31.110, 10.77.086, and 10.77.088; amending 2022 c 210 s 31 and 2021 c 264 s 29 (uncodified); reenacting and amending RCW 71.24.025, 71.05.153, 71.05.153, and 48.43.005; adding a new section to chapter 71.24 RCW; creating new sections; repealing RCW 71.24.647; providing an effective date; providing contingent effective dates; and providing an expiration date.

Referred to Committee on Health & Long-Term Care.

SB 5121 by Senator Cleveland

AN ACT Relating to extending the expiration date of the joint select committee on health care oversight; reenacting and amending RCW 44.82.010; and providing an expiration date.

Referred to Committee on Health & Long-Term Care.

SB 5122 by Senators Cleveland and Muzzall

AN ACT Relating to extending the expiration date of the ambulance transport fund; amending RCW 74.70.901; and providing an expiration date.

Referred to Committee on Health & Long-Term Care.

SB 5123 by Senator Keiser

AN ACT Relating to the employment of individuals who lawfully consume cannabis; adding new sections to chapter 49.44 RCW; and providing an effective date.

Referred to Committee on Labor & Commerce.

SB 5124 by Senators Trudeau and Randall

AN ACT Relating to supporting guardianships and voluntary placement with nonrelative kin; and amending RCW 13.36.090, 74.13.062, and 74.13.031.

Referred to Committee on Human Services.

SB 5125 by Senators Trudeau and Rivers

AN ACT Relating to the creation of the Washington future fund program; amending RCW 43.88C.010; reenacting and amending RCW 43.79A.040; adding a new section to chapter 74.09 RCW; adding a new chapter to Title 43 RCW; and providing an expiration date.

Referred to Committee on Human Services.

SB 5126 by Senators Pedersen and Hawkins

AN ACT Relating to providing common school trust revenue to small school districts; and adding a new section to chapter 28A.515 RCW.

Referred to Committee on Early Learning & K-12 Education.

SB 5127 by Senators Wilson, C. and Lovelett

AN ACT Relating to clarifying school districts' ability to redact personal information related to a student in any record maintained by the school district; amending RCW 42.56.230; and creating a new section.

Referred to Committee on State Government & Elections.

SB 5128 by Senators Trudeau and Dhingra

AN ACT Relating to jury diversity; amending RCW 2.36.150, 2.36.095, and 2.36.054; adding a new section to chapter 2.36 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Law & Justice.

SB 5129 by Senator MacEwen

AN ACT Relating to planning for advanced nuclear reactor technology in Washington; amending RCW 43.21F.088; and creating a new section.

Referred to Committee on Environment, Energy & Technology.

SB 5130 by Senators Frame and Dhingra

AN ACT Relating to assisted outpatient treatment; amending RCW 71.05.148, 71.05.365, 71.05.590, 71.05.590, 71.34.020, 71.34.020, 71.34.740, 71.34.740, 71.34.780, 71.34.780, and 71.34.815; amending 2021 c 264 s 29 (uncodified); providing an effective date; providing a contingent effective date; and providing an expiration date.

Referred to Committee on Law & Justice.

SB 5131 by Senator Wilson, C.

AN ACT Relating to money received by the department of corrections on behalf of inmates from family or other outside sources for the purchase of commissary items; and amending RCW 72.09.480.

Referred to Committee on Human Services.

SB 5132 by Senator McCune

AN ACT Relating to increasing the penalty for assaulting a law enforcement officer; and amending RCW 9A.36.031 and 9.94A.515.

Referred to Committee on Law & Justice.

SB 5133 by Senator Keiser

AN ACT Relating to modifying the responsible bidder criteria for public works projects; and amending RCW 39.04.350.

Referred to Committee on State Government & Elections.

SB 5134 by Senator Wilson, C.

AN ACT Relating to reentry services and supports; amending RCW 72.02.100 and 72.09.270; and creating a new section.

Referred to Committee on Human Services.

SB 5135 by Senator Wilson, C.

AN ACT Relating to solitary confinement; amending RCW 72.09.015; adding new sections to chapter 72.09 RCW; creating new sections; providing an effective date; and providing expiration dates.

Referred to Committee on Human Services.

SB 5136 by Senator Fortunato

AN ACT Relating to permanently exempting from sales and use tax clothing, products for children, and prepared food; amending RCW 82.08.0293; adding new sections to chapter 82.08 RCW; adding new sections to chapter 82.12 RCW; and creating a new section.

Referred to Committee on Ways & Means.

SB 5137 by Senators Dhingra and Muzzall

FIRST DAY, JANUARY 9, 2023

AN ACT Relating to a missing and murdered indigenous women and people cold case investigations unit; adding a new section to chapter 43.10 RCW; and creating a new section.

Referred to Committee on Law & Justice.

SB 5138 by Senators Fortunato and Wilson, J.

AN ACT Relating to providing that vehicles illegally parked on public property or in a public right-of-way are not homesteads under chapter 6.13 RCW; amending RCW 6.13.010; and creating a new section.

Referred to Committee on Housing.

SB 5139 by Senator Fortunato

AN ACT Relating to protecting the rights of Washington residents by ensuring individuals can decline an immunization or vaccination for COVID-19 and addressing workers terminated for refusing vaccination; and adding a new section to chapter 70.54 RCW.

Referred to Committee on Health & Long-Term Care.

SB 5140 by Senator Fortunato

AN ACT Relating to creating the state elections confidence using rigorous examination act; adding a new section to chapter 29A.08 RCW; and creating a new section.

Referred to Committee on State Government & Elections.

SB 5141 by Senators Hunt and Keiser

AN ACT Relating to granting Washington management service employees the right to collectively bargain; and amending RCW 41.06.022 and 41.80.005.

Referred to Committee on Labor & Commerce.

SB 5142 by Senators Liias and Rivers

AN ACT Relating to creating an account for the pharmaceutical rebate revenue generated by the purchase of medications for people living with HIV who are enrolled in the early intervention program; reenacting and amending RCW 43.79A.040; and adding a new section to chapter 43.70 RCW.

Referred to Committee on Health & Long-Term Care.

SB 5143 by Senator Torres

AN ACT Relating to changing the name and membership of the commission on pesticide registration; and amending RCW 15.92.090, 15.92.095, 15.92.100, 15.92.105, and 15.92.110.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SB 5144 by Senators Stanford and Nguyen

AN ACT Relating to providing for responsible environmental management of batteries; amending RCW 43.21B.110 and 43.21B.300; adding a new section to chapter 82.04 RCW; adding a new chapter to Title 70A RCW; and prescribing penalties.

Referred to Committee on Environment, Energy & Technology.

SB 5145 by Senators Short and Salomon

AN ACT Relating to clarifying existing law regarding liability protections associated with public recreational use of lands or waters under a hydroelectric license issued by the federal energy regulatory commission; and amending RCW 4.24.210.

Referred to Committee on Law & Justice.

SB 5146 by Senator Short

AN ACT Relating to removing regulatory restrictions on hydropower; amending RCW 19.405.040 and 19.405.050; and creating a new section.

Referred to Committee on Environment, Energy & Technology.

SB 5147 by Senator Mullet

AN ACT Relating to expanding the use of air conditioning in adult family homes; amending RCW 70.128.060; creating new sections; making an appropriation; providing expiration dates; and declaring an emergency.

Referred to Committee on Human Services.

SB 5148 by Senators Liias and Boehnke

AN ACT Relating to prohibiting the display of wild or exotic animals for public entertainment or amusement; adding a new chapter to Title 16 RCW; and prescribing penalties.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SB 5149 by Senator Wagoner

AN ACT Relating to ensuring that offenders who are incarcerated and commit murder may be charged with the death penalty; amending RCW 10.95.040; adding a new section to chapter 10.95 RCW; and prescribing penalties.

Referred to Committee on Law & Justice.

SB 5150 by Senator Shewmake

AN ACT Relating to the beef commission's levied assessment; and amending RCW 16.67.120.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SB 5151 by Senator Valdez

AN ACT Relating to updating the executive team of the office of the secretary of state by adding a chief of staff position; amending RCW 43.07.020; and declaring an emergency.

Referred to Committee on State Government & Elections.

SB 5152 by Senator Valdez

AN ACT Relating to defining synthetic media in campaigns for elective office, and providing relief for candidates and campaigns; and adding a new chapter to Title 42 RCW.

Referred to Committee on State Government & Elections.

SB 5153 by Senator Valdez

AN ACT Relating to uniform disclosure of records related to future voters and making conforming amendments related to participation of future voters in state primaries; amending RCW 29A.04.070, 29A.08.170, 29A.08.174, 29A.08.330, 29A.08.615, 29A.08.710, 29A.08.760, 29A.08.770, 29A.80.041, 46.20.155, 46.20.155, 42.56.230, 42.56.250, 29A.84.140, and 29A.84.140; reenacting and amending RCW 29A.08.720; adding a new section to chapter 29A.08 RCW; repealing RCW 29A.08.375; providing an effective date; and providing an expiration date.

Referred to Committee on State Government & Elections.

SB 5154 by Senators Rolfes and Nguyen

AN ACT Relating to improving Washington's solid waste management outcomes; amending RCW 70A.245.010, 70A.245.020, 70A.245.030, 70A.245.040, 70A.245.090, 70A.245.100, 70A.245.120, 70A.245.060, 70A.205.005, 70A.205.010, 70A.205.045, 81.77.030, 81.77.040, 81.77.160, 81.77.185, 43.21B.110, 43.21B.300, 69.50.342, 69.50.345, and 69.50.345; adding new sections to chapter 70A.245 RCW; adding a new section to chapter to 81.04 RCW; adding a new section to chapter 70A.222 RCW; adding a new section to chapter 70A.350 RCW; adding a new section to chapter 70A.230 RCW; adding a new section to chapter 70A.340 RCW; adding a new section to chapter 70A.455 RCW; adding new chapters to Title 70A RCW; creating new sections; prescribing penalties; providing an effective date; and providing an expiration date.

Referred to Committee on Environment, Energy & Technology.

SB 5155 by Senators Wagoner and Dhingra

AN ACT Relating to the court of appeals; and amending RCW 2.06.040.

Referred to Committee on Law & Justice.

SB 5156 by Senator Torres

AN ACT Relating to expanding the farm internship program; amending RCW 49.12.471; creating a new section; and declaring an emergency.

Referred to Committee on Labor & Commerce.

SB 5157 by Senator Torres

AN ACT Relating to investments in critical water infrastructure projects; adding a new chapter to Title 90 RCW; and declaring an emergency.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SB 5158 by Senators Wilson, L. and Rolfes

AN ACT Relating to transparency in state and local taxation; reenacting and amending RCW 44.48.150; adding a new section to chapter 82.02 RCW; and creating a new section.

Referred to Committee on Ways & Means.

SB 5159 by Senator Torres

AN ACT Relating to shoreline master program review schedules; amending RCW 90.58.080 and 90.58.080; providing an effective date; and providing an expiration date.

Referred to Committee on Local Government, Land Use & Tribal Affairs.

SB 5160 by Senator Torres

AN ACT Relating to organized retail theft; amending RCW 9A.56.350; and prescribing penalties.

Referred to Committee on Law & Justice.

SB 5161 by Senators Liias and Rolfes

AN ACT Relating to prohibiting fur farming; amending RCW 16.72.010; adding new sections to chapter 16.72 RCW; creating a new section; repealing RCW 16.72.020, 16.72.030, and 16.72.040; prescribing penalties; providing an effective date; and providing expiration dates.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SB 5162 by Senators Liias and King

AN ACT Relating to transportation funding and appropriations; amending RCW 43.19.642, 46.20.745, 82.21.030, 47.66.120, 46.68.060, 46.68.290, 47.60.322, 46.68.395, 70A.65.240, 46.68.520, and 46.68.280; creating new sections; making appropriations and authorizing expenditures for capital improvements; and declaring an emergency.

Referred to Committee on Transportation.

SB 5163 by Senator Rivers

AN ACT Relating to the medicaid fraud false claims act; repealing RCW 43.131.419 and 43.131.420; and declaring an emergency.

Referred to Committee on Law & Justice.

SB 5164 by Senators Liias and King

AN ACT Relating to transportation funding and appropriations; amending 2022 c 186 ss 206, 207, 208, 209, 210, 211, 212, 213, 214, 216, 217, 218, 219, 221, 222, 223, 224, 301, 303, 304, 305, 306, 307, 308, 309, 310, 401, 402, 403, 404, 405, 406, 601, and 602 (uncodified); 2022 c 187 ss 205 and 308 (uncodified); adding a new section to 2022 c 186 (uncodified); repealing 2022 c 187 ss 203, 304, 305, and 307 (uncodified); making appropriations and authorizing expenditures for capital improvements; and declaring an emergency.

Referred to Committee on Transportation.

SB 5165 by Senators Nguyen and Mullet

AN ACT Relating to electric power system transmission planning; amending RCW 19.280.030, 80.50.060, and 80.50.045; adding a new section to chapter 19.280 RCW; and creating a new section.

Referred to Committee on Environment, Energy & Technology.

SB 5166 by Senator Boehnke

AN ACT Relating to reauthorizing the business and occupation tax deduction for cooperative finance organizations; adding a new section to chapter 82.04 RCW; creating a new section; providing an effective date; providing an expiration date; and declaring an emergency.

Referred to Committee on Environment, Energy & Technology.

SB 5167 by Senator Boehnke

AN ACT Relating to eliminating expedited processing of alternative energy resource facilities fueled by solar or wind energy on certain designated lands before the energy facility site evaluation council; amending RCW 80.50.075; and creating a new section.

Referred to Committee on Environment, Energy & Technology.

SB 5168 by Senator Boehnke

AN ACT Relating to modernizing the energy independence act to avoid regulatory duplication and overlap with other laws; amending RCW 19.285.010, 19.285.020, 19.285.045, 19.285.050, 19.285.060, 19.285.070, 19.285.080, 19.29A.060, and 19.405.040; reenacting and amending RCW 19.285.040; creating a new section; and providing an effective date.

Referred to Committee on Environment, Energy & Technology.

SB 5169 by Senator Hunt

AN ACT Relating to health care plans administered by the health care authority that are available to medicare eligible retirees; adding a new section to chapter 41.05 RCW; and creating a new section.

Referred to Committee on Health & Long-Term Care.

SB 5170 by Senators Hunt, Kuderer, Wilson, J. and Hasegawa

AN ACT Relating to funding and expenditures for legislative organizations by legislators who serve as elected leaders of those organizations; reenacting and amending RCW 42.52.150; and adding a new section to chapter 42.52 RCW.

Referred to Committee on State Government & Elections.

SB 5171 by Senators Dhingra, Trudeau, Hunt, Lovelett, Cleveland, Keiser, Wilson, C., Hasegawa and Saldaña

AN ACT Relating to consumer gender discrimination; amending RCW 19.86.140; adding a new section to chapter 19.86 RCW; and prescribing penalties.

Referred to Committee on Law & Justice.

SB 5172 by Senator Fortunato

AN ACT Relating to ensuring abortion safety by providing that only physicians may perform abortions and inform women of their right to be fully informed of the inherent risks; amending RCW 9.02.100, 9.02.110, 9.02.120, 9.02.130, 9.02.140, and 9.02.160; reenacting and amending RCW 9.02.170; and creating a new section.

Referred to Committee on Health & Long-Term Care.

SB 5173 by Senator Stanford

AN ACT Relating to property exempt from execution; amending RCW 6.15.010, 6.15.010, and 51.32.040; providing an effective date; and providing an expiration date.

Referred to Committee on Law & Justice.

SB 5174 by Senator Wellman

AN ACT Relating to providing adequate and predictable student transportation; amending RCW 28A.160.117, 28A.160.150, 28A.160.160, 28A.160.170, 28A.160.180, 28A.160.190, and 28A.160.192; adding new sections to chapter 28A.160 RCW; and repealing RCW 28A.160.193.

Referred to Committee on Early Learning & K-12 Education.

SB 5175 by Senators Wellman and Mullet

AN ACT Relating to written contracts between school boards and principals; and amending RCW 28A.405.210 and 28A.400.300.

Referred to Committee on Early Learning & K-12 Education.

SB 5176 by Senator Stanford

AN ACT Relating to unemployment insurance benefits for officers of employee-owned cooperatives; amending RCW 50.24.160, 50.04.165, and 50.04.310; adding a new section to chapter 50.04 RCW; creating a new section; and providing an effective date.

Referred to Committee on Labor & Commerce.

SB 5177 by Senator Mullet

AN ACT Relating to organ transport vehicles; amending RCW 68.64.010, 46.37.190, 46.37.380, 46.37.670, 46.61.210, 46.61.165, 47.52.025, 18.73.140, 18.73.081, and 18.73.030; adding a new section to chapter 46.04 RCW; and adding a new section to chapter 18.73 RCW.

Referred to Committee on Transportation.

SB 5178 by Senator Fortunato

AN ACT Relating to large debris removal from interstate highways; and amending RCW 70A.200.060, 70A.205.425, and 70A.200.140.

Referred to Committee on Transportation.

SB 5179 by Senators Pedersen and King

AN ACT Relating to increasing access to the provisions of the Washington death with dignity act; amending RCW 70.245.010, 70.245.020, 70.245.030, 70.245.040, 70.245.050, 70.245.060, 70.245.070, 70.245.080, 70.245.090, 70.245.100, 70.245.110, 70.245.120, 70.245.150, 70.245.180, 70.245.190, 70.245.220, and 70.41.520; and adding new sections to chapter 70.245 RCW.

Referred to Committee on Health & Long-Term Care.

SB 5180 by Senators Hunt and Hawkins

AN ACT Relating to the interstate teacher mobility compact; and adding a new chapter to Title 28A RCW.

Referred to Committee on Early Learning & K-12 Education.

SB 5181 by Senators Cleveland and Rivers

AN ACT Relating to medical assistants; amending RCW 18.360.010, 18.360.040, and 18.360.050; and declaring an emergency.

Referred to Committee on Health & Long-Term Care.

SB 5182 by Senators Nguyen and Hunt

AN ACT Relating to procedures and deadlines for candidate filing; amending RCW 29A.24.050, 29A.24.040, 29A.24.070, 29A.24.081, 29A.24.091, 29A.24.131, and 29A.32.230; reenacting and amending RCW 29A.16.040; adding a new section to chapter 29A.24 RCW; and adding a new section to chapter 29A.32 RCW.

Referred to Committee on State Government & Elections.

SB 5183 by Senators Liias and Keiser

AN ACT Relating to raising the residential personal needs allowance; and amending RCW 74.09.340.

Referred to Committee on Human Services.

SB 5184 by Senators Rivers and Cleveland

AN ACT Relating to licensure of anesthesiologist assistants; amending RCW 18.130.040, 18.130.040, and 18.120.020; adding a new chapter to Title 18 RCW; providing an effective date; and providing an expiration date.

Referred to Committee on Health & Long-Term Care.

SB 5185 by Senators Fortunato and Padden

AN ACT Relating to abortion; amending RCW 9.02.110, 9.02.120, 9.02.130, and 9.02.140; reenacting and amending RCW 9.02.170; adding a new section to chapter 9.02 RCW; repealing RCW 9.02.100; and declaring an emergency.

Referred to Committee on Health & Long-Term Care.

SB 5186 by Senators Liias and Billig

AN ACT Relating to requiring antidiscrimination clauses in public contracting; adding a new section to chapter 49.60 RCW; and providing an effective date.

Referred to Committee on Labor & Commerce.

SB 5187 by Senators Rolfes and Robinson

AN ACT Relating to fiscal matters; amending RCW 19.02.210, 28B.92.205, 43.09.475, 43.43.837, 43.79.555, 43.320.110, 70A.65.100, 70A.65.250, 70A.65.260, 74.46.561, and 79A.25.210; reenacting and amending RCW 43.101.200 and 70A.65.030; adding a new section to chapter 43.79 RCW; creating new sections; making appropriations; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 5188 by Senators Rolfes and Robinson

AN ACT Relating to fiscal matters; amending RCW 28B.76.526; amending 2022 c 297 ss 101, 102, 103, 113, 114, 116, 117, 120, 121, 122, 126, 128, 129, 130, 133, 134, 135, 136, 137, 141, 142, 143, 146, 147, 148, 150, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 214, 215, 216, 218, 220, 221, 222, 223, 225, 226, 227, 228, 229, 230, 301, 303, 304, 305, 306, 307, 308, 310, 311, 312, 402, 501, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 515, 516, 517, 518, 520, 522, 602, 603, 604, 605, 606, 607, 608, 609, 610, 612, 613, 614, 615, 702, 703, 704, 713, 714, 716, 723, 731, 801, 802, 803, and 804 and 2021 c 334 ss 109 and 110 (uncodified); reenacting and amending RCW 70A.65.030; repealing 2021 c 334 s 747 (uncodified); making appropriations; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 5189 by Senators Trudeau and Wagoner

AN ACT Relating to establishing behavioral health support specialists; amending RCW 18.130.040 and 18.130.040; adding a new section to chapter 48.43 RCW; adding a new chapter to Title 18 RCW; providing an effective date; and providing expiration dates.

Referred to Committee on Health & Long-Term Care.

SB 5190 by Senators Trudeau and Lovelett

AN ACT Relating to creating more homes for Washington by increasing middle housing in areas traditionally dedicated to single-family detached housing; amending RCW 36.70A.030, 36.70A.280, and 43.21C.495; adding new sections to chapter 36.70A RCW; adding a new section to chapter 64.34 RCW; adding a new section to chapter 64.32 RCW; adding a new section to chapter 64.38 RCW; adding a new section to chapter 64.90 RCW; and creating a new section.

Referred to Committee on Local Government, Land Use & Tribal Affairs.

SB 5191 by Senators Stanford and Dozier

AN ACT Relating to reforming the real estate agency law to require written brokerage services agreements, improve consumer disclosures, and provide that certain legal duties of brokers apply to all parties in the transaction; amending RCW 18.86.010, 18.86.020, 18.86.030, 18.86.040, 18.86.050, 18.86.060, 18.86.070, 18.86.080, 18.86.090, 18.86.100, and 18.86.120.

Referred to Committee on Law & Justice.

SB 5192 by Senator Shewmake

AN ACT Relating to authorizing administrative law judges to substitute for pollution control hearings board members in deciding derelict vessel appeals; and amending RCW 79.100.120.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SB 5193 by Senators Kuderer and Valdez

AN ACT Relating to establishing firearms-related safety measures to increase public safety by prohibiting the manufacture, importation, distribution, selling, and offering for sale of assault weapons, and by providing limited

FIRST DAY, JANUARY 9, 2023

exemptions applicable to licensed firearm manufacturers and dealers for purposes of sale to armed forces branches and law enforcement agencies for purposes of sale or transfer outside the state; reenacting and amending RCW 9.41.010; adding new sections to chapter 9.41 RCW; creating a new section; prescribing penalties; and declaring an emergency.

Referred to Committee on Law & Justice.

SB 5194 by Senator Mullet

AN ACT Relating to rendering the Washington state insurance commissioner an appointed position; amending RCW 48.02.010, 48.02.020, 48.02.110, 43.17.020, 29A.32.031, 29A.36.121, 42.17A.005, 43.01.010, 43.01.020, 43.03.010, 43.03.011, 42.17A.705, and 43.17.320; and creating a new section.

Referred to Committee on State Government & Elections.

SB 5195 by Senator Hunt

AN ACT Relating to fuel price transparency; amending RCW 19.112.020, 19.112.050, and 19.112.060; creating a new section; prescribing penalties; and providing an effective date.

Referred to Committee on Transportation.

SB 5196 by Senators Nobles and Randall

AN ACT Relating to creating the OL Reign special license plate; reenacting and amending RCW 46.17.220, 46.18.200, and 46.68.420; adding a new section to chapter 46.04 RCW; and providing an effective date.

Referred to Committee on Transportation.

SB 5197 by Senators Kuderer and Saldaña

AN ACT Relating to addressing landlord-tenant relations by providing technical changes to eviction notice forms and modifying certain eviction processes; amending RCW 59.18.410 and 59.18.057; and adding new sections to chapter 59.18 RCW.

Referred to Committee on Housing.

SB 5198 by Senators Frame and Kuderer

AN ACT Relating to the sale or lease of manufactured/mobile home communities and the property on which they sit; amending RCW 59.20.060, 59.20.073, 59.20.080, 59.20.300, 59.20.305, and 59.21.030; reenacting and amending RCW 59.20.030; adding new sections to chapter 59.20 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Housing.

SB 5199 by Senator Mullet

AN ACT Relating to tax relief for newspaper publishers; amending RCW 82.04.260, 35.102.150, 82.04.460, and 82.08.806; adding a new section to chapter 82.04 RCW; creating new sections; providing an effective date; and providing an expiration date.

Referred to Committee on Business, Financial Services, Gaming & Trade.

SB 5200 by Senators Mullet and Schoesler

AN ACT Relating to the capital budget; amending RCW 28B.20.725, 28B.30.750, 43.88D.010, 39.35D.030, and 43.99N.060; amending 2022 c 296 ss 1018, 1046, 2004, 3003, 3010, 5004, and 7002, and 2021 c 332 ss 1065, 1098, 2067, 3010, 3012, 3019, 3021, 3022, 3024, 3026, 3027, 3028, 3031, 3037, 3038, 3039, 3048, 3069, 3072, 3078, 3094, 3097, and 3295 (uncodified); reenacting and amending RCW 43.185.050, 43.83B.430, and 43.155.050; adding new sections to 2022 c 296 (uncodified); creating new sections; providing a contingent effective date; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 5201 by Senators Mullet and Schoesler

AN ACT Relating to state general obligation bonds and related accounts; amending RCW 43.99U.010, 28A.527.010, 28A.527.020, and 43.99V.010; adding new sections to chapter 43.100A RCW; repealing RCW 43.100A.306; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 5202 by Senators Trudeau and Robinson

AN ACT Relating to reducing homelessness in Washington state through capital expenditures for programs that address housing insecurity; adding new sections to chapter 43.100A RCW; adding new sections to chapter 43.330 RCW; creating new sections; providing a contingent effective date; and providing for submission of certain sections of this act to a vote of the people.

Referred to Committee on Housing.

SB 5203 by Senators Lovelett and Liias

AN ACT Relating to improving the state's climate response through updates to the state's planning framework; amending RCW 36.70A.020, 36.70A.480, 36.70A.320, 36.70A.190, 86.12.200, and 36.70A.030; reenacting and amending RCW 36.70A.070 and 36.70A.130; adding new sections to chapter 36.70A RCW; adding a new section to chapter 70A.45 RCW; adding a new section to chapter 47.80 RCW; adding a new section to chapter 90.58 RCW; adding a new section to chapter 43.21C RCW; and creating a new section.

Referred to Committee on Local Government, Land Use & Tribal Affairs.

SB 5204 by Senators Frame and Robinson

AN ACT Relating to mandating health plans to provide coverage for the diagnosis of infertility, treatment for infertility, and standard fertility preservation services; adding a new section to chapter 48.43 RCW; adding a new section to chapter 41.05 RCW; and creating new sections.

Referred to Committee on Health & Long-Term Care.

SB 5205 by Senator Dhingra

AN ACT Relating to limitations in parenting plans related to parental conduct; amending RCW 26.09.191; and adding a new section to chapter 26.09 RCW.

Referred to Committee on Law & Justice.

SB 5206 by Senators MacEwen and Hunt

AN ACT Relating to intercollegiate athletic conference participation; amending RCW 28B.10.703; and creating a new section.

Referred to Committee on Higher Education & Workforce Development.

SB 5207 by Senators Billig, Valdez and Hunt

AN ACT Relating to campaign contributions by controlled entities; amending RCW 42.17A.455; and adding a new section to chapter 42.17A RCW.

Referred to Committee on State Government & Elections.

SB 5208 by Senators Trudeau, King, Hunt, Nobles, Randall,

Keiser, Kuderer, Lovick, Saldaña, Hasegawa and Liias

AN ACT Relating to updating the process for online voter registration by allowing voter applicants to provide the last four digits of social security number for authentication; amending RCW 29A.08.123; and providing an effective date.

Referred to Committee on State Government & Elections.

SB 5209 by Senators Hunt, Billig, Wellman, Hasegawa, Lovelett, Saldaña and Liias

AN ACT Relating to establishing universal civic duty voting; amending RCW 29A.40.010, 29A.08.330, 29A.08.355, and 46.20.155; reenacting and amending RCW 29A.08.320 and 29A.36.161; adding new sections to chapter 29A.08 RCW; adding a new section to chapter 29A.84 RCW; adding a new section to chapter 29A.04 RCW; creating a new section; providing an effective date; and providing an expiration date.

Referred to Committee on State Government & Elections.

SB 5210 by Senators Stanford and Gildon

AN ACT Relating to the best interest standard for annuities in Washington; amending RCW 48.23.015; creating a new section; and providing an effective date.

Referred to Committee on Business, Financial Services, Gaming & Trade.

SB 5211 by Senators Liias and Trudeau

AN ACT Relating to enhancing requirements for the purchase or transfer of firearms by requiring a permit to purchase firearms, firearms safety training, and a 10-day waiting period, prohibiting firearms transfers prior to completion of a background check, and updating and creating consistency in firearms transfer and background check procedures; amending RCW 9.41.090, 43.43.590, 9.41.047, 9.41.049, 9.41.092, 9.41.094, 9.41.097, 9.41.0975, 9.41.110, 9.41.1135, 9.41.345, 9.41.270, 9.41.280, 9.41.282, 9.41.284, 9.41.800, 9.41.801, 9.41.802, 9.41.804, 9.41.815, 7.105.305, 7.105.330, 7.105.335, 7.105.340, 7.105.350, 7.105.570, 10.31.100, 10.99.033, 10.99.040, 11.130.257, 26.09.060, 71.05.182, and 72.23.080; reenacting and amending RCW 7.105.310 and 10.99.030; adding new sections to chapter 9.41 RCW;

adding a new section to chapter 43.43 RCW; repealing 2019 c 244 s 1; and providing an effective date.

Referred to Committee on Law & Justice.

SJR 8200 by Senator Fortunato

Amending the state Constitution so that state revenue collected from a road usage charge, vehicle miles traveled fee, or other similar type of comparable charge, must be used exclusively for highway purposes.

Referred to Committee on Transportation.

SJR 8201 by Senators Mullet and Warnick

Creating a public works assistance revolving account.

Referred to Committee on Ways & Means.

SJR 8202 by Senators Keiser and Kuderer

Amending the Constitution to address reproductive freedom.

Referred to Committee on Health & Long-Term Care.

SCR 8400 by Senators Pedersen and Short

Convening a joint session for the purpose of receiving the State of the Judiciary message.

SCR 8401 by Senators Pedersen and Short

Establishing cutoff dates for the consideration of legislation during the 2023 regular session of the sixty-eighth legislature.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Introduction and First Reading report were referred to the committees as designated with the exceptions of:

Senate Bill No. 5104 which had been designated to the Committee on Environment, Energy & Technology and was referred to the Committee on Agriculture, Water, Natural Resources & Parks;

Senate Bill No. 5110 which had been designated to the Committee on Law & Justice and was referred to the Committee on Labor & Commerce;

Senate Bill No. 5120 which had been designated to the Committee on Human Services and was referred to the Committee on Health & Long-Term Care, and

Senate Concurrent Resolution No. 8400 and Senate Concurrent Resolution No. 8401 which were placed on the Second Reading Calendar of the day.

On motion of Senator Pedersen, the Senate reverted to the fourth order of business.

MESSAGE FROM THE HOUSE

January 9, 2023

MR. PRESIDENT:

The House has adopted:

HOUSE CONCURRENT RESOLUTION NO. 4400,

HOUSE CONCURRENT RESOLUTION NO. 4401,

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

MOTION

On motion of Senator Pedersen, the Senate advanced to the fifth order of business.

SUPPLEMENTAL INTRODUCTION AND FIRST READING

HCR 4400 by Representatives Fitzgibbon and Kretz
Calling a Joint Session of the Legislature for the purposes of receiving the State of the State address.

HCR 4401 by Representatives Fitzgibbon and Kretz
Adopting joint rules.

MOTIONS

On motion of Senator Pedersen, under suspension of the rules, House Concurrent Resolution No. 4400 and House Concurrent Resolution No. 4401 were placed on the second reading calendar of the day.

On motion of Senator Pedersen, the Senate advanced to the sixth order of business.

SECOND READING

SENATE CONCURRENT RESOLUTION NO. 8401, by Senators Pedersen and Short

Establishing cutoff dates for the consideration of legislation during the 2023 regular session of the sixty-eighth legislature.

The measure was read the second time.

MOTION

On motion of Senator Pedersen, the rules were suspended, Senate Concurrent Resolution No. 8401 was advanced to third reading, the second reading considered the third and the resolution was placed on final passage.

The President declared the question before the Senate to be the final passage of Senate Concurrent Resolution No. 8401.

SENATE CONCURRENT RESOLUTION NO. 8401 having received a majority was adopted by voice vote.

SECOND READING

HOUSE CONCURRENT RESOLUTION NO. 4401, by Representatives Fitzgibbon and Kretz

Adopting joint rules.

The measure was read the second time.

MOTION

On motion of Senator Pedersen, the rules were suspended, House Concurrent Resolution No. 4401 was advanced to third reading, the second reading considered the third and the resolution was placed on final passage.

The President declared the question before the Senate to be the final passage of House Concurrent Resolution No. 4401.

Senator Pedersen spoke in favor of adoption of the resolution.

HOUSE CONCURRENT RESOLUTION NO. 4401 having received a majority was adopted by voice vote.

SECOND READING

HOUSE CONCURRENT RESOLUTION NO. 4400, by Representatives Fitzgibbon and Kretz

Calling a Joint Session of the Legislature for the purposes of receiving the State of the State address.

The measure was read the second time.

MOTION

On motion of Senator Pedersen, the rules were suspended, House Concurrent Resolution No. 4400 was advanced to third reading, the second reading considered the third and the resolution was placed on final passage.

The President declared the question before the Senate to be the final passage of House Concurrent Resolution No. 4400.

Senator Pedersen spoke in favor of adoption of the resolution.

HOUSE CONCURRENT RESOLUTION NO. 4400 having received a majority was adopted by voice vote.

SECOND READING

SENATE CONCURRENT RESOLUTION NO. 8400, by Senators Pedersen and Short

Convening a joint session for the purpose of receiving the State of the Judiciary message.

The measure was read the second time.

MOTION

On motion of Senator Pedersen, the rules were suspended, Senate Concurrent Resolution No. 8400 was advanced to third reading, the second reading considered the third and the resolution was placed on final passage.

The President declared the question before the Senate to be the final passage of Senate Concurrent Resolution No. 8400.

Senator Pedersen spoke in favor of adoption of the resolution.

SENATE CONCURRENT RESOLUTION NO. 8400 having received a majority was adopted by voice vote.

REPORT OF COMMITTEE

The Special Committee composed of Senators Frame and Torres appeared before the bar of the Senate and reported that the Governor had been notified under the provisions of Senate Resolution No. 8600 that the Senate is organized and ready to conduct business.

The President received the report of the committee, and the committee was discharged.

MOTION

On motion of Senator Pedersen, the Senate reverted to the third order of business.

MESSAGE FROM OTHER STATE OFFICERS

January 9, 2023

To the Honorable President and Members,
The Senate of the State of Washington

Ladies and Gentlemen:

For your information, the following reports have been submitted by the various agencies, departments, and taskforces and received by the Office of the Secretary of the Senate since the close of the previous session:

Academy of Sciences, Washington State - *“Pinniped Predation on Salmonids in the Washington Portions of the Salish Sea and Outer Coast”*, in accordance with Engrossed Substitute Senate Bill No. 5092;

Agriculture, Department of - *“Hemp in Food Task Force Report”*, in accordance with Engrossed Substitute Senate Bill No. 5693; *“Hemp Commission Task Force Report”*, in accordance with Engrossed Substitute Senate Bill No. 5693; *“Electronic Cattle Transaction Reporting System, 2022 Report”*, pursuant to 16.57.450 RCW; *“Livestock Identification Program Annual Report 2022”*, pursuant to 16.57.460 RCW;

Beef Commission, Washington State - *“Beef Commission 2021-22 Annual Report”*, pursuant to 16.67.090 RCW;

Board of Education and Professional Educator Standards Board - *“Biennial Joint Report - 2022”*, pursuant to 28A.305.035 RCW;

Board of Education, Washington State - *“Statewide Indicators of Education System Health; 2022 Summary Report and Recommendations”*, pursuant to 28A.150.550 RCW; *“Charter Schools Annual Report 2020-2021”*, pursuant to 28A.710.250 RCW;

Capital Projects Advisory Review Board - *“Subcontractor Bid Listing Report Letter of Transmittal”*, in accordance with Engrossed Senate Bill No. 5356; *“Subcontractor Bid Listing Report”*, in accordance with Engrossed Senate Bill No. 5356;

Commerce, Department of - *“Criminal Penalty Fees Related to Sexual Exploitation Crimes, Fiscal Year 2022 Report”*, pursuant to 43.280.100 RCW; *“Washington Lead-Based Paint Programs”*, pursuant to 70A.420.050 RCW; *“Increasing Access to Forensic Nurse Examiner Training”*, in accordance with Second Substitute Senate Bill No. 5183; *“Behavioral Health Facilities Report”*, in accordance with Substitute House Bill No. 1080; *“Rural Clean Energy Legislative Report”*, in accordance with Substitute House Bill No. 1080; *“Improving Homeownership Rates for Black, Indigenous, and People of Color in Washington; Recommendations from the Homeownership Disparities Work Group”*, in accordance with Engrossed Substitute Senate Bill No. 5092; *“Arlington Drive Youth Campus and Young Adult Housing Program Report”*, in accordance with Engrossed Substitute Senate Bill No. 5092; *“COVID-19 Tourism Recovery Interim Report”*, in accordance with Engrossed Substitute Senate Bill No. 5092; *“Workplace Response to Domestic Violence”*, in accordance with House Bill No. 1315; *“Federal Economic Development Funding”*, pursuant to 43.330.040 RCW; *“Washington Farmworker Housing Needs Assessment”*, in accordance with Engrossed Substitute Senate Bill No. 6248; *“Assessment of the Housing Needs of American Indians, Alaska Natives and Native Hawaiians in Washington”*, in accordance with Engrossed Substitute Senate Bill No. 6248;

“2022 Broadband Grants Report”, in accordance with House Bill No. 1080; *“Keep Washington Working, 2021 Annual Report from the Keep Washington Working Workgroup”*, pursuant to 43.330.510 RCW; *“Foreclosure Fairness Program Annual Report 2021”*, pursuant to 61.24.163 RCW; *“Financial Fraud and Identity Theft Investigation and Prosecution Program, 2021”*, pursuant to 43.330.300 RCW; *“Affordable and Supportive Housing Sales and Use Tax - Collection and Use of Revenue”*, pursuant to 82.14.540 RCW; *“Rising Strong West Master Plan”*, in accordance with Substitute House Bill No. 1080; *“Bond Cap Allocation Program, 2022 Biennial Policy Report and Activity Summary”*, pursuant to 39.86.190 RCW; *“Summary: Electric Power Resource Adequacy Meeting”*, pursuant to 19.280.065 RCW; *“Weatherization Plus Health 2022 Report”*, in accordance with Substitute House Bill No. 1080; *“Affordable and Supportive Housing Sales and Use Tax - Collection and Use Revenue”*, pursuant to 82.14.540 RCW; *“Buy Clean and Buy Fair Washington Project”*, in accordance with Engrossed Substitute Senate Bill No. 5092; *“Rapid Response Community Preservation Pilot Program”*, in accordance with Substitute House Bill No. 1102; *“Community Reinvestment Account Plan”*, in accordance with Engrossed Substitute Senate Bill No. 5693; *“Equity in Funding: Final Review of Commerce Capital Programs”*, in accordance with Engrossed Substitute Senate Bill No. 5092; *“Impact Fee Deferral Report, 2022”*, pursuant to 43.31.980 RCW;

Community & Technical Colleges, State Board for (SBCTC) - *“2021-2023 Job Skills Program”*, in accordance with Engrossed Substitute House Bill No. 1247; *“2SHB 1893 - Student Emergency Assistance Grant (SEAG) Program Report 2022”*, in accordance with Second Substitute House Bill No. 1893;

Corrections Ombuds, Office of the - *“Annual Report 2020”*, pursuant to 43.06C RCW; *“Annual Report 2021”*, pursuant to 43.06C RCW; *“Annual Report 2022”*, pursuant to 43.06C RCW;

Corrections, Department of - *“Unexpected Fatality Review Committee Report 2022-030”*, pursuant to 72.09.770 RCW; *“Unexpected Fatality Review Committee Report 2022-028”*, pursuant to 72.09.770 RCW; *“Unexpected Fatality Review Committee Report 2022-029”*, pursuant to 72.09.770 RCW; *“Community Custody Terms: Violation Response 2022 Report”*, pursuant to 72.09.312 RCW; *“Contracted Telecommunication and Electronic Media Services for Inmates in State Correctional Facilities 2021 Report”*, in accordance with Substitute Senate Bill No. 6476; *“Contracted Telecommunication and Electronic Media Services for Inmates in State Correctional Facilities 2022 Report”*, in accordance with Substitute Senate Bill No. 6476; *“Unexpected Fatality Review Committee Report 2022-026”*, pursuant to 72.09.770 RCW; *“Unexpected Fatality Review Committee Report 2022-027”*, pursuant to 72.09.770 RCW; *“Unexpected Fatality Review Committee Report - 2022-025”*, pursuant to 72.09.770 RCW; *“Unexpected Fatality Review Committee Report - 2022-010”*, pursuant to 72.09.770 RCW; *“Unexpected Fatality Review Committee Report - 2022-018”*, pursuant to 72.09.770 RCW; *“Unexpected Fatality Review Committee Report - 2022-014”*, pursuant to 72.09.770 RCW; *“Unexpected Fatality Review Committee Report - 2022-013”*, pursuant to 72.09.770 RCW; *“Unexpected Fatality Review Committee Report - 2022-012”*, pursuant to 72.09.770 RCW; *“Unexpected Fatality Review Committee Report - 2022-015”*, pursuant to 72.09.770 RCW; *“Unexpected Fatality Review Committee Report - 2021-002”*, pursuant to 72.09.770 RCW; *“Improving Department of Corrections Health Care Administration”*, in accordance with Engrossed Substitute Senate Bill No. 6063; *“Unexpected Fatality Review Committee Report - 2021-004”*, pursuant to 72.09.770 RCW; *“Unexpected Fatality*

FIRST DAY, JANUARY 9, 2023

Review Committee Report - 2022-006", pursuant to 72.09.770 RCW; *"Unexpected Fatality Review Committee Report - 2021-005"*, pursuant to 72.09.770 RCW; *"Unexpected Fatality Review Committee Report - 2022-007"*, pursuant to 72.09.770 RCW; *"Unexpected Fatality Review Committee Report - 2022-008"*, pursuant to 72.09.770 RCW; *"Staff Safety, 2021 Report"*, pursuant to 72.09.680 RCW; *"Unexpected Fatality Review Committee Report - 2022-019"*, pursuant to 72.09.770 RCW; *"Unexpected Fatality Review Committee Report - 2022-020"*, pursuant to 72.09.770 RCW; *"Unexpected Fatality Review Committee Report - 2022-011"*, pursuant to 72.09.770 RCW; *"Unexpected Fatality Review Committee Report - 2022-022"*, pursuant to 72.09.770 RCW; *"Unexpected Fatality Review Committee Report - 2022-017"*, pursuant to 72.09.770 RCW; *"Unexpected Fatality Review Committee Report - 2022-024"*, pursuant to 72.09.770 RCW; *"Extraordinary Medical Placement (EMP) Report for 2021"*, pursuant to 72.09.620 RCW; *"Unexpected Fatality Review Committee Report - 2022-023"*, pursuant to 72.09.770 RCW; *"Unexpected Fatality Review Committee Report - 2022-021"*, pursuant to 72.09.770 RCW;

County Road Administration Board, Washington State - *"Emergency Loan Program Usage - November 1, 2020 to October 31, 2022"*, pursuant to 36.78.130 RCW;

Court Research, Washington State Center for - *"Dependent Children in Washington State: Case Timeliness and Outcomes, 2021 Annual Report"*, pursuant to 13.34.820 RCW;

Criminal Justice Training Commission, Washington State - *"Assessment and Recommendations 2022"*, in accordance with House Bill No. 2926; *"Law Enforcement Professional Development Recruitment Outreach Grant Program Report"*, in accordance with House Bill No. 1001; *"Case Systems Training Review"*, in accordance with House Bill No. 1109; *"Certification Division Implementation of E2SSB 5051"*, in accordance with Engrossed Second Substitute Senate Bill No. 5051;

Ecology, Department of - *"Statewide Progress on Setting Instream Flows"*, pursuant to 90.82.080 RCW; *"6PPD in Road Runoff - Assessment and Mitigation Strategies"*, in accordance with Engrossed Substitute Senate Bill No. 5092; *"Geographic Response Plans, Preparing to Respond to Oil Spills, 2021 Statewide Review"*, pursuant to 90.56.569 RCW; *"Clean Fuel Standard Cost Benefit Analysis Report"*, in accordance with Engrossed Third Substitute House Bill No. 1091; *"Clean Fuel Standard Cost Benefit Analysis Report Cover Letter"*, in accordance with Engrossed Third Substitute House Bill No. 1091; *"Washington State Climate Commitment Act: Summary of Market Modeling and Analysis of the Proposed Cap and Invest Program - Draft"*, pursuant to 70A.65 RCW; *"Washington State Climate Commitment Act: Summary of Economic and Market Modeling and Analysis of the Proposed Cap and Invest Program"*, pursuant to 70A.65 RCW; *"Columbia River Basin Long-Term Water Supply and Demand Forecast, 2021"*, pursuant to 90.90.040 RCW; *"Columbia River Basin Water Supply Inventory Report 2021"*, pursuant to 90.90.040 RCW;

Education, Washington State Board of - *"Graduation Pathway Options; Combined Report"*, pursuant to 28A.655.260 RCW;

Employment Security Department - *"Impact of Increasing the Minimum Weekly Benefit Amount"*, pursuant to 50.12.355 RCW; *"Washington Paid Family & Family Medical Leave Annual Report 2022"*, pursuant to 50A.05.060 RCW; *"ESSB 5193 2022 Third Quarter Report"*, in accordance with Engrossed Substitute Senate Bill No. 5193; *"Transportation Network Companies"*, in accordance with House Bill No. 2076; *"Work Search Flexibilities"*, in accordance with Substitute House Bill

No. 1493; *"Integrating Paid Family and Medical Leave and Help Me Grow Washington Services"*, in accordance with Engrossed Substitute Senate Bill No. 5693; *"ESSB 5193 2022 Second Quarter Report"*, in accordance with Engrossed Substitute Senate Bill No. 5193; *"Agricultural and Seasonal Workforce Services (ASWS) Report"*, pursuant to 50.75.040 RCW; *"2022 Financial Report"*, in accordance with Engrossed Substitute Senate Bill No. 5092; *"Washington Paid Family & Medical Leave Program Operational Needs and Resources"*, in accordance with Engrossed Substitute Senate Bill No. 5693; *"Washington Paid Family & Medical Leave Voluntary Plan Costs and Fees"*, pursuant to 50A.30.010 RCW; *"ESSB 5193 2022 First Quarter Report"*, in accordance with Engrossed Substitute Senate Bill No. 5193; *"ESSB 5097 Family Member Expansion Analysis"*, in accordance with Engrossed Substitute Senate Bill No. 5097; *"ESSB 5193 2021 Fourth Quarter Report"*, in accordance with Engrossed Substitute Senate Bill No. 5193; *"2021 Labor Market and Economic Report"*, pursuant to 50.38.040 RCW; *"Washington Paid Family & Medical Leave State and Voluntary Plan Program Usage"*, in accordance with Engrossed Substitute Senate Bill No. 5097; *"Washington Paid Family & Medical Leave Program Annual Report 2021"*, pursuant to 50A.05.050 RCW; *"Upgrading the Unemployment Insurance Call Center Phone System"*, in accordance with Engrossed Substitute Senate Bill No. 5092; *"Washington Wages Subject to Unemployment Insurance Tax; Analysis of Taxable Wages Collected in 2020"*, in accordance with Engrossed Substitute Senate Bill No. 5061; *"Unemployment Benefits for Undocumented Workers"*, in accordance with Engrossed Substitute Senate Bill No. 5092; *"Impact of Increasing the Weekly Minimum Benefit Amount"*, pursuant to 50.12.355 RCW; *"ESSB 5193 2021 Third Quarter Report"*, in accordance with Engrossed Substitute Senate Bill No. 5193; *"Confidentiality of ESD Records and Data"*, in accordance with Engrossed Senate Bill No. 5439; *"Washington Paid Family & Medical Leave Integrating Paid Family and Medical Leave and Help Me Grow Washington Services"*, in accordance with Engrossed Substitute Senate Bill No. 6168; *"Report to the Legislature on the Employment Security Department's Employment Services to Individuals with Disabilities"*, pursuant to 50.12.210 RCW; *"Agricultural and Seasonal Workforce Services Report"*, pursuant to 50.75.040 RCW; *"Expanding Permissible Reasons for Voluntary Quits in the Unemployment Insurance Program: Legal Survey and Trust Fund Impact Study"*, in accordance with Senate Bill No. 5473; *"Washington Paid Family & Medical Leave Program Participation by Industry"*, pursuant to 50A.05.050 RCW;

Energy Facility Site Evaluation Council - *"Transmission Corridors Work Group Final Report"*, in accordance with Engrossed Second Substitute Senate Bill No. 5116; *"Transmission Corridors Work Group Final Report Letter of Transmittal"*, Engrossed Second Substitute Senate Bill No. 5116;

Enterprise Services, Department of - *"Information Technology Contracts Report 2022"*, in accordance with Engrossed Substitute Senate Bill No. 5693; *"Information Technology Contracts Report 2022 Transmittal Letter"*, in accordance with Engrossed Substitute Senate Bill No. 5693; *"Biodiesel Use by Washington State Agencies, January - December 2021"*, pursuant to 43.19.646 RCW; *"Biodiesel Use Transmittal Letter 2021"*, pursuant to 43.19.646 RCW; *"Products Containing Hydrofluorocarbons - Progress and Impact Report Letter of Transmittal"*, pursuant to 39.26.310 RCW; *"Products Containing Hydrofluorocarbons - Progress and Impact Report"*, pursuant to 39.26.310 RCW;

Financial Management, Office of - *“Background Checks Feasibility Study Preliminary Report”*, in accordance with Engrossed Substitute Senate Bill No. 5693; *“Background Checks Feasibility Study Preliminary Report Letter of Transmittal”*, in accordance with Engrossed Substitute Senate Bill No. 5693; *“Riparian Taskforce Final Report: Facilitation Process and Recommendations”*, in accordance with Engrossed Substitute Senate Bill No. 5693; *“Riparian Taskforce Final Report: Facilitation Process and Recommendations Letter of Transmittal”*, in accordance with Engrossed Substitute Senate Bill No. 5693; *“Facilities Plan 2023-29 Letter of Transmittal”*, pursuant to 43.82.055 RCW; *“Performance-Based Incentives and Recognition Report, 2022”*, pursuant to 41.06.133 RCW; *“Performance-Based Incentives and Recognition Report, 2022 Letter of Transmittal”*, pursuant to 41.06.133 RCW; *“Effectiveness of State Programs on Riparian Habitat Protection and Restoration Final Report”*, in accordance with Engrossed Substitute Senate Bill No. 5693; *“Effectiveness of State Programs on Riparian Habitat Protection and Restoration Final Report Letter of Transmittal”*, in accordance with Engrossed Substitute Senate Bill No. 5693; *“Feasibility Study to Streamline the Vacation of Criminal Conviction Records”*, in accordance with Engrossed Substitute Senate Bill No. 5092; *“Feasibility Study to Streamline the Vacation of Criminal Conviction Records Letter of Transmittal”*, in accordance with Engrossed Substitute Senate Bill No. 5092; *“Vendor Rate Study Update”*, in accordance with Engrossed Substitute Senate Bill No. 5693; *“One Washington Quarterly Report, July - September 2022”*, in accordance with Substitute Senate Bill No. 5883; *“One Washington Quarterly Report, July - September 2022 Attachment”*, in accordance with Substitute Senate Bill No. 5883; *“One Washington Quarterly Report, July - September 2022 Metrics”*, in accordance with Substitute Senate Bill No. 5883; *“One Washington Technology Pool Report, July-September 2022”*, in accordance with Substitute Senate Bill No. 5883; *“Update on Dual Credit Programs”*, pursuant to 28A.600.280 RCW; *“Update on Dual Credit Programs Letter of Transmittal”*, pursuant to 28A.600.280 RCW; *“Opportunities for Downsizing Space in State Leased Facilities”*, in accordance with Engrossed Substitute Senate Bill No. 5092; *“Opportunities for Downsizing Space in State Leased Facilities Transmittal Letter”*, in accordance with Engrossed Substitute Senate Bill No. 5092; *“Riparian Taskforce Preliminary Report: Interview and Facilitation Process Transmittal Letter”*, in accordance with Engrossed Substitute Senate Bill No. 5693; *“Riparian Taskforce Preliminary Report: Interview and Facilitation Process”*, in accordance with Engrossed Substitute Senate Bill No. 5693; *“Revised Actuarial Analysis of Washington Paid Family and Medical Leave Benefits Letter of Transmittal”*, in accordance with Second Substitute Senate Bill No. 5649; *“Revised Actuarial Analysis of Washington Paid Family and Medical Leave Benefits”*, in accordance with Second Substitute Senate Bill No. 5649; *“One Washington Quarterly Report, April - June 2022”*, in accordance with Substitute Senate Bill No. 5883; *“One Washington Quarterly Report, April - June 2022 Attachment”*, in accordance with Substitute Senate Bill No. 5883; *“One Washington Technology Pool Report, April - June 2022”*, in accordance with Substitute Senate Bill No. 5883; *“One Washington Quarterly Report, April - June 2022 Financial Performance Metrics”*, in accordance with Substitute Senate Bill No. 5883; *“Evaluation of Riparian-Related Programs in Washington State: Summary of Preliminary Findings Transmittal Letter”*, in accordance with Engrossed Substitute Senate Bill No. 5693; *“Evaluation of Riparian-Related Programs in Washington State: Summary of Preliminary Findings”*, in accordance with

Engrossed Substitute Senate Bill No. 5693; *“Facilities Inventory Executive Summary 2022”*, pursuant to 43.82.150 RCW; *“Actuarial Analysis of Washington Paid Family and Medical Leave Benefits”*, in accordance with Second Substitute Senate Bill No. 5649; *“Actuarial Analysis of Washington Paid Family and Medical Leave Benefits Letter of Transmittal”*, in accordance with Second Substitute Senate Bill No. 5649; *“WSDOT Telework Impact Study”*, in accordance with Substitute Senate Bill No. 5165; *“WSDOT Telework Impact Study Transmittal Letter”*, in accordance with Substitute Senate Bill No. 5165;

Fish and Wildlife, Department of - *“E-Bike Use on DNR- and WDFW- Managed Lands”*, in accordance with Engrossed Substitute Senate Bill No. 5452; *“E-Bike Use on DNR- and WDFW- Managed Lands Letter of Transmittal”*, in accordance with Engrossed Substitute Senate Bill No. 5452; *“Elk Fence Proviso Report”*, in accordance with Engrossed Substitute Senate Bill No. 5693; *“Eastern Washington Pheasant Enhanced Program Annual Report”*, pursuant to 77.12.820 RCW; *“WDFW Fisheries Monitoring Report”*, in accordance with Engrossed Substitute Senate Bill No. 5693; *“Status of Rockfish Research and Conservation Programs: July 2020 through June 2022, 2020-2022 Report to the Legislature”*, pursuant to 77.12.702 RCW; *“Net Ecological Gain Standard Proviso Summary Report”*, in accordance with Engrossed Substitute Senate Bill No. 5092; *“Washington Shrubsteppe Restoration and Resiliency Initiative”*, in accordance with Engrossed Substitute Senate Bill No. 5092; *“European Green Crab Quarterly Progress Report - Fall 2022, March 1 - September 30, 2022”*, in accordance with Engrossed Substitute Senate Bill No. 5693; *“ADA Advisory Committee Annual Report”*, pursuant to 77.04.150 RCW; *“Southern Resident Killer Whale Vessel Adaptive Management Legislative Report”*, pursuant to 77.65.620 RCW; *“Subsection C Report to the Legislature”*, in accordance with Engrossed Substitute Senate Bill No. 5092; *“Pinniped Predation on Salmonids in the Washington Portions of the Salish Sea and Outer Coast Letter of Transmittal”*, in accordance with Engrossed Substitute Senate Bill No. 5092; *“Environmental Protection Division of the Attorney General Office”*, in accordance with Engrossed Substitute Senate Bill No. 5693; *“Washington Animal Trafficking Act Report”*, pursuant to 77.15.135 RCW; *“Cowlitz Hooking Mortality Study”*, in accordance with Engrossed Substitute Senate Bill No. 5092; *“Assessing Changes in Uncertainty During Adaptive Management: A Case Study of the Washington State Forest Practices Habitat Conservation Plan”*, in accordance with Engrossed Substitute Senate Bill No. 5092; *“Hunter and Fisher Compliance: Harvest Reporting and Administrative Penalties Report to the Legislature 2022”*, pursuant to 77.32.070 RCW; *“Derelict Shellfish Gear”*, pursuant to 77.32.430 RCW; *“Puget Sound Recreational Fisheries Enhancement Fund, 2022 Report”*, pursuant to 77.105.160 RCW; *“Puget Sound Recreational Fisheries Enhancement Fund, 2022 Report”*, pursuant to 43.01.036 RCW; *“Coastal Marine Resources Committees Program, 2022 Report to the Legislature”*, pursuant to 36.125.060 RCW; *“Coastal Steelhead Proviso Implementation Plan”*, in accordance with Engrossed Substitute Senate Bill No. 5092;

Health Care Authority - *“Proportion of Non-Participating Providers Serving Apple Health Enrollees - Annual Report: July 1, 2021 - June 30, 2022”*, pursuant to 74.09.522 RCW; *“Oral Health Connections Extended Pilot Project Results; Findings from Providing Enhanced Reimbursement and Frequency of Periodontal Services for Adults with Diabetes or Who Are Pregnant”*, in accordance with Engrossed Substitute Senate Bill No. 5693; *“Oral Health Connections Extended Pilot*

FIRST DAY, JANUARY 9, 2023

Project Results; Findings from Providing Enhanced Reimbursement and Frequency of Periodontal Services for Adults with Diabetes or Who Are Pregnant, in accordance with Engrossed Substitute Senate Bill No. 5092; *“Community Re-Entry Operations Workgroup Final Report”*, in accordance with Engrossed Second Substitute Senate Bill No. 5304; *“Cascade Select Public Option”*, in accordance with Engrossed Substitute Senate Bill No. 5526; *“Medications for Opioid Use Disorder (MOUD) in Jails Program”*, in accordance with Engrossed Substitute Senate Bill No. 5693; *“Clubhouse Peer-Run Program”*, in accordance with Engrossed Substitute Senate Bill No. 5092; *“Total Cost of Insulin Work Group Preliminary Report”*, in accordance with Substitute House Bill No. 1728; *“Hepatitis C Free WA Progress Report: Hepatitis C Elimination Strategy in 2022, July-September”*, in accordance with Engrossed Substitute House Bill No. 1109; *“Medicaid Transformation Project Demonstration Quarterly Report, Year 6, Quarter 3”*, in accordance with Engrossed Substitute Senate Bill No. 5092; *“Prescription Drug Affordability Board Annual Report”*, in accordance with Second Substitute Senate Bill No. 5532; *“Accountable Community of Health Alignment with Community Identified Health Needs”*, in accordance with Engrossed Substitute Senate Bill No. 5693; *“PEBB Health Benefit Plan: Cost and Utilization Trends, Demographics, and Impacts of Alternative Consumer-Directed Health Plans”*, in accordance with Second Engrossed Senate Bill No. 5773 and pursuant to 41.05.065 RCW; *“Status of Contracting to Assist with Recruiting Behavioral Health Peers for Black, Indigenous, and People of Color (BIPOC) Communities”*, in accordance with Engrossed Substitute Senate Bill No. 5092; *“Jail Transition Services, 2022 Report”*, in accordance with Engrossed Substitute Senate Bill No. 5092; *“Jail Transition Services, 2022 Report”*, in accordance with Engrossed Substitute Senate Bill No. 5092; *“New Journeys: Coordinated Specialty Care for First Episode Psychosis -- Final Progress Report On Early Identification and Intervention for Psychosis Statewide Implementation”*, in accordance with Second Substitute Senate Bill No. 5903 and pursuant to 74.09 RCW; *“Outpatient Competency Restoration Program Annual Report - Trueblood Program”*, in accordance with Second Substitute Senate Bill No. 5664; *“Behavioral Health Consultation and Referral Services Annual Report”*, in accordance with Second Substitute House Bill No. 1325; *“Foundational Community Supports (FCS); Housing Subsidies”*, in accordance with Engrossed Substitute Senate Bill No. 5092; *“Dr. Robert Bree Collaborative Annual Report for 2022”*, in accordance with Engrossed Substitute House Bill No. 1311; *“Peer Crisis Response Training”*, in accordance with Engrossed Substitute Senate Bill No. 5092; *“Primary Care Expenditures; Health Care Cost Transparency Board Preliminary Report”*, in accordance with Substitute Senate Bill No. 5589; *“Children and Youth Behavioral Health Work Group Report Update”*, in accordance with Second Substitute House Bill No. 1890; *“Health and Human Services Enterprise Coalition, Legislative Proviso Report on IT Investment Coordination”*, in accordance with Engrossed Substitute Senate Bill No. 5693; *“Public Employees Benefits Board Annual Report, Customer Service Complaints and Appeals”*, in accordance with Substitute Senate Bill No. 6584 and pursuant to 41.05.630 RCW; *“Child Health Services: Provider Performance”*, in accordance with Engrossed Substitute House Bill No. 2128 and pursuant to 74.09.480 RCW; *“Universal Health Care Commission Legislative Report”*, in accordance with Engrossed Second Substitute Senate Bill No. 5399; *“Apple Health For Kids Toll-Free Hotline Statistics”*, in accordance with Engrossed Substitute Senate Bill No. 5092; *“Children and Youth Behavioral Health Work Group Annual Report”*, in accordance

with Second Substitute House Bill No. 1890; *“Children and Youth Behavioral Health Work Group Annual Report Recommendations Update”*, in accordance with Second Substitute House Bill No. 1890; *“Employment Status of Washington Apple Health (Medicaid) Clients and Non-Client Individuals with Dependents Who Are Apple Health Clients”*, in accordance with Engrossed Substitute House Bill No. 3079; *“Inpatient Hospital Certified Public Expenditure (CPE) Program, 2022 Report”*, in accordance with Engrossed Substitute Senate Bill No. 5092; *“Final Technical and Operational Plan; National 988 System: Crisis Call Center and Behavioral Health Integrated Referral System”*, in accordance with Engrossed Second Substitute House Bill No. 1477; *“Health Care Cost Transparency Board Report”*, in accordance with Second Substitute House Bill No. 2457; *“Gambling and Problem Gambling in WA State: 2021 WA State Adult Problem Gambling Prevalence Study Results”*, in accordance with Engrossed Substitute Senate Bill No. 5092; *“Recommendations for Criminal Justice Performance Measure Utilization”*, in accordance with Substitute Senate Bill No. 5157; *“Recommendations for Criminal Justice Performance Measure Utilization”*, in accordance with Second Substitute House Bill No. 1860; *“Washington State All-Payer Claims Database Grant Activity Report (July 2021 - June 2022)”*, in accordance with Engrossed Substitute Senate Bill No. 5741; *“Hepatitis C Free WA Progress Report: Hepatitis C Elimination Strategy in 2022, April-June”*, in accordance with Engrossed Substitute House Bill No. 1109; *“Medicaid Transformation Project Demonstration Quarterly Report, Year 6, Quarter 2”*, in accordance with Engrossed Substitute Senate Bill No. 5092; *“Statewide Medicaid Benefit for Medical Respite Care: Issues Informing Benefit Design and Implementation”*, in accordance with Engrossed Substitute Senate Bill No. 5092; *“Connecting Apple Health Clients to Dental Services with the DentistLink Tool, Progress Report”*, in accordance with Engrossed Substitute Senate Bill No. 5092; *“Hepatitis C Free WA Progress Report: Hepatitis C Elimination Strategy in 2022, January-March”*, in accordance with Engrossed Substitute House Bill No. 1109; *“Enhancement for Community-Based Behavioral Health Services”*, in accordance with Engrossed Substitute Senate Bill No. 5092; *“Apple Health (Medicaid) Managed Care Preventative Services and Vaccinations”*, in accordance with Engrossed Substitute Senate Bill No. 5092; *“Re-Entry Community Services Workgroup Progress Report”*, in accordance with Engrossed Second Substitute Senate Bill No. 5304; *“Washington Rural Health Access Preservation Pilot Final Report”*, in accordance with Substitute House Bill No. 1520; *“Targeted Behavioral Health Provider Rate Increases”*, in accordance with Engrossed House Bill No. 2584; *“Examination of Criminal Background Checks in Behavioral Health Settings”*, in accordance with Engrossed Substitute Senate Bill No. 5092; *“Medicaid Transformation Project Demonstration Quarterly Report, Year 6, Quarter 1”*, in accordance with Engrossed Substitute Senate Bill No. 5092; *“Teaching Clinic Enhancement Rate”*, in accordance with Engrossed Substitute Senate Bill No. 5092; *“Hepatitis C Free WA Quarterly Progress Report: Hepatitis C Elimination Strategy in 2020”*, in accordance with Engrossed Substitute House Bill No. 1109; *“Hepatitis C Free WA Progress Report: Hepatitis C Elimination Strategy in 2021, January-June”*, in accordance with Engrossed Substitute House Bill No. 1109; *“Hepatitis C Free WA Progress Report: Hepatitis C Elimination Strategy in 2021, July-September”*, in accordance with Engrossed Substitute House Bill No. 1109; *“Hepatitis C Free WA Progress Report: Hepatitis C Elimination Strategy in 2021, October-December”*, in accordance with Engrossed Substitute House Bill No. 1109; *“Medicaid Transformation*

Project Demonstration Quarterly Report, Year 5, Quarter 4”, in accordance with Engrossed Substitute Senate Bill No. 5092; “*Evidence-Based Practice Institute, FY 2021 Annual Report*”, in accordance with Engrossed Substitute Senate Bill No. 5092; “*Washington State All-Payer Claims Database and Lead Organization Biennial Report: Cost, Performance, and Effectiveness of the Database and Performance of the Lead Organization*”, in accordance with Engrossed Substitute Senate Bill No. 5741;

Health, Department of - “*2021 Death with Dignity Act Report* pursuant to 70.245 RCW; “*Washington Parks Rx Task Force & Recommendations*”, in accordance with Engrossed Substitute Senate Bill No. 5092; “*Washington State Maternal Mortality Review Panel: Interim Executive Summary, Maternal Deaths 2017-2020*”, pursuant to 70.54.450 RCW; “*STI & HBV Legislative Advisory Group Recommendations*”, in accordance with Engrossed Substitute Senate Bill No. 5092; “*Safe Medication Return Program*”, pursuant to 69.48.190 RCW; “*Prescription Monitoring Program Integration*”, pursuant to 70.225 RCW; “*Military and Military-Affiliated Licensure Streamlining*”, pursuant to 73.04.150 RCW; “*Family Medicine Residency Report*”, pursuant to 70.112.070 RCW; “*Suicide Education Study, 2022 Update*”, in accordance with House Bill No. 2366 and pursuant to 43.70.442 RCW;

Health, State Board of - “*2022 State Health Report*”, pursuant to 43.20.100 RCW;

Imagination Library of Washington - “*2022 Legislative Report*”, in accordance with Substitute House Bill No. 2068;

Independent Investigations, Office of - “*Office of Independent Investigations Implementation Plan Letter of Transmittal*”, pursuant to 43.102.050 RCW; “*Office of Independent Investigations Implementation Plan*”, pursuant to 43.102.050 RCW;

Insurance Commissioner, Office of the - “*Medical Malpractice Statistical Summary for 2021: Settlement Data Submitted by Attorneys*”, pursuant to 48.140.050 RCW; “*Medical Malpractice Statistical Summary for 2021: Data Submitted by Insurers and Self-Insurers*”, pursuant to 48.140.050 RCW; “*Fixed-Payment Benefits Plans Annual Report for 2022*”, pursuant to 48.43.650 RCW; “*Balance Billing Protection Act Arbitration Proceedings, 2022 Annual Report*”, in accordance with Second Substitute House Bill No. 1065; “*Direct Practices in Washington State, 2022 Report*”, in accordance with Engrossed Second Substitute Senate Bill No. 5958 and pursuant to 48.150 RCW; “*Continuing Care Retirement Community (CCRC) Study*”, in accordance with Engrossed Substitute Senate Bill No. 5693; “*Gender Affirming Treatment (GAT) Study*”, in accordance with Second Substitute Senate Bill No. 5313; “*Mandated Health Benefits Reports, 2023 Plan Year*”, pursuant to 48.43.715 RCW; “*Health Plan Prior Authorization Data, 2022 Report*”, pursuant to 48.43.0161 RCW; “*Balance Billing Protection Act Impact Analysis, 2022 Annual Report*”, in accordance with Engrossed Second Substitute House Bill No. 1688; “*Individual Market Health Plans Report, Plan Year 2023*”, in accordance with Engrossed Substitute Senate Bill No. 5526;

Joint Oregon-Washington Legislative Action Committee - “*Final Report*”, pursuant to 47.01.505 RCW; “*Modified Locally Preferred Alternative Recommendation*”, pursuant to 47.01.505 RCW;

Labor and Industries, Department of - “*Work-Related Immediate Inpatient Hospitalizations in Washington State 2022 Annual Report*”, pursuant to 51.14.400 RCW; “*Office of the Ombuds for Injured Workers of Self-Insured Employers 2022 Annual Report to the Governor*”, pursuant to 51.14.400 RCW; “*Janitorial Workload Study Progress Report*”, in accordance

with Engrossed Substitute Senate Bill No. 5092; “*Subminimum Wage Certificates 2022 Annual Report*”, in accordance with Engrossed Substitute Senate Bill No. 5284; “*Workplace Rights Investigations Report, FY 2021*”, pursuant to 49.12.180 RCW; “*Comprehensive Catastrophic Care Management Project, 2021 Report*”, in accordance with Second Engrossed Substitute House Bill No. 2376; “*Improving Integrity and Accountability in the Workers’ Compensation System, 2021 Report*”, pursuant to 43.22.331 RCW; “*Increasing Contractor Bonding Requirements*”, in accordance with Senate Bill No. 5795; “*Improving Integrity and Accountability in the Workers’ Compensation System, 2019 Report*”, pursuant to 43.22.331 RCW; “*Comprehensive Catastrophic Care Management Project, 2019 Report*”, in accordance with Second Engrossed Substitute House Bill No. 2376; “*A Study of Claim Resolution Structured Settlements Agreements*”, pursuant to 51.04.069 RCW; “*Prevailing Wage Determinations, Fiscal Year 2020 Report*”, pursuant to 39.12 RCW; “*Child Physical Abuse Exams Report 2020*”, in accordance with Engrossed Substitute Senate Bill No. 5897; “*Comprehensive Catastrophic Care Management Project, 2020 Report*”, in accordance with Second Engrossed Substitute House Bill No. 2376; “*Interpreter Scheduling System Report 2020*”, in accordance with House Bill No. 2691; “*Legislative Work Group on Independent Medical Examinations Report*”, in accordance with Engrossed Substitute Senate Bill No. 6440; “*Underground Economy Benchmark Report for 2020*”, pursuant to 18.27.800 RCW; “*Wage, Leave, and Youth Employment Investigations 2020*”, pursuant to 49.12.180 RCW; “*Janitorial Workload Study Progress Report 2022*”, in accordance with Engrossed Substitute Senate Bill No. 6032; “*Comprehensive Catastrophic Care Management Project, 2022 Report*”, in accordance with Second Engrossed Substitute House Bill No. 2376; “*Underground Economy Benchmark Report for 2022*”, pursuant to 18.27.800 RCW; “*Registered Apprenticeship Application Report*”, in accordance with Senate Bill No. 5600;

LGBTQ Commission, Washington State - “*Inclusive Bathroom Facilities*”, in accordance with Engrossed Substitute Senate Bill No. 5092;

Licensing, Department of - “*Abandoned Recreational Vehicle Disposal Account Reimbursements: Quarterly Report Q2*”, in accordance with Substitute Senate Bill No. 5165; “*Credit Card/Financial Transaction Cost Recovery Quarterly Report Q2*”, in accordance with Substitute Senate Bill No. 5165; “*Abandoned Recreational Vehicle Disposal Account Reimbursements: Quarterly Report Q3*”, in accordance with Substitute Senate Bill No. 5165; “*Credit Card/Financial Transaction Cost Recovery Quarterly Report Q3*”, in accordance with Substitute Senate Bill No. 5165;

Liquor and Cannabis Board, Washington State - “*Impact Study HB 1480*”, in accordance with House Bill No. 1480; “*HB 1480 Final Report Cover Letter*”, in accordance with House Bill No. 1480; “*HB 1480 Final Infographic*”, in accordance with House Bill No. 1480;

Medical Commission, Washington - “*International Medical Graduate (IMG) Implementation Work Group Annual Report*”, in accordance with Senate Bill No. 6551;

Minority and Women’s Business Enterprises, Office of - “*Annual Report, Fiscal Year 2021*”, pursuant to 39.19.030 RCW;

Natural Resources, Department of - “*Monthly Fire Suppression Report Letter, May 2022*”, in accordance with Engrossed Substitute Senate Bill No. 5092; “*Monthly Fire Suppression Report, May 2022*”, in accordance with Engrossed Substitute Senate Bill No. 5092; “*Monthly Fire Suppression Report Letter, April 2022*”, in accordance with Engrossed Substitute Senate Bill No. 5092; “*Monthly Fire Suppression*

FIRST DAY, JANUARY 9, 2023

Report, April 2022”, in accordance with Engrossed Substitute Senate Bill No. 5092; “*Forest Practices Board Stream-Related Rulemaking and Board Manual Development*”, in accordance with Engrossed Substitute Senate Bill No. 5092; “*Forest Practices Board Stream-Related Rulemaking and Board Manual Development Transmittal Letter*”, in accordance with Engrossed Substitute Senate Bill No. 5092; “*Utility Wildland Fire Prevention Advisory Committee Biannual Report*”, in accordance with Engrossed Senate Bill No. 5158; “*Utility Wildland Fire Prevention Advisory Committee Biannual Report Transmittal Letter*”, in accordance with Engrossed Senate Bill No. 5158; “*Monthly Fire Suppression Report Letter, February 2022*”, in accordance with Engrossed Substitute Senate Bill No. 5092; “*Monthly Fire Suppression Report, February 2022*”, in accordance with Engrossed Substitute Senate Bill No. 5092; “*Monthly Fire Suppression Report, January 2022*”, in accordance with Engrossed Substitute Senate Bill No. 5092; “*Monthly Fire Suppression Report Letter, January 2022*”, in accordance with Engrossed Substitute Senate Bill No. 5092; “*Monthly Fire Suppression Report, August 2022*”, in accordance with Engrossed Substitute Senate Bill No. 5092; “*Monthly Fire Suppression Report Letter, August 2022*”, in accordance with Engrossed Substitute Senate Bill No. 5092; “*Monthly Fire Suppression Report Letter, June 2022*”, in accordance with Engrossed Substitute Senate Bill No. 5092; “*Monthly Fire Suppression Report, June 2022*”, in accordance with Engrossed Substitute Senate Bill No. 5092; “*Recommendations for the Use of NOVA Account Appropriations*”, in accordance with Engrossed Substitute Senate Bill No. 5092; “*Recommendations for the Use of NOVA Account Appropriations Letter of Transmittal*”, in accordance with Engrossed Substitute Senate Bill No. 5092; “*E-Bike Use on DNR- and WDFW- Managed Lands Letter of Transmittal*”, in accordance with Engrossed Substitute Senate Bill No. 5452; “*E-Bike Use on DNR- and WDFW- Managed Lands*”, in accordance with Engrossed Substitute Senate Bill No. 5452; “*Monthly Fire Suppression Report Letter, July 2022*”, in accordance with Engrossed Substitute Senate Bill No. 5092; “*Monthly Fire Suppression Report, July 2022*”, in accordance with Engrossed Substitute Senate Bill No. 5092; “*Lease Extension Legislative Report*”, pursuant to 79.13.060 RCW; “*Encumbered Lands Proviso 2022*”, in accordance with Engrossed Substitute Senate Bill No. 5693; “*Encumbered Lands Proviso 2022 Letter of Transmittal*”, in accordance with Engrossed Substitute Senate Bill No. 5693; “*Report on Naselle Youth Camp Letter of Transmittal*”, in accordance with Engrossed Substitute Senate Bill No. 5693; “*Report on Naselle Youth Camp; Evaluating the Opportunities for Future Uses*”, in accordance with Engrossed Substitute Senate Bill No. 5693; “*Monthly Fire Suppression Report, September 2022*”, in accordance with Engrossed Substitute Senate Bill No. 5092; “*Monthly Fire Suppression Report Letter, September-October 2022*”, in accordance with Engrossed Substitute Senate Bill No. 5092; “*Monthly Fire Suppression Report, October 2022*”, in accordance with Engrossed Substitute Senate Bill No. 5092; “*Small Forest Landowner Carbon Workgroup Climate Commitment Act Interim Report*”, pursuant to 70A.65.190 RCW; “*Small Forest Landowner Carbon Workgroup Climate Commitment Act Interim Report Letter of Transmittal*”, pursuant to 70A.65.190 RCW; “*Kelp and Eelgrass Engagement Plan*”, in accordance with Second Substitute Senate Bill No. 5619 and pursuant to 79.135.440 RCW; “*Kelp and Eelgrass Engagement Plan Letter of Transmittal*”, in accordance with Second Substitute Senate Bill No. 5619 and pursuant to 79.135.440 RCW; “*Forest Practices Board Project and State Auditor’s Recommendations on the Adaptive Management*

Program”, in accordance with Engrossed Substitute Senate Bill No. 5092; “*Forest Practices Board Project and State Auditor’s Recommendations on the Adaptive Management Program Letter of Transmittal*”, in accordance with Engrossed Substitute Senate Bill No. 5092; “*Report on Long-Term Forest Health & Reduction of Wildfire Danger*”, in accordance with House Bill No. 1168 and pursuant to 76.04.516 RCW; “*Report on Long-Term Forest Health & Reduction of Wildfire Danger Letter of Transmittal*”, in accordance with House Bill No. 1168 and pursuant to 76.04.516 RCW; “*Wildfire Season Summary 2022*”, in accordance with Engrossed Substitute Senate Bill No. 5092; “*Wildfire Season Summary 2022 Letter of Transmittal*”, in accordance with Engrossed Substitute Senate Bill No. 5092; “*Forest Health Treatment Prioritization and Implementation on State Trust Lands in Eastern Washington*”, in accordance with Engrossed Second Substitute House Bill No. 1711; “*Forest Health Treatment Prioritization and Implementation on State Trust Lands in Eastern Washington Letter of Transmittal*”, in accordance with Engrossed Second Substitute House Bill No. 1711; “*Forest Health Assessment and Treatment Framework*”, pursuant to 76.06.200 RCW; “*Forest Health Assessment and Treatment Framework Letter of Transmittal*”, pursuant to 76.06.200 RCW;

Paid Family and Medical Leave Insurance Premiums, Legislative Task Force on - “Report and Recommendations”, in accordance with Second Substitute Senate Bill No. 5649;

Pollution Liability Insurance Agency - “Underground Storage Tank Revolving Loan and Grant Program, 2019-2021 Biennium Report”, pursuant to 70A.345.090 RCW;

Public Employment Relations Commission - “Annual Report for 2021”, pursuant to 41.58.010 RCW;

Public Instruction, Office of the Superintendent of - “School District Supplemental Contracts 2021: Update”, pursuant to 28A.400.2001 RCW; “*Learning Assistance Program Growth Data 2021: Update*”, pursuant to 28A.165.100 RCW; “*K-4 Reading Levels 2022: Update*”, pursuant to 28A.320.203 RCW; “*Data on Students Experiencing Homelessness 2021: Update*”, pursuant to 28A.300.540 RCW; “*Temperance and Good Citizenship Day - Voter Registration Update*”, pursuant to 28A.230.150 RCW; “*Dual Cred Programs Enrollment Update*”, in accordance with Engrossed Substitute House Bill No. 1109 and pursuant to 28A.600.280 RCW; “*Dual Credit Programs Enrollment Update*”, in accordance with Engrossed Substitute House Bill No. 1109 and pursuant to 28A.600.280 RCW; “*Academic, Innovation, and Mentoring (AIM) Program Update*”, pursuant to 28A.215.080 RCW; “*Online Learning: Update*”, pursuant to 28A.250.040 RCW; “*Running Start Summer School Pilot Program 2022*”, pursuant to 28A.630.600 RCW; “*Teacher Residency Workgroup Findings 2022*”, in accordance with Engrossed Substitute Senate Bill No. 5092; “*Graduation Pathways Snapshot, Class of 2021*”, pursuant to 28A.655.260 RCW; “*School Safety and Student Well-Being Advisory Committee, 2022 Report*”, pursuant to 28A.300.635 RCW “*Social Emotional Learning in Washington State 2022*”, in accordance with Senate Bill No. 5082 and pursuant to 28A.300.477 RCW; “*School Transportation Efficiency, 2022 Report*”, pursuant to 28A.160.117 RCW; “*Student Transportation Allocation Determination*”, pursuant to 28A.160.180 RCW; “*The State of Native Education, 2021 Update*”, pursuant to 28A.300.105 RCW; “*Educational Technology Assessments, 2020-21 Update*”, pursuant to 28A.655.075 RCW; “*K-12 Basic Education Compensation Advisory Committee Report*”, in accordance with Engrossed Substitute Senate Bill No. 5092; “*Improving Institutional*

Education Outcomes: Final Report", pursuant to 28A.190.130 RCW;

Public Works Board - *"Innovative Infrastructure Pilot Study"*, in accordance with Substitute Senate Bill No. 5651;

Real Estate Research, Washington Center for - *"Housing Market Data Toolkit"*, pursuant to 36.70A.610 RCW;

Recreation and Conservation Office - *"Prevention Institute Review of Grant Programs Letter"*, in accordance with Engrossed Substitute Senate Bill No. 5092; *"Equitable Grantmaking: A Comprehensive Review of Washington State Recreation and Conservation Office Grant Programs"*, in accordance with Engrossed Substitute Senate Bill No. 5092;

Revenue, Department of - *"Hospital Benefit Zone Financing Program Report, 2022 Report Covering Calendar Year 2021"*, pursuant to 82.14.470 RCW; *"Clean Alternative Fuels and Electric Vehicles Report"*, pursuant to 82.08.9999 RCW; *"Local Revitalization Financing Program Report, 2022 Report Covering Calendar Year 2021"*, pursuant to 82.32.765 RCW; *"Median Home Values By School District Cover Letter"*, pursuant to 28A.150.412 RCW; *"Median Home Values By School District"*, pursuant to 28A.150.412 RCW; *"Clean Alternative Fuels and Electric Vehicles Report"*, pursuant to 82.08.9999 RCW; *"Payments in Lieu of Property Tax on Certain Public Utility District Broadband Infrastructure"*, pursuant to 54.16.425 RCW; *"Unclaimed Property Program Report 2022"*, in accordance with Engrossed Substitute Senate Bill No. 5693; *"Local Business Licensing Progress Report"*, pursuant to 35.90.020 RCW; *"State Agency Business Licensing Information Report 2022"*, pursuant to 19.02.055 RCW; *"State Agency Business Licensing Information Report 2022 Appendix"*, pursuant to 19.02.055 RCW; *"Descriptive Statistics for Tax Incentive Programs 2019 Update"*, pursuant to 82.32.534 RCW; *"Descriptive Statistics for Tax Incentive Programs 2020 Update"*, pursuant to 82.32.534 RCW; *"Descriptive Statistics for Tax Incentive Programs 2021 Update"*, pursuant to 82.32.534 RCW; *"Clean Alternative Fuels and Electric Vehicles Report Update"*, pursuant to 82.08.9999 RCW; *"Descriptive Statistics for Tax Incentive Programs 2022"*, pursuant to 82.32.534 RCW;

Salmon Recovery, Governor's Office of - *"2023-2025 Biennial Work Plan; Governor's Salmon Strategy Update"*, pursuant to 77.85 RCW;

Sealing Juvenile Records, Joint Legislative Task Force on - *"Report to the Legislature"*, in accordance with Substitute House Bill No. 1793;

Sex Offender Policy Board - *"Recommendations for SSOSA Reforms; Treatment Alternatives for Certain Sex Offenses; Lifetime Supervision; Failure to Register; Washouts; and System Improvements"*, in accordance with Engrossed Second Substitute Senate Bill No. 5163; *"Recommendations for SSOSA Reforms; Treatment Alternatives for Certain Sex Offenses; Lifetime Supervision; Failure to Register; Washouts; and System Improvements Letter of Transmittal"*, in accordance with Engrossed Second Substitute Senate Bill No. 5163; *"Updates Regarding Implementation of Chapter 236, Laws of 2021, July-December 2022 Letter of Transmittal"*, in accordance with Engrossed Second Substitute Senate Bill No. 5163; *"Recommendations and Updates Regarding Implementation of Chapter 236, Laws of 2021, July-December 2022"*, in accordance with Engrossed Second Substitute Senate Bill No. 5163; *"Updates Regarding Implementation of Chapter 236, Laws of 2021, January-June 2022"*, in accordance with Engrossed Second Substitute Senate Bill No. 5163; *"Updates Regarding Implementation of Chapter 236, Laws of 2021 Letter of Transmittal"*, in accordance with Engrossed Second Substitute Senate Bill No. 5163;

Sheriffs and Police Chiefs, Washington Association of - *"Mental Health Field Response Teams 2022 Annual Report"*, pursuant to 43.01.036 RCW; *"Washington's Sexual Assault Kits Status Updates"*, pursuant to 5.70.060 RCW;

Social & Health Services, Department of - *"Department Efforts to Reduce Violence in the State Hospitals, September 2022"*, pursuant to 72.23.451 RCW; *"Electronic Health Records Contract 2014-2022"*, in accordance with Engrossed Substitute Senate Bill No. 5092; *"Statewide Accounting of Contracted SVP Housing and Treatment Providers"*, pursuant to 71.09.097 RCW; *"WorkFirst Maintenance of Effort and Work Participation Rate - 2021 Fourth Quarter"*, in accordance with Engrossed Substitute Senate Bill No. 5092; *"Washington State Basic Income Feasibility Study"*, in accordance with Engrossed Substitute Senate Bill No. 5092; *"WorkFirst Wage Progression Report - 2021 Third Quarter"*, pursuant to 74.08A.411 RCW; *"Forensic Admissions and Evaluations-Performance Targets 2022 First Quarter (January 1, 2022-March 31, 2022)"*, pursuant to 10.77.068 RCW; *"WorkFirst Spending Plan Monitoring Report, 2nd Quarter Report, State Fiscal Year 2022"*, pursuant to 74.08A.341 RCW; *"WorkFirst Maintenance of Effort and Work Participation Rate - 2021 Third Quarter"*, in accordance with Engrossed Substitute Senate Bill No. 5092; *"WorkFirst Wage Progression Report - 2021 Second Quarter"*, pursuant to 74.08A.411 RCW; *"Refugee and Immigrant Employment Services, 2021 Report"*, in accordance with Engrossed Substitute Senate Bill No. 5092; *"Forensic Admissions and Evaluations - Performance Targets 2021 Fourth Quarter (October 1, 2021-December 31, 2021)"*, in accordance with Substitute Senate Bill No. 6492 and pursuant to 10.77.068 RCW; *"Subminimum Wage Certificates 2022 Annual Report"*, in accordance with Engrossed Substitute Senate Bill No. 5284; *"State Mental Health Facilities Case Referrals and Investigations - Preliminary Report"*, in accordance with Engrossed Second Substitute House Bill No. 1086; *"Personal Care in Homeless Shelter Pilot Report"*, in accordance with Engrossed Substitute Senate Bill No. 5693; *"Caseload Ratio Reduction Project"*, in accordance with Engrossed Substitute Senate Bill No. 5092; *"Caseload Ratio Reduction Project"*, in accordance with Engrossed Substitute Senate Bill No. 5268; *"Caseload Ratio Reduction Project"*, in accordance with Engrossed Substitute Senate Bill No. 5693; *"WorkFirst Maintenance of Effort and Work Participation Rate - 2022 First Quarter"*, in accordance with Engrossed Substitute Senate Bill No. 5092; *"Fourteen Day Standard - 2022 Progress Report"*, in accordance with Engrossed Substitute Senate Bill No. 5092 and pursuant to 71.05.365 RCW; *"Washington Connection Benefit Portal 2022 Report"*, pursuant to 74.04.225 RCW; *"Caring For Individuals Under Department of Corrections Jurisdiction in Skilled Nursing Facilities"*, in accordance with Engrossed Substitute Senate Bill No. 5693; *"WorkFirst Spending Plan Monitoring Report, 4th Quarter Report, State Fiscal Year 2022"*, pursuant to 74.08A.341 RCW; *"Residential Habilitation Center Facility-Based Professionals"*, in accordance with Engrossed Substitute Senate Bill No. 5092; *"Residential Habilitation Center Facility-Based Professionals"*, in accordance with Engrossed Substitute Senate Bill No. 5268; *"Residential Habilitation Center Facility-Based Professionals"*, in accordance with Engrossed Substitute Senate Bill No. 5693; *"Employment and Day Rate Study"*, in accordance with Engrossed Substitute Senate Bill No. 5092; *"Employment and Day Rate Study"*, in accordance with Engrossed Substitute Senate Bill No. 5268; *"Employment and Day Rate Study"*, in accordance with Engrossed Substitute Senate Bill No. 5693; *"Increasing Apprenticeships and Other Training Opportunities for Health Care and Direct Care Students To Better Serve the*

FIRST DAY, JANUARY 9, 2023

IDD Community”, in accordance with Engrossed Substitute Senate Bill No. 5092; *“Increasing Apprenticeships and Other Training Opportunities for Health Care and Direct Care Students To Better Serve the IDD Community”*, in accordance with Engrossed Substitute Senate Bill No. 5268; *“Increasing Apprenticeships and Other Training Opportunities for Health Care and Direct Care Students To Better Serve the IDD Community”*, in accordance with Engrossed Substitute Senate Bill No. 5693; *“Community Respite and Stabilization”*, in accordance with Engrossed Substitute Senate Bill No. 5092; *“Community Respite and Stabilization”*, in accordance with Engrossed Substitute Senate Bill No. 5268; *“Community Respite and Stabilization”*, in accordance with Engrossed Substitute Senate Bill No. 5693; *“Best Practices for Co-Occurring Conditions: Serving People with Intellectual and Developmental Disabilities and Mental Health Conditions”*, in accordance with Engrossed Substitute Senate Bill No. 5092; *“Best Practices for Co-Occurring Conditions: Serving People with Intellectual and Developmental Disabilities and Mental Health Conditions”*, in accordance with Engrossed Substitute Senate Bill No. 5268; *“Best Practices for Co-Occurring Conditions: Serving People with Intellectual and Developmental Disabilities and Mental Health Conditions”*, in accordance with Engrossed Substitute Senate Bill No. 5693; *“Forensic Admissions and Evaluations-Performance Targets 2022 Second Quarter (April 1, 2022-June 30,2022)”*, in accordance with Substitute Senate Bill No. 6492 and pursuant to 10.77.068 RCW; *“Guardianship Laws: Impacts and Recommendations”*, in accordance with Engrossed Substitute Senate Bill No. 5092; *“Guardianship Laws: Impacts and Recommendations”*, in accordance with Engrossed Substitute Senate Bill No. 5268; *“Guardianship Laws: Impacts and Recommendations”*, in accordance with Engrossed Substitute Senate Bill No. 5693; *“Individual Provider Overtime Annual Expenditures, Fiscal Year 2022 Report”*, pursuant to 74.39A.275 RCW; *“Housing Fund Priority Study Report”*, in accordance with Engrossed Substitute Senate Bill No. 5092; *“Housing Fund Priority Study Report”*, in accordance with Engrossed Substitute Senate Bill No. 5268; *“Housing Fund Priority Study Report”*, in accordance with Engrossed Substitute Senate Bill No. 5693; *“Workforce Development Annual Report 2022”*, pursuant to 10.31.110 RCW; *“Improving Patient and Staff Safety in State Hospitals - Status Report”*, in accordance with Engrossed Substitute House Bill No. 1109; *“Housing Needs for Individuals with Intellectual and Developmental Disabilities in Washington State”*, in accordance with Substitute House Bill No. 1080; *“Columbia Cottage Maple Lane Residential Treatment Facility, 2022 Status Report”*, in accordance with Engrossed Substitute Senate Bill No. 5092; *“WorkFirst Wage Progression and Returns Report: through First Quarter 2022”*, pursuant to 74.08A.411 RCW; *“Community Respite Services for Adults”*, in accordance with Engrossed Substitute Senate Bill No. 5092; *“Report on Status of WA Cares Demonstration Waiver 2022”*, pursuant to 50B.04.130 RCW; *“Long-Term Care Workforce Workgroup Recommendations on ‘Informed Choice’”*, pursuant to 74.39A.058 RCW; *“Clark County Residential Treatment Facility 2022 Status Report”*, in accordance with Engrossed Substitute Senate Bill No. 5092; *“Medicaid Acceptance in Assisted Living Facilities”*, in accordance with Engrossed Substitute Senate Bill No. 5693; *“WorkFirst Wage Progression and Returns Report: Through Fourth Quarter 2021”*, pursuant to 74.08A.411 RCW;

Social Equity in Cannabis Task Force - *“Final Report and Recommendations”*, pursuant to 69.50.336 RCW;

State Building Code Council - *“Inclusive Bathroom Facilities”*, in accordance with Engrossed Substitute Senate Bill No. 5092;

State Legislative Labor Relations, Office of - *“Preliminary Report to the Legislature”*, in accordance with Engrossed Substitute House Bill No. 2124;

Student Achievement Council - *“Washington Career and College Pathways Innovation Challenge Program”*, pursuant to 28B.120.060 RCW; *“Washington Career and College Pathways Innovation Challenge Program Appendices”*, pursuant to 28B.120.060 RCW;

Sustainable Aviation Biofuels Workgroup - *“Sustainable Aviation Fuel Updates and Recommendations (Opportunities for Washington)”*, in accordance with Engrossed Substitute Senate Bill No. 5092;

Thurston Regional Planning Council - *“High Capacity Transportation Outline and Recommendations of Deliverables”*, in accordance with Engrossed Substitute Senate Bill No. 5689;

Traffic Safety Commission - *“Cooper Jones Active Transportation Safety Council 2022 Annual Report”*, pursuant to 43.59.156 RCW;

Transportation, Department of - *“Ferries Division - Fiscal Year 2022 Performance Report”*, pursuant to 47.64.360 RCW; *“Design and Testing of Modular Expansion Joint Noise Mitigation Strategies”*, in accordance with Engrossed Substitute Senate Bill No. 5689; *“Toll Division Annual Report, FY2022, (July 1, 2021 - June 30, 2022)”*, in accordance with Engrossed Substitute Senate Bill No. 5689; *“Safety Rest Area Anti-Human Trafficking Informational Poster Report”*, in accordance with Engrossed Substitute Senate Bill No. 5689; *“Safety Rest Area Report: Additional Operations, Maintenance, and Planning Activities”*, in accordance with Engrossed Substitute Senate Bill No. 5689; *“Safety Rest Area Report: Implemented or Planned Changes to Safety Rest Area Operations”*, in accordance with Substitute House Bill No. 1655; *“School-Based Bicycle Safety Education Program; 2023-2025 Legislative Report: Program Start-Up”*, in accordance with Engrossed Substitute Senate Bill No. 5974; *“Interstate Bridge Replacement Program, December 2022 Progress Report”*, in accordance with Engrossed Substitute Senate Bill No. 5689; *“Sustainable Aviation Grant Program”*, in accordance with Substitute Senate Bill No. 5975; *“I-5 Study Proviso: Seismic Recommendations and Funding Request Executive Summary”*, in accordance with Substitute Senate Bill No. 5975; *“Public Transportation Mobility Report for 2022”*, pursuant to 47.66 RCW; *“Transit Integration Report for 2022”*, pursuant to 35.58.2796 RCW; *“Tiered NL-3 Leap List Report”*, in accordance with Substitute Senate Bill No. 5975; *“Connecting Washington Programs with Benefits to Transit, Bicycle, and Pedestrian Elements, Fiscal Year 2022”*, in accordance with Engrossed Substitute Senate Bill No. 5689; *“Fund Transfers Letter, November 2022”*, in accordance with Engrossed Substitute Senate Bill No. 5689; *“Connecting Communities Pilot Program”*, in accordance with Engrossed Substitute Senate Bill No. 5974; *“Safety Rest Area Free Coffee Program Report”*, in accordance with Engrossed Substitute Senate Bill No. 5689; *“2023-2025 Freight Rail Assistance Program/Freight Rail Infrastructure Bank Project Lists”*, in accordance with Engrossed Substitute Senate Bill No. 5689; *“2022 Biennial Transportation Attainment Report”*, pursuant to 47.04.285 RCW; *“2022 On-the-Job Training Support Services Program Report”*, in accordance with Substitute Senate Bill No. 5165 and pursuant to 47.01.435 RCW; *“Pedestrian and Bicyclist Program and Safe Routes to Schools Program, 2023-2025 Prioritized Project List and Program Update”*, in accordance with Engrossed Substitute Senate Bill No. 5689; *“Elimination of Fares for Amtrak*

Cascades Passengers 18 Years Old and Under”, in accordance with Engrossed Substitute Senate Bill No. 5974; *“Unpiloted Aircraft System (UAS) Coordinator and Commercial Drone Registration Fee Review and Recommendations”*, in accordance with Substitute House Bill No. 1379; *“Active Transportation Projects: Ranked NL-2 LEAP List”*, in accordance with Substitute Senate Bill No. 5975; *“Public Health Associated with Homeless Encampments on Department Owned Rights of Way”*, in accordance with Engrossed Substitute Senate Bill No. 5689; *“Community Workforce Agreement and Diversity, Equity, & Inclusion Report”*, in accordance with Engrossed Substitute Senate Bill No. 5689; *“Regional Mobility Grant Program 2023-2025 Prioritized List of Projects”*, pursuant to 47.66.030 RCW; *“Green Transportation Capital Grant, 2023-2025 Prioritized Project List”*, pursuant to 47.66.120 RCW; *“Frequent Transit Service Study Initial Report”*, in accordance with Engrossed Substitute Senate Bill No. 5689; *“Public Transportation 2021 Summary”*, pursuant to 35.58.2796 RCW; *“Washington State Ferries Training & Workforce Development Status Report 2022”*, in accordance with Engrossed Substitute Senate Bill No. 5689; *“Rail Fixed Guideway Public Transportation System Safety Report for 2021”*, pursuant to 81.104.115 RCW; *“Commercial Aviation Coordinating Commission October 2022 Report”*, in accordance with Engrossed Substitute Senate Bill No. 5689; *“Grants Management System Report”*, in accordance with Engrossed Substitute Senate Bill No. 5689; *“Tort Judgements and Settlements Pertaining to WSF and non-WSF Operations, FY 2022 Qtrs 3 & 4”*, in accordance with Substitute Senate Bill No. 5165; *“Construction Program Business Plan Biennial Progress Report, September 2022”*, pursuant to 47.01.495 RCW; *“Clean Fuels Program: State Transportation Investment Credit Revenue Generation Forecast - Initial Report”*, in accordance with Engrossed Substitute Senate Bill No. 5974; *“Capital Projects Report, Quarters 2, 3, & 4, 2021-23 Biennium”*, in accordance with Substitute Senate Bill No. 5165; *“Capital Projects Report, Quarters 2, 3, & 4, 2021-23 Biennium”*, in accordance with Engrossed Substitute Senate Bill No. 5689; *“Fund Transfer Letter, August 2022”*, in accordance with Engrossed Substitute Senate Bill No. 5689; *“Practical Design Savings on Connecting Washington Funded Projects, July 2022”*, pursuant to 47.01.480 RCW; *“Vehicle Miles of Travel (VMT) Targets - Interim Report”*, in accordance with Engrossed Substitute Senate Bill No. 5689; *“Amtrak Cascades Service Development Plan Progress Report”*, in accordance with Engrossed Substitute Senate Bill No. 5689; *“2021-2023 Freight Rail Investment Bank (FRIB) Progress Report”*, in accordance with Substitute Senate Bill No. 5165; *“Violations of Environmental Permits and Regulations for State Transportation Projects”*, pursuant to 47.85.040 RCW; *“Modular Expansion Joint Noise Mitigation Study Interim Report”*, in accordance with Engrossed Substitute Senate Bill No. 5689; *“Toll Division Annual Report, FY2021, (July 1, 2020 - June 30, 2021)”*, in accordance with Engrossed Substitute House Bill No. 1160; *“Statewide Culvert Remediation Plan Report”*, in accordance with Engrossed Substitute Senate Bill No. 5689; *“Interstate Bridge Replacement Program, 2022 Progress Report”*, in accordance with Engrossed Substitute Senate Bill No. 5689;

Treasurer, Office of the - *“State Treasurer’s 2021 Annual Report”*, pursuant to 43.08.010 RCW; *“Report on the State of Washington’s Debt Limitation - Fiscal Year 2023”*, pursuant to 39.42.070 RCW; *“2022 Washington Future Fund Committee Report”*, in accordance with Engrossed Substitute Senate Bill No. 5693;

University of Washington - *“Barriers to Death with Dignity in Washington State”*, pursuant to 70.245 RCW; *“A Study of Acute Care Staff & Patient Outcomes in Washington State Hospitals”*, in accordance with House Bill No. 1272; *“Paul G. Allen School Proviso Report”*, in accordance with Engrossed Substitute Senate Bill No. 5092;

University of Washington School of Nursing - *“Exploratory Direct Admissions Study”*, in accordance with Engrossed Substitute Senate Bill No. 5693; *“Exploratory Direct Admissions Study Appendix B”*, in accordance with Engrossed Substitute Senate Bill No. 5693;

University of Washington, Department of Psychiatry and Behavioral Sciences - *“CARE (Culturally Affirming & Responsive Mental Health) for Kids & Families: Interim Report”*, in accordance with Engrossed Substitute Senate Bill No. 5693;

University of Washington, School of Public Health, Department of Environmental & Occupational Health Sciences - *“Environmental Health and Safety Study in Washington’s K-12 Schools”*, in accordance with Engrossed Substitute Senate Bill No. 5693;

Utilities and Transportation Commission - *“Washington State Inventory of Rail Safety Oversight”*, in accordance with Substitute Senate Bill No. 5165; *“Washington State Inventory of Rail Safety Oversight Appendices”*, in accordance with Substitute Senate Bill No. 5165; *“Summary: Electric Power Resource Adequacy Meeting”*, pursuant to 19.280.065 RCW;

Veterans Affairs, Department of - *“Suicide Prevention Program Proviso Report”*, in accordance with Engrossed Substitute Senate Bill No. 5693; *“Traumatic Brain Injury and Recovery Report”*, in accordance with Engrossed Substitute Senate Bill No. 5693; *“Washington State Governor’s Challenge Report”*, in accordance with Engrossed Second Substitute House Bill No. 1181;

Washington State Patrol - *“Ignition Interlock Report”*, pursuant to 43.43.396 RCW; *“Recruitment and Retention Annual Report”*, in accordance with Substitute Senate Bill No. 5165; *“Sexual Assault Kit Tracking System: Data Reporting for February 2022 - August 2022”*, in accordance with Second Substitute House Bill No. 2530; *“Land Mobile Radio System Semiannual Report July 2022”*, in accordance with Substitute Senate Bill No. 5165; *“DNA Testing of Washington’s Sexual Assault Kits: Annual Report to the Legislature and Governor 2022”*, pursuant to 5.70.040 RCW; *“Toxicology Laboratory Construction Report”*, in accordance with Engrossed Substitute Senate Bill No. 5693;

Washington State University - *“Veteran Waiver Report”*, pursuant to 28B.15.621 RCW; *“Engineering Expansion at Washington State University”*, in accordance with Engrossed Substitute Senate Bill No. 5092;

Washington State University - The William D. Ruckelshaus Center - *“Pathways to Housing Security; Year 2 Report”*, in accordance with Engrossed Second Substitute House Bill No. 1277; *“Pathways to Housing Security; Year 2 Report Revised”*, in accordance with Engrossed Second Substitute House Bill No. 1277;

Washington State University, Center for Sustaining Agriculture and Natural Resources - *“Evaluating Compost Application for Soil Carbon Sequestration on Agricultural Land and Compost Buy-Back Programs in Washington”*, in accordance with House Bill No. 1799;

Washington Technology Solutions - *“Annual Independent Recommendations on Oversight of IT Projects”*, in accordance with Engrossed Substitute Senate Bill No. 5092; *“Annual Independent Recommendations on Oversight of IT Projects”*

FIRST DAY, JANUARY 9, 2023

Letter of Transmittal", in accordance with Engrossed Substitute Senate Bill No. 5092; "*Natural Hazards Mitigation Data Portal (GeoPortal2.0)* ", in accordance with Engrossed Substitute Senate Bill No. 5693; "*Natural Hazards Risk Mitigation Progress Report Memo*", in accordance with Engrossed Substitute Senate Bill No. 5693; "*State Office of Cybersecurity Catalog of Services Report*", in accordance with Senate Bill No. 5432; "*State Office of Cybersecurity Catalog of Services Report Memo*", in accordance with Senate Bill No. 5432;

Water Resource Mitigation, Joint Legislative Task Force on - "*Joint Legislative Task Force on Water Resource Mitigation 2022 Report*", in accordance with Engrossed Substitute Senate Bill No. 6091; "*Joint Legislative Task Force on Water Resource Mitigation 2022 Report Letter of Transmittal*", in accordance with Engrossed Substitute Senate Bill No. 6091.

Copies of these reports are available from the Office of the Secretary of the Senate.

Sincerely,

/s/

Sarah Bannister

SECRETARY OF THE SENATE

MOTION

At 2 o'clock p.m., on motion of Senator Pedersen, the Senate adjourned until 11:30 a.m. Tuesday, January 10, 2023.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

SECOND DAY

MORNING SESSION

Senate Chamber, Olympia
Tuesday, January 10, 2023

The Senate was called to order at 11:30 a.m. by the President of the Senate, Lt. Governor Heck presiding. No roll call was taken.

MOTIONS

On motion of Senator Pedersen, the reading of the Journal of the previous day was dispensed with and it was approved.

On motion of Senator Pedersen, the Senate advanced to the third order of business.

MESSAGE FROM THE GOVERNOR
GUBERNATORIAL APPOINTMENTS

December 28, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF
WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

EVERETT MACOMBER, reappointed December 21, 2016, for the term ending January 17, 2023, as Member of the Horse Racing Commission.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Business, Financial Services, Gaming & Trade as Senate Gubernatorial Appointment No. 9000.

July 30, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF
WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

JUANITA J. KAMPHUIS, reappointed July 23, 2018, for the term ending July 1, 2023, as Member of the Washington Center for Deaf and Hard of Hearing Youth.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Early Learning & K-12 Education as Senate Gubernatorial Appointment No. 9001.

August 6, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF
WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

MARIA J. CHRISTIANSON, reappointed July 27, 2018, for the term ending July 1, 2023, as Member of the Washington Center for Deaf and Hard of Hearing Youth.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Early Learning & K-12 Education as Senate Gubernatorial Appointment No. 9002.

September 7, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF
WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

DENNIS W. MATHEWS, reappointed September 6, 2018, for the term ending July 1, 2023, as Member of the Washington State School for the Blind Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Early Learning & K-12 Education as Senate Gubernatorial Appointment No. 9003.

September 25, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF
WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

NANCY L. MCDANIEL, reappointed September 25, 2018, for the term ending July 1, 2023, as Member of the Washington State School for the Blind Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Early Learning & K-12 Education as Senate Gubernatorial Appointment No. 9004.

October 16, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF
WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

ELAINE CHU, appointed October 15, 2018, for the term ending September 30, 2023, as Member of the Green River College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9005.

October 16, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF
WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

THOMAS W. LUX, reappointed October 15, 2018, for the term ending September 30, 2023, as Member of the Shoreline Community College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9006.

October 18, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF
WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

ROBERT H. MALTE, appointed October 18, 2018, for the term ending September 30, 2023, as Member of the Lake Washington Institute of Technology Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9007.

October 23, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

TERESA N. TAYLOR, appointed October 22, 2018, for the term ending September 30, 2023, as Member of the Whatcom Community College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9008.

November 1, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

PAUL B. SPEER, appointed October 31, 2018, for the term ending September 30, 2023, as Member of the Clark College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9009.

November 8, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

LILY CLIFTON, appointed November 8, 2018, for the term ending July 1, 2023, as Member of the Washington State School for the Blind Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Early Learning & K-12 Education as Senate Gubernatorial Appointment No. 9010.

December 5, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

KENNETH BOUNDS, reappointed December 3, 2018, for the term ending December 31, 2024, as Member of the Parks and Recreation Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Agriculture, Water, Natural Resources & Parks as Senate Gubernatorial Appointment No. 9011.

December 5, 2018

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

MICHAEL S. LATIMER, reappointed December 3, 2018, for the term ending December 31, 2024, as Member of the Parks and Recreation Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Agriculture, Water, Natural Resources & Parks as Senate Gubernatorial Appointment No. 9012.

January 9, 2019

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

ROBERT J. LOPEZ, reappointed January 18, 2019, for the term ending January 17, 2025, as Member of the Horse Racing Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Business, Financial Services, Gaming & Trade as Senate Gubernatorial Appointment No. 9013.

January 28, 2019

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

RUSSELL D. HAUGE, reappointed January 28, 2019, for the term ending January 15, 2025, as Member of the Liquor and Cannabis Board.

Sincerely,

JAY INSLEE, Governor

Referred to the Committee on Labor & Commerce as Senate Gubernatorial Appointment No. 9014.

January 28, 2019

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

CLAUDE A. RAGLE, appointed April 13, 2019, for the term ending January 1, 2024, as Member of the Horse Racing Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Business, Financial Services, Gaming & Trade as Senate Gubernatorial Appointment No. 9015.

February 19, 2019

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

GLADYS T. GILLIS, appointed February 19, 2019, for the term ending September 30, 2024, as Member of the Central Washington University Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9016.

March 27, 2019

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

ED ZUCKERMAN, appointed March 22, 2019, for the term ending September 30, 2024, as Member of The Evergreen State College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9017.

May 29, 2019

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

PETER M. GAYTON, appointed May 29, 2019, for the term ending January 1, 2025, as Member of the Personnel Resources Board.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Labor & Commerce as Senate Gubernatorial Appointment No. 9018.

July 2, 2019

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

JUDY GUENTHER, reappointed July 2, 2019, for the term ending January 19, 2023, as Member of the Pharmacy Quality Assurance Commission.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Health & Long-Term Care as Senate Gubernatorial Appointment No. 9019.

July 16, 2019

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

KEN A. LARSEN, reappointed July 16, 2019, for the term ending June 30, 2023, as Member of the Housing Finance Commission.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Housing as Senate Gubernatorial Appointment No. 9020.

July 16, 2019

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

2023 REGULAR SESSION

WENDY L. LAWRENCE, reappointed July 16, 2019, for the term ending June 30, 2023, as Member of the Housing Finance Commission.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Housing as Senate Gubernatorial Appointment No. 9021.

July 16, 2019

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

STEVEN MALLOCH, reappointed July 16, 2019, for the term ending June 30, 2023, as Member of the Chehalis Board.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Agriculture, Water, Natural Resources & Parks as Senate Gubernatorial Appointment No. 9022.

August 7, 2019

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

CRAIG A. RITCHIE, appointed August 7, 2019, for the term ending January 19, 2023, as Member of the Pharmacy Quality Assurance Commission.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Health & Long-Term Care as Senate Gubernatorial Appointment No. 9023.

August 13, 2019

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

MOLLY F. LINVILLE, appointed July 22, 2019, for the term ending December 31, 2024, as Member of the Fish and Wildlife Commission.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Agriculture, Water, Natural Resources & Parks as Senate Gubernatorial Appointment No. 9024.

August 20, 2019

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

JAMES R. ANDERSON, appointed July 22, 2019, for the term ending December 31, 2024, as Member of the Fish and Wildlife Commission.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Agriculture, Water, Natural Resources & Parks as Senate Gubernatorial Appointment No. 9025.

August 20, 2019
TO THE HONORABLE, THE SENATE OF THE STATE OF
WASHINGTON
Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

CANDELARIO GONZALEZ, appointed August 20, 2019, for the term ending September 30, 2023, as Member of the Olympic College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9026.

September 18, 2019
TO THE HONORABLE, THE SENATE OF THE STATE OF
WASHINGTON
Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

LOUISE CHERNIN, reappointed September 18, 2019, for the term ending September 30, 2024, as Member of the Seattle College District Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9027.

September 18, 2019
TO THE HONORABLE, THE SENATE OF THE STATE OF
WASHINGTON
Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

URIEL R. INIGUEZ, reappointed September 18, 2019, for the term ending September 30, 2025, as Member of the Eastern Washington University Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9028.

September 18, 2019
TO THE HONORABLE, THE SENATE OF THE STATE OF
WASHINGTON
Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

SHARMILA SWENSON, appointed September 18, 2019, for the term ending September 30, 2024, as Member of the Highline College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9029.

September 18, 2019
TO THE HONORABLE, THE SENATE OF THE STATE OF
WASHINGTON
Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

JEFF VINCENT, appointed September 18, 2019, for the term ending June 30, 2023, as Member of the Washington Student Achievement Council.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9030.

September 19, 2019
TO THE HONORABLE, THE SENATE OF THE STATE OF
WASHINGTON
Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

MEGHAN B. QUINT, appointed September 19, 2019, for the term ending September 30, 2024, as Member of the Cascadia College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9031.

September 19, 2019
TO THE HONORABLE, THE SENATE OF THE STATE OF
WASHINGTON
Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

CAROLINA T. SUN-WIDROW, appointed September 18, 2019, for the term ending June 30, 2024, as Member of the Pollution Control/Shorelines Hearings Board.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Local Government, Land Use & Tribal Affairs as Senate Gubernatorial Appointment No. 9032.

September 20, 2019
TO THE HONORABLE, THE SENATE OF THE STATE OF
WASHINGTON
Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

ADRIANNE WAGNER, appointed September 20, 2019, for the term ending September 30, 2023, as Member of the Edmonds Community College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9033.

October 3, 2019
TO THE HONORABLE, THE SENATE OF THE STATE OF
WASHINGTON
Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

WENDY K. BOHLKE, reappointed October 3, 2019, for the term ending September 30, 2024, as Member of the Whatcom Community College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9034.

October 3, 2019

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

HARRIETTE C. BRYANT, appointed October 3, 2019, for the term ending September 30, 2024, as Member of the Olympic College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9035.

October 3, 2019

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

KRISTIN M. RAY, appointed October 3, 2019, for the term ending September 30, 2024, as Member of the Pierce College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9036.

October 8, 2019

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

EBEN POBEE, appointed October 8, 2019, for the term ending September 30, 2024, as Member of the Shoreline Community College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9037.

October 14, 2019

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

RICHARD G. FUKUTAKI, appointed October 3, 2019, for the term ending September 30, 2024, as Member of the Bellevue College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9038.

October 14, 2019

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

ANNE E. HAMILTON, reappointed October 10, 2019, for the term ending September 30, 2024, as Member of the Lake Washington Institute of Technology Board of Trustees.

Sincerely,

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9039.

October 14, 2019

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

MICHAEL D. WILSON, reappointed October 10, 2019, for the term ending September 30, 2024, as Member of the Community Colleges of Spokane Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9040.

October 21, 2019

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

SARA I. CATE, reappointed October 17, 2019, for the term ending September 30, 2024, as Member of the Yakima Valley Community College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9041.

October 21, 2019

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

CONSTANCE W. RICE, appointed October 21, 2019, for the term ending September 30, 2025, as Member of the University of Washington Board of Regents.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9042.

October 21, 2019

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

ROGELIO RIOJAS, reappointed October 21, 2019, for the term ending September 30, 2025, as Member of the University of Washington Board of Regents.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9043.

October 25, 2019

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

SECOND DAY, JANUARY 10, 2023

I have the honor to submit the following appointment, subject to your confirmation.

MICHELLE LIBERTY, appointed October 25, 2019, for the term ending September 30, 2024, as Member of the Walla Walla Community College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9044.

October 30, 2019

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

JERRY J. MENINICK, appointed October 30, 2019, for the term ending June 12, 2023, as Member of the Columbia River Gorge Commission.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Agriculture, Water, Natural Resources & Parks as Senate Gubernatorial Appointment No. 9045.

November 19, 2019

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

F. MARIBEL VILCHEZ, appointed November 19, 2019, for the term ending June 30, 2023, as Member of the Professional Educator Standards Board.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Early Learning & K-12 Education as Senate Gubernatorial Appointment No. 9046.

November 20, 2019

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

WESLEY HENSON, appointed November 20, 2019, for the term ending July 1, 2024, as Member of the Washington Center for Deaf and Hard of Hearing Youth.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Early Learning & K-12 Education as Senate Gubernatorial Appointment No. 9047.

November 22, 2019

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

ZABRINA M. JENKINS, appointed November 22, 2019, for the term ending September 30, 2024, as Member of the Central Washington University Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9048.

November 25, 2019

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

JEROMY C. SULLIVAN, reappointed November 25, 2019, for the term ending July 15, 2023, as Member of the Salmon Recovery Funding Board.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Agriculture, Water, Natural Resources & Parks as Senate Gubernatorial Appointment No. 9049.

December 4, 2019

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

DONA PONEPINTO, appointed December 4, 2019, for the term ending September 30, 2024, as Member of the Tacoma Community College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9050.

December 12, 2019

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

CAROL MITCHELL, appointed December 12, 2019, for the term ending September 30, 2024, as Member of the Clover Park Technical College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9051.

December 12, 2019

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

MIGUEL PEREZ-GIBSON, appointed December 12, 2019, for the term ending September 30, 2025, as Member of The Evergreen State College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9052.

December 17, 2019

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

JENNIFER G. ACUNA, appointed December 17, 2019, for the term ending July 1, 2024, as Member of the Washington Center for Deaf and Hard of Hearing Youth.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Early Learning & K-12 Education as Senate Gubernatorial Appointment No. 9053.

January 8, 2020

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

ROBERT HAND, appointed January 20, 2020, for the term ending June 30, 2023, as Member of the Professional Educator Standards Board.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Early Learning & K-12 Education as Senate Gubernatorial Appointment No. 9054.

January 14, 2020

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

JERRIE L. ALLARD, reappointed January 20, 2020, for the term ending January 19, 2024, as Member of the Pharmacy Quality Assurance Commission.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Health & Long-Term Care as Senate Gubernatorial Appointment No. 9055.

January 14, 2020

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

TERI L. FERREIRA, reappointed January 20, 2020, for the term ending January 19, 2024, as Member of the Pharmacy Quality Assurance Commission.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Health & Long-Term Care as Senate Gubernatorial Appointment No. 9056.

January 14, 2020

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

PATRICK L. GALLAHER, appointed January 20, 2020, for the term ending January 19, 2024, as Member of the Pharmacy Quality Assurance Commission.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Health & Long-Term Care as Senate Gubernatorial Appointment No. 9057.

January 15, 2020

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

GUADALUPE GAMBOA, appointed January 15, 2020, for the term ending June 17, 2024, as Member of the Human Rights Commission.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Law & Justice as Senate Gubernatorial Appointment No. 9058.

January 23, 2020

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

HOLLY M. SILER, appointed January 23, 2020, for the term ending September 30, 2024, as Member of the Columbia Basin College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9059.

January 28, 2020

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

GUY R. NORMAN, reappointed January 28, 2020, for the term ending January 15, 2023, as Member of the Northwest Power and Conservation Council.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Environment, Energy & Technology as Senate Gubernatorial Appointment No. 9060.

February 18, 2020

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

GERALD L. MARTIN, appointed February 18, 2020, for the term ending September 30, 2024, as Member of the Everett Community College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9061.

February 19, 2020

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

SECOND DAY, JANUARY 10, 2023

JEFFREY J. HENSLER, appointed February 19, 2020, for the term ending September 30, 2025, as Member of the Central Washington University Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9062.

February 28, 2020

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

WILMA CARTAGENA, appointed February 28, 2020, for the term ending September 30, 2024, as Member of the Wenatchee Valley College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9063.

March 10, 2020

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

ENRIQUE S. CERNA, appointed March 16, 2020, for the term ending September 30, 2025, as Member of the Washington State University Board of Regents.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9064.

March 27, 2020

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

SATIVAH A. JONES, appointed March 27, 2020, for the term ending June 30, 2023, as Member of the Washington Student Achievement Council.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9065.

April 13, 2020

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

LORI M. RAMSDELL, appointed April 16, 2020, for the term ending April 15, 2025, as Member of the Indeterminate Sentence Review Board.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Human Services as Senate Gubernatorial Appointment No. 9066.

April 20, 2020

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

JOHN D. SAVEN, reappointed April 17, 2020, for the term ending June 30, 2024, as Member of the Energy Northwest Executive Board.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Environment, Energy & Technology as Senate Gubernatorial Appointment No. 9067.

May 29, 2020

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

J. A. VANDERSTOEP, appointed July 1, 2020, for the term ending June 30, 2024, as Member of the Chehalis Board.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Agriculture, Water, Natural Resources & Parks as Senate Gubernatorial Appointment No. 9068.

June 23, 2020

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

NEIL L. WISE, reappointed July 1, 2020, for the term ending June 30, 2026, as Member of the Pollution Control/Shorelines Hearings Board.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Local Government, Land Use & Tribal Affairs as Senate Gubernatorial Appointment No. 9069.

June 29, 2020

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

JOHN F. SCHOETTLER, appointed July 1, 2020, for the term ending September 30, 2024, as Member of the Washington State University Board of Regents.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9070.

July 6, 2020

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

HARRY L. CARTHUM, reappointed July 6, 2020, for the term ending September 30, 2024, as Member of the Grays Harbor College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9071.

July 31, 2020

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

ALLIE M. JOINER, appointed July 31, 2020, for the term ending July 1, 2025, as Member of the Washington Center for Deaf and Hard of Hearing Youth.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Early Learning & K-12 Education as Senate Gubernatorial Appointment No. 9072.

July 31, 2020

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

NANCY J. SINKOVITZ, reappointed July 31, 2020, for the term ending July 1, 2025, as Member of the Washington Center for Deaf and Hard of Hearing Youth.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Early Learning & K-12 Education as Senate Gubernatorial Appointment No. 9073.

August 24, 2020

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

ALLAN BELTON, appointed August 24, 2020, for the term ending March 26, 2024, as Member of the Higher Education Facilities Authority.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9074.

August 28, 2020

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

HAWKINS B. DEFRANCE, appointed August 28, 2020, for the term ending January 19, 2024, as Member of the Pharmacy Quality Assurance Commission.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Health & Long-Term Care as Senate Gubernatorial Appointment No. 9075.

August 28, 2020

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

WILLIAM E. HAYES, appointed August 28, 2020, for the term ending January 20, 2023, as Member of the Pharmacy Quality Assurance Commission.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Health & Long-Term Care as Senate Gubernatorial Appointment No. 9076.

September 17, 2020

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

ANNA FRANZ, appointed October 1, 2020, for the term ending September 30, 2025, as Member of the Big Bend Community College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9077.

September 17, 2020

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

RICHARD E. LEIGH, Jr., appointed October 1, 2020, for the term ending September 30, 2025, as Member of the Bellevue College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9078.

September 17, 2020

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

ARLENE M. PIERINI, reappointed October 1, 2020, for the term ending September 30, 2025, as Member of the Green River College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9079.

September 17, 2020

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

JENNIFER RAMIREZ ROBSON, appointed September 17, 2020, for the term ending September 30, 2024, as Member of the Green River College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9080.

September 17, 2020
TO THE HONORABLE, THE SENATE OF THE STATE OF
WASHINGTON
Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

JAY A. REICH, appointed October 1, 2020, for the term ending September 30, 2024, as Member of the State Board for Community and Technical Colleges.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9081.

September 22, 2020
TO THE HONORABLE, THE SENATE OF THE STATE OF
WASHINGTON
Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

ISABELLE C. DE WULF, reappointed October 2, 2020, for the term ending October 1, 2024, as Member of the Small Business Export Finance Assistance Center Board of Directors.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Business, Financial Services, Gaming & Trade as Senate Gubernatorial Appointment No. 9083.

September 22, 2020
TO THE HONORABLE, THE SENATE OF THE STATE OF
WASHINGTON
Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

RICHARD P. KAISER, reappointed October 1, 2020, for the term ending September 30, 2025, as Member of the Bellingham Technical College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9084.

September 22, 2020
TO THE HONORABLE, THE SENATE OF THE STATE OF
WASHINGTON
Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

MICHAEL KARNOFSKI, reappointed October 1, 2020, for the term ending September 30, 2025, as Member of the Lower Columbia College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9085.

September 22, 2020
TO THE HONORABLE, THE SENATE OF THE STATE OF
WASHINGTON
Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

JAMES R. SAYCE, appointed October 1, 2020, for the term ending September 30, 2025, as Member of the Grays Harbor College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9086.

September 24, 2020
TO THE HONORABLE, THE SENATE OF THE STATE OF
WASHINGTON
Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

THERESE N. PASQUIER, appointed October 1, 2020, for the term ending September 30, 2025, as Member of the Pierce College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9087.

September 24, 2020
TO THE HONORABLE, THE SENATE OF THE STATE OF
WASHINGTON
Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

JOHN W. PEDLOW, reappointed October 1, 2020, for the term ending September 30, 2025, as Member of the Whatcom Community College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9088.

October 1, 2020
TO THE HONORABLE, THE SENATE OF THE STATE OF
WASHINGTON
Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

TOM ECKMANN, reappointed October 1, 2020, for the term ending September 30, 2025, as Member of the Olympic College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9089.

October 1, 2020
TO THE HONORABLE, THE SENATE OF THE STATE OF
WASHINGTON
Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

KIMBERLY L. HARPER, appointed October 1, 2020, for the term ending September 30, 2025, as Member of the Columbia Basin College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9090.

October 1, 2020

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

COLLEEN F. PONTO, reappointed October 1, 2020, for the term ending September 30, 2025, as Member of the Cascadia College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9091.

October 6, 2020

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

PAULA ARNO MARTINEZ, appointed October 6, 2020, for the term ending September 30, 2025, as Member of the Wenatchee Valley College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9092.

October 6, 2020

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

CRISTHIAN A. CANSECO JUAREZ, appointed January 4, 2021, for the term ending September 30, 2025, as Member of the Clark College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9093.

October 6, 2020

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

DOUG MAH, reappointed October 6, 2020, for the term ending September 30, 2025, as Member of the South Puget Sound Community College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9094.

October 6, 2020

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

FRIEDA K. TAKAMURA, reappointed October 6, 2020, for the term ending September 30, 2025, as Member of the Renton Technical College Board of Trustees.

Sincerely,

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9095.

October 8, 2020

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

TERESITA BATAYOLA, reappointed October 8, 2020, for the term ending September 30, 2025, as Member of the Seattle College District Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9096.

October 13, 2020

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

CASTULO (CUS) ARTEAGA, appointed October 13, 2020, for the term ending September 30, 2023, as Member of the Yakima Valley Community College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9097.

October 13, 2020

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

JOSEPH S. BOWMAN IV, appointed October 13, 2020, for the term ending September 30, 2025, as Member of the Highline College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9098.

October 13, 2020

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

JENETTE RAMOS, appointed October 13, 2020, for the term ending September 30, 2026, as Member of the Washington State University Board of Regents.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9099.

October 20, 2020

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

SECOND DAY, JANUARY 10, 2023

I have the honor to submit the following reappointment, subject to your confirmation.

LISA T. KEOHOKALO LE SCHAUER, reappointed October 20, 2020, for the term ending September 30, 2026, as Member of the Washington State University Board of Regents.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9100.

October 22, 2020

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

JUDITH GINIGER, reappointed October 22, 2020, for the term ending August 2, 2026, as Member of the Lottery Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Business, Financial Services, Gaming & Trade as Senate Gubernatorial Appointment No. 9101.

October 27, 2020

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

KIANTHA L. DUNCAN, appointed October 27, 2020, for the term ending September 30, 2025, as Member of the Community Colleges of Spokane Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9102.

November 10, 2020

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

TIMOTHY BURT, reappointed November 10, 2020, for the term ending September 30, 2025, as Member of the Walla Walla Community College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9103.

November 10, 2020

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

WILLIAM C. HOUSER, reappointed November 10, 2020, for the term ending August 2, 2023, as Member of the Sentencing Guidelines Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Law & Justice as Senate Gubernatorial Appointment No. 9104.

November 13, 2020

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

TORAYA MILLER, reappointed November 13, 2020, for the term ending September 30, 2025, as Member of the Everett Community College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9105.

December 15, 2020

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

JANE L. JACOBSEN, reappointed December 15, 2020, for the term ending September 30, 2024, as Member of the Clark College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9106.

December 22, 2020

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

SOPHIA DANENBERG, reappointed January 1, 2021, for the term ending December 31, 2026, as Member of the Parks and Recreation Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Agriculture, Water, Natural Resources & Parks as Senate Gubernatorial Appointment No. 9107.

December 30, 2020

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

LORNA SMITH, appointed January 4, 2021, for the term ending December 31, 2026, as Member of the Fish and Wildlife Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Agriculture, Water, Natural Resources & Parks as Senate Gubernatorial Appointment No. 9108.

January 8, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

LAYNE BLADOW, reappointed January 8, 2021, for the term ending September 30, 2024, as Member of the Bates Technical College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9109.

January 8, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

MICHAEL S. SHIOSAKI, reappointed January 8, 2021, for the term ending December 31, 2023, as Member of the Recreation and Conservation Funding Board.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Agriculture, Water, Natural Resources & Parks as Senate Gubernatorial Appointment No. 9110.

January 15, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

MARIKO K. DOERNER, appointed January 15, 2021, for the term ending September 30, 2025, as Member of the Skagit Valley College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9111.

January 15, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

KENNETH W. KENYON JR., reappointed January 20, 2021, for the term ending January 19, 2025, as Member of the Pharmacy Quality Assurance Commission.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Health & Long-Term Care as Senate Gubernatorial Appointment No. 9112.

January 15, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

DIANA H. PEREZ, reappointed January 15, 2021, for the term ending December 31, 2026, as Member of the Parks and Recreation Commission.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Agriculture, Water, Natural Resources & Parks as Senate Gubernatorial Appointment No. 9113.

January 15, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

EVANGELINA G. SHREEVE, appointed January 15, 2021, for the term ending June 30, 2024, as Member of the Washington Student Achievement Council.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9114.

January 22, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

JEFFREY A. CHARBONNEAU, reappointed January 22, 2021, for the term ending June 30, 2024, as Member of the Washington Student Achievement Council.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9115.

January 22, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

FREDERICK GOLDBERG, reappointed January 22, 2021, for the term ending September 30, 2026, as Member of The Evergreen State College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9116.

January 22, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

STEVEN R. JACOBS, appointed February 12, 2021, for the term ending February 11, 2025, as Member of the Health Care Facilities Authority.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Health & Long-Term Care as Senate Gubernatorial Appointment No. 9117.

January 22, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

DARIA WILLIS, appointed January 22, 2021, for the term ending August 2, 2023, as Member of the Lottery Commission.

Sincerely,
JAY INSLEE, Governor
Referred to Committee on Business, Financial Services,
Gaming & Trade as Senate Gubernatorial Appointment No. 9118.

January 26, 2021
TO THE HONORABLE, THE SENATE OF THE STATE OF
WASHINGTON
Ladies and Gentlemen:

I have the honor to submit the following appointment, subject
to your confirmation.

JEFF DAVIS, appointed January 26, 2021, for the term
ending September 30, 2024, as Member of the South Puget Sound
Community College Board of Trustees.

Sincerely,
JAY INSLEE, Governor
Referred to Committee on Higher Education & Workforce
Development as Senate Gubernatorial Appointment No. 9119.

January 26, 2021
TO THE HONORABLE, THE SENATE OF THE STATE OF
WASHINGTON
Ladies and Gentlemen:

I have the honor to submit the following appointment, subject
to your confirmation.

BERTHA ORTEGA, appointed January 26, 2021, for the
term ending September 30, 2025, as Member of the Yakima
Valley Community College Board of Trustees.

Sincerely,
JAY INSLEE, Governor
Referred to Committee on Higher Education & Workforce
Development as Senate Gubernatorial Appointment No. 9120.

January 26, 2021
TO THE HONORABLE, THE SENATE OF THE STATE OF
WASHINGTON
Ladies and Gentlemen:

I have the honor to submit the following appointment, subject
to your confirmation.

HOANG UYEN T. THORSTENSEN, appointed January 26,
2021, for the term ending January 19, 2025, as Member of the
Pharmacy Quality Assurance Commission.

Sincerely,
JAY INSLEE, Governor
Referred to Committee on Health & Long-Term Care as
Senate Gubernatorial Appointment No. 9121.

January 29, 2021
TO THE HONORABLE, THE SENATE OF THE STATE OF
WASHINGTON
Ladies and Gentlemen:

I have the honor to submit the following appointment, subject
to your confirmation.

TED R. WILLHITE, appointed January 29, 2021, for the
term ending December 31, 2023, as Member of the Recreation
and Conservation Funding Board.

Sincerely,
JAY INSLEE, Governor
Referred to Committee on Agriculture, Water, Natural
Resources & Parks as Senate Gubernatorial Appointment No.
9122.

February 4, 2021
TO THE HONORABLE, THE SENATE OF THE STATE OF
WASHINGTON

Ladies and Gentlemen:
I have the honor to submit the following reappointment,
subject to your confirmation.

TIMOTHY RASMUSSEN, reappointed February 4, 2021,
for the term ending October 1, 2024, as Member of the Small
Business Export Finance Assistance Center Board of Directors.

Sincerely,
JAY INSLEE, Governor
Referred to Committee on Business, Financial Services,
Gaming & Trade as Senate Gubernatorial Appointment No. 9123.

February 8, 2021
TO THE HONORABLE, THE SENATE OF THE STATE OF
WASHINGTON
Ladies and Gentlemen:

I have the honor to submit the following reappointment,
subject to your confirmation.

CAROL A. LIEN, reappointed February 8, 2021, for the term
ending March 1, 2025, as Member of the Board of Tax Appeals.

Sincerely,
JAY INSLEE, Governor
Referred to Committee on Ways & Means as Senate
Gubernatorial Appointment No. 9124.

February 17, 2021
TO THE HONORABLE, THE SENATE OF THE STATE OF
WASHINGTON
Ladies and Gentlemen:

I have the honor to submit the following appointment, subject
to your confirmation.

JEFF SBAIH, appointed February 17, 2021, for the term
ending June 17, 2025, as Member of the Human Rights
Commission.

Sincerely,
JAY INSLEE, Governor
Referred to Committee on Law & Justice as Senate
Gubernatorial Appointment No. 9125.

February 18, 2021
TO THE HONORABLE, THE SENATE OF THE STATE OF
WASHINGTON
Ladies and Gentlemen:

I have the honor to submit the following reappointment,
subject to your confirmation.

ERIN L. BLACK, reappointed February 18, 2021, for the
term ending September 30, 2026, as Member of the Central
Washington University Board of Trustees.

Sincerely,
JAY INSLEE, Governor
Referred to Committee on Higher Education & Workforce
Development as Senate Gubernatorial Appointment No. 9126.

February 25, 2021
TO THE HONORABLE, THE SENATE OF THE STATE OF
WASHINGTON
Ladies and Gentlemen:

I have the honor to submit the following reappointment,
subject to your confirmation.

KATHLEEN DREW, reappointed February 25, 2021, for the
term ending at the governor's pleasure, as a Chair of the Energy
Facility Site Evaluation Council.

Sincerely,
JAY INSLEE, Governor
Referred to Committee on Environment, Energy &
Technology as Senate Gubernatorial Appointment No. 9127.

GENE C. SHARRATT, reappointed March 27, 2021, for the term ending March 26, 2025, as Member of the Higher Education Facilities Authority.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9132.

March 22, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

MACK L. HOGANS, appointed March 29, 2021, for the term ending September 30, 2023, as Member of the State Board for Community and Technical Colleges.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9133.

March 19, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

PAH-TU PITT, appointed April 2, 2021, for the term ending June 12, 2024, as Member of the Columbia River Gorge Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Agriculture, Water, Natural Resources & Parks as Senate Gubernatorial Appointment No. 9134.

April 1, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

KRESTIN G. BAHR, appointed April 1, 2021, for the term ending June 30, 2023, as Member of the Professional Educator Standards Board.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Early Learning & K-12 Education as Senate Gubernatorial Appointment No. 9135.

April 5, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

TATEASHA M. DAVIS, reappointed April 16, 2021, for the term ending April 15, 2026, as Member of the Indeterminate Sentence Review Board.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Human Services as Senate Gubernatorial Appointment No. 9136.

March 8, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

ELIZABETH CATTIN, appointed March 8, 2021, for the term ending September 30, 2024, as Member of the Lower Columbia College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9128.

March 8, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

ALICE PHILLIPS, appointed March 8, 2021, for the term ending September 30, 2025, as Member of the Clover Park Technical College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9129.

March 8, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

MARTIN VALADEZ, appointed March 8, 2021, for the term ending September 30, 2023, as Member of the State Board for Community and Technical Colleges.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9130.

March 1, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

DAVID POSTMAN, appointed March 15, 2021, for the term ending January 15, 2027, as a Chair of the Liquor and Cannabis Board.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Labor & Commerce as Senate Gubernatorial Appointment No. 9131.

March 22, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

SECOND DAY, JANUARY 10, 2023

May 21, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

JEFFREY BRECKEL, reappointed May 21, 2021, for the term ending July 15, 2025, as a Chair of the Salmon Recovery Funding Board.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Agriculture, Water, Natural Resources & Parks as Senate Gubernatorial Appointment No. 9137.

June 11, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

KIM WELLS, appointed June 11, 2021, for the term ending September 30, 2025, as Member of the Shoreline Community College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9138.

June 17, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

BRIAN SURRETT, appointed June 17, 2021, for the term ending September 30, 2023, as Member of the Seattle College District Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9139.

June 25, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

STEVEN ASHBY, reappointed July 1, 2021, for the term ending June 30, 2024, as Member of the Workforce Education Investment Accountability and Oversight Board.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9140.

June 25, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

SUSAN MULLANEY, reappointed July 1, 2021, for the term ending June 30, 2024, as Member of the Workforce Education Investment Accountability and Oversight Board.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9141.

June 25, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

BETHANY S. RIVARD, reappointed July 1, 2021, for the term ending June 30, 2025, as Member of the Professional Educator Standards Board.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Early Learning & K-12 Education as Senate Gubernatorial Appointment No. 9142.

June 25, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

JAN YOSHIWARA, reappointed July 1, 2021, for the term ending June 30, 2024, as Member of the Workforce Education Investment Accountability and Oversight Board.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9143.

June 29, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

MARK RIKER, reappointed July 1, 2021, for the term ending June 30, 2024, as Member of the Workforce Education Investment Accountability and Oversight Board.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9144.

June 29, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

MICHAEL ROSS, appointed June 29, 2021, for the term ending December 26, 2024, as Member of the Board of Pilotage Commissioners.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Transportation as Senate Gubernatorial Appointment No. 9145.

June 30, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

CHRISTINA (CHRIS) KOBDISH, appointed July 1, 2021, for the term ending June 30, 2024, as Member of the Washington State Women’s Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on State Government & Elections as Senate Gubernatorial Appointment No. 9146.

July 6, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

WILLIAM LYNE, reappointed July 6, 2021, for the term ending June 30, 2024, as Member of the Workforce Education Investment Accountability and Oversight Board.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9147.

July 6, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

THERESA (TERRI) A. STANDISH-, appointed July 6, 2021, for the term ending June 30, 2024, as Member of the Workforce Education Investment Accountability and Oversight Board.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9148.

July 6, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

LINDA WILLIAMS, reappointed July 6, 2021, for the term ending June 17, 2027, as a Chair of the Board of Industrial Insurance Appeals.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Labor & Commerce as Senate Gubernatorial Appointment No. 9149.

July 9, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

NICOLE R. BASCOMB, appointed July 9, 2021, for the term ending June 30, 2023, as Member of the Housing Finance Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Housing as Senate Gubernatorial Appointment No. 9150.

July 9, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

MARY LAURIE CONNELLY, appointed July 19, 2021, for the term ending December 31, 2026, as Member of the Parks and Recreation Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Agriculture, Water, Natural Resources & Parks as Senate Gubernatorial Appointment No. 9151.

July 9, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

KASI M. FARRAR, appointed July 9, 2021, for the term ending June 30, 2024, as Member of the Washington State Women’s Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on State Government & Elections as Senate Gubernatorial Appointment No. 9152.

July 15, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

BRIAN SURRATT, appointed July 15, 2021, for the term ending June 30, 2025, as Member of the Housing Finance Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Housing as Senate Gubernatorial Appointment No. 9153.

August 3, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

CARL J. ZAPORA, reappointed October 1, 2021, for the term ending September 30, 2026, as Member of the Edmonds Community College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9154.

August 10, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

SECOND DAY, JANUARY 10, 2023

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

LOIS BERNSTEIN, reappointed October 1, 2021, for the term ending September 30, 2026, as Member of the Tacoma Community College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9155.

August 17, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

SHARONDA AMAMILO, appointed August 17, 2021, for the term ending August 2, 2024, as Member of the Sentencing Guidelines Commission.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Law & Justice as Senate Gubernatorial Appointment No. 9156.

August 17, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

GINA CARDENAS, appointed August 17, 2021, for the term ending August 2, 2023, as Member of the Sentencing Guidelines Commission.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Law & Justice as Senate Gubernatorial Appointment No. 9157.

August 17, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

GREGORY C. LINK, reappointed August 17, 2021, for the term ending August 2, 2024, as Member of the Sentencing Guidelines Commission.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Law & Justice as Senate Gubernatorial Appointment No. 9158.

August 27, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

JANE B. DAVIDSON, reappointed August 27, 2021, for the term ending June 30, 2024, as Member of the Workforce Education Investment Accountability and Oversight Board.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9159.

August 27, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

CRYSTAL DONNER, reappointed October 1, 2021, for the term ending September 30, 2025, as Member of the State Board for Community and Technical Colleges.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9160.

August 27, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

JOHN M. MEYER, reappointed October 1, 2021, for the term ending September 30, 2027, as Member of the Western Washington University Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9161.

August 27, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

ROBERT L. NELLAMS, reappointed October 1, 2021, for the term ending September 30, 2027, as Member of the Central Washington University Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9162.

August 27, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

MAUREEN P. WEST, reappointed October 1, 2021, for the term ending September 30, 2027, as Member of the Western Washington University Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9163.

August 27, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

LAURA S. WILDFONG, reappointed October 1, 2021, for the term ending September 30, 2026, as Member of the Lake Washington Institute of Technology Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9164.

August 31, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

BEN BAGHERPOUR, reappointed October 1, 2021, for the term ending September 30, 2025, as Member of the State Board for Community and Technical Colleges.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9165.

September 2, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

CLEMENCIA CASTRO-WOOLERY, appointed October 1, 2021, for the term ending September 30, 2026, as Member of the Pierce College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9166.

September 2, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

JOHN SUK, appointed October 1, 2021, for the term ending September 30, 2025, as Member of the Lake Washington Institute of Technology Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9167.

September 7, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

JEANNE K. BENNETT, reappointed October 1, 2021, for the term ending September 30, 2026, as Member of the Clark College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9168.

September 7, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

JACELYN M. BOSCHOK, reappointed October 1, 2021, for the term ending September 30, 2026, as Member of the Green River College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9169.

September 7, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

ROSA PERALTA, reappointed October 1, 2021, for the term ending September 30, 2026, as Member of the Seattle College District Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9170.

September 7, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

MARK C. SCHEIBMEIR, reappointed October 1, 2021, for the term ending September 30, 2026, as Member of the Centralia College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9171.

September 9, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

CHERIE M. HARRIS, reappointed September 9, 2021, for the term ending August 2, 2024, as Member of the Sentencing Guidelines Commission.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Law & Justice as Senate Gubernatorial Appointment No. 9172.

September 9, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

PRETRINA L. MULLINS, appointed October 1, 2021, for the term ending September 30, 2025, as Member of the Centralia College Board of Trustees.

Sincerely,

SECOND DAY, JANUARY 10, 2023

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9173.

September 9, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

JOSEPHINE WIGGS-MARTIN, reappointed September 9, 2021, for the term ending August 2, 2024, as Member of the Sentencing Guidelines Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Law & Justice as Senate Gubernatorial Appointment No. 9174.

September 14, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

KELLY A. SHEPHERD, appointed October 1, 2021, for the term ending September 30, 2026, as Member of the Everett Community College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9175.

September 16, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

AMY E. PARRIS, appointed September 16, 2021, for the term ending September 30, 2023, as Member of the Big Bend Community College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9176.

September 21, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

SANDRA P. BENDIXEN, appointed September 21, 2021, for the term ending December 26, 2024, as Member of the Board of Pilotage Commissioners.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Transportation as Senate Gubernatorial Appointment No. 9177.

September 24, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

OFELIA P. BREDT, appointed October 1, 2021, for the term ending September 30, 2026, as Member of the Columbia Basin College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9178.

September 24, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

OZELL M. JACKSON III, appointed October 1, 2021, for the term ending September 30, 2026, as Member of the Skagit Valley College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9179.

September 28, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

AMY M. WEISSFELD, appointed January 3, 2022, for the term ending June 12, 2025, as Member of the Columbia River Gorge Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Agriculture, Water, Natural Resources & Parks as Senate Gubernatorial Appointment No. 9180.

October 4, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

CHERYL A. MILLER, reappointed October 4, 2021, for the term ending September 30, 2026, as Member of the Olympic College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9181.

October 12, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

JOE W. FLOYD, appointed October 12, 2021, for the term ending September 30, 2025, as Member of the Peninsula College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9182.

October 12, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

ANN WOLKEN, appointed October 12, 2021, for the term ending January 19, 2025, as Member of the Pharmacy Quality Assurance Commission.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Health & Long-Term Care as Senate Gubernatorial Appointment No. 9183.

October 21, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

CLAIRE S. RONEY, appointed October 21, 2021, for the term ending September 30, 2023, as Member of the Peninsula College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9184.

October 21, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

TIMOTHY G. WETTACK, reappointed October 21, 2021, for the term ending August 2, 2024, as Member of the Sentencing Guidelines Commission.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Law & Justice as Senate Gubernatorial Appointment No. 9185.

October 26, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

SARAH R. LAWSON, appointed October 26, 2021, for the term ending June 30, 2027, as Member of the Gambling Commission.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Business, Financial Services, Gaming & Trade as Senate Gubernatorial Appointment No. 9186.

November 1, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

TRAVIS A. EXSTROM, appointed November 1, 2021, for the term ending September 30, 2026, as Member of the Highline College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9187.

November 1, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

STEVEN H. YOSHIHARA, reappointed November 1, 2021, for the term ending September 30, 2026, as Member of the Community Colleges of Spokane Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9188.

November 3, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

PATRICK BALDOZ, reappointed November 9, 2021, for the term ending September 30, 2026, as Member of the Yakima Valley Community College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9189.

November 3, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

JASMINE L. MINATO, appointed November 9, 2021, for the term ending May 17, 2025, as Member of the Higher Education Facilities Authority.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9190.

November 15, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

KAREN R. FRASER, reappointed November 15, 2021, for the term ending September 30, 2027, as Member of The Evergreen State College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9191.

November 19, 2021

SECOND DAY, JANUARY 10, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

BRETT BLANKENSHIP, reappointed November 19, 2021, for the term ending September 30, 2027, as Member of the Washington State University Board of Regents.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9192.

November 19, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

CHRISTINA BLOCKER, reappointed November 19, 2021, for the term ending September 30, 2026, as Member of the Bates Technical College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9193.

November 19, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

KATE DEAN, appointed November 19, 2021, for the term ending June 25, 2025, as Member of the Puget Sound Partnership Leadership Council.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Environment, Energy & Technology as Senate Gubernatorial Appointment No. 9194.

November 19, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

DENISE E. GIDEON, appointed November 19, 2021, for the term ending September 30, 2024, as Member of the Clark College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9195.

November 19, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

TARA LEER, appointed November 19, 2021, for the term ending September 30, 2026, as Member of the Walla Walla Community College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9196.

November 19, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

HEATHER B. REDMAN, reappointed November 19, 2021, for the term ending September 30, 2027, as Member of the Washington State University Board of Regents.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9197.

November 23, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

JEFFREY A. CHARBONNEAU, appointed November 23, 2021, for the term ending September 30, 2027, as Member of the Central Washington University Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9198.

December 7, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

CHARLES G. KNUTSON, appointed December 7, 2021, for the term ending June 30, 2024, as Member of the Workforce Education Investment Accountability and Oversight Board.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9199.

December 14, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

BROOKE A. BROWN, appointed January 13, 2022, for the term ending January 12, 2026, as Member of the State Board of Education.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Early Learning & K-12 Education as Senate Gubernatorial Appointment No. 9200.

December 14, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

GARY CHANDLER, reappointed December 14, 2021, for the term ending June 30, 2025, as Member of the Workforce Training and Education Coordinating Board.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9201.

December 17, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

ARIELE P. BELO, reappointed December 17, 2021, for the term ending July 1, 2026, as Member of the Washington Center for Deaf and Hard of Hearing Youth.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Early Learning & K-12 Education as Senate Gubernatorial Appointment No. 9202.

December 17, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

DEBRA J. ENTENMAN, reappointed December 17, 2021, for the term ending September 30, 2024, as Member of the Renton Technical College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9203.

December 17, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

PAUL T. FRANCIS, reappointed December 17, 2021, for the term ending June 30, 2024, as Member of the Workforce Education Investment Accountability and Oversight Board.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9204.

December 17, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

LOWEL J. KRUEGER, reappointed December 17, 2021, for the term ending June 30, 2025, as Member of the Housing Finance Commission.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Housing as Senate Gubernatorial Appointment No. 9205.

December 17, 2021

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

ALISHIA F. TOPPER, reappointed December 17, 2021, for the term ending June 30, 2025, as Member of the Housing Finance Commission.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Housing as Senate Gubernatorial Appointment No. 9206.

January 6, 2022

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

ADAM L. AGUILERA, reappointed January 6, 2022, for the term ending September 30, 2025, as Member of the Professional Educator Standards Board.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Early Learning & K-12 Education as Senate Gubernatorial Appointment No. 9207.

January 6, 2022

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

SUSANA REYES, reappointed January 13, 2022, for the term ending January 12, 2026, as Member of the State Board of Education.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Early Learning & K-12 Education as Senate Gubernatorial Appointment No. 9208.

January 6, 2022

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

DANA M. RILEY BLACK, appointed January 13, 2022, for the term ending January 12, 2026, as Member of the State Board of Education.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Early Learning & K-12 Education as Senate Gubernatorial Appointment No. 9209.

January 14, 2022

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

SECOND DAY, JANUARY 10, 2023

JASON R. HAMILTON, reappointed January 14, 2022, for the term ending December 26, 2025, as Member of the Board of Pilotage Commissioners.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Transportation as Senate Gubernatorial Appointment No. 9210.

January 20, 2022

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

MATTHEW W. RAY, appointed January 20, 2022, for the term ending January 19, 2026, as Member of the Pharmacy Quality Assurance Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Health & Long-Term Care as Senate Gubernatorial Appointment No. 9211.

January 25, 2022

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

GARY D. CHANDLER, appointed January 25, 2022, for the term ending September 30, 2026, as Member of the Big Bend Community College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9212.

January 25, 2022

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

NORMAN SEABROOKS, appointed January 25, 2022, for the term ending September 30, 2026, as Member of the Cascadia College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9213.

January 27, 2022

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

TIMOTHY J. RAGEN, appointed January 24, 2022, for the term ending December 31, 2024, as Member of the Fish and Wildlife Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Agriculture, Water, Natural Resources & Parks as Senate Gubernatorial Appointment No. 9214.

January 28, 2022

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

DAVON THOMAS, appointed January 28, 2022, for the term ending June 30, 2023, as Member of the Washington Student Achievement Council.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9215.

February 2, 2022

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

JOHN F. LEHMKUHL, appointed January 24, 2022, for the term ending December 31, 2026, as Member of the Fish and Wildlife Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Agriculture, Water, Natural Resources & Parks as Senate Gubernatorial Appointment No. 9216.

February 3, 2022

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

MELANIE J. ROWLAND, appointed January 24, 2022, for the term ending December 31, 2026, as Member of the Fish and Wildlife Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Agriculture, Water, Natural Resources & Parks as Senate Gubernatorial Appointment No. 9217.

February 7, 2022

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

ALLYSON L. BROOKS, appointed February 7, 2022, for the term ending September 30, 2026, as Member of The Evergreen State College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9218.

February 7, 2022

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

JAMES GROVES, appointed February 7, 2022, for the term ending September 30, 2024, as Member of the Bellingham Technical College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9219.

February 7, 2022

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

ANN M. MCQUADE, appointed February 7, 2022, for the term ending September 30, 2026, as Member of the Bellingham Technical College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9220.

February 7, 2022

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

RODOLFO (RUDY) N. MENDOZA, appointed February 7, 2022, for the term ending August 2, 2027, as Member of the Lottery Commission.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Business, Financial Services, Gaming & Trade as Senate Gubernatorial Appointment No. 9221.

February 7, 2022

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

ALIZA MUNOZ ESTY, appointed February 7, 2022, for the term ending September 30, 2026, as Member of the Grays Harbor College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9222.

February 8, 2022

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

PHYLICIA HANCOCK-LEWIS, appointed February 8, 2022, for the term ending September 30, 2026, as Member of the Wenatchee Valley College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9223.

February 11, 2022

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

JAY J. MANNING, reappointed February 11, 2022, for the term ending September 30, 2027, as Member of the Eastern Washington University Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9224.

February 11, 2022

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

HOLLY J. WILLIAMS, appointed February 11, 2022, for the term ending December 31, 2026, as Member of the Parks and Recreation Commission.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Agriculture, Water, Natural Resources & Parks as Senate Gubernatorial Appointment No. 9225.

February 17, 2022

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

KC C. GOLDEN, appointed March 7, 2022, for the term ending January 15, 2025, as Member of the Northwest Power and Conservation Council.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Environment, Energy & Technology as Senate Gubernatorial Appointment No. 9226.

February 18, 2022

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

ROSANN FITZPATRICK, appointed April 1, 2022, for the term ending March 1, 2025, as Member of the Tax appeals Board.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Ways & Means as Senate Gubernatorial Appointment No. 9227.

February 25, 2022

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

CHRISTOPHER WITHERSPOON, appointed February 25, 2022, for the term ending September 30, 2026, as Member of the Western Washington University Board of Trustees.

Sincerely,

SECOND DAY, JANUARY 10, 2023

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9228.

March 7, 2022

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

MARC SILVA, appointed March 7, 2022, for the term ending September 30, 2026, as Member of the Lower Columbia College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9229.

March 14, 2022

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

KAIRIE A. PIERCE, appointed March 14, 2022, for the term ending June 30, 2025, as Member of the Workforce Training and Education Coordinating Board.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9230.

March 17, 2022

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

LISA BOYD, appointed March 17, 2022, for the term ending September 30, 2024, as Member of the Pierce College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9231.

March 17, 2022

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

WADE LARSON, appointed March 17, 2022, for the term ending June 30, 2023, as Member of the Workforce Training and Education Coordinating Board.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9232.

March 25, 2022

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

DENNIS L. MATTHEWS, appointed March 25, 2022, for the term ending July 1, 2026, as Member of the Washington Center for Deaf and Hard of Hearing Youth.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Early Learning & K-12 Education as Senate Gubernatorial Appointment No. 9233.

May 2, 2022

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

JUNE M. ALTARAS, appointed May 2, 2022, for the term ending June 30, 2025, as Member of the Workforce Training and Education Coordinating Board.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9234.

May 2, 2022

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

GREG B. MARKLEY, appointed May 2, 2022, for the term ending December 31, 2024, as Member of the State Investment Board.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Ways & Means as Senate Gubernatorial Appointment No. 9235.

May 2, 2022

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

TONG ZHU, appointed May 2, 2022, for the term ending September 30, 2026, as Member of the Clover Park Technical College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9236.

May 31, 2022

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

HOLLY A. KESSLER, appointed June 1, 2022, for the term ending June 17, 2027, as a Chair of the Board of Industrial Insurance Appeals.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Labor & Commerce as Senate Gubernatorial Appointment No. 9237.

PRADNYA DESH, appointed July 28, 2022, for the term ending September 30, 2026, as Member of the Bellevue College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9242.

August 19, 2022

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

VICTORIA C. CHRISTIANSEN, appointed August 22, 2022, for the term ending June 25, 2026, as Member of the Puget Sound Partnership Leadership Council.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Environment, Energy & Technology as Senate Gubernatorial Appointment No. 9243.

August 25, 2022

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

DAVID O. EARLING, reappointed October 3, 2022, for the term ending September 30, 2027, as Member of the Edmonds Community College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9244.

August 26, 2022

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

ANGELA HINOJOS, reappointed October 3, 2022, for the term ending September 30, 2027, as Member of the Cascadia College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9245.

September 8, 2022

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

LEKHA FERNANDES, appointed September 12, 2022, for the term ending January 1, 2075, as a Director of the Office of Minority and Women's Business Enterprises - Agency Head.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Business, Financial Services, Gaming & Trade as Senate Gubernatorial Appointment No. 9246.

September 8, 2022

June 10, 2022

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

LARRY BROWN, reappointed July 1, 2022, for the term ending January 1, 2075, as Co-Chair of the Workforce Training and Education Coordinating Board.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9238.

June 30, 2022

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

CONOR M. O'MEARA, appointed July 1, 2022, for the term ending June 30, 2023, as Member of the Bellevue College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9239.

June 30, 2022

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

KEARA A. RYAN, appointed July 1, 2022, for the term ending June 30, 2023, as Member of the Western Washington University Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9240.

July 21, 2022

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

DAVID I. HARTLESS, appointed July 21, 2022, for the term ending June 30, 2023, as Member of the Central Washington University Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9241.

July 28, 2022

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

SECOND DAY, JANUARY 10, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

MICHELLE GONZALEZ, appointed September 8, 2022, for the term ending June 30, 2028, as Member of the Pollution Control/Shorelines Hearings Board.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Local Government, Land Use & Tribal Affairs as Senate Gubernatorial Appointment No. 9247.

September 8, 2022

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

JESSE E. JOHNSON, appointed September 8, 2022, for the term ending September 30, 2023, as Member of the Highline College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9248.

September 9, 2022

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

RANDALL V. SCOTT, appointed October 3, 2022, for the term ending September 30, 2027, as Member of the Lake Washington Institute of Technology Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9249.

October 3, 2022

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

COLLEEN ECHOHAWK, appointed October 3, 2022, for the term ending September 30, 2027, as Member of the Seattle College District Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9250.

October 3, 2022

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

JOSEPH R. MARONEY, appointed October 3, 2022, for the term ending July 15, 2025, as Member of the Salmon Recovery Funding Board.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Agriculture, Water, Natural Resources & Parks as Senate Gubernatorial Appointment No. 9251.

October 4, 2022

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

DOUG D. BALDWIN JR., appointed October 4, 2022, for the term ending September 25, 2026, as Member of the Clemency and Pardons Board.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Human Services as Senate Gubernatorial Appointment No. 9252.

October 4, 2022

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

KAZIPUTALIMBA JOSHUA, appointed October 4, 2022, for the term ending September 25, 2023, as Member of the Clemency and Pardons Board.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Human Services as Senate Gubernatorial Appointment No. 9253.

October 6, 2022

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

JUDI MCDONALD, appointed October 6, 2022, for the term ending September 30, 2025, as Member of the Washington State University Board of Regents.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9254.

October 7, 2022

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

GLENN A. JOHNSON, appointed October 7, 2022, for the term ending September 30, 2027, as Member of the Community Colleges of Spokane Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9255.

October 10, 2022

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

MICHAEL MEOTTI, appointed October 10, 2022, for the term ending June 30, 2025, as Member of the Workforce Education Investment Accountability and Oversight Board.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9256.

October 12, 2022

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

ASH AWAD, appointed October 12, 2022, for the term ending September 30, 2028, as Member of the Western Washington University Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9257.

October 14, 2022

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

PAULA M. AKERLUND, appointed October 14, 2022, for the term ending September 30, 2027, as Member of the Grays Harbor College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9258.

October 14, 2022

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

REBECCA A. CHAN, appointed October 14, 2022, for the term ending September 30, 2027, as Member of the Shoreline Community College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9259.

October 14, 2022

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

GREGORY B. DIETZEL, appointed October 14, 2022, for the term ending September 30, 2027, as Member of the Bellevue College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9260.

October 18, 2022

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

REBECCA M. JOHNSON, appointed October 18, 2022, for the term ending September 30, 2027, as Member of the Whatcom Community College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9261.

October 18, 2022

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

ALI M. RAAD, appointed January 3, 2023, for the term ending December 31, 2028, as Member of the Parks and Recreation Commission.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Agriculture, Water, Natural Resources & Parks as Senate Gubernatorial Appointment No. 9262.

October 21, 2022

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

ALEXES M. HARRIS, appointed October 21, 2022, for the term ending September 30, 2025, as Member of the University of Washington Board of Regents.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9263.

October 24, 2022

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

ELIZABETH G. FORD, appointed November 10, 2022, for the term ending September 8, 2023, as Member of the Public Employment Relations Commission.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Labor & Commerce as Senate Gubernatorial Appointment No. 9264.

October 25, 2022

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

SECOND DAY, JANUARY 10, 2023

ANN E. SIMONS, appointed October 25, 2022, for the term ending June 30, 2024, as Member of the Washington State Women's Commission.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on State Government & Elections as Senate Gubernatorial Appointment No. 9265.

October 26, 2022

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

SHANE EVERBECK, appointed October 26, 2022, for the term ending June 30, 2023, as Member of The Evergreen State College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9266.

October 27, 2022

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

KIMBERLY H. PEARSON, appointed October 27, 2022, for the term ending October 1, 2026, as Member of the Small Business Export Finance Assistance Center Board of Directors.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Business, Financial Services, Gaming & Trade as Senate Gubernatorial Appointment No. 9267.

October 27, 2022

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

CHRISTINE E. SKOORSMITH, appointed October 27, 2022, for the term ending October 1, 2026, as Member of the Small Business Export Finance Assistance Center Board of Directors.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Business, Financial Services, Gaming & Trade as Senate Gubernatorial Appointment No. 9268.

November 1, 2022

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

LINDEN RHOADS, appointed October 24, 2022, for the term ending September 30, 2028, as Member of the University of Washington Board of Regents.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9269.

November 2, 2022

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

FLORENCE S. CHANG, appointed November 2, 2022, for the term ending September 30, 2027, as Member of the Bates Technical College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9270.

November 3, 2022

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

NORRIE GREGOIRE, appointed November 3, 2022, for the term ending August 2, 2025, as Member of the Sentencing Guidelines Commission.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Law & Justice as Senate Gubernatorial Appointment No. 9271.

November 3, 2022

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

BETHANY J. MARTINEZ, appointed November 3, 2022, for the term ending September 30, 2027, as Member of the Big Bend Community College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9272.

November 3, 2022

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

JUDGE WESLEY SAINT CLAIR, appointed November 3, 2022, for the term ending August 2, 2025, as a Chair of the Sentencing Guidelines Commission.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Law & Justice as Senate Gubernatorial Appointment No. 9273.

November 21, 2022

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

TIMOTHY COOPER, appointed November 21, 2022, for the term ending September 30, 2027, as Member of the Renton Technical College Board of Trustees.

Sincerely,
 JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9274.

November 22, 2022

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON
 Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

BRADLEY F. SMITH, appointed November 22, 2022, for the term ending September 30, 2027, as Member of the Bellingham Technical College Board of Trustees.

Sincerely,
 JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9275.

November 22, 2022

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON
 Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

BLAINE TAMAKI, appointed November 22, 2022, for the term ending September 30, 2028, as Member of the University of Washington Board of Regents.

Sincerely,
 JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9276.

November 28, 2022

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON
 Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

NICOLE M. GRANT, appointed November 28, 2022, for the term ending June 30, 2027, as Member of the Transportation Commission.

Sincerely,
 JAY INSLEE, Governor

Referred to Committee on Transportation as Senate Gubernatorial Appointment No. 9277.

November 28, 2022

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON
 Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

VICKI L. LOWE, appointed November 28, 2022, for the term ending June 30, 2025, as Member of the Washington State Women's Commission.

Sincerely,
 JAY INSLEE, Governor

Referred to Committee on State Government & Elections as Senate Gubernatorial Appointment No. 9278.

November 28, 2022

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON
 Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

SHARONE NAVAS, appointed November 28, 2022, for the term ending September 30, 2027, as Member of the Green River College Board of Trustees.

Sincerely,
 JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9279.

November 28, 2022

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON
 Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

EILEEN SULLIVAN, appointed November 28, 2022, for the term ending August 2, 2024, as Member of the Lottery Commission.

Sincerely,
 JAY INSLEE, Governor

Referred to Committee on Business, Financial Services, Gaming & Trade as Senate Gubernatorial Appointment No. 9280.

November 30, 2022

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON
 Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

FRANKIE L. COLEMAN, appointed November 30, 2022, for the term ending September 30, 2027, as Member of the Olympic College Board of Trustees.

Sincerely,
 JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9281.

December 6, 2022

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON
 Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

ELEANOR K. KIRTLEY, reappointed December 27, 2022, for the term ending December 26, 2026, as Member of the Board of Pilotage Commissioners.

Sincerely,
 JAY INSLEE, Governor

Referred to Committee on Transportation as Senate Gubernatorial Appointment No. 9282.

December 7, 2022

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON
 Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

STEPHANIE HARRINGTON, appointed December 7, 2022, for the term ending June 25, 2025, as Member of the Puget Sound Partnership Leadership Council.

Sincerely,
 JAY INSLEE, Governor

Referred to Committee on Environment, Energy & Technology as Senate Gubernatorial Appointment No. 9283.

December 7, 2022

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

YONA MAKOWSKI, reappointed January 3, 2023, for the term ending December 31, 2025, as Member of the State Investment Board.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Ways & Means as Senate Gubernatorial Appointment No. 9284.

December 14, 2022

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

SERGIO HERNANDEZ, appointed December 14, 2022, for the term ending September 30, 2027, as Member of the Walla Walla Community College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9285.

December 16, 2022

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

GREG SZABO, appointed December 16, 2022, for the term ending July 1, 2026, as Member of the Washington State School for the Blind Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Housing as Senate Gubernatorial Appointment No. 9286.

January 4, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

VERONICA M. HAND, appointed January 1, 2023, for the term ending October 1, 2024, as Member of the Small Business Export Finance Assistance Center Board of Directors.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Business, Financial Services, Gaming & Trade as Senate Gubernatorial Appointment No. 9287.

January 6, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

ELYSE M. BALMERT, reappointed April 18, 2022, for the term ending April 15, 2027, as Member of the Indeterminate Sentence Review Board.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Human Services as Senate Gubernatorial Appointment No. 9288.

January 6, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

AMY G. CAMPBELL, appointed May 23, 2022, for the term ending June 30, 2022, as Member of the Professional Educator Standards Board.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Early Learning & K-12 Education as Senate Gubernatorial Appointment No. 9289.

January 6, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

ALEJANDRO B. CASTRO-WILSON, appointed May 23, 2022, for the term ending September 30, 2025, as Member of the Professional Educator Standards Board.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Early Learning & K-12 Education as Senate Gubernatorial Appointment No. 9290.

January 6, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

REANNE L. CHILTON, appointed June 8, 2022, for the term ending June 30, 2023, as Member of the Washington State University Board of Regents.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9291.

January 6, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

QUINN R. DALAN, appointed July 1, 2022, for the term ending June 30, 2025, as Member of the Washington State Women's Commission.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on State Government & Elections as Senate Gubernatorial Appointment No. 9292.

January 6, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

JESSICA M. DONER, appointed July 1, 2022, for the term ending June 30, 2023, as Member of the Eastern Washington University Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9293.

January 6, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

CHRISTENE G. ENDRESEN SCOTT, appointed July 18, 2022, for the term ending July 15, 2026, as Member of the Salmon Recovery Funding Board.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Agriculture, Water, Natural Resources & Parks as Senate Gubernatorial Appointment No. 9294.

January 6, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

JEFFREY P. FAIRCHILD, appointed July 5, 2022, for the term ending September 30, 2026, as Member of the Whatcom Community College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9295.

February 18, 2022

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

ROSANN FITZPATRICK, appointed April 1, 2022, for the term ending March 1, 2025, as Member of the Board of Tax Appeals.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Ways & Means as Senate Gubernatorial Appointment No. 9296.

January 6, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

LEONOR R. FULLER, appointed April 26, 2022, for the term ending September 30, 2027, as Member of the University of Washington Board of Regents.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9297.

January 6, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

THOMAS GEORGE, appointed May 25, 2022, for the term ending September 30, 2025, as Member of the Bates Technical College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9298.

January 6, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

JANE HOPKINS, appointed July 1, 2022, for the term ending June 30, 2026, as Member of the Workforce Training and Education Coordinating Board.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9299.

January 6, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

SCHUYLER F. HOSS, appointed June 13, 2022, for the term ending August 2, 2023, as Member of the Lottery Commission.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Business, Financial Services, Gaming & Trade as Senate Gubernatorial Appointment No. 9300.

January 6, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

SHINHAЕ HWANG, appointed July 1, 2022, for the term ending June 30, 2023, as Member of the Edmonds Community College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9301.

January 6, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

SECOND DAY, JANUARY 10, 2023

I have the honor to submit the following appointment, subject to your confirmation.

HANNAH JOHNSON, appointed April 4, 2022, for the term ending July 1, 2026, as Member of the Washington Center for Deaf and Hard of Hearing Youth.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Early Learning & K-12 Education as Senate Gubernatorial Appointment No. 9302.

January 6, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

ELIZABETH LEE, appointed July 1, 2022, for the term ending June 30, 2023, as Member of the University of Washington Board of Regents.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9303.

January 6, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

MICHAEL MACKILLOP, appointed April 18, 2022, for the term ending January 1, 2025, as a Director of the Department of Services for the Blind - Agency Head.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Human Services as Senate Gubernatorial Appointment No. 9304.

January 6, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

DENNIS J. MCLERRAN, reappointed June 10, 2022, for the term ending June 25, 2022, as Member of the Puget Sound Partnership Leadership Council.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Environment, Energy & Technology as Senate Gubernatorial Appointment No. 9305.

January 6, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

ROBERT T. MITCHELL, appointed July 1, 2022, for the term ending June 30, 2026, as Member of the Workforce Training and Education Coordinating Board.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9306.

January 6, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

RIDDHI MUKHOPADHYAY, appointed July 1, 2022, for the term ending June 30, 2025, as Member of the Washington State Women's Commission.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on State Government & Elections as Senate Gubernatorial Appointment No. 9307.

January 6, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

JESSICA J. NOROUZI, appointed July 1, 2022, for the term ending September 30, 2023, as Member of the Renton Technical College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9308.

January 6, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

REBECCA S. RINGER, appointed October 1, 2022, for the term ending September 30, 2026, as Member of the Shoreline Community College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9309.

January 6, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

KECIA RONGEN, appointed April 18, 2022, for the term ending April 15, 2027, as Member of the Indeterminate Sentence Review Board.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Human Services as Senate Gubernatorial Appointment No. 9310.

January 6, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

MUSTAPHA SAMATEH, appointed July 5, 2022, for the term ending June 30, 2023, as Member of the Washington Student Achievement Council.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9311.

October 31, 2022

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

J. MANNY SANTIAGO, appointed October 31, 2022, for the term ending September 30, 2027, as Member of the Tacoma Community College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9312.

January 6, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

KENNETH E. THOMAS, appointed June 10, 2022, for the term ending August 2, 2024, as Member of the Sentencing Guidelines Commission.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Law & Justice as Senate Gubernatorial Appointment No. 9313.

January 6, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

SHILPA TIWARI, appointed April 5, 2022, for the term ending March 26, 2026, as Member of the Higher Education Facilities Authority.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9314.

January 6, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

ANNALEE K. TOBEY, appointed May 25, 2022, for the term ending September 30, 2023, as Member of the Centralia College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9315.

January 6, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

HAN TRAN, appointed June 14, 2022, for the term ending June 17, 2026, as Member of the Human Rights Commission.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Law & Justice as Senate Gubernatorial Appointment No. 9316.

January 6, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

JAMES R. VOLLENDROFF, appointed May 1, 2022, for the term ending January 15, 2025, as Member of the Liquor and Cannabis Board.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Labor & Commerce as Senate Gubernatorial Appointment No. 9317.

January 6, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

DEBORAH C. YOUNG, reappointed May 9, 2022, for the term ending June 30, 2028, as Member of the Transportation Commission.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Transportation as Senate Gubernatorial Appointment No. 9318.

MOTIONS

On motion of Senator Pedersen, all appointees listed on the Gubernatorial Appointments report were referred to the committees as designated.

On motion of Senator Pedersen, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 5212 by Senators Stanford, Conway, Dhingra, Lovelett, Nguyen and Valdez

AN ACT Relating to injured workers' rights during compelled medical examinations; and amending RCW 51.36.070.

Referred to Committee on Labor & Commerce.

SB 5213 by Senators Kuderer, Short, Cleveland, Conway, Dhingra, Rolfes, Wellman and Wilson, C.

AN ACT Relating to pharmacy benefit managers; amending RCW 48.200.020, 48.200.210, and 48.200.280; adding a new chapter to Title 48 RCW; recodifying RCW 48.200.210, 48.200.220, 48.200.230, 48.200.240,

SECOND DAY, JANUARY 10, 2023

48.200.250, 48.200.260, 48.200.270, 48.200.280, and 48.200.290; and providing an effective date.

Referred to Committee on Health & Long-Term Care.

SB 5214 by Senators Frame, Cleveland, Conway, Hasegawa, Lovelett, Nobles and Wilson, C.

AN ACT Relating to licensure for music therapists; amending RCW 18.120.020, 18.130.040, and 18.130.040; adding a new chapter to Title 18 RCW; providing an effective date; and providing an expiration date.

Referred to Committee on Health & Long-Term Care.

SB 5215 by Senators Robinson, Van De Wege, Stanford and Wilson, C.

AN ACT Relating to water systems' notice to customers of public health considerations; adding a new section to chapter 70A.125 RCW; and creating a new section.

Referred to Committee on Health & Long-Term Care.

SB 5216 by Senators Frame, Liias, Billig, Hasegawa, Nobles and Wilson, C.

AN ACT Relating to collision reporting criteria triggering driver's license reexamination; and amending RCW 46.52.070.

Referred to Committee on Transportation.

SB 5217 by Senators Dhingra, Kauffman, Keiser, Kuderer, Lovelett, Nguyen, Nobles, Pedersen, Valdez and Wilson, C.

AN ACT Relating to the state's ability to regulate certain industries and risk classes to prevent musculoskeletal injuries and disorders; amending RCW 49.17.020; adding new sections to chapter 49.17 RCW; creating a new section; and repealing RCW 49.17.360 and 49.17.370.

Referred to Committee on Labor & Commerce.

SB 5218 by Senators Padden, Mullet and Torres

AN ACT Relating to providing a sales and use tax exemption for complex rehabilitation technology products; amending RCW 82.08.0283 and 82.12.0277; and creating new sections.

Referred to Committee on Health & Long-Term Care.

SB 5219 by Senators Muzzall, Van De Wege, Conway, Hunt, Mullet, Rolfes, Torres and Wilson, L.

AN ACT Relating to enacting the interstate counseling compact for licensed mental health counselors; amending RCW 18.225.090; and adding a new chapter to Title 18 RCW.

Referred to Committee on Health & Long-Term Care.

SB 5220 by Senators Frame, Stanford, Kuderer and Nobles

AN ACT Relating to reorganization of domestic mutual insurers; and adding new sections to chapter 48.09 RCW.

Referred to Committee on Business, Financial Services, Gaming & Trade.

SB 5221 by Senators Liias, Short, Boehnke, Lovelett, Nguyen, Nobles, Shewmake, Torres, Trudeau, Valdez and Wilson, C.

AN ACT Relating to program administration for the Washington state opportunity scholarship program; and amending RCW 28B.145.010, 28B.145.020, and 28B.145.040.

Referred to Committee on Higher Education & Workforce Development.

SB 5222 by Senators Wilson, J. and Fortunato

AN ACT Relating to the "pick it up, Washington" litter control program; amending RCW 70A.200.130 and 70A.200.030; adding a new section to chapter 70A.200 RCW; creating a new section; and decodifying RCW 70A.200.900.

Referred to Committee on Environment, Energy & Technology.

SB 5223 by Senators Wilson, C., Dhingra, Hunt, Keiser, Nguyen and Valdez

AN ACT Relating to protecting minors from sexual exploitation; and amending RCW 9.68A.040 and 9.68A.053.

Referred to Committee on Law & Justice.

SB 5224 by Senators Wilson, J., Padden and Torres

AN ACT Relating to performance requirements of homelessness service providers; amending RCW 43.185C.040, 43.185C.045, 43.185C.050, 43.185C.080, and 43.185C.160; and creating a new section.

Referred to Committee on Housing.

SB 5225 by Senators Wilson, C., Conway, Frame, Hasegawa, Hunt, Keiser, Lovelett, Nguyen, Salomon, Shewmake, Stanford and Valdez

AN ACT Relating to increasing access to the working connections child care program; amending RCW 43.216.136 and 43.216.1368; reenacting and amending RCW 43.216.135; adding a new section to chapter 43.216 RCW; creating a new section; and providing an effective date.

Referred to Committee on Early Learning & K-12 Education.

SB 5226 by Senators Padden and Wilson, L.

AN ACT Relating to the department of corrections' highest duty to ensure public safety through the prioritization of open active warrants of persons who have violated the terms of their supervision; and amending RCW 72.09.010 and 9.94A.704.

Referred to Committee on Human Services.

SB 5227 by Senator Short

AN ACT Relating to sex-selection abortions; amending RCW 9.02.110; adding a new chapter to Title 9 RCW; and prescribing penalties.

Referred to Committee on Health & Long-Term Care.

SB 5228 by Senators Dhingra, Hunt, Keiser, Lovelett, Lovick, Nguyen, Valdez and Wilson, C.

AN ACT Relating to providing occupational therapy services for persons with behavioral health disorders; amending RCW 71.24.385; and creating a new section.

Referred to Committee on Health & Long-Term Care.

SB 5229 by Senators Frame, Warnick, Kuderer, Lovelett, Nobles, Randall, Salomon, Shewmake and Torres

AN ACT Relating to accelerating rural job growth and promoting economic recovery across Washington through site readiness grants; amending RCW 43.160.060; and creating a new section.

Referred to Committee on Business, Financial Services, Gaming & Trade.

SB 5230 by Senators Wilson, C., Kauffman, Billig, Dhingra, Frame, Hasegawa, Hunt, Lovelett, Nguyen and Valdez

AN ACT Relating to the provision of extended foster care services to youth and young adults ages 18 through 25; amending RCW 13.34.267, 74.13.031, and 74.13.336; reenacting and amending RCW 13.34.030 and 74.13.020; adding a new section to chapter 13.34 RCW; and creating a new section.

Referred to Committee on Human Services.

SB 5231 by Senators Salomon, Dhingra, Hasegawa, Hunt, Nobles, Pedersen, Valdez and Wilson, C.

AN ACT Relating to the issuance of emergency domestic violence no contact orders; and amending RCW 10.99.040.

Referred to Committee on Law & Justice.

SB 5232 by Senators Salomon, Liias, Dhingra, Hunt, Pedersen, Stanford and Valdez

AN ACT Relating to enhancing requirements for the purchase or transfer of firearms by establishing a 10-day waiting period, requiring firearms safety training, prohibiting firearms transfers prior to completion of a background check, and updating and creating consistency in firearms transfer and background check procedures; amending RCW 9.41.090, 9.41.092, 9.41.110, 9.41.090, 9.41.110, and 9.41.1135; adding a new section to chapter 43.43 RCW; repealing 2019 c 244 s 1; providing an effective date; and providing an expiration date.

Referred to Committee on Law & Justice.

SB 5233 by Senators Wellman, Lovelett, MacEwen, Nguyen, Salomon and Shewmake

AN ACT Relating to creating a state financial assurance program for petroleum underground storage tanks; amending RCW 82.23A.020; reenacting and amending RCW 70A.325.020 and 43.79A.040; adding a new chapter to Title 70A RCW; prescribing penalties; and providing expiration dates.

Referred to Committee on Environment, Energy & Technology.

SB 5234 by Senator Shewmake

AN ACT Relating to a lien claimant's responsibilities when filing mechanics' and materialmen's liens; amending RCW 60.04.091 and 60.04.081; and adding a new section to chapter 60.04 RCW.

Referred to Committee on Labor & Commerce.

SB 5235 by Senators Shewmake, Frame, Lovelett, Nguyen, Pedersen and Salomon

AN ACT Relating to accessory dwelling units; amending RCW 36.70A.696, 36.70A.697, and 36.70A.698; reenacting and amending RCW 36.70A.070; adding new sections to chapter 36.70A RCW; and creating a new section.

Referred to Committee on Local Government, Land Use & Tribal Affairs.

SB 5236 by Senators Robinson, Keiser, Conway, Frame, Hunt, Kauffman, Lovelett, Nguyen, Nobles, Pedersen, Shewmake, Stanford, Trudeau, Valdez and Wilson, C.

AN ACT Relating to improving nurse and health care worker safety and patient care by establishing minimum staffing standards in hospitals, requiring hospital staffing committees to develop staffing plans, addressing mandatory overtime and meal and rest breaks, and providing for enforcement; amending RCW 70.41.410, 70.41.420, 70.41.425, 49.12.480, 49.28.130, 49.28.140, and 49.28.150; adding a new chapter to Title 49 RCW; creating a new section; recodifying RCW 70.41.410, 70.41.420, 70.41.425, 49.12.480, 49.28.130, 49.28.140, and 49.28.150; repealing 2017 c 249 s 4 (uncodified); prescribing penalties; providing effective dates; and declaring an emergency.

Referred to Committee on Labor & Commerce.

SB 5237 by Senators Wilson, C., Wellman and Hunt

AN ACT Relating to establishing complaint procedures to address noncompliance with certain state education laws; amending RCW 28A.343.360 and 29A.56.110; adding new sections to chapter 28A.300 RCW; adding a new section to chapter 28A.410 RCW; and creating a new section.

Referred to Committee on Early Learning & K-12 Education.

SB 5238 by Senators Saldaña, Randall, Conway, Frame, Hasegawa, Hunt, Keiser, Kuderer, Lovelett, Nguyen, Nobles, Shewmake, Stanford, Valdez and Wilson, C.

AN ACT Relating to collective bargaining for employees who are enrolled in academic programs at public institutions of higher education; adding a new section to chapter 41.56 RCW; and creating a new section.

Referred to Committee on Labor & Commerce.

SB 5239 by Senators Kuderer, Dhingra, Frame, Hunt, Nobles, Robinson, Salomon, Stanford, Valdez, Wellman and Wilson, C.

AN ACT Relating to protecting public health and safety by enhancing the regulation of vapor products and tobacco products; amending RCW 70.345.010, 70.345.075, and 82.26.010; adding new sections to chapter 70.345 RCW; and adding a new section to chapter 43.70 RCW.

Referred to Committee on Health & Long-Term Care.

SB 5240 by Senators Braun, Keiser and Mullet

AN ACT Relating to unemployment insurance benefits appeal procedures; amending RCW 50.32.040; and creating a new section.

Referred to Committee on Labor & Commerce.

SB 5241 by Senators Randall, Rolfes, Kuderer, Trudeau, Pedersen, Shewmake, Hunt, Saldaña, Kauffman, Valdez, Lovick, Robinson, Lovelett, Lias, Frame, Nguyen, Stanford and Wilson, C.

AN ACT Relating to material changes to the operations and governance structure of participants in the health care marketplace; amending RCW 19.390.010, 19.390.020, 19.390.030, 19.390.040, 19.390.050, 19.390.080, and 19.390.070; adding new sections to chapter 19.390 RCW; creating a new section; providing an effective date; and providing an expiration date.

Referred to Committee on Law & Justice.

SB 5242 by Senators Cleveland, Robinson, Dhingra, Frame, Hasegawa, Hunt, Keiser, Lovelett, Nobles, Pedersen, Randall, Saldaña, Salomon, Stanford, Valdez, Wellman and Wilson, C.

AN ACT Relating to prohibiting cost sharing for abortion; amending RCW 48.43.073; and adding a new section to chapter 41.05 RCW.

Referred to Committee on Health & Long-Term Care.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

On motion of Senator Pedersen, the Senate reverted to the fourth order of business.

At 11:33 a.m., on motion of Senator Pedersen, the Senate was declared to be at ease subject to the call of the President.

The Senate was called to order at 11:41 a.m. by the President of the Senate, Lt. Governor Heck presiding.

MESSAGE FROM THE HOUSE

January 10, 2023

MR. PRESIDENT:

The Speaker has signed:

HOUSE CONCURRENT RESOLUTION NO. 4400,

HOUSE CONCURRENT RESOLUTION NO. 4401,

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

SIGNED BY THE PRESIDENT

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

HOUSE CONCURRENT RESOLUTION NO. 4400
and HOUSE CONCURRENT RESOLUTION NO. 4401.

MOTION

At 11:42 a.m., on motion of Senator Pedersen, the Senate was declared to be at ease subject to the call of the President for the purposes of assembling to proceed to the House of Representatives for the convening of a Joint Session pursuant to House Concurrent Resolution No. 4400.

JOINT SESSION

Pursuant to House Concurrent Resolution No. 4400, the Senate appeared at the doors of the House of Representatives and requested admission to the Chamber. The Sergeant at Arms of the Senate, Mr. Andy Staubitz, and the Sergeant at Arms of the House, Mr. Johnny Alexander, escorted the President of the Senate, Lieutenant Governor Denny Heck, Senator Karen Keiser, Senator Judy Warnick and Senator T'wina Nobles to seats at the Rostrum. The senators were invited to seats within the Chamber.

The Speaker of the House, Representative Laurie Jinkins in the chair, called upon the President of the Senate, Lt. Governor Denny Heck, to preside over the Joint Session.

The President of the Senate, Lt. Governor Heck, called the Joint Session to order. The Clerk called the roll of House members. The Clerk called the roll of Senate members. A quorum of the Legislature was declared to be present.

President Heck: "This Joint Session has been convened to receive the state of the state message from His Excellency, Governor Jay Inslee."

APPOINTMENT OF SPECIAL COMMITTEE

The President of the Senate appointed a committee of honor to escort the State Supreme Court Justices to the House Chamber: Senators Sharon Shewmake and Drew MacEwen and Representatives Stephanie McClintock and Darya Farivar.

APPOINTMENT OF SPECIAL COMMITTEE

The President of the Senate appointed a committee of honor to escort the statewide elected officials to the House Chamber: Senators Claudia Kauffman and Brad Hawkins and Representatives Chipalo Street and Sam Low.

APPOINTMENT OF SPECIAL COMMITTEE

The President of the Senate appointed a committee of honor to advise His Excellency, Governor Jay Inslee, that the Joint Session had assembled and to escort the Governor to the House Chamber: Senators Bob Hasegawa and Phil Fortunato and Representatives Chris Stearns and Spencer Hutchins.

Sergeant at Arms Alexander announced the arrival of the Justices of the State Supreme Court at the Chamber door. The committee of honor consisting of Senators Sharon Shewmake and Drew MacEwen and Representatives Stephanie McClintock and Darya Farivar escorted the Chief Justice and Justices to seats at the front of the House Chamber. The members of the Supreme Court were introduced by the President: Chief Justice Steven Gonzalez, Associate Chief Justice Charles Johnson, Justice Barbara Madsen, Justice Susan Owens, Justice Debra Stephens, Justice Sheryl Gordon-McCloud, Justice Mary Yu and Justice Raquel Montoya-Lewis.

Sergeant at Arms Alexander announced the arrival of the statewide elected officials at the Chamber door. The committee of honor consisting of Senators Claudia Kauffman and Brad Hawkins and Representatives Chipalo Street and Sam Low escorted the statewide elected officials to seats at the front of the House Chamber. The statewide elected officials were introduced by the President: Secretary of State Steve Hobbs, State Treasurer Mike Pellicciotti, State Auditor Pat McCarthy, Attorney General Bob Ferguson, Superintendent of Public Instruction Chris Reykdal and Commissioner of Public Lands Hilary Franz.

The President introduced officers and members of the Consular Association of Washington: Vanessa Padgurny, Acting Consul General of Canada; Floribert Mubalama, Honorary Consul of the Democratic Republic of Congo; Mark Gantar, Honorary Consul of the Federal Democratic Republic of Ethiopia; Uli Fischer, Honorary Consul of the Federal Republic of Germany; Katalin Pearman, Honorary Consul of Hungary; Micheal Smith, Consul General of the Republic of Ireland; Hisao Inagaki, Consul General of the State of Japan; Daravuth Huoth, Honorary Consul of the Kingdom of Cambodia; Viggo Forde, Honorary Consul of the Kingdom of Norway; Eva Kammel, Honorary Consul of the Republic of Austria; Anders Barria Roman, Honorary Consul of the Republic of Chile; Matti Suokko, Honorary Consul of the Republic of Finland; Eunji Seo, Honorary Consul of the Republic of Korea; Imants F. Holmquist, Honorary Consul of the Republic of Latvia; Miguel A. Velasquez, Honorary Consul General of the Republic of Peru; Iulian Calinov, Honorary Consul of Romania; Philippe Gowetschel, Honorary Consul of the Swiss Confederation; Elisabetta Valentini, Honorary Consul of the Italian Republic; Valeriy Goloborodko, Honorary Consul of Ukraine; Daniel Chen, Director General of TECO – Taipei Economic and Cultural Office; Joe White, Consul of the United Kingdom of Great Britain and Northern Ireland; and Gerardo Guiza, Deputy Consul of the United Mexican States.

The President introduced the Honorable Brad Owen, former Lieutenant Governor, who was present in the Chamber.

The President recognized tribal chairs, leaders, and representatives of the Native tribes within Washington who were present in the gallery.

Sergeant at Arms Alexander announced the arrival of His Excellency, Governor Jay Inslee at the Chamber door. The committee of honor consisting of Senators Bob Hasegawa and Phil Fortunato and Representatives Chris Stearns and Spencer Hutchins escorted Governor Inslee to the Rostrum where he was introduced by the President.

The Washington State Patrol Honor Guard, commanded by Lieutenant Matt Fehler, presented the Colors. The Honor Guard was comprised of Trooper Kyle Flaig, Trooper Dean Gallanger, Sergeant James Maguire and Sergeant William Rutherford.

The National Anthem was performed by the Tacoma Refugee Choir directed by Ms. Erin Guinup.

The President led the Joint Session in the Pledge of Allegiance.

The prayer was offered by Father Andriy Matlak, Holy Trinity Ukrainian Orthodox Church, Seattle.

Father Matlak: “Governor Inslee. Esteemed members of the Senate and the House, those gathered here today, and all citizens of the much-blessed state of Washington, would you please join me in a prayer?

Let us pray to the Lord! Lord have mercy!

O Almighty, All merciful God, we are gathered here today, in Your sight and ask for Your guidance. Extend Your abundant blessings upon all those women and men who work diligently here to serve the needs of the people who place their trust in them to maintain the good estate of their lives.

Lead us in Your truth, in all we do. The truth that does not divide but unites, does not tear down but builds up. May we be a good steward of the gifts that You bless us with, our environment, our resources, our people. Protect our country, this state, from famine, earthquake, flood, fire, injustice and disease. In Your compassion, lead us to be guardians of those who are most vulnerable or in need among us, and in all things may we give you greater glory.

Further, O Lord, we beseech Your loving kindness and blessings upon the people of Ukraine who suffer greatly as we gather here this day. Grant them the strength and endurance to deal, once again, with another invasion.

Strengthen the people – the nation of Ukraine so that it will rise like the phoenix from the ashes as it has been forced to do so many times throughout history. Continue to call forth the supporters of the Ukrainian people, Lord, who have given them courage almost beyond belief. Bless the nations and people of the world who have contributed, especially the United States of America, beyond all expectations and grant that they might experience the gratitude, love and appreciation the citizens in Ukraine have for them.

In You we trust and in Your name we pray.
Amen.”

The President welcomed and introduced Ms. Rena Priest, Washington State Poet Laureate, who was seated at the rostrum.

Ms. Rena Priest, speaking in her Lummi language, made remarks regarding her pleasure at joining the Joint Session to share her poem written to the theme *A Vision for a More Equitable 2023*.

These Abundant and Generous Homelands

Warm at home, in the long cold days of winter, how and why should it trouble our thoughts

That eternal question of the haves and have-naughts?

We are not thoughtless or hard of heart.

We give what's fair, do our part, and the privileges we claim as our share, those we reserve

without reservation—

Perhaps even unaware of our good fortune.

Perhaps, never having troubled deaf heaven with our bootless cries, we walk well-heeled through our blessed lives with ease,

or maybe we stride with shrewd purpose in shoes made for long days of toil on our feet.

You have yours, and I have mine, and aren't most of us just trying to get by?

But still, the hungry—they are always with us and isn't the worry always that if we pause our labor too long to care too much that we shall be counted among them?

How can equality be anything but a utopian dream for those whose history and legends tell only of statesmen and kings and whose concerns are less and less over the justness of wars as much as they are for the accumulation of more, more, more?

Yet we live on lands where equality bloomed once before,

SECOND DAY, JANUARY 10, 2023

when Indigenous nations lived by beliefs and followed ancient laws that said an orca whale and a cedar tree are sovereign, sentient beings with inviolable rights, just like you and me.

Those beliefs are not childlike or primitive.

They are the blueprint for a just and fair society,

which for Native nations is not a vision but a memory.

That sublime belief in the wisdom and goodness of the giving earth, is not so elusive, is not a birthright exclusive to tribes.

Yes, it's mine, but it's yours too if you want it.

If you want it, you must tell new stories—true stories, on which to build new beliefs—true beliefs, in the interconnection and value of all living things.

The supremacy of man is only a fiction.

This is the secret every river knows,

for water rises and falls, and in a circle, eternally flows

from the cloud to the mountain through the valley to the sea.

Thus, is a circle, a balanced, perfect, and natural state of being.

And who are we to interrupt it?

We do so at our peril.

When the forest burns, our eyes burn, and our hearts fill with ashes.

And when streams are dammed and wanting of salmon, doesn't our blood also want of vitality?

This is the folly of hierarchy, with man at the top.

We reap the fruit of inequity.

A harvest of terrible hunger.

Now is the hour of our reckoning, a moment of dire lack.

Though unrehearsed, we must summon the courage and the will to act,

to assure our children a better path forward.

And when we look back, will we see that in fact we were not recovering from natural disasters;

rather, we were the great disaster from which nature must recover?

With hindsight for eyes, we must sail toward a beautiful vision: an era that is trying but hopeful, demanding, but healthy, whole, and equitable.

We will be steadfast in our course, carried by the winds of change, into a more balanced way of being,

for while free will is at the whim of our human nature, nature loves balance, and so, our nature is humane.

These truths being self-evident,

if all are created equal, and life, liberty and the pursuit of happiness are our legacy, then we must each wish that for the other

and repair this world we've borrowed from our children.

We must recall a time when we did not have the things we think we need but had the whole living earth for free.

'As long as the rivers run, as long as the tide flows, and

as long as the sun shines, you will have land, fish and

game for your frying pans ,and timber for your lodges.'

These were the promises on which this state was founded, these sacred homelands in which the call of eagles resounded, resplendent from the tops of towering cedars,

where none went hungry when salmon were running,

in clear cool waters,

these abundant and generous homelands were given in exchange for a promise of a world, we could live in

a world that would keep giving, to all in common,

for as long as the rivers run.

— Ms. Rena Priest, State Poet Laureate

EDITOR'S NOTE: "As long as the rivers run," quotes assurances given by Territorial Governor Issac Stevens to tribal leaders and Native signatories of the Treaty of Point Elliot, January 1855.

State Poet Laureate Priest offered a closing gesture and comment in the native Lummi language.

The President introduced the Honorable Jay Inslee, Governor of the State of Washington.

STATE OF THE STATE

Governor Inslee: "Thank you. Thank you very much for that greeting. Good afternoon on a beautiful day in the state of Washington. And it is a beautiful day and it's been made more beautiful by our guest Father Andriy Matlak, Poet Laureate Rena Priest and the Tacoma Refugee Choir. Thank you very much for enlightening us and inspiring us. We appreciate that.

And a very warm welcome and congratulations to our twenty-nine newly-elected senators and representatives. I'm excited to be in service with you.

And as Speaker Jinkins remarked yesterday, our government should be reflective and representative of the people we serve. Tthis year we are welcoming the most diverse legislature in our state's history.

And I want to give ... if you will allow me, I would like to express my deep appreciation for my family, particularly my grandchildren, who always inspire me to take the long view. And particularly, of course, to Trudi Inslee, who is such a great partner, and I mean great.

Mr. President, Madam Speaker, Mr. Chief Justice, distinguished justices of the court, members of the Legislature, tribal leaders, state and local officials, and members of the Consular Corps, particularly the Ukrainian Honorary Consul Valeriy Goloborodko, We stand with Ukraine in the state of Washington.

The Joint Session rose in recognition of Consul Globrodko and the people of the Ukraine.

My fellow Washingtonians, after two years of delivering the State of the State virtually, it is great to be back here together again. And I want to tell you, you all look great. You haven't aged a day in two years. So, there's good news here.

Look, I know we have big challenges this session. As leaders, we will be called upon these next few months to act with decisiveness, ambition, with audacity.

And the good news is that here in Washington state, ambition and audacity are both embedded in our state's DNA.

And as I was giving thought about the challenges we face this session, I realized we aren't facing anything we aren't ready for.

I was thinking about my comments today, it was just something that we're ready to do. When you think about the things we've passed in the recent years that are now becoming real, and they need them to become real. People are eager to see bold and inclusive leadership and action.

Think about this, five years ago we launched a transformation of our centuries-old behavioral health system. Today, that effort is resulting in dozens of new facilities opening throughout our state that offer more kinds of care in more places for more people.

Two years ago, we funded a new type of rapid acquisition housing. It's speeding up our ability to create supportive housing in a matter of weeks and months, instead of years and decades.

The climate policies we passed in recent sessions are now going into effect. And not only are these policies driving down

polluting emissions, they are also creating thousands of clean energy jobs across our state.

Two years ago, we passed a Working Families Tax Credit that starts next month. This credit will put as much as \$1,200 into the hands of more than 400,000 Washington families.

And the list goes on: paid family leave; broadband access; career connected learning; and the best financial program, financial aid program for students in the nation.

Here in our state, we invest in our people, and we invest in our communities.

It's a reason we have been rated the best state in America, the best economy in America, the second-best state for business, the third best state for workers — we can't be number one in everything, but we sure come close every year.

And this is not an accident. It is because of the work we do in these chambers.

And because of that work and because of the work of millions of Washingtonians, I can proudly report to you this: the state of our state is strong. And I am happy.

If we continue building on the investments and policies we've started, we can continue building a Washington: Where everyone is housed. Where schools are safe from gun violence, and students receive the mental and educational support they need. Where the existential crisis of climate change is met by unmatched innovation. Where communities are welcoming and safe for all. Where all people have a constitutional right to reproductive freedom. And, where people struggling with mental health or substance use no longer fall unseen and unheard through the cracks.

Building a Washington that fits this vision is entirely within our grasp this session. We can set the bar this high because we know we're able to achieve it. Let's take housing and homelessness as an example.

We know states across the country are seeing an increase in homelessness, and Washington unfortunately is one of them. Why? Well, we know there are multiple reasons. Though some people face behavioral health challenges or chemical addiction issues, the fundamental, underlying challenge is that we do not have enough housing in our state for our people.

And it is a difficult irony of having such a strong economy. Well-paid workers flock here for jobs, forcing lower-paid workers to compete for housing. And when there's not enough housing for all, rents and prices skyrocket beyond what we can afford.

And until we fix our housing crisis, thousands of people will remain homeless. Today, we're short 81,000 housing units and worsening by the thousands each year.

Our population grew nearly 1 million people in the past decade. But housing stock only grew about 315,000 units. We're gonna need another million units in the next 17 years. Again, until we fix our housing crisis, thousands of people will remain homeless. And we need a fix that provides a level of speed and scale beyond anything we've done in the past.

Now when it comes to building affordable housing, our Housing Trust Fund has been our primary tool for decades. But unfortunately, we can only adjust that dial a little bit here and there. We have been adjusting it up every biennium since 2013 — \$30-\$50 million at a time. But it simply isn't enough. And if there was ever a time to go big, it's now. And I understand the frustration of those who wonder why this problem hasn't been solved yet. And I understand the allure of easy answers to homelessness. But we all know there is no easy answers. Simply moving a person experiencing homelessness from one street corner or city to another is not a real solution.

Now, what is working are efforts such as the rapid acquisition program that we launched, and you launched two years ago. That program is allowing us now to create thousands of new supportive housing units at a pace that was never possible before. This is a pace we have to sustain and accelerate at scale.

I've seen the success of these programs in several housing projects that I've visited, including a few months ago when I met a young man named Sjon Tori Mackey. He was at a pallet shelter village in Vancouver called The Outpost. Tori told me that having a private space all of his own, that was secure and access to services was the difference he needed to get effective treatment and get back on his feet. He told me it literally saved his life.

I also met a woman named Millicent, and her daughter, McKenna, last year. They lost their home right before COVID and couldn't find another place she could afford. But they found stability at the Willow Crossing in Seattle. I'd like all of you to meet Millicent and McKenna here. Thanks Millicent and McKenna. Where are you? I'm looking for you there. Thanks for being here today.

Their stories, and stories like Tori's, are not unlike most of the other 25,000 individuals experiencing homelessness in our state. When you're only one paycheck or one car repair away from a missed rent payment, it can feel impossible to find another option in a housing market like ours. So, I will say it again: Until we fix our housing crisis, thousands of people, like these folks, are going remain homeless.

This is why I'm proposing a \$4 billion referendum that will significantly speed up the construction of thousands of new units that will include shelters, supportive housing and affordable housing. This will be combined with additional behavioral health support, and substance use treatment, and employment services and more. Why? Well, it's because we know that substance use treatment and mental health support can work when you combine it with secure, stable housing.

This is not a one-time effort to buy a one-time fix where the money just sort of disappears. This investment will turn into true assets, once built, will provide a pipeline of affordable housing for tens of thousands of more people every year. And most importantly, a bonding referendum allows us to act now, not bit by bit over the next 30 years.

So, this referendum will forward our ability to build. Importantly, it offers us the scale and speed we need. Scale and speed are necessary for market-rate development, as well. We know that residential zoning restrictions block developers from building denser, more affordable options. And we simply have to finish the job we started last session to address middle housing and increase housing density within our communities. There is a way to do this that respects the unique character of our towns and cities, while also responding to the reality that look, we are a growing, changing state.

Again, until we fix our housing crisis, thousands of people will remain homeless. I believe the people in the state of Washington are with us on this. Let's go big. Let's get this done this session.

Now another issue confronting families and communities across Washington is behavioral health. And I've mentioned that we launched an effort in 2018 to transform our behavioral health system. We had a century-old model of care that wasn't working. And since then, we've been building a new, community-based systems that helps people get the specific type of care they need closer to their homes and loved ones. And we've made thousands of new beds available to patients across Washington for care that ranges from crisis stabilization to substance abuse disorder.

We're still building, and my budgets contain funding to keep every part of our plan on track, including the new 350-bed forensic hospital at Western. We've got work to do. But much

SECOND DAY, JANUARY 10, 2023

like our housing crisis, this is not enough, particularly when it comes to forensic services. We are seeing an unprecedented increase in demand for competency evaluation and restoration services – a 60% increase in court orders just since 2018, and a 145% increase in inpatient referrals since 2013. This is not sustainable.

This state has been and will continue doing its part to shore up capacity. We've added hundreds of forensic beds since the Trueblood trial in 2015, and we plan on adding hundreds more.

But even with all these investments, this unprecedented growth in court orders and referrals is not manageable or sustainable. Nor is our criminal justice system really an effective way to connect people to the treatment they really need to restore their lives.

So, we should be prioritizing diversion and community-based treatment options rather than using the criminal justice system as an avenue to mental health care, particularly because competency services only treat people to be well enough to be prosecuted. Now, this has been a frustrating point of contention for families, lawyers, judges, patients, advocates, providers and for me. We have to find a better way. Lawsuits and lawyers are not going to fix this problem. So, I will be asking local leaders to join me in crafting a better plan, both for defendants' mental health and for public safety.

Now, while we do these things, we're also continuing our efforts in education. And we know that meeting the social and emotional needs of our students is an extremely important effort, and I commend this Legislature and you for making historic investments last year to increase funding for schools so that they can hire more nurses, counselors, psychologists, and social workers which is always important but particularly as we are coming through COVID. And my budget continues these additional investments.

I'm also hopeful this year that we can increase funding for special education. I've proposed more than \$120 million to better support school districts as they meet the needs of every student, no matter how complex the needs.

All told, my budget proposal increases K-12 spending by \$3 billion. We know that circumstances have been difficult for students, educators, paraeducators, school bus drivers and all the others who work in our schools. So, I hope you can join me in a moment of recognition for these people who have been so instrumental in helping students navigate the challenges of COVID and beyond. Thank you to these educators. I appreciate your work.

On another positive note, one effort we've made tremendous progress on is climate. And when we see the tremendous damage that climate change is causing in our state, it's understandable to feel some despair at times. But I think we're also entitled to feel deep pride in what we have accomplished together. The tremendous pace of innovation, together with the policies we've adopted, because of your leadership, ought to give us significant doses of hope when we need it.

When I travel and meet with other government leaders from around the world, they know about the work we're doing in Washington. They know we are leading America on this noble effort. We've passed several landmark policies that are transitioning us to clean transportation, clean electricity and clean buildings. Just last week, our clean fuel standard and our cap-and-invest programs went into effect. And we're doing this in a way that ensures overburdened communities will experience the economic and health benefits of this transition.

Now, our focus shifts to implementation and investment. Now when we do this, we need more capacity to permit clean energy projects in a timely manner, and we need to bolster our

transmission infrastructure to reliably deliver clean energy throughout the state.

We also need to expand our research and development capacity. It was just fantastic to go over to the Tri-Cities with Senators Nguyen and Boehnke last month to talk about the potential for a new Institute for Northwest Energy Futures at Washington State University. This Institute will put the region to be a global leader and in the global forefront of clean tech innovation. Co Cougs. And I hope you can help on this. I am not above pandering to Sam Hunt; I will tell you that. I admit to that.

Look, on the investment side this is a really big deal too, obviously now that this program is live. Our state's new cap-and-invest program will allow us, this year, to transform how we invest in transportation and our communities. Heat pumps for low-income families, charging stations across the state, hybrid-electric ferries, free transit for youth, grants to clean up air pollution. The list goes on. Again, because of the work you have done the CCA [Climate Commitment Act] will provide an estimated \$1.7 billion that will be used for projects to drive down emissions, create jobs and give people cleaner air and make communities healthier. The act is also helping us invest in the strongest suite of salmon recovery actions in the state's history. We know salmon are iconic to our state, to all Washingtonians, and certainly to the tribes' culture and way of life.

This will also fund a new voluntary riparian grant program that offers landowners assistance to protect and recover these habitats statewide. Now here's a sad truth, unfortunately, climate change will continue increasing the temperatures of our waters and killing salmon for years to come regardless of some of our best efforts. We need to minimize that. But we have to face this reality. So, providing shade that helps cool rivers and streams is even more critical for the years to come.

And I believe this, as legislators, when future generations look back at you and your efforts forty to fifty years from now, I know they will be proud you took action that gave their generation a chance. So, let's do just that. Let's boldly continue our fight against climate change and salmon extinction this session.

I know the list of things we intend to accomplish is long, but there are a couple more things I want to touch on. The first is public safety. That phrase – public safety – evokes different meanings and ideas amongst people. And I think we need to escape the trap that public safety is about any one thing – mental health or gun safety or drug treatment or law enforcement. The clear fact is, we need them all. One thing we know is that gun violence is a significant driver of increased crime. This isn't a surprise considering that the gun lobby has worked for decades against common sense gun safety measures.

Fortunately, in Washington state, voters and legislators have been willing to take on the gun lobby. We've enacted several measures to strengthen background checks and put limits on the kinds of weaponry used in mass shootings.

This year, we need to continue that work in three ways. First, one of the most meaningful measures, and effective measures that we can take is requiring that people have safety training, basic safety training, before they purchase a gun. Look, we expect that people have, we ought to expect that people have some basic training. We accept training in multiple parts of our lives. So, we should expect that people have basic training when they buy a gun. This has worked in other states. It is time to put it to work in Washington.

Second, we must increase accountability among manufacturers and dealers, and give families and victims access to justice when those entities fail to do their duty. And third, the time has come for the Legislature to ban the sale of military-style assault weapons. These weapons are designed for the sole purpose of

destroying lives; the lives of school children, law enforcement officers, concertgoers, nightclub patrons, and people gathered in houses of worship. We owe our children the assurance we're doing all we can to keep them safe. Let's pass all three bills and prove to them that the gun lobby doesn't make the rules in Washington state, we do.

Now, of course, gun safety laws are not the only thing we need. We want to help local law enforcement agencies hire and train more officers. They need more officers on our streets and in our neighborhoods. Last summer, Sen. John Lovick and I were joined by dozens of chiefs and sheriffs to propose new regional training centers. These new facilities will allow us to train hundreds more recruits and help law enforcement agencies recruit people from within their diverse communities.

And also, sometimes the right response isn't necessarily from a law enforcement officer. I applaud the incredible work underway to implement our new 9-8-8 system. Unlike most states, this Legislature had the foresight to see this as much more than a crisis hotline. We're using this opportunity to create a true behavioral health crisis response system. And your continued support puts us on a path to ensure people facing a mental health, substance use, or suicidal crisis can be connected to mobile responders or culturally competent behavioral health providers. Thank you for making this work possible. I appreciate your leadership.

There is one other very important priority we have to address, and that's the rights of Washingtonians seeking reproductive care. We know, the *Dobbs* decision last year on the national level upended decades of precedent that assured people across the country had at least some measure of constitutional protection, constitutional protection for abortion care and contraception. That protection is gone for more than half the people in our nation. And the new Republican majority in Congress this weekend made further abortion restrictions one of their top priorities. So, in Washington state, we are fighting to make sure that right remains protected.

We must protect patient data and privacy. We must protect access from the threat of health care consolidation and cost barriers. We must protect patients and providers from persecution by vigilantes and activist politicians in anti-choice states. And finally, and most importantly, we must pass a constitutional amendment that expressly establishes a fundamental right to reproductive freedom in the great state of Washington.

Before I close, I want to make a bit of a personal comment to you all. I want to express my personal thanks to you and to your families, for your service this session. You have each left your hearth and home to come here to serve your constituents and further the progress and success of our state. And when you do so, I know you will all strive and toil to enact the policies you believe in, and yet may never know many of the actual people you've really helped due to your work.

You may never know the single mom you've helped out of homelessness, but she'll be there. You may never know the teenager in a mental health crisis that you helped, but they'll be there. You may never know the person who was not a victim of gun violence because of your actions, but they'll be there. They'll all be there by the hundreds and thousands. Taken care of because of your efforts. And at the end of this session, I am confident you will feel the deep satisfaction of those who know they have made a difference.

We have emerged recently through two great threats — one to our personal health and our family's health, and one to our body politic. Because of the combination of scientific genius and sound decision-making in our state, we are no longer dominated by a virus. Because we stood up to those who dared to dismantle

democracy, it is a joy to say with assurance and confidence that democracy is today intact in Washington state. So, now, it is our blessed opportunity to fully exercise the power of democracy, not with half measures, empty gestures, or platitudes. But with the boldness and the ambition that is fitting to the unlimited capacity of the Evergreen State.

We have a special state. We have a special moment. Let's realize both. Let's get to work. Thank you."

The President thanked the Governor for his remarks.

The President called upon the committee of honor consisting of Senators Bob Hasegawa and Phil Fortunato and Representatives Chris Stearns and Spencer Hutchins to escort His Excellency, Governor Inslee from the Chamber and the Governor retired from the House Chamber.

The President called upon the committee of honor consisting of Senators Claudia Kauffman and Brad Hawkins and Representatives Chipalo Street and Sam Low to escort the statewide elected officials from the Chamber and the statewide elected officials retired from the House Chamber.

The President called upon the committee of honor consisting of Senators Sharon Shewmake and Drew MacEwen and Representatives Stephanie McClintock and Darya Farivar to escort the Justices of the Supreme Court from the Chamber and the Justices of the Supreme Court retired from the House Chamber.

On the motion of Representative Fitzgibbon, the Joint Session was dissolved. The President of the Senate thanked the Speaker and the House for their hospitality and returned the gavel to the Speaker. The Speaker (Representative Jinkins presiding) assumed the chair.

The Speaker called upon the Sergeant at Arms of the Senate and the Sergeant at Arms of the House to escort Lt. Governor Denny Heck, President of the Senate; Senator Karen Keiser, President Pro Tempore; Senator Judy Warnick and Senator T'wina Nobles and members of the Washington State Senate from the Chamber and the Senate retired from the House Chamber.

AFTERNOON SESSION

The Senate was called to order at 1:12 p.m. by the President of the Senate, Lt. Governor Heck presiding.

MESSAGE FROM THE HOUSE

January 10, 2023

MR. PRESIDENT:

The House has adopted:

SENATE CONCURRENT RESOLUTION NO. 8400,

SENATE CONCURRENT RESOLUTION NO. 8401,

and the same are herewith transmitted.

BERNARD DEAN, Chief Clerk

SIGNED BY THE PRESIDENT

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

SENATE CONCURRENT RESOLUTION NO. 8400

SECOND DAY, JANUARY 10, 2023

and SENATE CONCURRENT RESOLUTION NO. 8401.

MOTION

At 1:13 p.m., on motion of Senator Pedersen, the Senate adjourned until 11 o'clock a.m. Wednesday, January 11, 2023.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

THIRD DAY

JOINT SESSION

Senate Chamber, Olympia
Wednesday, January 11, 2023

The President of the Senate, Lt. Governor Heck presiding, called the Senate to order.

The Sergeant at Arms, Mr. Andy Staubitz, announced the presence of the House of Representatives at the Chamber door.

The President called upon the Sergeant at Arms of the Senate and the Sergeant at Arms of the House to escort Speaker of the House, Laurie Jinkins, Speaker Pro Tempore Tina Orwall, Majority Caucus Chair Lillian Ortiz-Self, and Minority Caucus Vice Chair Kelly Chambers to the rostrum and members of the House of Representatives to seats within the Chamber.

Pursuant to Senate Concurrent Resolution No. 8400, the President called the Joint Session to order. The Secretary called the roll of the members of the House of Representatives. The Secretary called the roll of the members of the Senate. The President declared that a quorum of the Legislature was present.

APPOINTMENT OF SPECIAL COMMITTEE

The President of the Senate appointed a committee of honor consisting of Senators Hasegawa and Boehnke and Representatives Donaghy and Schmidt to escort the Justices of the Supreme Court to the Chamber.

APPOINTMENT OF SPECIAL COMMITTEE

The President of the Senate appointed a committee of honor consisting of Senators Randall and Torres and Representatives Rule and Waters to escort the statewide elected officials to the Chamber.

APPOINTMENT OF SPECIAL COMMITTEE

The President of the Senate appointed a committee of honor consisting of Senators Dhingra and Padden and Representatives Taylor and Sandlin to escort the Chief Justice, Steven González, to the Chamber.

Sergeant at Arms Andy Staubitz announced the arrival of the Justices of the Supreme Court. The committee of honor escorted the Justices to seats at the front of the Chamber. The President introduced and welcomed: Associate Chief Justice Charles Johnson, Justice Barbara Madsen, Justice Susan Owens, Justice Debra Stephens, Justice Sheryl Gordon McCloud, Justice Mary Yu, and Justice Raquel Montoya-Lewis.

Sergeant at Arms Andy Staubitz announced the arrival of the statewide elected officials. The committee of honor escorted the statewide elected officials to seats at the front of the Chamber and were introduced: Secretary of State Steve Hobbs, Insurance Commissioner Mike Kreidler, State Treasurer Mike Pellicciotti and Commissioner of Public Lands Hilary Franz.

Sergeant at Arms Andy Staubitz announced the arrival of the Honorable Steven González, Chief Justice of the State Supreme Court. The committee of honor escorted Chief Justice González to the rostrum. The President introduced and welcomed Chief Justice Gonzalez to the Joint Session.

The Sergeant at Arms Color Guard consisting of Pages Miss Lucy Clinton and Miss Jessie Dahl, presented the Colors.

The President led the Chamber in the Pledge of Allegiance.

The National Anthem was performed by José Iñiguez of Encanto Arts in Mattawa. Mr. Iñiguez was a guest of Senator Torres.

The prayer was offered by Reverend Amy Johnson, Minister for Sexuality Education & Justice, United Church of Christ National Ministries and Wayside United Church of Christ, Federal Way.

The President welcomed and introduced Chief Justice Steven González.

STATE OF THE JUDICIARY

Chief Justice González: “Thank you for the introduction. Thank you to all the members of the Legislature gathered here from both houses. Thank you, President Heck, Speaker Jinkins, our statewide electeds: Hilary Franz; Mike Pellicciotti; Steve Hobbs. I wanted to also thank our former Chief Justice Gerry Alexander who has joined us and is in the upper gallery. Thank you, sir, for your service. I also want to pause for a moment and thank my wife Michelle, who is here and has been a source of support and what has been, what allows me to do this work. Michelle, thank you. I love you. Outside of my prepared remarks, we have two sons both college students so the house is much quieter, and I was told that my speech should be bipartisan, and I said, ‘Well no, it’s actually nonpartisan.’ But since they are both at a school here in the state, I’ve worn a necktie that shows my support. I apologize for those who support ... [audio difficulties]. [Laughter.]

Having two children in college at once I think maybe there’s a way that the Treasurer can help me, that our check goes straight to the University of Washington so it’s less painful somehow. Thank you again for being here for the first in-person State of the Judiciary since 2019 when Justice Fairhurst gave those remarks. We miss her very much.

The pandemic has been a challenge for all of us. It challenged the judicial branch to provide equitable access to justice throughout the entire crisis. People in courthouses around the state rose to that challenge, and I thank them from the bottom of my heart. Actually, as I think about it, it wasn’t from courthouses, sometimes it was from garages and living rooms dressed well at least from the waist up.

The pandemic made clearer than ever the inequities within our justice system. But by making those issues more visible, the pandemic also made them more addressable. Courts and judicial branch partners across the state worked tirelessly at no small risk to themselves, to deliver access to justice to the people of Washington. We have identified and confronted many of the barriers to a fair and open system. We need to continue that work, and to do that, we need the Legislature’s continued partnership.

Time will not permit me to catalog all the good work that has happened in the last years since we were here. But I want to highlight a few things. The Washington Indian Child Welfare Act passed by this Legislature recognizes the painful and unjust history of indigenous children being taken from their families and from their communities. The Act imposes a heightened standard in cases where the state seeks to remove Indian children. Recently, we have expanded court calendars to make sure these cases are heard and decided promptly.

In addition, the pandemic left thousands without jobs, and many have faced eviction as a result of that and health issues. You passed legislation to provide counsel in eviction cases that we have helped to implement. Thank you for doing that work. In

THIRD DAY, JANUARY 11, 2023

addition, the Dispute Resolution Centers and other community partners continue to help resolve through mediation, disputes between landlords and tenants, this lightens our court calendars and helps many people who will remain safe and housed.

I want to recognize some of those who have done the work: Clallam County Superior Court Commissioner Brandon Mack who established specialized family court calendars focused on native families and families with infants or toddlers; Pierce County Superior Court Commissioner Clint Johnson who worked with local attorneys to craft a highly successful eviction-prevention program with Right to Counsel; and the Clark County Volunteer Lawyers Program, they expanded the scope of their work to yet more vulnerable people during the COVID pandemic.

I also want to recognize members of the organization, Civil Survival. Together with Kitsap, Pierce, and Thurston county courts they relieve the burden of unpayable court fines and fees for thousands of people. It was gratifying to see prosecutors and defenders working side-by-side with clerks to accomplish this work, together.

We have adopted new technologies during the pandemic and found ways to keep court doors open, sometimes just virtually. Remote access has made our courts more available to people in the same way that the Legislature has become more available for remote public participation. I think it's all to the good. Remote access has relieved the burden of travel from those unable to afford childcare or to take time off from work. It has allowed disabled people better, more inclusive access to justice. We've expanded electronic filings and the use of electronic signatures; we launched remote and hybrid trials; we gave remote hearing technology to litigants who didn't have it, giving them both the option and the means to appear remotely. Some of these pandemic necessities have been so effective we will adopt rules to make them permanent. We're in that process now.

But our work is not done. Deep disparities remain. The Board for Judicial Administration's Reimagining Our Courts Task Force expanded its work in response to the tragic and avoidable killing of George Floyd in May 2020. Racial justice must remain, is central to how we think about improving justice in our state.

For example, powerful research from the Minority and Justice Commission's Race and Justice Task Force shows that, well it shows what many from lived experiences already know, and that is that Court fines and fees criminalize poverty. They have a disparate, inequitable effect on communities of color without improving public safety, and they have for decades.

Our Gender and Justice Commission looked at gender, race, and poverty to show how bias affects our courtrooms. It found evidence of many gender-based inequities in the justice system, inequities that intensify when they're layered with race. In other words, Black women, Indigenous women, women of color, transgender women, and gender nonconforming folks face increased gender bias in the justice system. This hard data reinforces, again, what many know from their lived experience. But these reports give us tangible, actionable data we can point to as we push for improvements.

Our Interpreter Commission has made great improvements expanding not just to language interpreters but to in language access beyond just licensing and regulating interpreters. We are grateful to the legislature for its recent investment in interpreter reimbursements. Thank you.

Therapeutic courts are an increasingly important part of our work. I was pleased to hear the Governor yesterday speak about improving mental health diversion and treatment programs. I also want to thank the Legislature for funding new programs in district and municipal courts. Generally, though, success for all of us is keeping people with mental illness, people without housing, people with drug dependency, and families and children out of court all together. We must do our best to keep kids in school and away from courts. Courts are neither the best nor most efficient

place to remedy all of society's ills, yet we must be there when issues can't otherwise be resolved. We must have culturally competent courts, able to direct appropriate services. This is essential to protect both those who come to court and the public at large.

There are things we can do. Therapeutic courts decrease recidivism, improve community safety, and help people make life-altering, positive changes. We know this is true. For example, eighty-one percent of King County Drug Court *participants* — not just graduates — have no new felonies thirty-six months after treatment.

On racial justice, we still have work to do. In June 2020, following the George Floyd uprisings and under the leadership of then Chief Justice Stephens, we issued an open letter drafted initially by Justice Yu that recognized the justice system's role in perpetuating systemic racism. Judicial branch leaders, from every level of court, rose to the challenge of addressing systemic racism. Many of these leaders are here today, as are members of the Racial Justice Consortium that has moved this work forward.

That Consortium brought together judicial branch partners to develop a plan to address systemic racism in the courts. That group included judges from every court level as well as court clerks, court administrators, attorneys, and community members who have lived the trauma of a racialized justice system, and so have an essential perspective on how to change it.

In addition, we became the first court in the nation to adopt a statewide rule targeting both implicit and explicit racial bias in jury selection. This rule, General Rule 37, strengthens the prohibition against the use of race based peremptory challenges in jury selection, making our juries more diverse and representative of Washington's diverse communities. The rule also bars both intentional race discrimination and "implicit" race discrimination or bias in jury selection. Our rule has become a national model for change.

The pandemic forced us to engage with each other in new ways. In 2021, our annual Judicial Summit included not just judges and court partners but also leaders from the Legislative and Executive branches. Out of the pandemic, we have forged stronger bonds, and those bonds are necessary to address what lies ahead.

Our state is growing fast. This presents challenges and opportunities for Washington courts. We hope, with your continued support, Washington's courts can continue to address the complex demands of justice. We appreciate the investments of the Legislature in our branch.

Court funding has always been a challenge in Washington. In territorial times, traveling judges were paid from the fines and fees they themselves collected from litigants. While that is no longer the case, all too much of the funding for our judicial branch IT system still comes from district and municipal court fines and fees. Court fines and fees are disparately imposed on the poorest and most marginalized communities. This needs to change.

Our courts face many challenges. Court security is an increasing concern. People come to court because they are commanded to or because they are there asking for justice and protection of their individual rights. Our democracy depends on people having a safe and fair place to adjudicate their disputes. Courthouses must be safe. As recent events demonstrate, not all of them are.

We have traveled far along the road to justice, but we still have far to go. We need your help to continue our progress.

Thank you to the Legislature for hosting us here today, thank you to the Administrative Office of the Courts, to my colleagues on the Supreme Court, the judges of the Court of Appeals, Superior Courts, and District and Municipal Courts for their work. We have accomplished much, and I look forward to working with all of you to fulfill the promise of equal justice under the law.

Earlier this week, Justice Montoya-Lewis was able to swear in newly-elected members across the way, and I was here swearing in new members of the Senate.

It is the most diverse group we have ever seen. Our Court is now more diverse than it has ever been.

But studies that we have done on group decision making, including deliberations by juries, how that diverse groups make better decisions than homogenous groups do. On every objective measure, except for one.

It takes more time. I expect you might find that too.

But I also expect you might find yourself making good decisions and strong legislation that we'll get to review in due course.

I want to thank you all again for inviting us here, and I hope you can join us if you can for a reception downstairs in the Columbia Room starting immediately after we leave here."

The President thanked Chief Justice González for his remarks.

The President called upon the committee of honor to escort Chief Justice González from the rostrum and the Chief Justice retired from the Chamber.

The President called upon the committee of honor to escort the statewide elected officials from the Chamber.

The President called upon the committee of honor to escort the Justices of the Supreme Court from the Chamber.

MOTION

On motion of Senator Pedersen, the Joint Session was dissolved.

The Sergeant at Arms of the Senate and the Sergeant at Arms of the House escorted Speaker of the House, Laurie Jinkins, Speaker Pro Tempore Tina Orwall, Majority Caucus Chair Lillian Ortiz-Self, and Minority Caucus Vice Chair Kelly Chambers and members of the House of Representatives from the Senate Chamber.

MORNING SESSION

The Senate was called to order at 11:43 a.m. by the President of the Senate, Lt. Governor Heck presiding.

MOTIONS

On motion of Senator Pedersen the reading of the Journal of the previous day was dispensed with and it was approved.

On motion of Senator Pedersen, the Senate advanced to the fourth order of business.

MESSAGE FROM THE HOUSE

January 11, 2023

MR. PRESIDENT:

The Speaker has signed:

SENATE CONCURRENT RESOLUTION NO. 8400,

SENATE CONCURRENT RESOLUTION NO. 8401,

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

MOTION

On motion of Senator Pedersen, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 5243 by Senator Wellman

AN ACT Relating to high school and beyond planning; amending RCW 28A.230.090, 28A.230.215, 28A.230.091, 28A.230.310, 28A.230.320, 28A.300.900, and 28A.655.250; adding a new section to chapter 28A.230 RCW; and repealing RCW 28A.655.270.

Referred to Committee on Early Learning & K-12 Education.

SB 5244 by Senator Fortunato

AN ACT Relating to creating the second amendment firearm education and training (SAFE-T) act for legislators; adding a new section to chapter 44.04 RCW; and creating new sections.

Referred to Committee on State Government & Elections.

SB 5245 by Senator Wilson, J.

AN ACT Relating to biosolids; amending RCW 70A.226.005, 70A.226.007, 70A.226.010, 70A.226.020, and 70A.226.030; and adding new sections to chapter 70A.226 RCW.

Referred to Committee on Environment, Energy & Technology.

SB 5246 by Senators Holy, King, Lovelett and Wilson, J.

AN ACT Relating to fiscal notes for supreme court decisions; and amending RCW 43.88A.010, 43.88A.020, 43.88A.030, 43.132.020, 43.132.040, 43.132.810, and 28A.300.0401.

Referred to Committee on Law & Justice.

SB 5247 by Senators Nobles, Saldaña, Lovelett, Randall and Shewmake

AN ACT Relating to developing opportunities for service and workforce programs to support climate-ready communities; adding new sections to chapter 43.41 RCW; adding new sections to chapter 28C.18 RCW; creating a new section; and repealing RCW 43.330.310, 50.12.320, and 28C.18.170.

Referred to Committee on State Government & Elections.

SB 5248 by Senators Braun and Mullet

AN ACT Relating to using COVID-19 relief funding on high quality tutoring and rigorous extended learning programs; creating new sections; making an appropriation; and providing expiration dates.

Referred to Committee on Early Learning & K-12 Education.

SB 5249 by Senator Shewmake

AN ACT Relating to expanding eligibility for the working families' tax credit to everyone age 18 and older; amending 2021 c 195 s 4 (uncodified); reenacting and amending RCW 82.08.0206; creating a new section; providing an effective date; and providing a contingent expiration date.

THIRD DAY, JANUARY 11, 2023

Referred to Committee on Ways & Means.

SB 5250 by Senator Shewmake

AN ACT Relating to the senior and disabled veterans property tax exemption; amending RCW 84.36.383; and creating new sections.

Referred to Committee on Ways & Means.

SB 5251 by Senators Valdez and Boehnke

AN ACT Relating to streamlining the licensing process for a commercial driver's license by allowing the department to waive requirements for applicants that previously surrendered the license, allowing the license to be renewed online, and modifying the license test fees; amending RCW 46.25.088 and 46.25.060; and providing an effective date.

Referred to Committee on Transportation.

SB 5252 by Senators Valdez and Padden

AN ACT Relating to modifications necessary to comply with federal regulations regarding dissemination of federal bureau of investigation criminal history record information; and amending RCW 18.88B.080, 43.43.832, 43.43.837, and 74.39A.056.

Referred to Committee on Human Services.

SB 5253 by Senator Van De Wege

AN ACT Relating to requiring a training and certification program for individuals who apply fire-resistant materials; adding new sections to chapter 49.17 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Labor & Commerce.

SB 5254 by Senators Van De Wege, Braun, Mullet and Wilson, L.

AN ACT Relating to the leasing of state lands; and amending RCW 79.13.010.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SB 5255 by Senator Kuderer

AN ACT Relating to establishing a lump sum reporting system; amending RCW 26.23.020, 26.23.060, and 26.23.070; adding a new section to chapter 26.23 RCW; and creating a new section.

Referred to Committee on Law & Justice.

SB 5256 by Senators Saldaña, Wilson, C., Kuderer, Lovelett and Nobles

AN ACT Relating to making permanent and expanding the child welfare housing assistance program; amending RCW 74.13.802; providing an effective date; and declaring an emergency.

Referred to Committee on Human Services.

SB 5257 by Senators Nobles, Wilson, C., Lovelett and Lovick

AN ACT Relating to ensuring elementary school students receive sufficient daily recess for mental and physical health; adding a new section to chapter 28A.230 RCW;

adding a new section to chapter 28A.210 RCW; and creating a new section.

Referred to Committee on Early Learning & K-12 Education.

SB 5258 by Senators Shewmake and Gildon

AN ACT Relating to increasing the supply and affordability of condominium units and townhouses as an option for homeownership; amending RCW 64.35.105, 64.50.010, 64.50.020, 64.50.040, 64.50.050, 64.90.250, 64.90.605, 64.90.645, 64.90.665, 64.90.670, 64.90.675, 82.45.010, 82.45.010, 82.02.060, and 58.17.060; reenacting and amending RCW 64.38.010; adding a new section to chapter 19.27 RCW; creating a new section; providing an effective date; and providing an expiration date.

Referred to Committee on Law & Justice.

SB 5259 by Senators Keiser, King, Conway and Lovick

AN ACT Relating to ensuring commerce and workplaces are safe from product theft; amending RCW 69.50.535; adding a new section to chapter 82.04 RCW; adding a new chapter to Title 19 RCW; and declaring an emergency.

Referred to Committee on Labor & Commerce.

SB 5260 by Senators Keiser, Robinson, Saldaña, Conway, Stanford, Kuderer and Randall

AN ACT Relating to protecting and assisting Washington employers that provide access to, or benefits for, reproductive health care services; adding a new section to chapter 82.04 RCW; adding a new section to chapter 82.16 RCW; adding a new chapter to Title 49 RCW; creating a new section; and providing expiration dates.

Referred to Committee on Labor & Commerce.

SB 5261 by Senator Braun

AN ACT Relating to deadlines concerning permits, licenses, or endorsements of cemetery authorities; and amending RCW 68.05.215, 68.05.225, 68.05.245, and 18.39.020.

Referred to Committee on Labor & Commerce.

SB 5262 by Senator Braun

AN ACT Relating to amending the filing deadlines for cemetery districts to file annual reports with the secretary of state; and amending RCW 23.95.255.

Referred to Committee on State Government & Elections.

SB 5263 by Senators Salomon, Rivers, Saldaña, Nobles, Lovick, Lovelett, Hunt, Hasegawa, Mullet, Trudeau, Robinson, Pedersen, Wellman, Muzzall, Wilson, C., Kuderer, Keiser, Liias, Van De Wege and Frame

AN ACT Relating to access to psilocybin services by individuals 21 years of age and older; amending RCW 7.48.310, 49.60.180, 18.130.010, 18.130.040, 18.130.040, 18.130.180, and 43.70.250; reenacting and amending RCW 69.50.101 and 43.79A.040; adding a new section to chapter 15.130 RCW; adding a new chapter to Title 18 RCW; prescribing penalties; providing effective dates; providing an expiration date; and declaring an emergency.

Referred to Committee on Labor & Commerce.

SB 5264 by Senators Wellman, Wilson, C. and Hasegawa

AN ACT Relating to minimum employment requirements for paraeducators; amending RCW 28A.413.040; and declaring an emergency.

Referred to Committee on Early Learning & K-12 Education.

SB 5265 by Senators Kuderer, Valdez, Cleveland, Dhingra, Pedersen and Trudeau

AN ACT Relating to establishing firearms-related safety measures to increase public safety by prohibiting the manufacture, importation, distribution, selling, and offering for sale of assault weapons, and by providing limited exemptions applicable to licensed firearm manufacturers and dealers for purposes of sale to armed forces branches and law enforcement agencies and for purposes of sale or transfer outside the state, and to inheritors; reenacting and amending RCW 9.41.010; adding new sections to chapter 9.41 RCW; creating a new section; prescribing penalties; and declaring an emergency.

Referred to Committee on Law & Justice.

SB 5266 by Senators Shewmake and Van De Wege

AN ACT Relating to the protection and restoration of riparian areas; adding a new section to chapter 89.08 RCW; adding new sections to chapter 77.85 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SB 5267 by Senators Kuderer, Stanford and Pedersen

AN ACT Relating to safeguarding the public safety by protecting railroad workers; adding a new chapter to Title 49 RCW; prescribing penalties; and declaring an emergency.

Referred to Committee on Labor & Commerce.

SB 5268 by Senators Hasegawa and Warnick

AN ACT Relating to equity and efficiencies in public works procurement including modifying small works roster requirements; amending RCW 39.04.010, 39.19.030, 39.10.200, 39.10.210, 39.10.220, 39.10.230, 39.10.240, 39.10.330, 39.10.360, 39.10.380, 39.10.385, 39.10.908, 28A.335.190, 28B.10.350, 28B.50.330, 35.22.620, 35.23.352, 35.61.135, 35.82.076, 36.32.235, 36.32.250, 36.77.075, 39.04.200, 39.04.380, 39.12.040, 52.14.110, 53.08.120, 54.04.070, 57.08.050, 70.44.140, 87.03.436, and 43.131.408; adding new sections to chapter 39.04 RCW; creating a new section; repealing RCW 39.04.155 and 39.04.156; providing effective dates; and declaring an emergency.

Referred to Committee on State Government & Elections.

SB 5269 by Senator Shewmake

AN ACT Relating to transforming and growing Washington state manufacturing; adding a new section to chapter 43.330 RCW; and creating new sections.

Referred to Committee on Business, Financial Services, Gaming & Trade.

SB 5270 by Senator Saldaña

AN ACT Relating to keeping communities together by limiting the department of corrections' assistance with federal immigration enforcement activities; amending RCW 72.09.270, 72.09.460, and 9.94A.733; adding a new section to chapter 72.09 RCW; creating a new section; repealing RCW 9.94A.685; and declaring an emergency.

Referred to Committee on Human Services.

SB 5271 by Senators Cleveland and Robinson

AN ACT Relating to protecting patients in facilities regulated by the department of health by establishing uniform enforcement tools; amending RCW 18.46.010, 18.46.050, 18.46.130, 70.42.010, 70.42.130, 70.42.180, 70.127.010, 70.127.170, 70.127.213, 70.230.010, 70.230.070, 71.12.710, 71.12.500, 70.38.025, 70.38.111, 70.38.260, 70.170.020, 18.64.005, 18.64.011, 18.64.047, 18.64.165, 18.64A.020, 18.64A.060, 69.45.080, 69.43.100, 69.43.140, 69.50.302, 69.50.303, 69.50.304, 69.50.310, 69.50.320, and 69.41.080; reenacting and amending RCW 71.12.455, 71.24.025, and 71.24.037; adding a new section to chapter 18.46 RCW; adding new sections to chapter 70.42 RCW; adding new sections to chapter 70.127 RCW; adding a new section to chapter 70.230 RCW; adding a new section to chapter 71.12 RCW; adding a new section to chapter 71.24 RCW; adding new sections to chapter 18.64 RCW; adding a new section to chapter 69.38 RCW; adding a new section to chapter 69.45 RCW; repealing RCW 18.64.200, 18.64.390, and 69.50.305; and prescribing penalties.

Referred to Committee on Health & Long-Term Care.

SB 5272 by Senators Liias and King

AN ACT Relating to speed safety camera systems on state highways; amending RCW 46.63.030 and 46.63.075; and adding a new section to chapter 46.63 RCW.

Referred to Committee on Transportation.

SB 5273 by Senators Valdez and Shewmake

AN ACT Relating to requiring public employers to provide employee information to exclusive bargaining representatives; adding a new section to chapter 41.56 RCW; adding a new section to chapter 41.59 RCW; adding a new section to chapter 28B.52 RCW; and adding a new section to chapter 41.80 RCW.

Referred to Committee on Labor & Commerce.

SB 5274 by Senators Valdez and Dhingra

AN ACT Relating to expanding eligibility in certain public employment positions for lawful permanent residents; amending RCW 36.27.040, 41.08.070, 41.12.070, 41.14.100, and 77.15.075; and adding a new section to chapter 10.93 RCW.

Referred to Committee on State Government & Elections.

SB 5275 by Senator Robinson

AN ACT Relating to expanding access to benefits provided by the school employees' benefits board; amending RCW

THIRD DAY, JANUARY 11, 2023

41.05.011, 41.05.050, and 41.05.740; reenacting and amending RCW 41.05.021; and creating a new section.

Referred to Committee on Ways & Means.

SB 5276 by Senators King and Liias

AN ACT Relating to avoiding interest arbitrage charges on bond proceeds in the capital vessel replacement account; amending 2022 c 186 s 406 (uncodified); and creating a new section.

Referred to Committee on Transportation.

SB 5277 by Senator Wilson, L.

AN ACT Relating to extending tax preferences for dairy, fruit and vegetable, and seafood processors; amending RCW 82.04.4268, 82.04.4266, 82.04.4269, and 82.04.260; creating a new section; and providing expiration dates.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SB 5278 by Senator Wilson, L.

AN ACT Relating to implementing audit recommendations to reduce barriers to home care aide certification; amending RCW 18.88B.031; creating new sections; and providing an expiration date.

Referred to Committee on Health & Long-Term Care.

SB 5279 by Senator Wilson, J.

AN ACT Relating to expanding a sales and use tax deferral program for affordable housing to include structures initially used as temporary employee housing for employees constructing warehouses, distribution centers, and other large facilities; amending RCW 82.92.005, 82.92.007, 82.92.010, 82.92.030, and 82.92.040; and creating a new section.

Referred to Committee on Housing.

SB 5280 by Senators Frame and Boehnke

AN ACT Relating to the duty of clergy to report child abuse or neglect; amending RCW 26.44.030; and reenacting and amending RCW 26.44.020.

Referred to Committee on Human Services.

SB 5281 by Senator Saldaña

AN ACT Relating to modifying the aircraft fuel excise tax; amending RCW 82.42.020, 82.42.030, 82.42.090, 43.84.092, and 43.84.092; reenacting and amending RCW 82.42.010; adding a new section to chapter 82.42 RCW; creating a new section; providing effective dates; and providing an expiration date.

Referred to Committee on Transportation.

SB 5282 by Senators Valdez and MacEwen

AN ACT Relating to authorizing vehicle dealers to file a report of sale; and amending RCW 46.12.650.

Referred to Committee on Labor & Commerce.

SB 5283 by Senator Van De Wege

AN ACT Relating to the waiver of the fundamentals examination for professional engineer and land surveyor licensing applicants by comity; and amending RCW 18.43.100.

Referred to Committee on Labor & Commerce.

SB 5284 by Senators Nguyen and Keiser

AN ACT Relating to improving transparency in campaign finance disclosure; and amending RCW 42.17A.205, 42.17A.207, 42.17A.235, 42.17A.255, 42.17A.260, 42.17A.265, 42.17A.345, 42.17A.640, and 42.17A.785.

Referred to Committee on State Government & Elections.

SB 5285 by Senator Nguyen

AN ACT Relating to adding a new caseload for the official caseload forecast for the number of people eligible for the working families' tax credit under RCW 82.08.0206; and amending RCW 43.88C.010.

Referred to Committee on Ways & Means.

SB 5286 by Senators Robinson and King

AN ACT Relating to modifying the premium provisions of the paid family and medical leave program; and amending RCW 50A.10.030.

Referred to Committee on Labor & Commerce.

SB 5287 by Senators Wilson, J. and Nguyen

AN ACT Relating to a study on the recycling of wind turbine blades; creating a new section; and providing an expiration date.

Referred to Committee on Environment, Energy & Technology.

SB 5288 by Senators Robinson, Muzzall and Hawkins

AN ACT Relating to physical therapists performing intramuscular needling; amending RCW 18.74.010; and adding a new section to chapter 18.74 RCW.

Referred to Committee on Health & Long-Term Care.

SB 5289 by Senator Shewmake

AN ACT Relating to allowing the use of impact fees for law enforcement; and amending RCW 82.02.090.

Referred to Committee on Local Government, Land Use & Tribal Affairs.

SB 5290 by Senators Mullet and Kuderer

AN ACT Relating to consolidating local permit review processes; amending RCW 36.70B.140; and adding new sections to chapter 36.70B RCW.

Referred to Committee on Local Government, Land Use & Tribal Affairs.

SB 5291 by Senators Schoesler, Dozier, Mullet, King, Wagoner and Liias

AN ACT Relating to the timely issuance of certain liquor licenses, renewals, and endorsements; and amending RCW 66.24.010.

Referred to Committee on Labor & Commerce.

SB 5292 by Senators Randall, Rolfes and MacEwen
AN ACT Relating to accessing certain aquatic lands by a public transportation benefit area; and adding a new section to chapter 36.57A RCW.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SB 5293 by Senators Rolfes and Robinson
AN ACT Relating to improving the fiscal process by updating accounts administered by the office of financial management, creating new accounts including one for the opioid litigation settlement and one for the receipt of federal funds, and reenacting accounts created in the supplemental budget bill; amending RCW 43.41.450, 41.06.280, 41.06.285, 43.84.092, and 43.84.092; reenacting RCW 43.79.567 and 43.330.365; adding new sections to chapter 43.79 RCW; adding a new section to chapter 38.52 RCW; providing effective dates; providing an expiration date; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 5294 by Senator Rolfes
AN ACT Relating to actuarial funding of state retirement systems; amending RCW 41.45.060 and 41.45.150; repealing 2021 c 334 s 747 (uncodified); providing an effective date; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 5295 by Senators Wilson, L., Rolfes and Gildon
AN ACT Relating to eliminating accounts; amending RCW 43.84.092 and 43.84.092; decodifying RCW 43.99N.040; repealing RCW 13.40.466, 43.72.902, 43.83.300, 43.83.310, 43.83.320, 43.83.370, and 70A.135.100; providing effective dates; providing an expiration date; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 5296 by Senators Nobles and Van De Wege
AN ACT Relating to interruptive military service credit for members of the state retirement systems; and amending RCW 41.04.005.

Referred to Committee on Ways & Means.

SB 5297 by Senators Van De Wege, Salomon, Rivers, Wilson, L. and Liias
AN ACT Relating to nontribal commercial salmon fisheries in Washington waters of the Columbia river; amending RCW 77.50.030 and 77.65.160; adding a new section to chapter 77.70 RCW; creating a new section; and providing an effective date.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SCR 8402 by Senators Hunt, Wellman, Kuderer, Rolfes, Keiser, Conway and Hasegawa
Renaming the Natural Resources Building as the Jennifer Belcher Building.

Referred to Committee on State Government & Elections.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Introduction and First Reading report were referred to the committees as designated with the exception of Senate Bill No. 5263 which had been designated to the Committee on Health & Long-Term Care and was referred to the Committee on Labor & Commerce.

At 11:45 a.m., on motion of Senator Pedersen, the Senate adjourned until 12:30 p.m. Thursday, January 12, 2023.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

FOURTH DAY

AFTERNOON SESSION

Senate Chamber, Olympia
Thursday, January 12, 2023

The Senate was called to order at 12:30 p.m. by the President of the Senate, Lt. Governor Heck presiding. No roll call was taken.

MOTIONS

On motion of Senator Pedersen, the reading of the Journal of the previous day was dispensed with and it was approved.

On motion of Senator Pedersen, the Senate advanced to the third order of business.

MESSAGE FROM THE GOVERNOR

January 5, 2023

To the Honorable Lt. Governor Denny Heck,
President of the Senate,
and the Senate of the State of Washington

Ladies and Gentlemen:

In compliance with the provisions of Article III, Section 11, of the Constitution of the state of Washington, the Governor hereby submits his report of each case of reprieve, commutation, or pardon that he has granted since the adjournment of the 2022 Regular Session of the 67th Legislature, copies of which are attached.

Sincerely,
/s/
Taylor K. Wanhoff
Deputy General Counsel

Enclosures
cc: Jamila Thomas, Chief of Staff

**UNCONDITIONAL COMMUTATION OF
NICHOLAS LEE MYERS**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Douglas County Superior Court, Case No. 18-1-00175-09; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 12th day of January, A.D., two thousand and twenty-two.



/s/
Jay Inslee
Governor

/s/
Trova O'Heffernan
Assistant Secretary of State

**UNCONDITIONAL COMMUTATION OF
MEGAN ORA BELL ESVELT**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Stevens County Superior Court, Case No. 18-1-00078-0; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 12th day of January, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Trova O’Heffernan
Assistant Secretary of State

**UNCONDITIONAL COMMUTATION OF
APRIL MARGUERITE GILLET**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Yakima County Superior Court, Case No. 19-1-02263-39; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual’s judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 12th day of January, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Trova O’Heffernan
Assistant Secretary of State

**UNCONDITIONAL COMMUTATION OF
NATHAN SAMUEL PHILLIPS**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a

judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Snohomish County Superior Court, Case No. 18-1-02855-31; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual’s judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 12th day of January, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Trova O’Heffernan
Assistant Secretary of State

**UNCONDITIONAL COMMUTATION OF
EZEKIEL L. LARIOS VARGAS**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Benton County Superior Court, Case No. 19-1-01295-03; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual’s judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL

FOURTH DAY, JANUARY 12, 2023

COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 12th day of January, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/

Trova O'Heffernan
Assistant Secretary of State

UNCONDITIONAL COMMUTATION OF CHARLES EDWARD COMENOTE JR.

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Snohomish County Superior Court, Case No. 18-1-00927-31; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 12th day of January, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/

Trova O'Heffernan
Assistant Secretary of State

UNCONDITIONAL COMMUTATION OF JENNIFER DAWN O'DANIELS

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Thurston County Superior Court, Case No. 19-1-01005-34; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 12th day of January, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/

Trova O'Heffernan
Assistant Secretary of State

UNCONDITIONAL COMMUTATION OF MICHAEL VAN CALLAGHAN

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Pierce County Superior Court, Case Nos. 11-1-04977-1, 13-1-00472-2, 13-1-01931-2, and in Mason County Superior Court, Case No. 15-1-00584-7; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 12th day of January, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Trova O'Heffernan
Assistant Secretary of State

**UNCONDITIONAL COMMUTATION OF
ALISHA J. DALOS**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Clallam County Superior Court, Case Nos. 19-1-00524-05, 18-1-00170-05, 17-1-00213-4; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 12th day of January, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Trova O'Heffernan
Assistant Secretary of State

**UNCONDITIONAL COMMUTATION OF
CHARLES LEE DICKERSON JR.**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Benton County Superior Court, Case No. 19-1-00541-03; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 12th day of January, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Trova O'Heffernan
Assistant Secretary of State

**UNCONDITIONAL COMMUTATION OF
TIANNA SIMONE EASLEY**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a

FOURTH DAY, JANUARY 12, 2023

judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Thurston County Superior Court, Case No. 20-1-00791-34; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 12th day of January, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/

Trova O'Heffernan
Assistant Secretary of State

UNCONDITIONAL COMMUTATION OF CONLEY ALLEN LINEBERRY

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Pierce County Superior Court, Case No. 01-1-02783-4; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL

COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 12th day of January, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/

Trova O'Heffernan
Assistant Secretary of State

UNCONDITIONAL COMMUTATION OF FRANK ALLEN MISURACA

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Benton County Superior Court, Case No. 18-1-01359-03; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 12th day of January, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/

Trova O'Heffernan
Assistant Secretary of State

**UNCONDITIONAL COMMUTATION OF
DRU LANGSTON BRUMLEY YULE**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Benton County Superior Court, Case No. 19-1-00958-03; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 12th day of January, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Trova O’Heffernan
Assistant Secretary of State

**UNCONDITIONAL COMMUTATION OF
STEPHEN SANDNER JR.**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Pierce County Superior Court, Case No. 17-1-04500-6; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because

no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 12th day of January, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Trova O’Heffernan
Assistant Secretary of State

**UNCONDITIONAL COMMUTATION OF
CHRISTINA LOUISE LARSON**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Clallam County Superior Court, Case No. 18-1-00207-05; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).

FOURTH DAY, JANUARY 12, 2023



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 12th day of January, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/

Trova O'Heffernan
Assistant Secretary of State

**UNCONDITIONAL COMMUTATION OF
WAYNE RICHARD KNAPP**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Thurston County Superior Court, Case No. 05-1-00007-8; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 12th day of January, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/

Trova O'Heffernan
Assistant Secretary of State

**UNCONDITIONAL COMMUTATION OF
JEFFREY LEE HEDLUND**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a

judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Clark County Superior Court, Case No. 19-1-01148-06; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 12th day of January, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/

Trova O'Heffernan
Assistant Secretary of State

**UNCONDITIONAL COMMUTATION OF
PETER JUSTIN JOHNSON**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Stevens County Superior Court, Case No. 19-1-00213-33; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL

COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 18th day of January, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
CLAYTON JONATHON ADAMS**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Clark County Superior Court, Case Nos. 14-1-00459-1 and 18-1-00055-6; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 18th day of January, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
INGEMAR LLOYD WOODS JR.**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Stevens County Superior Court, Case No. 17-1-00363-2; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 18th day of January, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
JARED HARLEY BURRIDGE ABBOTT**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Pierce County Superior Court, Case No. 16-1-02639-9; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because

FOURTH DAY, JANUARY 12, 2023

no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 18th day of January, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF ROBERT DEAN BALDWIN SR.

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Snohomish County Superior Court, Case No. 16-1-00117-8; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 18th day of January, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF YESENIA SLEEPINGBEAR BARREDA

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Benton County Superior Court, Case No. 18-1-00331-1; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 18th day of January, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF RAYMOND EDWARD CHANEY

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a

judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Spokane County Superior Court, Case No. 16-1-04478-7; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 18th day of January, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
ROCKY JAMES FOGLER**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Yakima County Superior Court, Case No. 18-1-02396-39; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL

COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 18th day of January, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
JAMES ALDEN GILMORE**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Pierce County Superior Court, Case No. 17-1-01232-9; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 18th day of January, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
EDVIN N JOHNSON**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Spokane County Superior Court, Case No. 20-1-03467-32; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 18th day of January, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
LENIN GAMALIEL MENDOZA**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Whatcom County Superior Court, Case No. 18-1-01128-37, and in Island County Superior Court, Case No. 18-1-00143-15; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 18th day of January, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
JEFFERY ALLEN MOORE**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Clark County Superior Court, Case No. 15-1-01423-4; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 18th day of January, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
DEREK HENRY SCHIMPF**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Snohomish County Superior Court, Case No. 15-1-00843-3; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 18th day of January, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
JEFFREY THOMAS WEAVER**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a

judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Pierce County Superior Court, Case No. 18-1-03369-3; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 18th day of January, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
COLE DEAN STENSON**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Pierce County Superior Court, Case No. 18-1-02621-2; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL

FOURTH DAY, JANUARY 12, 2023

COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 25th day of January, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF IAN B BULLARD

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Asotin County Superior Court, Case No. 13-1-00008-5; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 25th day of January, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF JOSEPH CALEB LEVEL

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Stevens County Superior Court, Case No. 18-1-00408-33; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 25th day of January, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF RAUL CORTES-MENDEZ

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in King County Superior Court, Case Nos. 13-1-12419-6 and 13-1-13522-8, and in Snohomish County Superior Court, Case No. 19-1-00275-31; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 25th day of January, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
RODNEY EUGENE JOHNSON**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Snohomish County Superior Court, Case Nos. 07-1-03025-0 and 07-1-01209-0; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 26th day of January, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Trova O'Heffernan
Assistant Secretary of State

**UNCONDITIONAL COMMUTATION OF
MICHAEL DANIEL PRESCOTT**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Okanogan County Superior Court, Case No. 20-1-00175-24; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 26th day of January, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Trova O'Heffernan
Assistant Secretary of State

**UNCONDITIONAL COMMUTATION OF
SERGIO LOSOYA VILLALOBOS**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a

FOURTH DAY, JANUARY 12, 2023

judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Yakima County Superior Court, Case Nos. 18-1-01802-39 and 19-1-00585-39; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 26th day of January, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/

Trova O'Heffernan
Assistant Secretary of State

UNCONDITIONAL COMMUTATION OF MARK DOUGLAS HOLBROOK

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Thurston County Superior Court, Case No. 19-1-02033-34; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL

COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 26th day of January, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/

Trova O'Heffernan
Assistant Secretary of State

UNCONDITIONAL COMMUTATION OF DANIEL LEE

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Pierce County Superior Court, Case No. 19-1-00196-0; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 3rd day of February, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/

Trova O'Heffernan
Assistant Secretary of State

**UNCONDITIONAL COMMUTATION OF
JOSHUA GENE REEVES**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Yakima County Superior Court, Case No. 17-1-02295-39; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 3rd day of February, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Trova O'Heffernan
Assistant Secretary of State

**UNCONDITIONAL COMMUTATION OF
MELISSA I SANGSTER**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Asotin County Superior Court, Case No. 18-1-00129-02; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 3rd day of February, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Trova O'Heffernan
Assistant Secretary of State

**UNCONDITIONAL COMMUTATION OF
BRANDON JOSEPH FERRELL**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Spokane County Superior Court, Case No. 13-1-00703-8; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).

FOURTH DAY, JANUARY 12, 2023



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 3rd day of February, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/

Trova O'Heffernan
Assistant Secretary of State

UNCONDITIONAL COMMUTATION OF JEREMY JOSEPH HANSEN

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Pierce County Superior Court, Case Nos. 18-1-01672-1 and 19-1-04438-3; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 3rd day of February, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/

Trova O'Heffernan
Assistant Secretary of State

UNCONDITIONAL COMMUTATION OF ALISA MARIANNA RUTHERFORD

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a

judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Clallam County Superior Court, Case No. 19-1-00459-05; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 3rd day of February, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/

Trova O'Heffernan
Assistant Secretary of State

UNCONDITIONAL COMMUTATION OF MICHAEL IAN EIKE

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Pacific County Superior Court, Case Nos. 10-1-00032-0, 10-1-00156-3, 15-1-00021-5, 15-1-00111-4 and 19-1-00123-25; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby

grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 3rd day of February, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Trova O’Heffernan
Assistant Secretary of State

**UNCONDITIONAL COMMUTATION OF
GUADALUPE ESCAMILLA**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Yakima County Superior Court, Case No. 17-1-00950-39; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 3rd day of February, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Trova O’Heffernan

Assistant Secretary of State

**UNCONDITIONAL COMMUTATION OF
WILLYSTINE RENE CREGGETT THOMAS**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Pierce County Superior Court, Case No. 19-1-02217-7; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 16th day of February, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
JORDYN MICHAEL RICHARDSON**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Benton County Superior Court, Case Nos. 18-1-00316-8 and 19-1-00526-03; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

FOURTH DAY, JANUARY 12, 2023

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 16th day of February, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF CASSANDRA LEE GRAVES

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Grant County Superior Court, Case No. 18-1-00262-4; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 16th day of February, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF ROGER GEORGE ULRICH

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Skagit County Superior Court, Case No. 15-1-00791-1; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 16th day of February, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF THOMAS COLE ALBRITTON

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a

judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Thurston County Superior Court, Case No. 00-1-01829-4; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 16th day of February, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
SHAWN C. PAYNE**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Pierce County Superior Court, Case No. 19-1-03105-2; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL

COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 16th day of February, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
JACOB CARL ANDERSON**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in King County Superior Court, Case No. 20-1-03423-8; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 16th day of February, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
MICHAEL TSOUKALAS**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Benton County Superior Court, Case Nos. 17-1-00620-7, 17-1-00596-1, and 18-1-00161-1; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 16th day of February, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
MICHAEL ALLEN SPIKE**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Spokane County Superior Court, Case No. 18-1-03392-7; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 23rd day of February, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
JOHNNY DEAN LESTER**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Snohomish County Superior Court, Case Nos. 17-1-03093-31, and 18-1-02846-31; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 25th day of February, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF RANDALL RASMUSSEN

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Snohomish County Superior Court, Case No. 17-1-02669-31; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 25th day of February, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF JAKE WILBUR LAYNE

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a

judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Yakima County Superior Court, Case No. 19-1-01032-39; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 25th day of February, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF JOSHUA SNYDER

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Kittitas County Superior Court, Case No. 17-1-00291-6; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL

FOURTH DAY, JANUARY 12, 2023

COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 25th day of February, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF RAINA MARIE CHAPMAN

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Snohomish County Superior Court, Case No. 19-1-01958-31; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 1st day of March, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF RUSTY LEE GARCIA

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Benton County Superior Court, Case No. 19-1-00482-03, and Yakima County Superior Court, Case No. 08-1-02085-7; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 1st day of March, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF CALVIN ROBERT EDWARDS, JR.

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Whatcom County Superior Court, Case No. 16-1-01128-7; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 1st day of March, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
MARISSA LUELLEN**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Benton County Superior Court, Case Nos. 17-1-01137-5 and 19-1-00294-03; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 1st day of March, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
MIKEL VINCENTE ELEGIO DELEON**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Benton County Superior Court, Case Nos. 18-1-01063-03 and 18-1-01520-03; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 8th day of March, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
MEAGAN KAY MATHISON LEONE**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a

FOURTH DAY, JANUARY 12, 2023

judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Cowlitz County Superior Court, Case No. 17-1-00904-08; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 8th day of March, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF BRANDON CHARLES PETERSON

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Snohomish County Superior Court, Case No. 18-1-00986-31; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL

COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 8th day of March, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF FRANCIS BRYAN DOORISH

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Snohomish County Superior Court, Case No. 16-1-02549-31; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 8th day of March, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
RYAN WENDT**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Stevens County Superior Court, Case No. 17-1-00031-5; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 8th day of March, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
RENE V. GARZA**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Yakima County Superior Court, Case No. 19-1-00576-39; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because

no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 8th day of March, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
JOHN WILFRED SAMPSON**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Grays Harbor County Superior Court, Case No. 16-1-00518-0; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).

FOURTH DAY, JANUARY 12, 2023



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 8th day of March, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/

Randy Bolerjack
Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
JADE ASHLEY FRANK**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Clark County Superior Court, Case No. 11-1-01285-9; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 8th day of March, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/

Randy Bolerjack
Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
DAMION B GIACCIDNO, JR.**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a

judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Mason County Superior Court, Case No. 17-1-00024-8; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 15th day of March, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/

Randy Bolerjack
Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
JASON PIERCE**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Clark County Superior Court, Case No. 19-1-01052-06; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL

COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 15th day of March, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
EMERSON MILLER**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Snohomish County Superior Court, Case No. 15-1-01179-5; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 15th day of March, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
QUINTEN HALSTEAD**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Pierce County Superior Court, Case No. 19-1-00123-4; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 15th day of March, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
MAXIMO KAPILEO DELACRUZ**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Pierce County Superior Court, Case No. 19-1-02890-6; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because

FOURTH DAY, JANUARY 12, 2023

no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 15th day of March, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF DOMINIC A. GATICA

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Pierce County Superior Court, Case No. 17-1-02169-7; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 15th day of March, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF TARYN NORMAN

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Benton County Superior Court, Case No. 17-1-00749-1; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 15th day of March, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF SHELLY ROLLER

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a

judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Snohomish County Superior Court, Case Nos. 17-1-02028-31 and 16-1-02232-31; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 15th day of March, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
ROBERT PARKER**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Island County Superior Court, Case No. 17-1-00232-2; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL

COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 22nd day of March, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
LESLIE RIVARD**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Clark County Superior Court, Case No. 19-1-01084-06; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 22nd day of March, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
DAVID ESTEP**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Pierce County Superior Court, Case No. 19-1-03005-6; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 22nd day of March, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
ABDURAQ GODANA GUYO**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Snohomish County Superior Court, Case No. 17-1-03094-31; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because

no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders

imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 22nd day of March, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
CY BAKER**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Snohomish County Superior Court, Case No. 18-1-02313-31; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 22nd day of March, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF BRANDON M SMITH

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Clark County Superior Court, Case No. 20-1-00658-06; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 22nd day of March, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF CHERIE MONIQUE ENCINAS

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a

judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Yakima County Superior Court, Case No. 20-1-02110-39; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 1st day of April, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF BOYD STACY

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Cowlitz County Superior Court, Case No. 18-1-00761-08; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL

FOURTH DAY, JANUARY 12, 2023

COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 1st day of April, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/

Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF JEROD TAYLOR BOWEN

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Pierce County Superior Court, Case No. 17-1-04029-2; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 1st day of April, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/

Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF SHAWN W HASSETT

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Asotin County Superior Court, Case No. 19-1-00119-02; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 1st day of April, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/

Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF CASEY THOMAS MALLONEE

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Benton County Superior Court, Case No. I 8-1-01244-03; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because

no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 1st day of April, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
DAVID SANDERS**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Grant County Superior Court, Case No. 20-1-00151-13; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 1st day of April, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
KATHERINE MARTINEZ**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Whatcom County Superior Court, Case No. 19-1-01564-37; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 1st day of April, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
DOUGLAS JEFFERSON**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a

FOURTH DAY, JANUARY 12, 2023

judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Yakima County Superior Court, Case No. 15-1-00822-1; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 1st day of April, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF LAWRENCE JERRY

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Pierce County Superior Court, Case No. 19-1-02368-8; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL

COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 1st day of April, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF JASON L GALLAGHER

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Asotin County Superior Court, Case No. 18-1-00112-02; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 7th day of April, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
CHRYSTAL DAWN LITTLECROW**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Stevens County Superior Court, Case No. 19-1-00012-33; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 7th day of April, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
TOMAS QUINTANILLA III**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Grant County Superior Court, Case No. 18-1-00257-8; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because

no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 7th day of April, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
JOHN BRAINERD**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Yakima County Superior Court, Case No. 19-1-02380-39; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).

FOURTH DAY, JANUARY 12, 2023



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 7th day of April, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF JASON FULLER

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Pacific County Superior Court, Case No. 17-1-00101-3; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 7th day of April, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF MITCHELL PAUL JONES

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a

judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Spokane County Superior Court, Case No. 15-1-03599-2; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 12th day of April, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF MERCEDES ANN O'DELL

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Grant County Superior Court, Case No. 18-1-00219-5; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL

COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 12th day of April, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
DAVID MORDECAI WHITMER**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Grant County Superior Court, Case No. 18-1-00774-13; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 12th day of April, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
JAMES MCRAE JONES**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Pierce County Superior Court, Case No. 16-1-01890-6; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 12th day of April, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
TROY ROBERT EISCHENS**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Kittitas County Superior Court, Case No. 18-1-00067-9; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because

FOURTH DAY, JANUARY 12, 2023

no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 18th day of April, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Trova O'Heffernan
Assistant Secretary of State

UNCONDITIONAL COMMUTATION OF CHRISTOPHER WILLIAM HARRIS

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Snohomish County Superior Court, Case No. 18-1-00881-31; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 18th day of April, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Trova O'Heffernan
Assistant Secretary of State

UNCONDITIONAL COMMUTATION OF COREY M RAFTIS

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Spokane County Superior Court, Case No. 16-1-00937-0; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 18th day of April, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Trova O'Heffernan
Assistant Secretary of State

UNCONDITIONAL COMMUTATION OF LONG PHI HUYNH

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a

judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Snohomish County Superior Court, Case No. 16-1-00655-2; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 18th day of April, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Trova O'Heffernan
Assistant Secretary of State

**UNCONDITIONAL COMMUTATION OF
COLLINS SLYVESTER WILLIAMS**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Thurston County Superior Court, Case Nos. 15-1-01940-34 and 18-1-02022-34; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL

COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 26th day of April, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
HUMBERTO ANGEL FLORES**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Yakima County Superior Court, Case No. 18-1-02388-39; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 26th day of April, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
JOEY SCHOO-GARCIA**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Douglas County Superior Court, Case No. 18-1-00183-09; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 26th day of April, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
KENNETH WHEELER**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Pierce County Superior Court, Case No. 17-1-00126-2; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because

no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 26th day of April, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
TYLER FORRESTER HOOK**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Stevens County Superior Court, Case No. 20-1-00004-33; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 26th day of April, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
DAVID MCELROY**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Clark County Superior Court, Case No. 11-1-02089-4; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 26th day of April, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
BENSON KEITH MCCLINTON**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a

judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Yakima County Superior Court, Case No. 19-1-00632-39; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 26th day of April, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
ADAM LEE PETERSON**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Thurston County Superior Court, Case No. 16-I-00924-34; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL

FOURTH DAY, JANUARY 12, 2023

COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 26th day of April, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF BOBBY JOE HOLT

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Spokane County Superior Court, Case No. 17-1-04597-8; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 26th day of April, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF YASMIN VASQUEZ

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Douglas County Superior Court, Case Nos. 18-1-00062-2 and 20-1-00098-09; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 10th day of May, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF NOAH ROBERT GUSTAFSON

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Snohomish County Superior Court, Case No. 17-1-02620-31; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because

no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 10th day of May, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
ROBERT ANTHONY LOMAS**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Pierce County Superior Court, Case No. 18-1-01455-9; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 10th day of May, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
DAVID M HERRON**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Snohomish County Superior Court, Case No. 18-1-02404-31; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 18th day of May, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
ADAMCHAK**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a

FOURTH DAY, JANUARY 12, 2023

judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Pierce County Superior Court, Case No. 19-1-03420-5; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 18th day of May, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF TIMOTHY PAGE

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Thurston County Superior Court, Case No. 15-1-01276-6; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL

COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 18th day of May, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF SHANE C ELLINGSWORTH

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Benton County Superior Court, Case No. 07-1-00969-1; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 18th day of May, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
JOVAHNI L ANDREWS**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Stevens County Superior Court, Case No. 19-1-00312-33; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 19th day of May, A.D., two thousand and twenty-two.



/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
SHAWN WILSON**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Yakima County Superior Court, Case No. 15-1-00616-4; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because

no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 19th day of May, A.D., two thousand and twenty-two.



/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
DILLON HOFFMAN**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Snohomish County Superior Court, Case No. 18-1-02929-31; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).

FOURTH DAY, JANUARY 12, 2023



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 19th day of May, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/

Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF ASHLEY BLANK

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Spokane County Superior Court, Case No. 16-1-02765-3; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 19th day of May, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/

Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF ANDREW HOLLUM

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a

judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Snohomish County Superior Court, Case No. 15-1-00399-7; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 19th day of May, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/

Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF TRENTON LARSON

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Grays Harbor County Superior Court, Case No. 18-1-00038-14; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL

COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 19th day of May, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
ELIK.PEREZ**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Spokane County Superior Court, Case Nos. 15-1-01739-1, 17-1-02857-7, and 19-1-02561-32; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 19th day of May, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack

Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
ABRAN GIBSON**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Spokane County Superior Court, Case No. 17-1-00445-7; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 19th day of May, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
CODY SEELY**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Grant County Superior Court, Case No. 15-1-00342-1; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

FOURTH DAY, JANUARY 12, 2023

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 19th day of May, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF JIMMY B FRANK

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Yakima County Superior Court, Case No. 18-1-02385-39; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 27th day of May, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF DALLAS AMELINE

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Spokane County Superior Court, Case No. 18-1-01508-2; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 27th day of May, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF JOSEPH MARCH

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a

judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Snohomish County Superior Court, Case No. 17-1-00859-31; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 27th day of May, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF JOSEPH ROGERS

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Grant County Superior Court, Case No. 18-1-00073-7; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL

COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 27th day of May, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF ERICA BURNETT

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Snohomish County Superior Court, Case No. 18-1-01568-31; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 27th day of May, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
LISAMONIQUE MERCADO**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Cowlitz County Superior Court, Case No. 19-1-01688-08; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 6th day of June, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
SARA MYERS**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Spokane County Superior Court, Case No. 11-1-03857-3; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because

no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 6th day of June, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
HENRY CHRISTIANSEN**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Pierce County Superior Court, Case No. 19-1-03082-0; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 6th day of June, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
ASHLEY SULLIVAN**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Spokane County Superior Court, Case No. 15-1-04891-1; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 6th day of June, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
BRYSON LOMBARDI**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a

judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Thurston County Superior Court, Case No. 17-1-02145-34; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 6th day of June, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
LEROY OWENS**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Yakima County Superior Court, Case No. 17-1-02484-39; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL

FOURTH DAY, JANUARY 12, 2023

COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 6th day of June, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/

Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF BRYCE PARKER

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Grays Harbor County Superior Court, Case No. 18-1-00229-14; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 6th day of June, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/

Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF ALYXANDRA CORNELL

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Douglas County Superior Court, Case No. 16-1-00241-6; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 6th day of June, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/

Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF BRIAN GIZAS

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Pierce County Superior Court, Case No. 19-1-02917-1; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because

no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 17th day of June, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
BARRY GATLIN**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Yakima County Superior Court, Case No. 18-1-02397-39; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 17th day of June, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
YVONNE SAXTON**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Thurston County Superior Court, Case No. 19-1-00684-34; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 17th day of June, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
NICHOLAS TURNER**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a

FOURTH DAY, JANUARY 12, 2023

judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Whatcom County Superior Court, Case No. 19-1-00850-37; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 17th day of June, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF HOLLY BELOW

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4Q13(1), in Grant County Superior Court, Case No. 18-1-00352- 1 3; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL

COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 23rd day of June, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Trova O'Heffernan
Assistant Secretary of State

UNCONDITIONAL COMMUTATION OF SHAELY ZIEGELGRUBER

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Snohomish County Superior Court, Case Nos. 14-1-00114-7, 17-1-02639-31, and 15-1-01030-6; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 23rd day of June, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Trova O'Heffernan

Assistant Secretary of State

**UNCONDITIONAL COMMUTATION OF
TIMOTHY O'CONNELL**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Pierce County Superior Court, Case No. 18-1-00898-2; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 23rd day of June, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Trova O'Heffernan
Assistant Secretary of State

**UNCONDITIONAL COMMUTATION OF
DANIEL ROBERT COLEMAN**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Pierce County Superior Court, Case No. 19-1-04331-0; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 23rd day of June, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Trova O'Heffernan
Assistant Secretary of State

**UNCONDITIONAL COMMUTATION OF
LUIS LOPEZ-HOPKINS**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Pierce County Superior Court, Case No. 19-1-02926- 1 and in Kitsap County Superior Court, Case No. 15-1-0 I 456-9; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).

FOURTH DAY, JANUARY 12, 2023



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 23rd day of June, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/

Trova O'Heffernan
Assistant Secretary of State

UNCONDITIONAL COMMUTATION OF JOSHUA OLSEN

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Pierce County Superior Court, Case No. 19-1-01461-1; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 23rd day of June, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/

Trova O'Heffernan
Assistant Secretary of State

UNCONDITIONAL COMMUTATION OF NIGEE BANKS

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a

judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Yakima County Superior Court, Case No. 19-1-01045-39; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 23rd day of June, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/

Trova O'Heffernan
Assistant Secretary of State

UNCONDITIONAL COMMUTATION OF TRAVIS LEE JAMES

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Grant County Superior Court, Case No. 18-1-00670-13; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL

COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 23rd day of June, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Trova O’Heffernan
Assistant Secretary of State

**UNCONDITIONAL COMMUTATION OF
PEDRO ALMAGUER**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Yakima County Superior Court, Case Nos. 18-1-00208-39, 19-1-00599-39, and 19-1-02339-39; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 30th day of June, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Trova O’Heffernan

Assistant Secretary of State

**UNCONDITIONAL COMMUTATION OF
MICHAEL AMTOFT**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Spokane County Superior Court, Case No. 19-1-00059-32; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 30th day of June, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Trova O’Heffernan
Assistant Secretary of State

**UNCONDITIONAL COMMUTATION OF
KORAHKUNZ**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Spokane County Superior Court, Case No. 19-1-01701-32; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

FOURTH DAY, JANUARY 12, 2023

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 30th day of June, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Trova O'Heffernan
Assistant Secretary of State

UNCONDITIONAL COMMUTATION OF CHANNAN BUDDÉ

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Whatcom County Superior Court, Case No. 18-1-01058-37; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 13th day of July, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Trova O'Heffernan
Assistant Secretary of State

UNCONDITIONAL COMMUTATION OF JEROME MOSES

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Yakima County Superior Court, Case No. 13-1-01526-4; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 13th day of July, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Trova O'Heffernan
Assistant Secretary of State

UNCONDITIONAL COMMUTATION OF RICHARD BUTLER

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a

judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Stevens County Superior Court, Case No. 17-1-00321-7; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 13th day of July, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Trova O’Heffernan
Assistant Secretary of State

UNCONDITIONAL COMMUTATION OF DOMINIQUE HERRON

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Pierce County Superior Court, Case No. 17-1-0406.9-1; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL

COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 13th day of July, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Trova O’Heffernan
Assistant Secretary of State

UNCONDITIONAL COMMUTATION OF CODY HARRIS

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Benton County Superior Court, Case No. 19-1-00508-03; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 13th day of July, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Trova O’Heffernan
Assistant Secretary of State

**UNCONDITIONAL COMMUTATION OF
DAVID BOARDMAN**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Cowlitz County Superior Court, Case No. 19-1-01121-08; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 13th day of July, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Trova O'Heffernan
Assistant Secretary of State

**UNCONDITIONAL COMMUTATION OF
TIMOTHY MARTIN**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Pierce County Superior Court, Case No. 18-1-02156-3; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because

no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 13th day of July, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Trova O'Heffernan
Assistant Secretary of State

**UNCONDITIONAL COMMUTATION OF
JASON HUTT**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Clallam County Superior Court, Case No. 19-1-00352-05; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 28th day of July, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF SAMUEL BLUE

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Snohomish County Superior Court, Case Nos. 17-1-00649-31 and 17-1-01580-31; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 28th day of July, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF RICHARD GARZA

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a

judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Grant County Superior Court, Case No. 18-1-00280-2; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 28th day of July, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF KAYLAMONK

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Benton County Superior Court, Case Nos. 14-1-00089-1, 15-1-00028-8, 17-1-00089-6, and 17-1-00473-5; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, here y grant

FOURTH DAY, JANUARY 12, 2023

to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 28th day of July, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/

Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF GINA CORDOVA

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Snohomish County Superior Court, Case No. 17-1-03139-31; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 28th day of July, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/

Randy Bolerjack

Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF DUSTIN JONES

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Pierce County Superior Court, Case No. 15-1-03339-7; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 28th day of July, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/

Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF SHAINA IDGHEAGLE

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Yakima County Superior Court, Case No. 1-8-1-01220-39; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 28th day of July, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
DARROLD MATLOCK**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Spokane County Superior Court, Case No. 13-1-00991-0; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 28th day of July, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
JOSEPH BROWN**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Spokane County Superior Court, Case No. 17-1-04046-1; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 28th day of July, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
JARED PRUITT**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a

FOURTH DAY, JANUARY 12, 2023

judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Benton County Superior Court, Case No. 19-1-01685-03; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 28th day of July, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF JOSEPH BROWN

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Spokane County Superior Court, Case No. 17-1-04417-3; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL

COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 4th day of August, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Trova O'Heffernan
Assistant Secretary of State

UNCONDITIONAL COMMUTATION OF TIFFANY IREY

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Okanogan County Superior Court, Case No. 15-1-00339-7; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 4th day of August, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Trova O'Heffernan
Assistant Secretary of State

**UNCONDITIONAL COMMUTATION OF
TRACEY STOVER**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Thurston County Superior Court, Case No. 12-1-00736-9, and Pierce County Superior Court, Case No. 15-1-01404-0; and

WHEREAS, on February 25, 2021; the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 48 I P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 18th day of August, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Trova O'Heffernan
Assistant Secretary of State

**UNCONDITIONAL COMMUTATION OF
ANTHONY RUEZ**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Yakima County Superior Court, Case No. 19-1-00662-39; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 48 I P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 18th day of August, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Trova O'Heffernan
Assistant Secretary of State

**UNCONDITIONAL COMMUTATION OF
ROBIN WISE**

To AU to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Pierce County Superior Court, Case No. 11-1-01377-6; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 48 I P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).

FOURTH DAY, JANUARY 12, 2023



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 18th day of August, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Trova O'Heffernan
Assistant Secretary of State

UNCONDITIONAL COMMUTATION OF CLAY SANFORD

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Yakima County Superior Court, Case No. 18-1-O1733-39; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 18th day of August, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Trova O'Heffernan
Assistant Secretary of State

UNCONDITIONAL COMMUTATION OF SUSEN GORST

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Yakima County Superior Court, Case No. 19-1-01824-39; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 18th day of August, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Trova O'Heffernan
Assistant Secretary of State

UNCONDITIONAL COMMUTATION OF PHILLIP RIVERA

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Benton County Superior Court, Case No. 18-1-01555-7; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 18th day of August, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Trova O’Heffernan
Assistant Secretary of State

**UNCONDITIONAL COMMUTATION OF
NICHOLAS MILLER**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Thurston County Superior Court, Case No. 18-1-01870-34; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual’s judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 18th day of August, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Trova O’Heffernan
Assistant Secretary of State

**UNCONDITIONAL COMMUTATION OF
MAJESTY CAMPBELL**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Benton County Superior Court, Case No. 19-1-00862-03; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual’s judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 31st day of August, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Trova O’Heffernan
Assistant Secretary of State

**UNCONDITIONAL COMMUTATION OF
AMANDA MATSON**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Pierce County Superior Court, Case No. 16-1-00510-3; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due

FOURTH DAY, JANUARY 12, 2023

process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 31st day of August, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/

Trova O'Heffernan
Assistant Secretary of State

UNCONDITIONAL COMMUTATION OF THOMAS BARTON

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Ferry County Superior Court, Case No. 17-1-00012-4, and in Okanogan County Superior Court, Case No. 19-1-00208-24; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner

from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 2nd day of September, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/

Trova O'Heffernan
Assistant Secretary of State

UNCONDITIONAL COMMUTATION OF CARLOSEVERYBODYTALKSABOUT

To AH to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Yakima County Superior Court, Case No. 18-1-01320-39; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 29th day of September, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/

Trova O'Heffernan
Assistant Secretary of State

UNCONDITIONAL COMMUTATION OF ARTHUR SHAW

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Grays Harbor County Superior Court, Case No. 18-1-00223-14; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 29th day of September, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Trova O'Heffernan
Assistant Secretary of State

**UNCONDITIONAL COMMUTATION OF
BRYSON BLAIR**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Benton County Superior Court, Case No. 19-1-00410-03; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 29th day of September, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Trova O'Heffernan
Assistant Secretary of State

**UNCONDITIONAL COMMUTATION OF
LOGAN TURNER**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Thurston County Superior Court, Case No. 19-1-00730-34; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 29th day of September, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Trova O’Heffernan
Assistant Secretary of State

**UNCONDITIONAL COMMUTATION OF
ALEXIS SAMUELS**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Okanogan County Superior Court, Case No. 19-1-00229-24; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 29th day of September, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Trova O’Heffernan
Assistant Secretary of State

**UNCONDITIONAL COMMUTATION OF
TERRY PENUEL**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Yakima County Superior Court, Case No. 18-1-00378-39; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due

process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 29th day of September, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Trova O’Heffernan
Assistant Secretary of State

**UNCONDITIONAL COMMUTATION OF
CODY DANIELS**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Pierce County Superior Court, Case No. 19-1-01917-6; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner

from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 29th day of September, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Trova O’Heffernan
Assistant Secretary of State

**UNCONDITIONAL COMMUTATION OF
ZACHARY STEVENSON**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Yakima County Superior Court, Case No. 19-1-02346-39; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual’s judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 29th day of September, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Trova O’Heffernan
Assistant Secretary of State

**UNCONDITIONAL COMMUTATION OF
JAMES KINNEY**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Thurston County Superior Court, Case No. 16-1-01302-34; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual’s judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 29th day of September, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Trova O’Heffernan
Assistant Secretary of State

**UNCONDITIONAL COMMUTATION OF
JOSE SILVA**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Yakima County Superior Court, Case Nos. 16-1-01332-39, 16-1-02111-39, 17-1-01990-39, and 20-1-00739-39; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual’s judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

FOURTH DAY, JANUARY 12, 2023

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).

**UNCONDITIONAL COMMUTATION OF
KYLE JOHNSON**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Okanogan County Superior Court, Case No. 19-1-00069-24; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 29th day of September, A.D., two thousand and twenty-two.



/s/
Jay Inslee
Governor

/s/
Trova O'Heffernan
Assistant Secretary of State

**UNCONDITIONAL COMMUTATION OF
TYLER LAGASA**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a

judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Mason County Superior Court, Case No. 13-1-00323-6, 12-1-00372-6; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 29th day of September, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Trova O'Heffernan
Assistant Secretary of State

**UNCONDITIONAL COMMUTATION OF
HARLEY SUMNER**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Spokane County Superior Court, Case No. 18-1-02875-3; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby

grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 29th day of September, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Trova O’Heffernan
Assistant Secretary of State

**UNCONDITIONAL COMMUTATION OF
KYLE HEINTZ**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Benton County Superior Court, Case No. 18-1-01357-03; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual’s judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 29th day of September, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/

Trova O’Heffernan
Assistant Secretary of State

**UNCONDITIONAL COMMUTATION OF
KONSTANTIN GRICHANICHENKO**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Snohomish County Superior Court, Case No. 17-1-01598-31; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual’s judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 29th day of September, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Trova O’Heffernan
Assistant Secretary of State

**UNCONDITIONAL COMMUTATION OF
AUDREY WILSON**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Snohomish County Superior Court, Case Nos. 06-1-00977-5 and 06-1-01692-5; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

FOURTH DAY, JANUARY 12, 2023

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 29th day of September, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Trova O'Heffernan
Assistant Secretary of State

UNCONDITIONAL COMMUTATION OF RACHEL WHARTON

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Stevens County Superior Court, Case No. 17-1-00006-4; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 19th day of October, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF CORY HARLESS

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Grant County Superior Court, Case No. 15-1-00823-7; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 19th day of October, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF MIGUEL LEGRADA

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a

judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Spokane County Superior Court, Case No. 18-1-00545-1; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 19th day of October, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF EDWARD PAGE

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Snohomish County Superior Court, Case No. 16-1-02621-31; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL

COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 19th day of October, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF CHRISTOPHER POLLAK

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Snohomish County Superior Court, Case No. 01-1-02559-1; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 19th day of October, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
MICHAEL VINCENT**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Grant County Superior Court, Case No. 16-1-00723-9; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 19th day of October, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
OMAR GARCIA**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Yakima County Superior Court, Case No. 18-1-02011-39; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because

no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 19th day of October, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
RITCHERD HERNANDEZ**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Benton County Superior Court, Case No. 19-1-01311-03; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 19th day of October, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
ASHLEY SAMPSON**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Yakima County Superior Court, Case No. 19-1-00626-39; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 3rd day of November, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Trova O'Heffernan
Assistant Secretary of State

**UNCONDITIONAL COMMUTATION OF
DEVIN PRICE**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a

judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Snohomish County Superior Court, Case No. 17-1-00317-31; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 19th day of October, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
GUADALUPE PADILLA**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Yakima County Superior Court, Case No. 17-1-01053-39; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL

FOURTH DAY, JANUARY 12, 2023

COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 19th day of October, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF RINIQUE WHITING

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Yakima County Superior Court, Case No. 17-1-01471-39; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 3rd day of November, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Trova O'Heffernan
Assistant Secretary of State

UNCONDITIONAL COMMUTATION OF VALENTIN RIOJAS

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Yakima County Superior Court, Case Nos. 19-1-02230-39 and 18-1-00967-39; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 3rd day of November, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Trova O'Heffernan
Assistant Secretary of State

UNCONDITIONAL COMMUTATION OF KIEARRA PITHAROULIS

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Yakima County Superior Court, Case No. 19-1-00918-39; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because

no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 3rd day of November, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Trova O'Heffernan
Assistant Secretary of State

**UNCONDITIONAL COMMUTATION OF
BRANDON COLLADO**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Thurston County Superior Court, Case No. 15-1-00499-2; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 29th day of November, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
DERRICK CHARLEY**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Okanogan County Superior Court, Case No. 18-1-00297-24; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 29th day of November, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
JESSE CROXTON**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a

FOURTH DAY, JANUARY 12, 2023

judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Benton County Superior Court, Case Nos. 16-1-00217-3 and 18-1-00192-1; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to *this* unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 29th day of November, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF BRIAN SALTER

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Yakima County Superior Court, Case Nos. 16-1-02026-39 and 16-1-02320-39; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL

COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 29th day of November, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF ARTEM KIRICHENKO

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Mason County Superior Court, Case No. 18-1-00279-23; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 29th day of November, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
SALVADOR BARRERA**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Yakima County Superior Court, Case No. 17-1-02310-39; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 29th day of November, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
DAVID BARATZ**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Thurston County Superior Court, Case No. 19-1-00985-34; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because

no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 29th day of November, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
SEAN YALLUP**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Yakima County Superior Court, Case No. 19-1-02077-39; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 29th day of November, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
JAYSON BRODERSON-MATTHAI**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Pierce County Superior Court, Case No. 18-1-01173-8; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 20th day of December, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
CASEY SAMPSON**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a

judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Island County Superior Court, Case No. 19-1-00082-15; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.401 3, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 20th day of December, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
SAMUEL POTTS**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Mason County Superior Court, Case Nos. 14-1-00384-6 and 14-1-00357-9; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL

COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 20th day of December, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
CHRISTOPHER MCEACHERN**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Benton County Superior Court, Case No. 19-1-01397-03; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 20th day of December, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
MICHAEL COOPER**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Pacific County Superior Court, Case No. 16-1-00202-0; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 20th day of December, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**UNCONDITIONAL COMMUTATION OF
FLORNESIO FLORES**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Yakima County Superior Court, Case No. 18-1-00431-39; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because

FOURTH DAY, JANUARY 12, 2023

no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 20th day of December, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF RYAN BROWN

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Thurston County Superior Court, Case No. 19-1-00605-34; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 20th day of December, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF ADRIAN ROSS

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Benton County Superior Court, Case No. 18-1-01491-03; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 20th day of December, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF ADINA HELLER

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a

judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Thurston County Superior Court, Case No. 19-1-00999-34; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 20th day of December, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF CHARLES KEYES

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Thurston County Superior Court, Case No. 19-1-00481-34; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170,481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL

COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 20th day of December, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

UNCONDITIONAL COMMUTATION OF SARA GONZALEZ

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, the above-referenced individual is currently in Washington State Department of Corrections custody, under a judgment and sentence(s) imposing a term of community custody solely for conviction(s) of possession of a controlled substance pursuant to RCW 69.50.4013(1), in Yakima County Superior Court, Case No. 16-1-00201-39; and

WHEREAS, on February 25, 2021, the Washington State Supreme Court issued *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021), holding that RCW 69.50.4013(1) violates the due process clauses of the United States and Washington Constitutions and is void; and

WHEREAS, the Department of Corrections must legally continue to enforce the judgment and sentence order(s) because no court has yet to apply the *Blake* decision to this individual's judgment and sentence(s); and

WHEREAS, I am concerned about the continued enforcement of judgment and sentence orders imposed solely for convictions under RCW 69.50.4013(1), in light of the *Blake* decision; and

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to the above-referenced petitioner this UNCONDITIONAL COMMUTATION with respect to the conviction(s) for POSSESSION OF A CONTROLLED SUBSTANCE, under RCW 69.50.4013, relating to the above-referenced cause number(s).

Pursuant to this unconditional commutation, I authorize the Department of Corrections to immediately release the petitioner from any remaining supervision and to cease collecting legal financial obligations relating to this conviction(s).



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 20th day of December, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**CONDITIONAL COMMUTATION OF
SPENCER CARTER JR.**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, in 2004, a jury found Spencer Carter Jr. guilty of two counts of SECOND DEGREE ASSAULT in Benton County Superior Court Cause No. 01-1-00895-5. This conviction followed events in which Mr. Carter visited associates to collect on a debt. During the visit, when some of the associates protested Mr. Carter's demand that they remove clothing so that he could see if they were wearing a wire, he hit them.

WHEREAS, prosecutors initially offered Mr. Carter a plea deal that would have resulted in him serving a 63-month sentence. He rejected that deal and opted to take his case to trial. After his first two trials resulted in a hung jury and a mistrial, a third jury found Mr. Carter guilty on two counts of second degree assault, "strike" offenses. These convictions followed two other earlier convictions on "strike" offenses, resulting in Mr. Carter being sentenced to life in prison without the possibility of parole under Washington's persistent offender statute.

WHEREAS, Mr. Carter has served over 18 years on this sentence. Had he not been sentenced as a persistent offender, Mr. Carter would have faced a 10-year statutory maximum sentence on these second degree assault convictions.

WHEREAS, in June 2022, the Clemency and Pardons Board reviewed Mr. Carter's clemency petition. The testimony before the Board stated that Mr. Carter began using alcohol as a teen, leading to his involvement in the criminal justice system. But since 2007, Mr. Carter has maintained his sobriety.

WHEREAS, the Benton County Prosecuting Attorney does not oppose Mr. Carter's clemency petition, nor does the only surviving victim. Additionally, Mr. Carter's sentencing judge supports his petition.

WHEREAS, the Clemency and Pardons Board unanimously voted to recommend that the Governor commute Mr. Carter's sentence. In making this recommendation, the Board cited Mr. Carter's remorse and demonstrated rehabilitation, strong support network, and the support of his sentencing judge.

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this matter, the circumstances of the involved crimes, and the favorable recommendation of the Washington State Clemency and Pardons Board, and in light of the foregoing, I have determined that the best interests of justice will be served by this action.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, adopt the recommendation of the Clemency and Pardons Board and hereby COMMUTE Spencer Carter Jr.'s 2004 sentence on two counts of SECOND DEGREE ASSAULT in Benton County Superior Court Cause No. 01-1-00895-5, conditioned on his written agreement to comply with all terms outlined by the Department of Corrections (DOC) in the below community transition plan. Under this plan, DOC shall have the authority to release Mr. Carter from custody no later than May 1, 2024, contingent on DOC approving his offender release plan and completing all applicable statutory notifications. During his final six months in custody, Mr. Carter shall complete a DOC-approved work release program. Following his release from custody, Mr. Carter shall serve 36 months of DOC community supervision. This transition plan, designed to support a successful community transition, shall not be eligible for compliance credits. During this period in custody and under community supervision, Mr. Carter must

comply with any conditions set forth by DOC. These conditions shall include, but not be limited to the following:

Mr. Carter shall:

1. Obey all laws and abide by all written or verbal conditions, prohibitions, or instructions issued by DOC.
2. Comply with all applicable judgment and sentence orders.
3. Be subject to GPS monitoring during his first 60 days in the community.
4. Be available for regular contact with DOC as directed, and consent to DOC home and employment visits and/or searches, including searches of person, automobiles, personal property, electronic devices, shared common living spaces, or social media accounts.
5. Physically report to DOC at least once per month, regardless of risk, as directed and at the discretion of DOC.
6. Obtain DOC-approved employment, or participate in DOC-approved educational, vocational, or community service programming, and report it to DOC along with changes in status.
7. Reside in DOC-approved housing and obtain DOC permission before changing residences or taking overnight visits away from the DOC-approved residence, even if just for one night.
8. Not travel outside his county of residence without written DOC approval, or remain in, or out of, a given geographical area as directed by DOC.
9. Not operate a motor vehicle without a valid driver's license and registration.
10. Not possess firearms, ammunition, explosives, or dangerous weapons, as determined by DOC.
11. Obtain, while in custody and prior to beginning work release, a substance abuse assessment or whatever assessment DOC recommends and complete any recommended in-patient treatment programming prior to transition to the community.
12. If necessary, obtain another substance abuse assessment within the first 60 days in the community and follow recommended outpatient treatment programming.
13. Obtain, within his first 90 days of release to the community, an assessment for anger and a mental health evaluation through a medical or mental health provider and follow any treatment or programming recommendations.
14. Not possess in the home, or use, alcohol or controlled substances, including medications or marijuana or paraphernalia, without a valid physician's prescription and DOC approval.
15. Not frequent or work in bars or taverns or any environments where the primary business is alcohol or marijuana, without DOC permission.
16. Be subject to regular drug and alcohol testing, as directed by DOC.
17. Report to DOC all law enforcement contacts within 24 hours of occurrence or the next business day, whichever is sooner.
18. Complete the Thinking For Change program while in the community, if it is available, at DOC's direction.

PROVIDED, that Mr. Carter shall remain under DOC supervision and explicitly follow the conditions established by DOC during the term of his community supervision. Violation of any of the above conditions shall result in sanctions as deemed appropriate by DOC and may result in the termination of this

Conditional Commutation as provided below. If Mr. Carter is taken into custody following any alleged violation, DOC shall hold a Community Custody Hearing. DOC may also require Mr. Carter to perform affirmative acts deemed appropriate to monitor compliance with the conditions and may issue warrants or detain Mr. Carter if he violates a condition.

ADDITIONALLY PROVIDED, that in the event Mr. Carter violates any of the conditions of this Conditional Commutation, as determined by the Governor, this Conditional Commutation may be revoked or amended and the sentence of the court reinstated, whereupon Mr. Carter will be immediately returned to any facility that the DOC Secretary deems appropriate. If any such violation occurs, DOC shall provide a written report to the Governor regarding the violation. A written notice of the Governor's intent to review the alleged violations and revoke or amend the Conditional Commutation may then be mailed to the most recent address Mr. Carter has provided to the Office of the Governor or, if Mr. Carter is in custody, to his place of detention. If within 14 calendar days of the mailing of the notice, Mr. Carter submits a sworn statement made under penalty of perjury that he has, in fact, complied with all conditions of this Conditional Commutation, the Governor shall appoint a hearing officer. The hearing officer will provide Mr. Carter an opportunity to be heard and to present witnesses and documentary evidence that he has met all conditions upon which the Conditional Commutation is granted. The hearing officer shall present findings of fact and a transcript of the hearing to the Governor for the Governor's final and conclusive determination on whether Mr. Carter has violated the terms of this Conditional Commutation.

ADDITIONALLY PROVIDED, that in the event Mr. Carter is convicted anywhere at any time of any offense the elements of which would classify the crime as a gross misdemeanor or felony in the state of Washington, the Governor may revoke this Conditional Commutation and the sentence of the court reinstated, whereupon Mr. Carter will be immediately returned to any such facility that the DOC Secretary deems appropriate.

ADDITIONALLY PROVIDED, that Mr. Carter may be detained pending judicial disposition of any new criminal charge or a final determination of whether a condition of this Conditional Commutation has been violated, if the Governor determines there are reasonable grounds to believe he has violated the above conditions of this Conditional Commutation, reason to be concerned that he would pose a risk to any person or to the community, or that there is a possibility that Mr. Carter may abscond if not detained. If detained, Mr. Carter will be provided a preliminary hearing, as promptly as convenient after arrest, to determine whether there are reasonable grounds to believe he has violated the above conditions.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 7th day of November, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**FULL AND UNCONDITIONAL PARDON OF
JACOB PAUL COTE**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, in 2000, Jacob Paul Cote pleaded guilty to FIRST DEGREE ROBBERY in Snohomish County Superior Court, Cause No. 00-1-00226-7. This conviction followed an event in late 1999 in which Mr. Cote, then a teenager, and four older associates kicked in the door at a known marijuana grow operation and assaulted at least one victim before stealing property and fleeing.

WHEREAS, two days later, Mr. Cote confessed to police his involvement in this offense and agreed to testify against his associates.

WHEREAS, Mr. Cote earned his GED in prison. Since his release, he has married and is now a father and grandfather.

WHEREAS, Mr. Cote and his wife own an appliance recycling business and employ individuals who have criminal records.

WHEREAS, Mr. Cote has no other criminal convictions on his record.

WHEREAS, in June 2022, the Clemency and Pardons Board reviewed Mr. Cote's petition for a pardon. At this hearing, Mr. Cote presented evidence that his criminal record precludes certain involvement in his family's school activities, and it negatively affects certain aspects of his business operations that require the successful completion of a background check.

WHEREAS, the Snohomish County Prosecuting Attorney supports Mr. Cote's petition seeking a pardon.

WHEREAS, the Clemency and Pardons Board voted unanimously to recommend that the Governor grant Mr. Cote a full pardon. The Board cited Mr. Cote's growth and maturation since this crime as well as his strong familial and community support network. The Board also applauded Mr. Cote for using his business to offer opportunities to others who could benefit from a second chance.

WHEREAS, at the time of his crime in 1999, Mr. Cote was 17 years old. The scientific and criminal justice communities have documented the difficulty the juvenile brain has in engaging in behavior control, often leading juveniles to exhibit a transient rashness, proclivity for risk, and inability to assess the full consequences of their actions. And,

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this matter, the circumstances of the involved crime, and the favorable recommendation of the Washington State Clemency and Pardons Board, and in light of the foregoing, I have determined that the best interests of justice will be served by this action.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant Jacob Paul Cote this full and unconditional pardon for his FIRST DEGREE ROBBERY conviction in Snohomish County Superior Court, Cause No. 00-1-00226-7.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 12th day of October, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**CONDITIONAL COMMUTATION OF
REUBEN KENDALL HINTON**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, in 1998, a jury found Reuben Kendall Hinton guilty of FIRST DEGREE ATTEMPTED MURDER and FIRST DEGREE UNLAWFUL FIREARM POSSESSION in Snohomish County Superior Court Cause No. 97-1-01271-1. This conviction followed events in which Mr. Hinton met another man to buy drugs. During the transaction, Mr. Hinton believed the other man was reaching for a gun; Mr. Hinton pulled his own gun and shot the other man before fleeing.

WHEREAS, the trial court sentenced Mr. Hinton to 40 years in prison. He has served over 24 years on that sentence.

WHEREAS, Mr. Hinton has had no serious prison infractions since 2012. He is currently classified as a low-risk to reoffend.

WHEREAS, Mr. Hinton has survived three pulmonary embolisms during his incarceration, and he continues to experience chronic health challenges.

WHEREAS, in March 2022, the Clemency and Pardons Board reviewed Mr. Hinton's clemency petition. The testimony before the Board was that the trial court sentenced Mr. Hinton to 10 years longer than the top end of the standard range. Also testimony showed that Mr. Hinton married his wife 16 years ago, and he plans to release to her home. Mr. Hinton already has job opportunities available to him upon his release.

WHEREAS, the Snohomish County Prosecuting Attorney supports Mr. Hinton's clemency petition, as does the victim in Mr. Hinton's underlying offense.

WHEREAS, the Clemency and Pardons Board unanimously voted to recommend that the Governor commute Mr. Hinton's sentence. In making this recommendation, the Board cited Mr. Hinton's strong familial and community support network, his remorse and growth over the term of his incarceration, the support of the Snohomish County Prosecuting Attorney and victim, and the fact that he received a sentence well above his standard range.

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this matter, the circumstances of the involved crimes, and the favorable recommendation of the Washington State Clemency and Pardons Board and, in light of the foregoing, I have determined that the best interests of justice will be served by this action.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, adopt the recommendation of the Clemency and Pardons Board and hereby COMMUTE Reuben Kendall Hinton's 1998 sentence for FIRST DEGREE ATTEMPTED MURDER and FIRST DEGREE UNLAWFUL FIREARM POSSESSION in Snohomish County Superior Court Cause No. 97-1-01271-1, conditioned on his written agreement to comply with all terms outlined by the Department of Corrections (DOC) in the below community transition plan. Under this plan, DOC shall have the authority to release Mr. Hinton from custody no later than December 1, 2023, contingent on DOC approving his offender release plan and completing all applicable statutory notifications. During his final six months in custody, Mr. Hinton shall complete a DOC-approved work release program. Following his release from custody, Mr. Hinton shall serve 36 months of DOC community supervision. This transition plan, designed to support a successful community transition, shall not be eligible for compliance credits. During this period in custody and under community supervision, Mr. Hinton must comply with any conditions set forth by DOC. These conditions shall include, but not be limited to the following:

Mr. Hinton shall:

1. Obey all laws and abide by all written or verbal

conditions, prohibitions, or instructions issued by DOC.

2. Comply with all applicable judgment and sentence orders.
3. Be available for regular contact with DOC as directed, and consent to DOC home and employment visits and/or searches, including searches of person, automobiles, personal property, electronic devices, shared common living spaces, or social media accounts.
4. Physically report to DOC at least once per month, regardless of risk, as directed and at the discretion of DOC.
5. Participate in polygraph examinations, as directed by DOC, to verify compliance with this order.
6. Obtain DOC-approved employment or enroll in DOC-approved educational, vocational, or other programming, as directed by DOC, and report it to DOC along with changes in status.
7. Reside in DOC-approved housing, and obtain DOC permission before changing residences or taking overnight visits away from the DOC-approved residence, even if just for one night.
8. Not travel outside his county of residence without written DOC approval, or remain in, or out of, a given geographical area as directed by DOC.
9. Not operate a motor vehicle without a valid driver's license and registration.
10. Not possess firearms, ammunition, explosives, or dangerous weapons, as determined by DOC.
11. Obtain, while in custody and prior to beginning work release, a substance abuse assessment or whatever assessment the DOC Substance Abuse Recovery Unit recommends and complete any recommended in-patient treatment programming.
12. Complete any required out-patient or substance abuse treatment recommendations.
13. Continue mental health treatment planning while in the community, and see a mental health provider while in the community for assessment within the first 45 days of release to community supervision and follow treatment recommendations within 30 days of that assessment.
14. Not possess in the home, or use, alcohol or controlled substances, including medications or marijuana or paraphernalia, without a valid physician's prescription and DOC approval.
15. Not possess chemicals commonly used to make illegal drugs, as determined by DOC.
16. Not frequent or work in bars or taverns or any environments where the primary business is alcohol or marijuana, without DOC permission.
17. Be subject to regular drug and alcohol testing, as directed by DOC.
18. Have no contact with known criminal felons, drug dealers, gang members, or individuals on active community supervision or in prison unless for work purposes, treatment, or for pro-social reasons, as determined and approved by DOC.
19. Report to DOC all law enforcement contacts within 24 hours of occurrence or the next business day, whichever is sooner.
20. Complete the Thinking For Change program, if it is available, at DOC's direction.

PROVIDED, that Mr. Hinton shall remain under DOC supervision and explicitly follow the conditions established by DOC during the term of his community supervision. Violation of any of the above conditions shall result in sanctions as deemed

appropriate by DOC and may result in the termination of this Conditional Commutation as provided below. If Mr. Hinton is taken into custody following any alleged violation, DOC shall hold a Community Custody Hearing. DOC may also require Mr. Hinton to perform affirmative acts deemed appropriate to monitor compliance with the conditions and may issue warrants or detain Mr. Hinton if he violates a condition.

ADDITIONALLY PROVIDED, that in the event Mr. Hinton violates any of the conditions of this Conditional Commutation, as determined by the Governor, this Conditional Commutation may be revoked or amended and the sentence of the court reinstated, whereupon Mr. Hinton will be immediately returned to any facility that the DOC Secretary deems appropriate. If any such violation occurs, DOC shall provide a written report to the Governor regarding the violation. A written notice of the Governor's intent to review the alleged violations and revoke or amend the Conditional Commutation may then be mailed to the most recent address Mr. Hinton has provided to the Office of the Governor or, if Mr. Hinton is in custody, to his place of detention. If within 14 calendar days of the mailing of the notice, Mr. Hinton submits a sworn statement made under penalty of perjury that he has, in fact, complied with all conditions of this Conditional Commutation, the Governor shall appoint a hearing officer. The hearing officer will provide Mr. Hinton an opportunity to be heard and to present witnesses and documentary evidence that he has met all conditions upon which the Conditional Commutation is granted. The hearing officer shall present findings of fact and a transcript of the hearing to the Governor for the Governor's final and conclusive determination on whether Mr. Hinton has violated the terms of this Conditional Commutation.

ADDITIONALLY PROVIDED, that in the event Mr. Hinton is convicted anywhere at any time of any offense the elements of which would classify the crime as a gross misdemeanor or felony in the state of Washington, the Governor may revoke this Conditional Commutation and the sentence of the court reinstated, whereupon Mr. Hinton will be immediately returned to any such facility that the DOC Secretary deems appropriate.

ADDITIONALLY PROVIDED, that Mr. Hinton may be detained pending judicial disposition of any new criminal charge or a final determination of whether a condition of this Conditional Commutation has been violated, if the Governor determines there are reasonable grounds to believe he has violated the above conditions of this Conditional Commutation, reason to be concerned that he would pose a risk to any person or to the community, or that there is a possibility that Mr. Hinton may abscond if not detained. If detained, Mr. Hinton will be provided a preliminary hearing, as promptly as convenient after arrest, to determine whether there are reasonable grounds to believe he has violated the above conditions.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 14th day of July, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Trova O'Heffernan
Assistant Secretary of State

**FULL AND UNCONDITIONAL PARDON OF
ALLEN CHEY JOHNSON**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, in 2002, Alley Chey Johnson pleaded guilty to FIRST DEGREE BURGLARY in Lewis County Superior Court, Cause No. 02-1-390-1, VIOLATION OF THE UNIFORM CONTROLLED SUBSTANCE ACT in King County Superior Court, Cause No. 02-C-3897-9 SEA, and both FIRST DEGREE MALICIOUS MISCHIEF and SECOND DEGREE MALICIOUS MISCHIEF in King County Superior Court, Cause No. 02-1-8233-1 SEA. These convictions followed events in which, as a teenager, Mr. Johnson stole firearms from an acquaintance's home, sold marijuana to an undercover police officer, and engaged in multiple automobile break-ins.

WHEREAS, Mr. Johnson accepts responsibility for his past behavior, and he has satisfied all the conditions of his sentences.

WHEREAS, Mr. Johnson has had no other criminal history since he was released after serving his sentences on these convictions.

WHEREAS, while incarcerated, Mr. Johnson earned his GED.

WHEREAS, in March 2022, the Clemency and Pardons Board reviewed Mr. Johnson's petition for a pardon. At his hearing, Mr. Johnson presented evidence that he wishes to become a mortgage originator and has completed his studies for that role; but, these felonies on his criminal record preclude him from fully pursuing that profession.

WHEREAS, the King County Prosecutor does not oppose Mr. Johnson's petition, and the Lewis County Prosecutor supports it. None of the victims oppose Mr. Johnson's petition.

WHEREAS, the Clemency and Pardons Board voted unanimously to recommend that the Governor grant Mr. Johnson a full pardon. The Board cited Mr. Johnson's clean criminal record since these crimes, his age at the time of the offenses and his subsequent growth and maturation, and the manner in which these convictions continue to burden him professionally. And,

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this matter, the circumstances of the involved crimes, and the favorable recommendation of the Washington State Clemency and Pardons Board and, in light of the foregoing, I have determined that the best interests of justice will be served by this action.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant Alley Chey Johnson this FULL AND UNCONDITIONAL PARDON for his convictions for FIRST DEGREE BURGLARY in Lewis County Superior Court, Cause No. 02-1-390-1, VIOLATION OF THE UNIFORM CONTROLLED SUBSTANCE ACT in King County Superior Court, Cause No. 02-C-3897-9 SEA, and FIRST DEGREE MALICIOUS MISCHIEF and SECOND DEGREE MALICIOUS MISCHIEF in King County Superior Court, Cause No. 02-1-8233-1 SEA.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 9th day of June, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**FULL AND UNCONDITIONAL PARDON OF
JULIE MELISSA LANE**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, in 2018, Julie Melissa Lane pleaded guilty to FELONY HARASSMENT in Snohomish County Superior Court, Cause No. 08-1-01175-0. This conviction followed an event in 2005 in which Ms. Lane, then in an abusive marriage, was arguing with her intoxicated husband. During the argument, Ms. Lane "lost it" and threatened to kill their daughter.

WHEREAS, Ms. Lane initially entered into a diversion program, but after her husband was killed in an alcohol-related automobile accident, she experienced a mental health spiral and left the state to be closer to family in Oklahoma. Her departure resulted in the termination of her diversion program, and, unbeknownst to Ms. Lane, prosecutors refiled the felony harassment charge against her. Years later she learned of this refiled charge and pleaded guilty in 2018.

WHEREAS, surrounded by her family support network in Oklahoma, Ms. Lane flourished. She rebuilt her relationship with her daughter and has worked to put herself through nursing school.

WHEREAS, Ms. Lane has had no other criminal convictions on her record.

WHEREAS, in June 2022, the Clemency and Pardons Board reviewed Ms. Lane's petition for a pardon. At this hearing, Ms. Lane presented evidence that, under Oklahoma law, this conviction currently precludes her from becoming a registered nurse.

WHEREAS, both the victim and the Snohomish County Prosecutor support Ms. Lane's petition seeking a pardon.

WHEREAS, the Clemency and Pardons Board voted unanimously to recommend that the Governor grant Ms. Lane a full pardon. The Board cited Ms. Lane's growth and maturation since this crime. The Board also noted that the crime occurred almost 20 years ago and she has since paid her debt to society. And,

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this matter, the circumstances of the involved crime, and the favorable recommendation of the Washington State Clemency and Pardons Board, and in light of the foregoing, I have determined that the best interests of justice will be served by this action.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant Julie Melissa Lane this full and unconditional pardon for her FELONY HARASSMENT conviction in Snohomish County Superior Court, Cause No. 08-1-01175-0.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 12th day of October, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor



/s/
Randy Bolerjack
Deputy Secretary of State

**FULL AND UNCONDITIONAL PARDON OF
KRISTOPHER HARRISON LARSEN**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, in 2004, Kristopher Harrison Larsen wielded a pellet gun as he unsuccessfully attempted to order a 63-year old

woman into his vehicle. Days later, he compelled a young girl into his stolen rental vehicle and directed her parents to pay a ransom to secure their daughter's return. Mr. Larsen eventually led law enforcement on a high-speed chase before he was apprehended and surrendered the victim.

WHEREAS, Mr. Larsen was found guilty of FIRST DEGREE KIDNAPPING, FIRST DEGREE EXTORTION, FIRST DEGREE ATTEMPTED KIDNAPPING, ATTEMPTING TO ELUDE A PURSUING POLICE VEHICLE, and THEFT OF A RENTAL CAR, in King County Superior Court, Cause No. 04-1-10322-0. The trial court sentenced Mr. Larsen to 147 months in prison.

WHEREAS, these are the only criminal convictions on Mr. Larsen's record.

WHEREAS, Mr. Larsen has accepted full responsibility for his actions. Following his period in Washington state custody, in 2015 he was released to federal immigration detention.

WHEREAS, since his release from custody, Mr. Larsen has engaged to be married and now lives near his adult children. He is active in his community through volunteerism and civic engagement.

WHEREAS, due to Mr. Larsen's convictions, he now faces the possibility of imminent deportation from the United States to Vietnam, a country from which he was evacuated as a young child in 1975. He has no family, friends, or other connections in Vietnam, nor does he speak the language.

WHEREAS, in June 2022, the Clemency and Pardons Board reviewed Mr. Larsen's petition for a pardon. At his hearing, Mr. Larsen presented testimony that his deportation would devastate his community and his family.

WHEREAS, the King County Prosecuting Attorney's Office supports Mr. Larsen's petition. Nobody has expressed opposition to Mr. Larsen's petition.

WHEREAS, the Clemency and Pardons Board voted unanimously to recommend that the Governor grant Mr. Larsen a full pardon.

WHEREAS, I have reviewed the pertinent facts and circumstances surrounding this matter, the circumstances of the crimes and the consequences that this deportation will have on Mr. Larsen and his family and community, and, in light of the foregoing, I have determined that the best interests of justice will be served by this action.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to Kristopher Harrison Larsen this FULL AND UNCONDITIONAL pardon of his convictions for FIRST DEGREE KIDNAPPING, FIRST DEGREE EXTORTION, FIRST DEGREE ATTEMPTED KIDNAPPING, ATTEMPTING TO ELUDE A PURSUING POLICE VEHICLE, and THEFT OF A RENTAL CAR, in King County Superior Court, Cause No. 04-1-10322-0.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 14th day of July, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor



/s/
Trova O'Heffernan
Assistant Secretary of State

**FULL AND UNCONDITIONAL PARDON OF
STEVEN PAUL RENARD**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, in 1990, Steven Paul Renard was found guilty of ELUDING A POLICE OFFICER in Lewis County Superior Court, Cause No. 90-1-365-0. This conviction followed events in which Mr. Renard, lacking a valid driver's license, eluded a pursuing police vehicle.

WHEREAS, Mr. Renard accepts responsibility for his past behavior, and he has satisfied all the conditions of his sentence.

WHEREAS, Mr. Renard has had no other criminal history in over 30 years.

WHEREAS, Mr. Renard currently lives in Florida with his wife of over 24 years. He has operated his own business for over 12 years.

WHEREAS, in March 2022, the Clemency and Pardons Board reviewed Mr. Renard's petition for a pardon. At his hearing, Mr. Renard presented evidence that he would like to be designated a guardian of his disabled adult child, a fiduciary role. But in Florida, this criminal conviction prevents him from taking on this responsibility. Though Mr.

Renard's rights have already been restored, this pardon is necessary to become a guardian to his adult child.

WHEREAS, the Lewis County Prosecutor supports Mr. Renard's clemency petition.

WHEREAS, the Clemency and Pardons Board voted unanimously to recommend that the Governor grant Mr. Renard a full pardon. The Board cited Mr. Renard's clean criminal record for over three decades and the manner in which this conviction continues to burden Mr. Renard and his family. And,

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this matter, the circumstances of the involved crime, and the favorable recommendation of the Washington State Clemency and Pardons Board and, in light of the foregoing, I have determined that the best interests of justice will be served by this action.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant Steven Paul Renard this FULL AND UNCONDITIONAL PARDON for his convictions for ELUDING A POLICE OFFICER in Lewis County Superior Court, Cause No. 90-1-365-0.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 9th day of June, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**FULL AND UNCONDITIONAL PARDON OF
DAVID CHANDRA ROS**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, in 1991, David Chandra Ros, then sixteen years old, confronted a man who was dating the same woman as Ros. The men argued and Ros pulled a pistol from his pocket. The men then struggled over the gun and Ros shot the other man. Hearing gunfire, another man entered the room, and Ros shot this second man as well, killing him.

WHEREAS, Mr. Ros pleaded guilty to SECOND DEGREE MURDER and FIRST DEGREE ASSAULT, in King County Superior Court, Cause No. 91-1-04607-3 SEA. The trial court sentenced Mr. Ros to 251 months in prison.

WHEREAS, Mr. Ros has accepted full responsibility for his actions and completed all of his sentence requirements, including paying over \$1900 in court-ordered legal financial obligations and restitution. He served nearly 20 years in prison before he was released in 2009.

WHEREAS, following his release to the community, Mr. Ros entered the workforce and now raises his son. He maintains steady employment as a dialysis technician.

WHEREAS, Mr. Ros has lived crime-free in the community for over 12 years.

WHEREAS, due to Mr. Ros' conviction, he now faces the possibility of imminent deportation to Cambodia, a country from which his family fled as refugees when he was a child.

WHEREAS, the King County Prosecuting Attorney's Office does not oppose Mr. Ros' petition.

WHEREAS, in September 2022, the Clemency and Pardons Board reviewed Mr. Ros' petition for a pardon. At his hearing, Mr. Ros presented testimony that his deportation would devastate his community, specifically his son and elderly mother, to whom he provides care.

WHEREAS, the Clemency and Pardons Board voted unanimously to recommend that the Governor grant Mr. Ros a full pardon.

WHEREAS, at the time of his crime in 1991, Mr. Ros was just 16 years old. The scientific and criminal justice communities have documented the difficulty the juvenile brain has in engaging in behavior control, often leading juveniles to exhibit a transient rashness, proclivity for risk, and inability to assess the full consequences of their actions.

WHEREAS, I have reviewed the pertinent facts and circumstances surrounding this matter, the circumstances of the crime and the consequences that this deportation will have on Mr. Ros and his family, and, in light of the foregoing, I have determined that the best interests of justice will be served by this action.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to David Chandra Ros this FULL AND UNCONDITIONAL pardon of his SECOND DEGREE MURDER and FIRST DEGREE ASSAULT convictions in King County Superior Court, Cause No. 91-1-04607-3 SEA.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 14th day of December, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**CONDITIONAL COMMUTATION OF
STEVEN CHARLES SPURGEON**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, in 1989, a jury found Steven Charles Spurgeon guilty of FIRST DEGREE AGGRAVATED MURDER in King County Superior Court Cause No. 89-1-00592-8. This conviction

FOURTH DAY, JANUARY 12, 2023

followed events in which Mr. Spurgeon and associates robbed a taxi driver at gunpoint, and Mr. Spurgeon shot the driver, killing him.

WHEREAS, the trial court sentenced Mr. Spurgeon to life in prison without the possibility of parole. He has served over 33 years in prison on this sentence.

WHEREAS, Mr. Spurgeon has had no prison infractions since 1997.

WHEREAS, in June 2022, the Clemency and Pardons Board reviewed Mr. Spurgeon's clemency petition. The testimony before the Board included that of the charging prosecutor in Mr. Spurgeon's prosecution, who supports Mr. Spurgeon's petition and stated that by today's standards, based on the facts of this case, prosecutors would have tried Mr. Spurgeon for first degree murder-not aggravated first degree murder-which would have carried a shorter sentence and resulted in Mr. Spurgeon being released from custody over a decade ago.

WHEREAS, the King County Prosecuting Attorney does not oppose Mr. Spurgeon's clemency petition, and confirmed that the standard range sentence for Mr. Spurgeon, had he faced a first-degree murder conviction, would have been shorter than Mr. Spurgeon's current incarceration.

WHEREAS, the Clemency and Pardons Board unanimously voted to recommend that the Governor commute Mr. Spurgeon's sentence. In making this recommendation, the Board cited Mr. Spurgeon's strong support network, his remorse and growth over the term of his incarceration, the support of his charging prosecutor, and his exemplary prison record over the last 25 years.

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this matter, the circumstances of the involved crime, and the favorable recommendation of the Washington State Clemency and Pardons Board, and in light of the foregoing, I have determined that the best interests of justice will be served by this action.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, adopt the recommendation of the Clemency and Pardons Board and hereby COMMUTE Steven Charles Spurgeon's 1989 sentence for FIRST DEGREE AGGRAVATED MURDER in King County Superior Court Cause No. 89-1-00592-8, conditioned on his written agreement to comply with all terms outlined by the Department of Corrections (DOC) in the below community transition plan. Under this plan, DOC shall have the authority to release Mr. Spurgeon from custody no later than May 1, 2024, contingent on DOC approving his offender release plan and completing all applicable statutory notifications. Following his release from custody, Mr. Spurgeon shall serve 36 months of DOC community supervision. This transition plan, designed to support a successful community transition, shall not be eligible for compliance credits. During this period in custody and under community supervision, Mr. Spurgeon must comply with any conditions set forth by DOC. These conditions shall include, but not be limited to the following:

Mr. Spurgeon shall:

1. Obey all laws and abide by all written or verbal conditions, prohibitions, or instructions issued by DOC.
2. Comply with all applicable judgment and sentence orders.
3. Be subject to GPS monitoring during his first 60 days in the community.
4. Be available for regular contact with DOC as directed, and consent to DOC home and employment visits and/or searches, including searches of person, automobiles, personal property, electronic devices, shared common

living spaces, or social media accounts.

5. Physically report to DOC at least once per month, regardless of risk, as directed and at the discretion of DOC.
6. Obtain DOC-approved employment, or participate in DOC-approved educational, vocational, or other community service programming, and report it to DOC along with changes in status.
7. Reside in DOC-approved housing and obtain DOC permission before changing residences or taking overnight visits away from the DOC-approved residence, even if just for one night.
8. Not travel outside a set geographic area without written DOC approval, or remain in, or out of, a given geographical area as directed by DOC.
9. Not operate a motor vehicle without a valid driver's license and registration.
10. Not possess firearms, ammunition, explosives, or dangerous weapons, as determined by DOC.
11. Obtain, while in custody, a substance abuse assessment or whatever assessment DOC recommends and complete any recommended in-patient treatment programming prior to transition to the community.
12. If necessary, obtain another substance abuse assessment within his first 60 days in the community and follow recommended outpatient treatment programming.
13. Not possess, or use, alcohol or controlled substances, including medications or marijuana or paraphernalia, without a valid physician's prescription and DOC approval.
14. Not frequent or work in bars or taverns or any environments where the primary business is alcohol or marijuana, without DOC permission.
15. Be subject to regular drug and alcohol testing, as directed by DOC.
16. Report to DOC all law enforcement contacts within 24 hours of occurrence or the next business day, whichever is sooner.
17. Complete the Thinking For Change program in the community, if it is available, at DOC's direction.

PROVIDED, that Mr. Spurgeon shall remain under DOC supervision and explicitly follow the conditions established by DOC during the term of his community supervision. Violation of any of the above conditions shall result in sanctions as deemed appropriate by DOC and may result in the termination of this Conditional Commutation as provided below. If Mr. Spurgeon is taken into custody following any alleged violation, DOC shall hold a Community Custody Hearing. DOC may also require Mr. Spurgeon to perform affirmative acts deemed appropriate to monitor compliance with the conditions and may issue warrants or detain Mr. Spurgeon if he violates a condition.

ADDITIONALLY PROVIDED, that in the event Mr. Spurgeon violates any of the conditions of this Conditional Commutation, as determined by the Governor, this Conditional Commutation may be revoked or amended and the sentence of the court reinstated, whereupon Mr. Spurgeon will be immediately returned to any facility that the DOC Secretary deems appropriate. If any such violation occurs, DOC shall provide a written report to the Governor regarding the violation. A written notice of the Governor's intent to review the alleged violations and revoke or amend the Conditional Commutation may then be mailed to the most recent address Mr. Spurgeon has provided to the Office of the Governor or, if Mr. Spurgeon is in custody, to his place of detention. If within 14 calendar days of the mailing of

the notice, Mr. Spurgeon submits a sworn statement made under penalty of perjury that he has, in fact, complied with all conditions of this Conditional Commutation, the Governor shall appoint a hearing officer. The hearing officer will provide Mr. Spurgeon an opportunity to be heard and to present witnesses and documentary evidence that he has met all conditions upon which the Conditional Commutation is granted. The hearing officer shall present findings of fact and a transcript of the hearing to the Governor for the Governor's final and conclusive determination on whether Mr. Spurgeon has violated the terms of this Conditional Commutation.

ADDITIONALLY PROVIDED, that in the event Mr. Spurgeon is convicted anywhere at any time of any offense the elements of which would classify the crime as a gross misdemeanor or felony in the state of Washington, the Governor may revoke this Conditional Commutation and the sentence of the court reinstated, whereupon Mr. Spurgeon will be immediately returned to any such facility that the DOC Secretary deems appropriate.

ADDITIONALLY PROVIDED, that Mr. Spurgeon may be detained pending judicial disposition of any new criminal charge or a final determination of whether a condition of this Conditional Commutation has been violated, if the Governor determines there are reasonable grounds to believe he has violated the above conditions of this Conditional Commutation, reason to be concerned that he would pose a risk to any person or to the community, or that there is a possibility that Mr. Spurgeon may abscond if not detained. If detained, Mr. Spurgeon will be provided a preliminary hearing, as promptly as convenient after arrest, to determine whether there are reasonable grounds to believe he has violated the above conditions.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 7th day of November, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

**CONDITIONAL COMMUTATION OF
PATRICIA MINAKO TEAFATILLER**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, in 1996, a jury found Patricia Minako Teafatiller guilty of two counts of ATTEMPTED FIRST DEGREE MURDER, in Clark County Superior Court, Cause No. 95-1-802-0, after she cut each of her two young daughters' throats one night before putting them to bed.

WHEREAS, a court sentenced Ms. Teafatiller to 480 months in prison. She has served over 26 years on her sentence, She may be released from custody as early as May 2029.

WHEREAS, these are the only criminal convictions on Ms. Teafatiller's record. While incarcerated, Ms. Teafatiller has achieved sobriety and has had no serious infractions since 2005,

WHEREAS, while in custody, Ms. Teafatiller has earned her GED and converted to Islam.

WHEREAS, Ms. Teafatiller's eldest daughter-a victim of her present offense-has written the Governor's Office requesting that her mother receive a commutation.

WHEREAS, at its December 2021 hearing, the Clemency and Pardons Board reviewed Ms. Teafatiller's clemency petition, The testimony before the Board was that Ms.

Teafatiller grew up in a challenging environment, with an abusive father who attempted to kill her. She began using controlled substances at a young age, and she suffered from undiagnosed depression, battered women's syndrome, and post-traumatic stress disorder at the time of her offense. Upon release from custody, Ms. Teafatiller plans to attend vocational school for massage therapy and acupuncture, She has a strong community support network and has secured shelter, employment, and financial assistance to help her transition to the community,

WHEREAS, the Clemency and Pardons Board voted to recommend that the governor commute Ms. Teafatiller's sentence. The Board cited Ms. Teafatiller's remorse, the length of time she has spent in prison and her demonstrated rehabilitation, as well as her strong community support network. And,

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this matter, the circumstances of the involved crime, and the favorable recommendation of the Washington State Clemency and Pardons Board and, in light of the foregoing, I have determined that the best interests of justice will be served by *this* action.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, adopt the recommendation of the Clemency and Pardons Board and hereby COMMUTE Patricia Minako Teafatiller's sentence for her 1996 convictions on two counts of ATTEMPTED FIRST DEGREE MURDER in Clark County Superior Court, Cause No. 95-1-802-0, conditioned on her agreement to comply with all terms outlined by the Department of Corrections (DOC) in a transition plan. Under *this* transition plan, DOC shall have the authority to release Ms. Teafatiller from custody no later than April 1, 2023. During this in-custody transition period, Ms. Teafatiller must complete an approved work release program. Following her release from custody, Ms. Teafatiller shall serve 24 months of community supervision. *This* transition plan, designed to support a successful community transition, shall not be eligible for compliance credits. During her time in custody and on community supervision, Ms. Teafatiller must comply with any conditions set by DOC. These conditions shall include, but not be limited to the following:

Ms. Teafatiller shall:

1. Obey all laws and follow standard DOC conditions for supervision and other DOC orders or directives;
2. Abide by the terms of her judgment and sentence order;
3. Report regularly to her community corrections officer as directed by DOC;
4. Participate in DOC-approved education, employment, and/or community service programs as directed by DOC and report to DOC any changes in status;
5. Abstain from using or possessing alcohol and drugs/paraphernalia, including medications, marijuana, spice, or other mind and mood altering substances, unless prescribed by a licensed medical doctor;
6. Submit to regular and/or random urinalysis and breathalyzer testing as directed by DOC;
7. Not possess, receive, or transport a firearm, explosive, dangerous weapon, or ammunition as defined and determined by DOC;
8. Receive prior approval from DOC for living arrangements, residence locations, and residence location changes;

FOURTH DAY, JANUARY 12, 2023

9. Allow DOC to conduct home and employment visits as DOC deems appropriate, including searches of persons, automobiles, personal property, and common areas and places to which she has access;
10. Remain within a geographic county of approved residence unless granted DOC permission to travel outside county of residence;
11. Not visit geographic areas or certain classes of business establishments as determined by DOC.
12. Report contact with law enforcement to DOC within 24 hours of occurrence;

PROVIDED, that Ms. Teafatiller shall remain under DOC supervision and explicitly follow the conditions established by that agency during the term of her community supervision. Violation of any of the above conditions shall result in sanctions as deemed appropriate by DOC and may result in the termination of this Conditional Commutation as provided below. If Ms. Teafatiller is taken into custody following any alleged violation, DOC shall hold a Community Custody Hearing. DOC may also require Ms. Teafatiller to perform affirmative acts deemed appropriate to monitor compliance with the conditions and may issue warrants or detain Ms. Teafatiller if she violates a condition.

ADDITIONALLY PROVIDED, that in the event Ms. Teafatiller violates any of the conditions of this Conditional Commutation, as determined by the governor, this Conditional Commutation may be revoked or amended and the sentence of the court reinstated, whereupon Ms. Teafatiller will be immediately returned to any such facility as the DOC Secretary deems appropriate. If any such violation occurs, DOC shall provide a written report to the Governor regarding the violation. A written notice of the governor's intent to review the alleged violation(s) and revoke or amend the Conditional Commutation will then be mailed to the most recent address Ms. Teafatiller has provided to the Office of the governor or, if Ms. Teafatiller is in custody, to her place of detention. If within 14 calendar days of the mailing of the notice, Ms. Teafatiller submits a sworn statement made under penalty of perjury that she has, in fact, complied with all conditions of this Conditional Commutation, the governor shall appoint a hearing officer. The hearing officer will provide Ms. Teafatiller an opportunity to be heard and to present witnesses and documentary evidence that she has met all conditions upon which the Conditional Commutation is granted. The hearing officer shall present findings of fact and a transcript of the hearing to the governor for the governor's final and conclusive determination on whether Ms. Teafatiller has violated the conditions of this Conditional Commutation.

ADDITIONALLY PROVIDED, that in the event Ms. Teafatiller is convicted anywhere at any time of any offense the elements of which would classify the crime as a gross misdemeanor or felony in the state of Washington, this Conditional Commutation may be revoked and the sentence of the court reinstated, whereupon Ms. Teafatiller will be immediately returned to any such facility that the Secretary of the DOC deems appropriate.

ADDITIONALLY PROVIDED, that Ms. Teafatiller may be detained pending judicial disposition of any new criminal charge or a final determination of whether a condition of this Conditional Commutation has been violated, if the governor determines there are reasonable grounds to believe she has violated the above conditions of this Conditional Commutation, reason to be concerned that she would pose a risk to any person or to the community, or that there is a possibility that Ms. Teafatiller may abscond if not detained. If detained, Ms. Teafatiller will be provided a preliminary hearing, as promptly as convenient after

arrest, to determine whether there are reasonable grounds to believe she has violated the above conditions.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 14th day of April, A.D., two thousand and twenty-two.

/s/

Jay Inslee
Governor

/s/

Randy Bolerjack
Deputy Secretary of State

CONDITIONAL COMMUTATION OF JESSUP BERNARD TILLMON

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, in 2010, a jury found Jessup Bernard Tillmon guilty of FIRST DEGREE BURGLARY, FIRST DEGREE KIDNAPPING, and FIRST DEGREE ROBBERY-with each count carrying a DEADLY WEAPON ENHANCEMENT-in Thurston County Superior Court Cause No. 09-1-01930-8. These convictions followed events in which Mr. Tillmon and his associates broke into a home to steal marijuana, forced numerous victims into a single room with a firearm, and stole property.

WHEREAS, no victims were physically harmed in this incident, and following the incident, Mr. Tillmon immediately regretted his involvement and turned himself in to law enforcement.

WHEREAS, Mr. Tillmon was sentenced to 234 months for these convictions, or 19.5 years. He has now served over 12 years.

WHEREAS, Mr. Tillmon has no other criminal convictions on his record.

WHEREAS, Mr. Tillmon has had no prison infractions since 2014, and he has never had a serious infraction. He is currently serving his sentence at a minimum-security facility.

WHEREAS, in June 2022, the Clemency and Pardons Board reviewed Mr. Tillman's clemency petition. The testimony before the Board stated that Mr. Tillmon has a strong family and community support network that stands ready to help him transition to the community with housing and job options.

WHEREAS, the Thurston County Prosecuting Attorney does not oppose Mr. Tillman's clemency petition.

WHEREAS, the Clemency and Pardons Board unanimously voted to recommend that the Governor commute Mr. Tillmon's sentence. In making this recommendation, the Board cited Mr. Tillmon's strong support network, his rehabilitation and growth while incarcerated, and the recommendation of the prosecuting attorney, among other factors.

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this matter, the circumstances of the involved crimes, and the favorable recommendation of the Washington State Clemency and Pardons Board, and in light of the foregoing, I have determined that the best interests of justice will be served by this action.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, adopt the recommendation of the Clemency and Pardons Board and hereby COMMUTE Jessup Bernard Tillmon's 2010 sentence on convictions for FIRST DEGREE BURGLARY, FIRST DEGREE KIDNAPPING, and FIRST DEGREE ROBBERY-with each count carrying a DEADLY WEAPON

ENHANCEMENT-in Thurston County Superior Court Cause No. 09-1-01930-8, conditioned on his written agreement to comply with all terms outlined by the Department of Corrections (DOC) in the below community transition plan. Under this plan, DOC shall have the authority to release Mr. Tillmon from custody no later than April 1, 2024, contingent on DOC approving his offender release plan and completing all applicable statutory notifications. During his final six months in custody, Mr. Tillmon shall complete a DOC-approved work release program. Following his release from custody, Mr. Tillmon shall serve 36 months of DOC community supervision. This transition plan, designed to support a successful community transition, shall not be eligible for compliance credits. During this period in custody and under community supervision, Mr. Tillmon must comply with any conditions set forth by DOC. These conditions shall include, but not be limited to the following:

Mr. Tillmon shall:

1. Obey all laws and abide by all written or verbal conditions, prohibitions, or instructions issued by DOC.
2. Comply with all applicable judgment and sentence orders.
3. Be subject to GPS monitoring during his first 60 days in the community.
4. Be available for regular contact with DOC as directed, and consent to DOC home and employment visits and/or searches, including searches of person, automobiles, personal property, electronic devices, shared common living spaces, or social media accounts.
5. Physically report to DOC at least once per month, regardless of risk, as directed and at the discretion of DOC.
6. Obtain DOC-approved employment or participate in DOC-approved educational, vocational, or community service programming, as directed by DOC, and report it to DOC along with changes in status.
7. Reside in DOC-approved housing and obtain DOC permission before changing residences or taking overnight visits away from the DOC-approved residence, even if just for one night.
8. Not travel outside his county of residence without written DOC approval, or remain in, or out of, a given geographical area as directed by DOC.
9. Not operate a motor vehicle without a valid driver's license and registration.
10. Not possess firearms, ammunition, explosives, or dangerous weapons, as determined by DOC.
11. Obtain, within his first 60 days in the community, a substance abuse assessment or whatever assessment DOC recommends and complete any treatment recommendations.
12. Not possess, or use, alcohol or controlled substances, including medications or marijuana or paraphernalia, without a valid physician's prescription and DOC approval.
13. Not frequent or work in bars or taverns or any environments where the primary business is alcohol or marijuana, without DOC permission.
14. Be subject to regular drug and alcohol testing, as directed by DOC.
15. Report to DOC all law enforcement contacts within 24 hours of occurrence or the next business day, whichever is sooner.
16. Complete the Thinking For Change program in the community, if it is available, at DOC's direction.

PROVIDED, that Mr. Tillmon shall remain under DOC supervision and explicitly follow the conditions established by DOC during the term of his community supervision. Violation of any of the above conditions shall result in sanctions as deemed appropriate by DOC and may result in the termination of this Conditional Commutation as provided below. If Mr. Tillmon is taken into custody following any alleged violation, DOC shall hold a Community Custody Hearing. DOC may also require Mr. Tillmon to perform affirmative acts deemed appropriate to monitor compliance with the conditions and may issue warrants or detain Mr. Tillmon if he violates a condition.

ADDITIONALLY PROVIDED, that in the event Mr. Tillmon violates any of the conditions of this Conditional Commutation, as determined by the Governor, this Conditional Commutation may be revoked or amended and the sentence of the court reinstated, whereupon Mr. Tillmon will be immediately returned to any facility that the DOC Secretary deems appropriate. If any such violation occurs, DOC shall provide a written report to the Governor regarding the violation. A written notice of the Governor's intent to review the alleged violations and revoke or amend the Conditional Commutation may then be mailed to the most recent address Mr. Tillmon has provided to the Office of the Governor or, if Mr. Tillmon is in custody, to his place of detention. If within 14 calendar days of the mailing of the notice, Mr. Tillmon submits a sworn statement made under penalty of perjury that he has, in fact, complied with all conditions of this Conditional Commutation, the Governor shall appoint a hearing officer. The hearing officer will provide Mr. Tillmon an opportunity to be heard and to present witnesses and documentary evidence that he has met all conditions upon which the Conditional Commutation is granted. The hearing officer shall present findings of fact and a transcript of the hearing to the Governor for the Governor's final and conclusive determination on whether Mr. Tillmon has violated the terms of this Conditional Commutation.

ADDITIONALLY PROVIDED, that in the event Mr. Tillmon is convicted anywhere at any time of any offense the elements of which would classify the crime as a gross misdemeanor or felony in the state of Washington, the Governor may revoke this Conditional Commutation and the sentence of the court reinstated, whereupon Mr. Tillmon will be immediately returned to any such facility that the DOC Secretary deems appropriate.

ADDITIONALLY PROVIDED, that Mr. Tillmon may be detained pending judicial disposition of any new criminal charge or a final determination of whether a condition of this Conditional Commutation has been violated, if the Governor determines there are reasonable grounds to believe he has violated the above conditions of this Conditional Commutation, reason to be concerned that he would pose a risk to any person or to the community, or that there is a possibility that Mr. Tillmon may abscond if not detained. If detained, Mr. Tillmon will be provided a preliminary hearing, as promptly as convenient after arrest, to determine whether there are reasonable grounds to believe he has violated the above conditions.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 7th day of November, A.D., two thousand and twenty-two.

/s/

Jay Inslee
Governor



/s/

Randy Bolerjack

**FULL AND UNCONDITIONAL PARDON OF
JOSEPH EUGENE WILLIAMS**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, in 1998, Joseph Eugene Williams pleaded guilty to FIRST DEGREE BURGLARY in Snohomish County Superior Court, Cause No. 97-1-02062-4. This conviction followed an event in 1997 in which Mr. Williams believed that the boyfriend of his daughter's mother was abusing his young daughter. Mr. Williams went to the boyfriend's home, kicked in the door, and then punched the man.

WHEREAS, Mr. Williams received an honorable discharge from the U.S. Army in 1992.

WHEREAS, Mr. Williams has been convicted of no crimes in over 20 years.

WHEREAS, Mr. Williams has studied to become a chaplain, earning an associate's degree in theology and a master's degree in divinity.

WHEREAS, in March and June 2022, the Clemency and Pardons Board reviewed Mr. Williams' petition for a pardon. At this hearing, Mr. Williams presented evidence that he hopes to serve as a volunteer chaplain in settings that require his successful completion of a background check. This criminal conviction precludes his pursuing those dreams.

WHEREAS, the Snohomish County Prosecuting Attorney supports Mr. Williams' petition seeking a pardon.

WHEREAS, the Clemency and Pardons Board voted unanimously to recommend that the Governor grant Mr. Williams a full pardon. The Board cited Mr. Williams' growth and his lack of any criminal activity in more than two decades. It also noted the Snohomish County Prosecuting Attorney's support for Mr. Williams' petition. And,

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this matter, the circumstances of the involved crime, and the favorable recommendation of the Washington State Clemency and Pardons Board, and in light of the foregoing, I have determined that the best interests of justice will be served by this action.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant Joseph Eugene Williams this full and unconditional pardon for his FIRST DEGREE BURGLARY conviction in Snohomish County Superior Court, Cause No. 97-1-02062-4.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 12th day of October, A.D., two thousand and twenty-two.

/s/
Jay Inslee
Governor

/s/
Randy Bolerjack
Deputy Secretary of State

MOTION

On motion of Senator Pedersen, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 5298 by Senator Wagoner

AN ACT Relating to improving department of corrections operation and oversight by transferring the office of corrections ombuds to the department of social and health services; amending RCW 43.06C.020 and 43.131.426; adding a new section to chapter 43.06C RCW; creating a new section; and repealing RCW 43.06C.030.

Referred to Committee on Human Services.

SB 5299 by Senators Braun and Rolfes

AN ACT Relating to law enforcement officer protection; amending RCW 9A.36.031, 9.94A.831, and 10.118.030; adding a new section to chapter 9.61 RCW; adding a new section to chapter 4.24 RCW; and prescribing penalties.

Referred to Committee on Law & Justice.

SB 5300 by Senator Dhingra

AN ACT Relating to continuity of coverage for prescription drugs prescribed for the treatment of behavioral health conditions; amending RCW 69.41.190; adding a new section to chapter 48.43 RCW; and providing an effective date.

Referred to Committee on Health & Long-Term Care.

SB 5301 by Senator Mullet

AN ACT Relating to housing programs administered by the department of commerce; amending RCW 43.185.010, 43.185.030, 43.185.070, 43.185.074, 43.185.080, 43.185A.010, 43.185A.020, 43.185A.060, 43.185A.070, 18.85.311, 31.04.025, 39.35D.080, 43.63A.680, 43.79.201, 43.185C.200, 43.185C.210, 47.12.063, 59.24.060, 82.14.400, and 82.45.100; reenacting and amending RCW 43.185.050; adding new sections to chapter 43.185A RCW; adding a new section to chapter 42.56 RCW; adding a new section to chapter 43.185B RCW; recodifying RCW 43.185.010, 43.185.030, 43.185.050, 43.185.070, 43.185.074, 43.185.080, and 43.185.110; and repealing RCW 43.185.015, 43.185.020, 43.185.060, 43.185.076, 43.185.090, 43.185.100, 43.185.120, 43.185.130, 43.185.140, 43.185.910, 43.185A.030, 43.185A.050, 43.185A.080, 43.185A.090, 43.185A.100, 43.185A.110, 43.185A.120, and 43.185A.900.

Referred to Committee on Housing.

SB 5302 by Senator Mullet

AN ACT Relating to establishing a property tax exemption for adult family homes that serve people with intellectual or developmental disabilities and are owned by a nonprofit; amending RCW 84.36.042 and 84.36.805; reenacting and amending RCW 84.36.805; creating new sections; providing an effective date; and providing an expiration date.

Referred to Committee on Health & Long-Term Care.

SB 5303 by Senators Mullet and Warnick

AN ACT Relating to the public works assistance revolving account; amending RCW 43.84.092, 43.155.020, 43.155.060, and 43.155.070; adding a new section to chapter 43.155 RCW; and providing a contingent effective date.

Referred to Committee on State Government & Elections.

SB 5304 by Senator Saldaña

AN ACT Relating to testing individuals who provide language access to state services; and amending RCW 74.04.025.

Referred to Committee on Human Services.

SB 5305 by Senator Wellman

AN ACT Relating to establishing the office of career connect Washington; amending RCW 28C.30.020, 28C.30.030, 28C.30.040, 28C.30.050, 28C.30.060, 28C.30.070, and 28B.77.005; adding a new chapter to Title 28B RCW; and recodifying RCW 28C.30.020, 28C.30.030, 28C.30.040, 28C.30.050, 28C.30.060, and 28C.30.070.

Referred to Committee on Early Learning & K-12 Education.

SB 5306 by Senators Short and Van De Wege

AN ACT Relating to authorizing the department of fish and wildlife to establish disease interdiction and control check stations; and adding a new chapter to Title 77 RCW.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SB 5307 by Senator Torres

AN ACT Relating to expediting licensure for cosmetologists, hair designers, barbers, manicurists, and estheticians; and amending RCW 18.16.090.

Referred to Committee on Labor & Commerce.

SB 5308 by Senators Cleveland and Rivers

AN ACT Relating to athletic trainers; and amending RCW 18.250.010 and 18.250.110.

Referred to Committee on Health & Long-Term Care.

SB 5309 by Senators Lovelett and Rolfes

AN ACT Relating to eliminating the state public utility tax deduction for the instate portion of interstate transport of petroleum products and crude oil; amending RCW 82.16.050; and creating a new section.

Referred to Committee on Ways & Means.

SB 5310 by Senators Lovelett and Saldaña

AN ACT Relating to defining attending provider and clarifying other provider functions for workers' compensation claims, and adding psychologists as attending providers for mental health only claims; amending RCW 51.04.050, 51.28.010, 51.28.020, 51.28.030, 51.32.055, 51.32.090, 51.32.095, 51.36.010, 51.36.022, 51.36.060, and 51.36.070; adding a new section to chapter 51.08 RCW; and providing an effective date.

Referred to Committee on Labor & Commerce.

SB 5311 by Senator Wellman

AN ACT Relating to special education funding formula; and amending RCW 28A.150.390.

Referred to Committee on Early Learning & K-12 Education.

SB 5312 by Senators Lovelett and Wilson, J.

AN ACT Relating to creating a residential property assessed clean energy and resiliency program; and adding a new chapter to Title 36 RCW.

Referred to Committee on Local Government, Land Use & Tribal Affairs.

SB 5313 by Senator MacEwen

AN ACT Relating to murder in the first degree; and amending RCW 9A.32.030.

Referred to Committee on Law & Justice.

SB 5314 by Senators Wilson, J. and Cleveland

AN ACT Relating to electric-assisted bicycle use on certain trails and roads; amending RCW 46.01.370, 43.84.092, and 43.84.092; reenacting and amending RCW 46.61.710; adding new sections to chapter 79A.80 RCW; prescribing penalties; providing an effective date; and providing an expiration date.

Referred to Committee on Transportation.

SB 5315 by Senator Wilson, C.

AN ACT Relating to nonpublic agencies operating special education programs for students with disabilities; amending RCW 28A.155.090, 28A.155.060, 28A.155.210, 28A.600.485, and 28A.310.515; adding a new section to chapter 28A.155 RCW; and declaring an emergency.

Referred to Committee on Early Learning & K-12 Education.

SB 5316 by Senator Wilson, C.

AN ACT Relating to background check and licensing fees for programs administered by the department of children, youth, and families; amending RCW 43.43.837, 43.216.270, and 43.216.271; repealing RCW 43.216.272 and 43.216.273; repealing 2021 c 304 s 34 (uncodified); and declaring an emergency.

Referred to Committee on Early Learning & K-12 Education.

SB 5317 by Senators Nobles and Wilson, J.

AN ACT Relating to the removal of vehicles by a regional transit authority when obstructing the operation of high capacity transportation vehicles or jeopardizing public safety; and amending RCW 46.55.010.

Referred to Committee on Transportation.

SB 5318 by Senators Nobles and Kuderer

AN ACT Relating to limiting estate recovery; and amending RCW 43.20B.080 and 70.129.040.

Referred to Committee on Human Services.

SB 5319 by Senators Stanford and Dozier

AN ACT Relating to pet insurance; adding a new chapter to Title 48 RCW; and providing an effective date.

Referred to Committee on Business, Financial Services, Gaming & Trade.

SB 5320 by Senator Saldaña

AN ACT Relating to journey level electrician certifications of competency; amending RCW 19.28.191; and declaring an emergency.

Referred to Committee on Labor & Commerce.

SB 5321 by Senator Valdez

AN ACT Relating to the unauthorized publication of personal identifying information; adding a new section to chapter 4.24 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Law & Justice.

SB 5322 by Senator Wellman

AN ACT Relating to environmental and labor reporting for public building construction and renovation material; amending RCW 43.88.0301; adding a new chapter to Title 39 RCW; creating new sections; and providing an expiration date.

Referred to Committee on State Government & Elections.

SB 5323 by Senator MacEwen

AN ACT Relating to the department of veterans affairs regarding exempt staff and exempt staff appointments, removing reference to one-time use of funds, and exempting veteran discharge papers from public disclosure; amending RCW 41.06.077, 43.60A.140, 72.36.020, and 42.56.440; adding a new section to chapter 43.60A RCW; and repealing RCW 72.36.040, 72.36.050, 72.36.055, and 72.36.077.

Referred to Committee on State Government & Elections.

SB 5324 by Senators Conway, Nobles, Lovick, Fortunato, Hunt, Wagoner and Randall

AN ACT Relating to the defense community compatibility account; and amending RCW 43.330.515 and 43.330.520.

Referred to Committee on State Government & Elections.

SB 5325 by Senators Shewmake and Boehnke

AN ACT Relating to enhancing access to clean fuel for agencies providing public transportation; and adding a new section to chapter 36.57A RCW.

Referred to Committee on Environment, Energy & Technology.

SB 5326 by Senators Lovick, King and Mullet

AN ACT Relating to verification of motor vehicle insurance; amending RCW 46.16A.130, 46.30.020, 46.63.110, and 46.68.067; adding a new section to chapter 46.30 RCW; creating new sections; and providing an effective date.

Referred to Committee on Transportation.

SB 5327 by Senators Keiser, Saldaña, Nobles, Wilson, C., Conway and Liias

AN ACT Relating to paying interns; amending RCW 49.46.010; and adding new sections to chapter 49.46 RCW.

Referred to Committee on Labor & Commerce.

SB 5328 by Senators Van De Wege, Conway, Saldaña, Keiser, Nguyen, Randall, Shewmake, Lovick, Holy, Fortunato and Liias

AN ACT Relating to public safety employees' retirement plan membership for public safety telecommunicators; amending RCW 41.37.005 and 41.37.010; adding a new section to chapter 41.37 RCW; creating a new section; and providing an effective date.

Referred to Committee on Ways & Means.

SB 5329 by Senators Liias and Holy

AN ACT Relating to fees at campuses other than the main campus; amending RCW 28B.15.031; and adding a new section to chapter 28B.15 RCW.

Referred to Committee on Higher Education & Workforce Development.

SB 5330 by Senators Torres, Muzzall, Shewmake, Van De Wege and Warnick

AN ACT Relating to the Washington pesticide application act; amending RCW 17.21.020, 17.21.130, and 17.21.132; and adding a new section to chapter 17.21 RCW.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SB 5331 by Senators Conway, Saldaña and Keiser

AN ACT Relating to job search requirements for unemployment insurance benefits; amending RCW 50.20.240; and creating new sections.

Referred to Committee on Labor & Commerce.

SB 5332 by Senator King

AN ACT Relating to prohibiting locating homeless encampments near schools and early learning facilities; adding a new section to chapter 35.36 RCW; adding a new section to chapter 35A.63 RCW; adding a new section to chapter 36.70 RCW; and adding a new section to chapter 36.70A RCW.

Referred to Committee on Local Government, Land Use & Tribal Affairs.

SB 5333 by Senator Lovick

AN ACT Relating to creating the state sport special license plate; reenacting and amending RCW 46.17.220, 46.18.200, and 46.68.420; adding a new section to chapter 46.04 RCW; and providing an effective date.

Referred to Committee on Transportation.

SB 5334 by Senators Lovelett and Kuderer

AN ACT Relating to providing a local government option for the funding of essential affordable housing programs; amending RCW 67.28.181 and 82.14.410; and adding a new section to chapter 67.28 RCW.

Referred to Committee on Local Government, Land Use & Tribal Affairs.

SB 5335 by Senator Hasegawa

AN ACT Relating to health care financing and development of the Washington health trust to ensure that all Washington residents can enroll in nonprofit health insurance coverage providing an essential set of health benefits, including medical, dental, vision, and prescription drug benefits; adding a new section to chapter 82.32 RCW; adding a new section to chapter 82.04 RCW; adding a new chapter to Title 43 RCW; adding a new chapter to Title 82 RCW; adding a new title to the Revised Code of Washington to be codified as Title 50C RCW; prescribing penalties; providing effective dates; providing a contingent effective date; and providing contingent expiration dates.

Referred to Committee on Health & Long-Term Care.

SB 5336 by Senators Cleveland and Wilson, L.

AN ACT Relating to population criteria for the main street trust fund tax credit; and amending RCW 82.73.030.

Referred to Committee on Business, Financial Services, Gaming & Trade.

SB 5337 by Senators Cleveland and Braun

AN ACT Relating to exempting the sale and leaseback of property by a seller from the residential landlord-tenant act when the seller agrees to a written lease at closing; and amending RCW 59.18.040.

Referred to Committee on Housing.

SB 5338 by Senators Cleveland and Muzzall

AN ACT Relating to a review of the state's essential health benefits; amending RCW 48.43.715; and creating a new section.

Referred to Committee on Health & Long-Term Care.

SB 5339 by Senators Nobles and Hunt

AN ACT Relating to providing free school meals for all; amending RCW 28A.150.200, 28A.235.250, 28A.235.270, 28A.235.285, 28A.600.290, 28A.150.260, 28A.150.260, and 28A.405.415; reenacting and amending RCW 28A.235.160 and 28A.600.310; adding new sections to chapter 28A.235 RCW; creating a new section; repealing RCW 28A.235.140 and 28A.235.260; providing an effective date; and providing expiration dates.

Referred to Committee on Early Learning & K-12 Education.

SB 5340 by Senator King

AN ACT Relating to limits on the sale and possession of retail cannabis products; and amending RCW 69.50.360 and 69.50.4013.

Referred to Committee on Labor & Commerce.

SB 5341 by Senators Muzzall, Shewmake, Van De Wege, Torres and Warnick

AN ACT Relating to creating a location-based branding and promotion program for Washington food and agricultural

products; adding a new chapter to Title 15 RCW; and repealing RCW 15.105.005, 15.105.010, 15.105.020, 15.105.030, 15.105.040, 15.105.050, 15.105.060, and 15.105.901.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SB 5342 by Senators Kauffman, King and Liias

AN ACT Relating to transit agencies' ability to enter into interlocal agreements for procurement; and amending RCW 39.34.030.

Referred to Committee on Transportation.

SB 5343 by Senators Schoesler, Mullet, Padden, Dozier, Fortunato, Short, King, Warnick, Braun, Liias and Wagoner

AN ACT Relating to reducing costs and increasing efficiency in school construction through the use of modifiable standard school construction plans; amending RCW 28A.525.166 and 28A.525.178; and creating a new section.

Referred to Committee on Early Learning & K-12 Education.

SB 5344 by Senators Schoesler, Dozier, Braun, Wagoner and Warnick

AN ACT Relating to a public school revolving fund; amending RCW 43.84.092; adding new sections to chapter 43.79 RCW; and providing a contingent effective date.

Referred to Committee on Early Learning & K-12 Education.

SB 5345 by Senators Schoesler, Padden, Dozier, Fortunato, Short, Braun, Wagoner and Warnick

AN ACT Relating to exempting certain public school buildings from the state energy performance standard; reenacting and amending RCW 19.27A.200; and adding a new section to chapter 19.27A RCW.

Referred to Committee on Environment, Energy & Technology.

SB 5346 by Senators Schoesler, Dozier, Braun, Gildon, Wagoner and Liias

AN ACT Relating to encouraging the use of student art in school construction; and amending RCW 28A.335.210, 43.46.095, and 43.17.205.

Referred to Committee on Early Learning & K-12 Education.

SB 5347 by Senators Wagoner and Pedersen

AN ACT Relating to access to abstract driving records; and amending RCW 46.52.130.

Referred to Committee on Law & Justice.

SB 5348 by Senators Conway, Keiser, Saldaña and Stanford

AN ACT Relating to warehouse distribution centers; adding a new chapter to Title 49 RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Labor & Commerce.

SB 5349 by Senators Conway, Robinson, Wilson, C., Keiser and Hasegawa

AN ACT Relating to repealing some postretirement employment restrictions; amending RCW 41.32.765, 41.32.802, 41.32.862, 41.32.875, 41.35.060, 41.35.420, 41.35.680, 41.40.630, and 41.40.820; and providing an effective date.

Referred to Committee on Ways & Means.

SB 5350 by Senators Conway, Hasegawa, Lovick, Robinson, Wagoner, Pedersen, Keiser, Randall, Van De Wege and Lias

AN ACT Relating to providing a benefit increase to certain retirees of the public employees' retirement system plan 1 and the teachers' retirement system plan 1; amending RCW 41.32.4992 and 41.40.1987; creating new sections; providing an effective date; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 5351 by Senator Dhingra

AN ACT Relating to the collection, sharing, and selling of consumer health data; and adding a new chapter to Title 19 RCW.

Referred to Committee on Law & Justice.

SJM 8000 by Senators Kuderer and Shewmake

Concerning contributions to election campaigns.

Referred to Committee on State Government & Elections.

SJR 8203 by Senators Schoesler, Fortunato, Dozier, Braun, Wagoner and Warnick

Establishing a public school revolving fund.

Referred to Committee on Early Learning & K-12 Education.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Introduction and First Reading report were referred to the committees as designated with the exception of:

Senate Bill No. 5305 which had been designated to the Committee on Higher Education & Workforce Development and was referred to the Committee on Early Learning & K-12 Education;

Senate Bill No. 5309 which had been designated to the Committee on Transportation and was referred to the Committee on Ways & Means; and

Senate Bill No. 5316 which had been designated to the Committee on Human Services and was referred to the Committee on Early Learning & K-12 Education.

At 12:32 p.m., on motion of Senator Pedersen, the Senate adjourned until 12:30 p.m. Friday, January 13, 2023.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

FIFTH DAY

AFTERNOON SESSION

Senate Chamber, Olympia
Friday, January 13, 2023

The Senate was called to order at 12:30 p.m. by the President of the Senate, Lt. Governor Heck presiding. No roll call was taken.

MOTIONS

On motion of Senator Pedersen, the reading of the Journal of the previous day was dispensed with and it was approved.

On motion of Senator Pedersen, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

January 12, 2023

SB 5003 Prime Sponsor, Senator Lovick: Increasing the number of district court judges in Snohomish county. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

January 12, 2023

SB 5004 Prime Sponsor, Senator Pedersen: Making updates to the Washington business corporation act. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

January 12, 2023

SB 5128 Prime Sponsor, Senator Trudeau: Concerning jury diversity. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5128 be substituted therefor, and the substitute bill do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Kuderer; Pedersen; Salomon and Valdez.

MINORITY recommendation: Do not pass. Signed by Senator Padden, Ranking Member.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators McCune; Torres; Wagoner and Wilson, L.

Referred to Committee on Ways & Means.

January 12, 2023

SB 5190 Prime Sponsor, Senator Trudeau: Increasing middle housing in areas traditionally dedicated to single-family detached

housing. Reported by Committee on Local Government, Land Use & Tribal Affairs

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Lovelett, Chair; Salomon, Vice Chair; Torres, Ranking Member; Kauffman and Short.

Referred to Committee on Housing.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Standing Committee report were referred to the committees as designated.

On motion of Senator Pedersen, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 5352 by Senators Lovick, MacEwen, Cleveland, Conway, Gildon, Holy, Hunt, Mullet, Rolfes, Salomon, Short, Torres, Van De Wege, Warnick, Wilson, C. and Wilson, L.

AN ACT Relating to vehicular pursuits; and amending RCW 10.116.060.

Referred to Committee on Law & Justice.

SB 5353 by Senators Wagoner, Van De Wege, Dozier, Salomon, Short, Warnick and Wilson, J.

AN ACT Relating to the voluntary stewardship program; and amending RCW 36.70A.710.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SB 5354 by Senators Trudeau, Warnick, Dhingra, Hasegawa, Randall, Robinson, Saldaña, Torres, Wellman and Wilson, C.

AN ACT Relating to aligning social worker licensing requirements with national standards and requirements for other mental health professionals; amending RCW 18.225.090; and creating a new section.

Referred to Committee on Health & Long-Term Care.

SB 5355 by Senators Wilson, C., Kuderer, Lovelett, Nguyen, Randall, Valdez and Wellman

AN ACT Relating to mandating instruction on sex trafficking prevention and identification for students in grades seven through 12; adding a new section to chapter 28A.320 RCW; and creating a new section.

Referred to Committee on Early Learning & K-12 Education.

SB 5356 by Senators Hasegawa, Hunt, Keiser, Lovelett, Saldaña, Stanford, Valdez and Wilson, J.

AN ACT Relating to establishing guidelines for government procurement and use of automated decision systems in order to protect consumers, improve transparency, and create more market predictability; adding a new section to chapter

FIFTH DAY, JANUARY 13, 2023

49.60 RCW; adding a new chapter to Title 43 RCW; and declaring an emergency.

Referred to Committee on Environment, Energy & Technology.

SB 5357 by Senators Gildon, Liias, Short, Torres and Warnick
AN ACT Relating to establishing limitations on detached accessory dwelling units outside urban growth areas; amending RCW 36.70A.696; and adding a new section to chapter 36.70A RCW.

Referred to Committee on Local Government, Land Use & Tribal Affairs.

SB 5358 by Senators Gildon, Nobles, Conway, Holy, Lovelett, Nguyen, Randall, Torres, Wagoner, Wellman, Wilson, C. and Wilson, L.

AN ACT Relating to expanding veterans' services and programs; amending RCW 43.60A.101; adding new sections to chapter 43.60A RCW; creating a new section; and providing expiration dates.

Referred to Committee on State Government & Elections.

SB 5359 by Senators Wilson, L., Dozier, Fortunato, Short, Torres and Wagoner

AN ACT Relating to establishing a responsible state spending limit with excess revenues dedicated to property tax relief; amending RCW 84.55.010; adding new sections to chapter 43.135 RCW; and adding a new section to chapter 82.33 RCW.

Referred to Committee on Ways & Means.

SB 5360 by Senator MacEwen

AN ACT Relating to vehicle combinations that may be operated on public highways; and amending RCW 46.44.030 and 46.44.037.

Referred to Committee on Transportation.

SB 5361 by Senators Holy, Wilson, L., MacEwen, Dozier, Braun, Lovick, Gildon, Boehnke, Schoesler, Randall, Wagoner, Padden, Warnick, Fortunato, Liias, Short, King, Muzzall, Van De Wege, Cleveland, Conway, Torres and Wilson, C.

AN ACT Relating to incentivizing cities and counties to increase employment of commissioned law enforcement officers; reenacting and amending RCW 43.101.200; adding a new section to chapter 82.14 RCW; and creating a new section.

Referred to Committee on Law & Justice.

SB 5362 by Senators MacEwen, Dozier, Short, Torres and Wilson, L.

AN ACT Relating to advancing the due date for the department of ecology's report on the effects of the clean fuels program; amending RCW 70A.535.090; and creating a new section.

Referred to Committee on Environment, Energy & Technology.

SB 5363 by Senators MacEwen and Stanford

AN ACT Relating to cannabis retailer advertising; and amending RCW 69.50.369.

Referred to Committee on Labor & Commerce.

SB 5364 by Senators Frame, Gildon, Liias, Nguyen, Saldaña, Shewmake, Torres, Van De Wege and Wilson, C.

AN ACT Relating to increasing housing options through lot splitting; adding a new section to chapter 36.70A RCW; and creating a new section.

Referred to Committee on Local Government, Land Use & Tribal Affairs.

SB 5365 by Senators Saldaña, Liias, Billig, Dhingra, Hunt, Lovelett, Nguyen, Pedersen, Randall, Robinson, Stanford, Valdez, Wellman and Wilson, C.

AN ACT Relating to the purchase, use, and possession of vapor and tobacco products by minors; amending RCW 70.155.100, 70.155.110, and 70.345.160; reenacting and amending RCW 70.155.120; creating new sections; and repealing RCW 70.155.080 and 70.345.140.

Referred to Committee on Labor & Commerce.

SB 5366 by Senators Nguyen, Cleveland, Dhingra, Hasegawa, Hunt, Kuderer, Liias, Lovelett, Randall, Saldaña, Stanford, Valdez and Wilson, C.

AN ACT Relating to preventing utility shutoffs for nonpayment during extreme heat; amending RCW 54.16.285, 57.08.081, 80.28.010, 87.03.015, 59.18.060, and 59.20.070; adding a new section to chapter 23.86 RCW; adding a new section to chapter 24.06 RCW; adding a new section to chapter 35.21 RCW; and adding a new section to chapter 70A.125 RCW.

Referred to Committee on Environment, Energy & Technology.

SB 5367 by Senators Robinson, Schoesler, Conway, Dozier, Keiser, Saldaña and Wellman

AN ACT Relating to the regulation of products containing THC; amending RCW 15.140.020, 69.50.326, and 69.50.346; reenacting and amending RCW 69.50.101; and adding a new section to chapter 69.50 RCW.

Referred to Committee on Labor & Commerce.

SB 5368 by Senators Keiser, King, Conway, Schoesler, Randall, Torres and Wilson, C.

AN ACT Relating to establishing equitable access to the workers' compensation stay-at-work program by allowing employers to offer off-site light duty return to work opportunities to injured workers; amending RCW 51.32.090; creating a new section; and providing an effective date.

Referred to Committee on Labor & Commerce.

SB 5369 by Senators Billig, Padden, Short, Shewmake, Schoesler, Lovelett, Conway, Boehnke, Salomon, Nguyen, Van De Wege, Wagoner, Dhingra, Dozier, Hasegawa, Hunt, Keiser, Randall, Torres and Valdez

AN ACT Relating to reassessing standards for polychlorinated biphenyls in consumer products; adding new sections to chapter 70A.350 RCW; and creating a new section.

Referred to Committee on Environment, Energy & Technology.

SB 5370 by Senators Wagoner, Dhingra, Van De Wege and Wilson, C.

AN ACT Relating to adult protective services; and amending RCW 74.34.020, 74.34.063, 74.34.095, and 68.50.105.

Referred to Committee on Human Services.

SB 5371 by Senators Lovelett, Shewmake, Hasegawa, Hunt, Keiser, Kuderer, Nguyen, Pedersen, Randall, Robinson, Rolfes, Saldaña, Valdez, Wellman and Wilson, C.

AN ACT Relating to protecting southern resident orcas from vessels; amending RCW 77.15.740, 77.65.615, and 77.15.815; and prescribing penalties.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SB 5372 by Senators Rolfes, Short, Lovelett, Randall, Saldaña, Shewmake, Torres and Van De Wege

AN ACT Relating to authorizing the department of natural resources to create and manage a trust land transfer program; amending RCW 79.17.020, 79.17.210, 79.22.060, 43.30.385, 79.19.020, 79.19.030, and 79.11.340; reenacting and amending RCW 79.64.110; adding new sections to chapter 79.17 RCW; and creating a new section.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SB 5373 by Senators Randall, Holy, Dhingra, Hunt, Cleveland, Wilson, C., Saldaña, Van De Wege, Conway, Frame, Hasegawa, Keiser, Kuderer, Liias, Lovelett, Nguyen, Nobles, Robinson and Valdez

AN ACT Relating to requiring health carriers to reimburse advanced registered nurse practitioners and physician assistants at the same rate as physicians for the same services; reenacting and amending RCW 41.05.017; adding a new section to chapter 48.43 RCW; and creating a new section.

Referred to Committee on Health & Long-Term Care.

SB 5374 by Senators Short, Lovelett, Shewmake and Torres

AN ACT Relating to the adoption of county critical area ordinances by cities; amending RCW 36.70A.060; and creating a new section.

Referred to Committee on Local Government, Land Use & Tribal Affairs.

SB 5375 by Senators King, Mullet, Torres, Rivers, Warnick and Wilson, L.

AN ACT Relating to taxation of low-proof beverages; amending RCW 66.24.630, 66.24.055, and 82.08.150;

reenacting and amending RCW 66.04.010; and adding a new section to chapter 66.24 RCW.

Referred to Committee on Labor & Commerce.

SB 5376 by Senators Stanford, Rivers, Keiser, Saldaña and Wilson, C.

AN ACT Relating to the sale of cannabis waste; and adding a new section to chapter 69.50 RCW.

Referred to Committee on Labor & Commerce.

SB 5377 by Senators Rivers, Stanford, Mullet, MacEwen and Shewmake

AN ACT Relating to cannabis license ownership; amending RCW 69.50.325, 69.50.331, and 69.50.331; providing effective dates; and declaring an emergency.

Referred to Committee on Labor & Commerce.

SB 5378 by Senators Kauffman, Wilson, J., Hunt, Hasegawa, Rivers, Keiser, Dozier, King, Van De Wege, Lovick, MacEwen, Conway, Lovelett, Nguyen, Saldaña, Wellman and Wilson, C.

AN ACT Relating to requiring voter education within jurisdictions engaged in changing the method of selecting candidates during a primary or removing a primary as the result of employing a single event election process in a general election including a new cause of action, and reversion of the candidate selection processes when necessary; adding new sections to chapter 29A.52 RCW; creating a new section; and providing an effective date.

Referred to Committee on State Government & Elections.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

On motion of Senator Pedersen, the Senate advanced to the eighth order of business.

Senator Pedersen moved adoption of the following resolution:

SENATE RESOLUTION

8603

By Senators Pedersen, Cleveland, Hunt, Kuderer, Lovick, Stanford, Trudeau, Warnick, Wellman, C. Wilson, and Dhingra

WHEREAS, Since 2002, Seattle Women's Chorus has been performing innovative and entertaining programs that illuminate the experiences of LGBTQ people and their allies; and

WHEREAS, At 100+ voices strong, Seattle Women's Chorus is one of the largest LGBTQ-identified women's choruses in the nation; and

WHEREAS, On February 4, 2023, Seattle Women's Chorus will perform a concert titled "Get the Party Started" to celebrate its 20th anniversary; and

WHEREAS, Seattle Women's Chorus has demonstrated a tireless commitment to inclusion, diversity, acceptance, and social justice; and

FIFTH DAY, JANUARY 13, 2023

WHEREAS, Seattle Women's Chorus performances celebrate the power of women in the face of diminishing rights, intolerance, and division; and

WHEREAS, Seattle Women's Chorus has toured the western United States and led community engagement projects for Women for Women International, Lambert House, Central Area Development Association, and many other organizations; and

WHEREAS, Seattle Women's Chorus has had the pleasure of performing with respected artists such as Bernice Johnson Reagon, Chely Wright, Kathy Najimy, and comedy duo Dos Fallopa;

NOW, THEREFORE, BE IT RESOLVED, That the members of the Washington State Senate hereby thank Seattle Women's Chorus for its cultural and artistic contributions to the state and region, and recognize the special importance of this inspiring performance and momentous anniversary; and

BE IT FURTHER RESOLVED, That the Washington State Senate congratulate members of Seattle Women's Chorus on the group's 20th anniversary.

Senator Pedersen spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8603.

The motion by Senator Pedersen carried and the resolution was adopted by voice vote.

MOTION

At 12:35 p.m., on motion of Senator Pedersen, the Senate adjourned until 12:30 p.m. Monday, January 16, 2023.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

EIGHTH DAY

AFTERNOON SESSION

Senate Chamber, Olympia
Monday, January 16, 2023

The Senate was called to order at 12:35 p.m. by the President of the Senate, Lt. Governor Heck presiding. The Secretary called the roll and announced to the President that all Senators were present.

The Sergeant at Arms Color Guard consisting of Pages Miss Hailey Huff and Mr. Quincy Wright, presented the Colors. Page Miss Ashley Sarber led the Senate in the Pledge of Allegiance.

Mr. Avery L. Moore, Chief, Tacoma Police Department offered the prayer.

Ms. Marsha Mutisi and Mr. Providence Kamana of Tacoma performed "*Lift Every Voice and Sing*".

MOTIONS

On motion of Senator Pedersen the reading of the Journal of the previous day was dispensed with and it was approved.

On motion of Senator Pedersen, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

January 13, 2023

SB 5000 Prime Sponsor, Senator Wagoner: Recognizing contributions of Americans of Chinese descent. Reported by Committee on State Government & Elections

MAJORITY recommendation: Do pass. Signed by Senators Valdez, Vice Chair; Wilson, J., Ranking Member; Hunt, Chair; Dozier; Fortunato; Hasegawa and Kuderer.

Referred to Committee on Rules for second reading.

January 13, 2023

SB 5036 Prime Sponsor, Senator Muzzall: Concerning telemedicine. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Rules for second reading.

January 13, 2023

SB 5082 Prime Sponsor, Senator Kuderer: Encouraging electoral participation and making ballots more meaningful by abolishing advisory votes. Reported by Committee on State Government & Elections

MAJORITY recommendation: That Substitute Senate Bill No. 5082 be substituted therefor, and the substitute bill do pass. Signed by Senators Valdez, Vice Chair; Hunt, Chair; Hasegawa and Kuderer.

MINORITY recommendation: Do not pass. Signed by Senator Fortunato.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Wilson, J., Ranking Member and Dozier.

Referred to Committee on Ways & Means.

January 13, 2023

SB 5112 Prime Sponsor, Senator Hunt: Updating processes related to voter registration. Reported by Committee on State Government & Elections

MAJORITY recommendation: That Substitute Senate Bill No. 5112 be substituted therefor, and the substitute bill do pass. Signed by Senators Valdez, Vice Chair; Wilson, J., Ranking Member; Hunt, Chair; Dozier; Fortunato; Hasegawa and Kuderer.

Referred to Committee on Transportation.

January 13, 2023

SB 5121 Prime Sponsor, Senator Cleveland: Extending the expiration date of the joint select committee on health care oversight. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5121 be substituted therefor, and the substitute bill do pass. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Rules for second reading.

January 13, 2023

SB 5247 Prime Sponsor, Senator Nobles: Developing opportunities for service and workforce programs to support climate-ready communities. Reported by Committee on State Government & Elections

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Valdez, Vice Chair; Wilson, J., Ranking Member; Hunt, Chair; Dozier; Fortunato; Hasegawa and Kuderer.

Referred to Committee on Higher Education & Workforce Development.

January 13, 2023

SB 5262 Prime Sponsor, Senator Braun: Amending the filing deadlines for cemetery districts to file annual reports with the secretary of state. Reported by Committee on State Government & Elections

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Valdez, Vice Chair; Wilson, J., Ranking Member; Hunt, Chair; Dozier; Fortunato; Hasegawa and Kuderer.

Referred to Committee on Local Government, Land Use & Tribal Affairs.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Standing Committee report were referred to the committees as designated.

On motion of Senator Pedersen, the Senate advanced to the third order of business.

MESSAGE FROM THE GOVERNOR
GUBERNATORIAL APPOINTMENTS

September 17, 2020

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

FREDERICK P. WHANG, reappointed October 1, 2020, for the term ending September 30, 2024, as Member of the State Board for Community and Technical Colleges.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9082.

June 8, 2022

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

TODD WOODARD, appointed June 8, 2022, for the term ending September 30, 2025, as Member of the Community Colleges of Spokane Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9319.

January 3, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

MILTON DOUMIT, reappointed January 3, 2023, for the term ending January 1, 2029, as Member of the Utilities and Transportation Commission.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Environment, Energy & Technology as Senate Gubernatorial Appointment No. 9320.

January 6, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

TRANG K. LAM, appointed January 6, 2023, for the term ending December 31, 2025, as Member of the Recreation and Conservation Funding Board.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Agriculture, Water, Natural Resources & Parks as Senate Gubernatorial Appointment No. 9321.

January 9, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

SHILOH BURGESS, reappointed January 9, 2023, for the term ending December 31, 2025, as Member of the Recreation and Conservation Funding Board.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Agriculture, Water, Natural Resources & Parks as Senate Gubernatorial Appointment No. 9322.

January 12, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

BOGYEONG KIM, appointed January 12, 2023, for the term ending September 30, 2027, as Member of the Lower Columbia College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9323.

January 12, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

CHELSEA MASON-PLACEK, appointed January 12, 2023, for the term ending September 30, 2026, as Member of the State Board for Community and Technical Colleges.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9324.

MOTIONS

On motion of Senator Pedersen, all appointees listed on the Gubernatorial Appointments report were referred to the committees as designated.

On motion of Senator Pedersen, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 5379 by Senators Frame, Dozier, Boehnke, Hasegawa, Saldaña, Shewmake and Wilson, C.

AN ACT Relating to supporting innovation at associate development organizations; adding new sections to chapter 43.330 RCW; and creating a new section.

Referred to Committee on Business, Financial Services, Gaming & Trade.

SB 5380 by Senators Nguyen, Billig, Boehnke, Cleveland, Frame, Keiser, Kuderer, Liias, Pedersen, Valdez and Wilson, C.

AN ACT Relating to clean energy siting; adding new sections to chapter 43.21C RCW; adding a new section to chapter 36.70B RCW; adding new chapters to Title 43 RCW; and creating new sections.

Referred to Committee on Environment, Energy & Technology.

SB 5381 by Senators Braun, Pedersen, Boehnke, Conway, Dhingra, Hunt, Keiser, King, Kuderer, Nguyen, Randall, Saldaña, Warnick, Wilson, C. and Wilson, J.

AN ACT Relating to letters of recommendation or congratulations sent by legislators; and adding a new section to chapter 42.52 RCW.

Referred to Committee on State Government & Elections.

SB 5382 by Senators MacEwen, Dozier, Frame, Holy, Hunt, Keiser, Rolfes, Shewmake, Wilson, J. and Wilson, L.

AN ACT Relating to off-duty employment of fish and wildlife officers; adding a new section to chapter 77.15 RCW; and adding a new section to chapter 4.92 RCW.

Referred to Committee on Law & Justice.

SB 5383 by Senators Saldaña, Liias, Nguyen, Valdez and Wilson, C.

AN ACT Relating to pedestrians crossing and moving along roadways; amending RCW 46.61.050, 46.61.055, 46.61.060, 46.61.235, 46.61.240, and 46.61.250; adding a new section to chapter 46.61 RCW; and repealing RCW 46.61.230.

Referred to Committee on Transportation.

SB 5384 by Senators Dozier, Stanford and Shewmake

AN ACT Relating to the Walla Walla water 2050 plan; amending RCW 90.90.020; and adding a new section to chapter 90.90 RCW.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SB 5385 by Senators Liias, Holy, Saldaña, Shewmake and Wilson, C.

AN ACT Relating to work performed by institutions of higher education; and amending RCW 28B.10.350 and 28B.50.330.

Referred to Committee on Higher Education & Workforce Development.

SB 5386 by Senators Robinson, Kuderer, Saldaña and Wilson, C.

AN ACT Relating to reducing administrative complexity by increasing transparency of revenue flows for activities funded by document recording fees; reenacting and amending RCW 43.185C.060; adding a new section to chapter 36.22 RCW; and repealing RCW 36.22.176, 36.22.178, 36.22.179, 36.22.1791, and 43.185C.215.

Referred to Committee on Housing.

SB 5387 by Senators Wilson, L. and Dozier

AN ACT Relating to homeowner and renter tax relief; amending RCW 84.48.010, 84.69.020, and 82.03.190; adding a new section to chapter 84.36 RCW; adding a new section to chapter 84.52 RCW; adding a new title to the Revised Code of Washington to be codified as Title 84A RCW; creating a new section; prescribing penalties; and providing a contingent effective date.

Referred to Committee on Ways & Means.

SB 5388 by Senators Rivers, Cleveland, Muzzall, Conway, Frame, Hasegawa, Keiser, Lovelett, Lovick, Pedersen, Rolfes, Saldaña, Valdez and Wilson, C.

AN ACT Relating to improving diversity in clinical trials; and adding a new chapter to Title 69 RCW.

Referred to Committee on Health & Long-Term Care.

SB 5389 by Senators Cleveland, Rivers, Robinson, Van De Wege, Conway, Holy, Schoesler, Wilson, L., Lovick, Randall and Wilson, C.

AN ACT Relating to the practice of optometry; and amending RCW 18.53.010, 18.54.050, and 18.54.070.

Referred to Committee on Health & Long-Term Care.

SB 5390 by Senators Shewmake, Warnick, Rolfes, Stanford, Nguyen and Wilson, C.

AN ACT Relating to establishing a programmatic safe harbor agreement on forestlands; and adding a new section to chapter 76.09 RCW.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SB 5391 by Senators Van De Wege, Schoesler, Mullet, Dozier, Liias and Short

AN ACT Relating to the modeling, measurement, and reporting of embodied carbon emission reductions from structural building products in state-funded projects; and adding a new chapter to Title 19 RCW.

Referred to Committee on Environment, Energy & Technology.

SB 5392 by Senators Schoesler and Pedersen

AN ACT Relating to overpayments for certain matters; and amending RCW 63.30.270.

Referred to Committee on Law & Justice.

SB 5393 by Senators Robinson, Dhingra, Hasegawa, Keiser, Randall, Valdez and Wilson, C.

AN ACT Relating to addressing affordability through health care provider contracting; reenacting and amending RCW 41.05.017; adding new sections to chapter 48.43 RCW; creating new sections; and providing an expiration date.

Referred to Committee on Health & Long-Term Care.

SB 5394 by Senators Randall, Dhingra, Keiser, Nguyen, Stanford, Valdez and Wilson, C.

EIGHTH DAY, JANUARY 16, 2023

AN ACT Relating to malpractice insurance for international medical graduate supervisors; and amending RCW 18.71.095.

Referred to Committee on Health & Long-Term Care.

SB 5395 by Senators Lovick and Stanford

AN ACT Relating to increasing the real estate technology fee dedicated to the maintenance and operation of property tax and real estate excise tax electronic processing, reporting, and revaluation systems; and amending RCW 82.45.180.

Referred to Committee on Ways & Means.

SB 5396 by Senators Wilson, L., Boehnke, Frame, Hunt, Kauffman, Kuderer, Rivers, Rolfes, Shewmake, Valdez and Warnick

AN ACT Relating to cost sharing for diagnostic and supplemental breast examinations; adding a new section to chapter 48.43 RCW; and creating a new section.

Referred to Committee on Health & Long-Term Care.

SB 5397 by Senators Wilson, C., Hasegawa, Nguyen, Randall, Saldaña and Valdez

AN ACT Relating to preserving public benefit payments to people in the care of the department of children, youth, and families; adding a new section to chapter 43.216 RCW; creating new sections; and providing an expiration date.

Referred to Committee on Human Services.

SB 5398 by Senators MacEwen and Wilson, L.

AN ACT Relating to domestic violence funding allocation; and amending RCW 70.123.090.

Referred to Committee on Human Services.

SB 5399 by Senators Mullet and Dozier

AN ACT Relating to future listing right purchase contracts; amending RCW 18.86.010 and 18.86.070; adding a new section to chapter 18.86 RCW; and declaring an emergency.

Referred to Committee on Business, Financial Services, Gaming & Trade.

SB 5400 by Senators Salomon, Saldaña, Kuderer, Rolfes, Randall, Billig, Cleveland, Dhingra, Hasegawa, Keiser, Lovelett, Mullet, Pedersen, Shewmake, Stanford, Valdez and Wilson, C.

AN ACT Relating to actions by health professions disciplining authorities against license applicants and license holders for providing reproductive health care services or gender affirming treatment; amending RCW 18.130.180; reenacting and amending RCW 18.130.055; and adding a new section to chapter 18.130 RCW.

Referred to Committee on Health & Long-Term Care.

SB 5401 by Senators Randall, MacEwen, Wilson, J., Boehnke, Frame, Keiser, Nguyen, Rolfes and Wilson, C.

AN ACT Relating to modifying the operation of motorcycles on roadways laned for traffic; amending RCW 46.61.608; creating a new section; and prescribing penalties.

Referred to Committee on Transportation.

SB 5402 by Senators Randall, Gildon, Trudeau, Holy, Nobles, Lovick, Kuderer, Nguyen and Wilson, C.

AN ACT Relating to authorizing public transportation benefit areas to become limited authority Washington law enforcement agencies; amending RCW 36.57A.080; reenacting and amending RCW 10.93.020; and adding a new section to chapter 36.57A RCW.

Referred to Committee on Law & Justice.

SB 5403 by Senators Schoesler, Wellman, Torres, Boehnke, Muzzall, Dozier, Kuderer, Randall, Wilson, C. and Wilson, L.

AN ACT Relating to establishing school district depreciation subfunds for the purposes of preventative maintenance; and amending RCW 28A.320.330.

Referred to Committee on Early Learning & K-12 Education.

SB 5404 by Senators Wagoner and Wilson, C.

AN ACT Relating to increasing cannabis revenue distributions to local governments; and reenacting and amending RCW 69.50.540.

Referred to Committee on Labor & Commerce.

SB 5405 by Senators King, Keiser and Wilson, C.

AN ACT Relating to modifying the liquor and cannabis board's subpoena authority relating to cannabis investigations; and amending RCW 66.08.145.

Referred to Committee on Labor & Commerce.

SB 5406 by Senator Robinson

AN ACT Relating to clarifying ambiguities in statutory provisions administered by the department of revenue relating to periodic adjustments; and amending RCW 53.08.090, 82.12.0203, and 82.21.030.

Referred to Committee on Ways & Means.

SB 5407 by Senator Robinson

AN ACT Relating to the administration of property taxes; amending RCW 82.03.140, 84.40.370, 84.52.010, 84.52.010, 84.52.043, 84.52.043, 84.52.085, 84.55.015, and 84.55.020; creating new sections; providing an effective date; and providing an expiration date.

Referred to Committee on Ways & Means.

SJM 8001 by Senators Hasegawa, Kuderer, Wellman, Nguyen, Keiser, Conway, Dhingra, Frame, Hunt, Liias, Lovelett, Nobles, Saldaña, Stanford, Trudeau and Wilson, C.

Concerning a national infrastructure bank.

Referred to Committee on Business, Financial Services, Gaming & Trade.

SJR 8204 by Senators Wilson, L. and Dozier
Concerning property tax relief.

Referred to Committee on Ways & Means.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

On motion of Senator Pedersen, the Senate advanced to the eighth order of business.

MOTION

Senator Nobles moved adoption of the following resolution:

SENATE RESOLUTION 8604

By Senators Nobles, Lovick, Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Frame, Gildon, Hasegawa, Hawkins, Kauffman, Keiser, King, Kuderer, Lovelett, MacEwen, Mullet, Muzzall, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Wellman, C. Wilson, J. Wilson, and L. Wilson

WHEREAS, Today, the third Monday in January, we remember and honor the life and legacy of Dr. Martin Luther King, Jr., who became a beacon of hope for actualizing racial equality in our nation; and

WHEREAS, 2023 marks the 55th anniversary of Dr. King's murder; and

WHEREAS, Dr. King used his gift of oration to awaken America to the struggles of disenfranchised communities, particularly African-Americans, through nonviolent means; and

WHEREAS, Dr. Martin Luther King, Jr., encouraged others through his dedication to achieving equality. He once said, "Life's most persistent and urgent question is: What are you doing for others?"; and

WHEREAS, Dr. King believed that a person's worth should be measured not by his or her color, culture, or class but rather by his or her commitment to making life better for all through service rendered to each other; and

WHEREAS, We mourn the loss of former Black and African American senators who not only tirelessly served in the Legislature, but paved the way for many to follow in their paths; and

WHEREAS, Dr. King's unwavering support for the principles of racial justice and social equality helped transform America; and

WHEREAS, Black communities have been disproportionately affected by the coronavirus pandemic and its continuing effects; and

WHEREAS, In 2020, an immense public outcry and movement that followed the police killing of George Floyd – a Black man – continues to call for immediate actions toward eliminating systemic racism and police brutality; and

WHEREAS, Dr. King's steadfast pursuit of fairness encouraged others, as exemplified in his famous "Letter from Birmingham Jail," in which he said, "Injustice anywhere is a threat to justice everywhere."

NOW, THEREFORE, BE IT RESOLVED, That the Senate, in recognition of the courageous leadership and legacy of hope demonstrated by Dr. Martin Luther King, Jr., honor his memory by urging all citizens of our state to continue the legacy of Dr. King by condemning racism in all its forms and advancing a more

perfect union where all people experience fair treatment under our laws.

Senators Nobles, Short, Fortunato, Saldaña, Wilson, J., Hasegawa, Trudeau and Warnick spoke in favor of adoption of the resolution.

MOTION

On motion of Senator Hasegawa, and without objection, the remarks of Senator Nobles were spread upon the journal.

Senator Nobles: "Thank you, Mr. President. Well, we just had a song, but I have another one for you. Happy birthday to you, Happy birthday to you, Happy birthday, Happy birthday to you, Happy birthday to you, Happy birthday. And I might not have the most beautiful voice and you might have heard that Stevie Wonder hit before. You might be wondering why Senator Nobles is singing on the Senate floor. But I wanted to bring to your attention that this song was written by Stevie Wonder. He shared with Coretta Scott King that he had a dream, and in his dream, he had a vision that he could write this song to help to move forward the movement to pass these senate legislation to offer a day to celebrate Reverend Dr. Martin Luther King, Jr. In 1998 Stevie Wonder wrote that song and around that time, there was a growing movement to establish a national holiday to honor of Dr. King. Many states and cities had established a holiday, but the movement was asking for a national holiday in recognition. Stevie Wonder, as a strong supporter of the civil rights movement, wanted to do his part. And he wanted to raise awareness and contribute to this movement. So, he released his version of the 'Happy Birthday' song to raise awareness. But let's take it back to the beginning of the movement for a moment.

The first proposed legislation was offered by a Democrat, and it took about fifteen years and later another piece of legislation was sponsored by a Republican. And that legislation passed. And I learned recently that it was because of this leadership, this type of leadership in this bipartisan effort to recognize the importance of social justice and civil rights and peace in our county and an opportunity for us to come together, that passed this important piece of legislation.

And yes, we still have very important work to do. A lot more work to do. Once the legislation was passed by the President the opposition pushed for rebranding. They said, 'No, let's not call it Reverend Dr. Martin Luther King Day. Let's call it Civil Rights Day or Equality Day.' But those titles attempted to dilute the legacy of this unparalleled leader. Throughout his leadership Dr. King had an immense focus on not just the civil rights movement, but on poverty, but on economic injustice, wealth distribution and education. And as someone who serves on two education committees here in this Senate, that last one, of education, really stands out to me because I know that the remarkable impact that education can have. That access to education, that a school environment can have on our youngest learners. So, this is particularly important for our young people. And this day is, for me, really why we are here, why our work is so crucial. The recognition of this day, dedicated to one our nations most prominent leaders, extends beyond party. It is a reminder that this session and every session have a really important duty. We have a duty to our children, to our future, and to continue emerging from the tumultuous period we experienced in the pandemic.

In 1947 Dr. King published a paper titled *The Purpose of Education*. Mr. President, I know I have been relying on my notes a little bit, but do you mind if I read a little excerpt from his paper?"

President Heck: "Please proceed."

Senator Nobles: "Thank you. 'The function of education, therefore, is to teach one to think intensively and to think critically. But education which stops with efficiency may prove the greatest menace to society. The most dangerous criminal may be the man gifted with reason, but with no morals.'

And so, this is why we honor Dr. King every single year. We must remember that this is far greater than division and grammar, but we have an opportunity to guide the moral compass of our children. We must remember that our children are absorbing the world around them and are questioning everything, including the past. And they should. I hope for all of our children, our grandchildren, our great grandchildren, that they continue to learn from our faults. That they continue to learn from our past. And that more importantly they help us to build a better future.

History is so critical for our students. Understanding the legacy and the why behind a day like Martin Luther King Day is so important for our students. And not just some history, but the many stories. The stories that will allow our children to create the kind of future that we want to see for them. That they want to see for themselves. So, I hope when they learn about the histories and legacies of the leaders that came before us, and when they remember how we came together to create a holiday like Martin Luther King Day, and how, despite our differences and identity and region and party, that collectively we align to fulfill our shared goals of a better tomorrow for each of us and for each of our children. Thank you Mr. President."

EDITOR'S NOTE: Work quoted: King Jr., M. L., Article *Maroon Tiger* student newspaper, Morehouse College, Atlanta, GA, (January—February, 1947).

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8604.

The motion by Senator Nobles carried and the resolution was adopted by voice vote.

MOTION

On motion of Senator Pedersen, the Senate reverted to the third order of business.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced The Honorable Jay Inslee, Governor, who was seated at the rostrum.

With permission of the Senate, business was suspended to allow Governor Inslee to address the Senate.

REMARKS BY GOVERNOR INSLEE

Governor Inslee: "Thank you for this huge honor to be able to address this chamber on this special day. It is a huge honor for a couple of reasons. One, to in any way honor the most inspirational effective leader in the history of America to allow us to march, in our continuing march toward a more perfect union. And second, it is a personal privilege because with Senator Warnick, Trudi and I are one of the few people in this room right now that were actually adults to watch what he meant for America in real time. And you know, history always seems inevitable when you look backwards. This progress was not

inevitable when this man was alive. It was questioned. It was fought. It was controversial. He was subject to massive personal attacks, obviously physical threats, and what he did, I have to tell you, was change the face of this America through personal effort and still it's astounding to me to see what happened. The difference between America from November 1961 when he went to the University of Washington and gave a speech and the end of this life in 1968 was an entirely new nation. And I watched that happen. So, to be able to lend my voice to the importance of this holiday, it is a privilege that you have asked me to say a few words. I just want to focus on two of his, at least in my mind, quotes that speak closest to my heart. If I may Mr. Lt. Governor? He said, [All men] 'are caught in an inescapable network of mutuality, tied in a single garment of destiny. Whatever effects one directly, affects all indirectly. I can never be what I ought to be until you are what you ought to be, [and] you can never be what you ought to be until I am what I ought to be.' And I think in your work in the next several weeks I know you'll be directed by an effort to be all this chamber can be so that every citizen in the state of Washington can be all they can be. And if we follow that admonition, we're going to do great work together this session. The second, the second quote is the one least noted. Dr. King had two things he fought. Here is what he said about the two twin evils: 'There are two inseparable twins. The twins of racial injustice and economic injustice. These are directly linked.' And it is that second part of economic injustice as Senator Hasegawa talked about that is frequently sort of given short shrift in his struggles. He understood you could not have one without solving the other. And when he lost his life in Memphis, he was fighting for economic injustice. He was there to stand up for the refuse workers who were trying to have some economic justice on the day he lost his life. And so, I think we all can be inspired to focus on that as well. And I want to compliment this chamber in the state of Washington that has focused on that, in having the highest minimum wage in the nation. In passing overtime reform. In passing paid leave. In passing the best career connected learning program in the United States. In investing in our students and our educational system. And having the best financial aid program for our kids to go to college. This chamber's work, to follow Dr. Martin Luther King and attack economic injustice is something I think you should be proud of, and our state is proud of us. Let's keep this march of justice going. Thank you."

EDITOR'S NOTE: Works quoted: King Jr., M. L. (1963). Letter from a Birmingham Jail; Martin Luther King, Jr., "My Pilgrimage to Nonviolence." Fellowship, New York, NY, September 1, 1958.

The President thanked the Governor for his remarks.

MOTION

At 1:10 p.m., on motion of Senator Pedersen, the Senate adjourned until 12:30 p.m. Tuesday, January 17, 2023.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

NINTH DAY

AFTERNOON SESSION

Senate Chamber, Olympia
Tuesday, January 17, 2023

The Senate was called to order at 12:30 p.m. by the President Pro Tempore, Senator Keiser presiding. No roll call was taken.

MOTIONS

Pursuant to Rule 46, on motion of Senator Pedersen, and without objection, the Committee on Law & Justice was granted special leave to continue to meet during the day's floor session.

On motion of Senator Pedersen, the reading of the Journal of the previous day was dispensed with and it was approved.

On motion of Senator Pedersen, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

January 17, 2023

SB 5218 Prime Sponsor, Senator Padden: Providing a sales and use tax exemption for complex rehabilitation technology products. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Ways & Means.

January 17, 2023

SB 5302 Prime Sponsor, Senator Mullet: Establishing a property tax exemption for adult family homes that serve people with intellectual or developmental disabilities and are owned by a nonprofit. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Human Services.

January 13, 2023

SGA 9215 DAVON THOMAS, appointed on January 28, 2022, for the term ending June 30, 2023, as Member of the Washington Student Achievement Council. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair Holy, Ranking Member.

Referred to Committee on Rules for second reading.

January 13, 2023

SGA 9239 CONOR M. O'MEARA, appointed on July 1, 2022, for the term ending June 30, 2023, as Member of the

Bellevue College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair Holy, Ranking Member.

Referred to Committee on Rules for second reading.

January 13, 2023

SGA 9240 KEARA A. RYAN, appointed on July 1, 2022, for the term ending June 30, 2023, as Member of the Western Washington University Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair Holy, Ranking Member.

Referred to Committee on Rules for second reading.

January 13, 2023

SGA 9241 DAVID I. HARTLESS, appointed on July 21, 2022, for the term ending June 30, 2023, as Member of the Central Washington University Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair Holy, Ranking Member.

Referred to Committee on Rules for second reading.

January 13, 2023

SGA 9291 REANNE L. CHILTON, appointed on July 1, 2022, for the term ending June 30, 2023, as Member of the Washington State University Board of Regents. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair Holy, Ranking Member.

Referred to Committee on Rules for second reading.

January 13, 2023

SGA 9293 JESSICA M. DONER, appointed on July 1, 2022, for the term ending June 30, 2023, as Member of the Eastern Washington University Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair Holy, Ranking Member.

Referred to Committee on Rules for second reading.

January 13, 2023

SGA 9301 SHINHAЕ HWANG, appointed on July 1, 2022, for the term ending June 30, 2023, as Member of the Edmonds Community College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

NINTH DAY, JANUARY 17, 2023

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair Holy, Ranking Member.

Referred to Committee on Rules for second reading.

January 13, 2023

SGA 9303 ELIZABETH LEE, appointed on July 1, 2022, for the term ending June 30, 2023, as Member of the University of Washington Board of Regents. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair Holy, Ranking Member.

Referred to Committee on Rules for second reading.

January 13, 2023

SGA 9311 MUSTAPHA SAMATEH, appointed on July 5, 2022, for the term ending June 30, 2023, as Member of the Washington Student Achievement Council. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair Holy, Ranking Member.

Referred to Committee on Rules for second reading.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Standing Committee report were referred to the committees as designated.

On motion of Senator Pedersen, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 5408 by Senators Liias and Gildon

AN ACT Relating to establishing the ninth grade success grant program; adding a new section to chapter 28A.175 RCW; and creating a new section.

Referred to Committee on Early Learning & K-12 Education.

SB 5409 by Senator Fortunato

AN ACT Relating to requiring voter identifier numbers to match driver's license or identicaid numbers; and amending RCW 29A.08.125.

Referred to Committee on State Government & Elections.

SB 5410 by Senator Stanford

AN ACT Relating to establishing a task force of the geoduck comanagers to identify harvest opportunities to promote tribal treaty rights to geoduck and enhance state geoduck harvest opportunities; creating a new section; and providing an expiration date.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SB 5411 by Senators Short and Randall

AN ACT Relating to addressing a shortage of primary care services by increasing the scope of practice of naturopathic physicians; amending RCW 18.36A.020, 18.36A.040, and 69.41.030; reenacting and amending RCW 69.50.101; adding new sections to chapter 18.36A RCW; and creating a new section.

Referred to Committee on Health & Long-Term Care.

SB 5412 by Senators Salomon and Liias

AN ACT Relating to reducing local governments' land use permitting workloads, by ensuring objective and timely design review for housing and other land use proposals within cities and counties and allowing proposed housing within urban growth boundaries to rely on environmental reviews completed at the comprehensive planning level; amending RCW 36.70B.160 and 43.21C.229; and adding a new section to chapter 36.70A RCW.

Referred to Committee on Local Government, Land Use & Tribal Affairs.

SB 5413 by Senator Wilson, C.

AN ACT Relating to housing for essential needs and aged, blind, and disabled assistance programs; and amending RCW 43.185C.220, 74.04.805, and 74.62.030.

Referred to Committee on Human Services.

SB 5414 by Senators Wilson, J. and Fortunato

AN ACT Relating to providing voters with information regarding elections law violations within the voters' pamphlet; and amending RCW 29A.32.031.

Referred to Committee on State Government & Elections.

SB 5415 by Senators Trudeau and Pedersen

AN ACT Relating to public defense services for persons committed as not guilty by reason of insanity; amending RCW 2.70.020, 10.77.020, 10.77.140, 10.77.150, 10.77.165, 10.77.180, 10.77.190, 10.77.200, 10.77.205, and 10.77.250; reenacting and amending RCW 10.77.010; adding new sections to chapter 2.70 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Law & Justice.

SB 5416 by Senators Braun and Kuderer

AN ACT Relating to compelling the state building code council to expand residential building code classifications; adding a new section to chapter 19.27 RCW; creating a new section; and declaring an emergency.

Referred to Committee on State Government & Elections.

SB 5417 by Senators Keiser and Conway

AN ACT Relating to protecting the rights of workers exercising their right to refrain from attending meetings or listening to their employer's speech on political or religious matters; adding new sections to chapter 49.44 RCW; and creating a new section.

Referred to Committee on Labor & Commerce.

SB 5418 by Senators Conway, Keiser, Hasegawa, Kuderer, Saldaña, Frame and Trudeau

AN ACT Relating to expanding the definition of public work; and amending RCW 39.04.010 and 39.12.010.

Referred to Committee on State Government & Elections.

SB 5419 by Senators Gildon and Billig

AN ACT Relating to removing the requirement that the Washington state institute of public policy conduct an outcome evaluation of case aides who provide short-term relief for certain foster families; and amending RCW 74.13.270.

Referred to Committee on Human Services.

SB 5420 by Senators Conway and Van De Wege

AN ACT Relating to participating in insurance plans and contracts by separated plan 2 members of certain retirement systems; amending RCW 41.05.011; and providing an effective date.

Referred to Committee on Ways & Means.

SB 5421 by Senators Conway and Van De Wege

AN ACT Relating to exempting benefit enrollment information collected and maintained by the health care authority from public inspection and copying under the public records act; and amending RCW 42.56.250.

Referred to Committee on State Government & Elections.

SB 5422 by Senator Wilson, J.

AN ACT Relating to providing access to behavioral health services to children using licensed clinicians colocated within the school; adding a new section to chapter 71.24 RCW; and creating a new section.

Referred to Committee on Health & Long-Term Care.

SB 5423 by Senators Nobles and Frame

AN ACT Relating to eligibility for working connections child care benefits for persons participating in registered apprenticeships; and amending RCW 43.216.136.

Referred to Committee on Early Learning & K-12 Education.

SB 5424 by Senators Lovick and Holy

AN ACT Relating to flexible work for general and limited authority Washington peace officers; amending RCW 41.26.030; reenacting and amending RCW 10.93.020; and adding a new section to chapter 49.28 RCW.

Referred to Committee on Labor & Commerce.

SB 5425 by Senators Salomon, Keiser, Boehnke and Wilson, J.

AN ACT Relating to fire protection sprinkler system contractors; amending RCW 18.160.030, 18.160.050, 18.160.120, 18.270.020, and 18.270.070; and adding a new section to chapter 18.160 RCW.

Referred to Committee on Labor & Commerce.

SB 5426 by Senators Kauffman and Wilson, C.

AN ACT Relating to implementing the family connections program; amending RCW 74.13.715; providing an effective date; and declaring an emergency.

Referred to Committee on Human Services.

SB 5427 by Senators Valdez and Billig

AN ACT Relating to supporting people who have been targeted or affected by hate crimes and bias incidents by establishing a reporting hotline, tracking hate crimes and bias incidents, and creating a compensation program and assistance fund; amending RCW 42.56.240; adding new sections to chapter 43.10 RCW; creating new sections; and providing an effective date.

Referred to Committee on Law & Justice.

SB 5428 by Senators Valdez and Wilson, J.

AN ACT Relating to modifying state procurement procedures for competitive, sole source, convenience, and emergency goods and services contracts; amending RCW 39.26.010, 39.26.070, 39.26.130, 39.26.140, and 39.26.200; and repealing RCW 39.26.260, 39.26.270, and 39.26.271.

Referred to Committee on State Government & Elections.

SB 5429 by Senators Stanford and MacEwen

AN ACT Relating to a motor carrier's ability to access restroom facilities required by rules authorized under chapter 49.17 RCW; adding a new section to chapter 70.54 RCW; and prescribing penalties.

Referred to Committee on Labor & Commerce.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

At 12:32 p.m., on motion of Senator Pedersen, the Senate adjourned until 10:30 a.m. Wednesday, January 18, 2023.

KAREN KEISER, President Pro Tempore of the Senate

SARAH BANNISTER, Secretary of the Senate

TENTH DAY

MORNING SESSION

Senate Chamber, Olympia
Wednesday, January 18, 2023

The Senate was called to order at 10:30 a.m. by the President of the Senate, Lt. Governor Heck presiding. No roll call was taken.

MOTIONS

On motion of Senator Pedersen, the reading of the Journal of the previous day was dispensed with and it was approved.

On motion of Senator Pedersen, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

January 17, 2023

SB 5069 Prime Sponsor, Senator Rivers: Allowing interstate cannabis agreements. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Braun; MacEwen; Robinson; Schoesler and Stanford.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Saldaña, Vice Chair.

Referred to Committee on Rules for second reading.

January 17, 2023

SB 5081 Prime Sponsor, Senator Nobles: Concerning victim notification. Reported by Committee on Human Services

MAJORITY recommendation: That Substitute Senate Bill No. 5081 be substituted therefor, and the substitute bill do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Boehnke, Ranking Member; Frame; Nguyen; Warnick and Wilson, J.

Referred to Committee on Rules for second reading.

January 17, 2023

SB 5084 Prime Sponsor, Senator Braun: Creating a separate fund for the purposes of self-insured pensions and assessments. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Braun; MacEwen; Robinson; Schoesler and Stanford.

Referred to Committee on Ways & Means.

January 17, 2023

SB 5088 Prime Sponsor, Senator Keiser: Adding references to contractor registration and licensing laws in workers' compensation, public works, and prevailing wage statutes. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Braun; MacEwen; Robinson and Stanford.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Schoesler.

Referred to Committee on Rules for second reading.

January 17, 2023

SB 5089 Prime Sponsor, Senator King: Making changes to factory assembled structures, manufactured or mobile homes, commercial coaches, conversion vending units, medical units, recreational vehicles, and park trailers requirements, including adding board members to the factory assembled structures advisory committee. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Braun; MacEwen; Robinson; Schoesler and Stanford.

Referred to Committee on Rules for second reading.

January 17, 2023

SB 5110 Prime Sponsor, Senator Keiser: Adding penalties for certain prohibited practices in chapter 49.44 RCW. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 5110 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; Robinson and Stanford.

MINORITY recommendation: Do not pass. Signed by Senators King, Ranking Member; Braun; MacEwen and Schoesler.

Referred to Committee on Rules for second reading.

January 17, 2023

SB 5156 Prime Sponsor, Senator Torres: Expanding the farm internship program. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 5156 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Braun; MacEwen; Robinson; Schoesler and Stanford.

Referred to Committee on Rules for second reading.

January 17, 2023

SB 5286 Prime Sponsor, Senator Robinson: Modifying the premium provisions of the paid family and medical leave program. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 5286 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice

Chair; Saldaña, Vice Chair; King, Ranking Member; Braun; MacEwen; Robinson; Schoesler and Stanford.

Referred to Committee on Rules for second reading.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Standing Committee report were referred to the committees as designated.

On motion of Senator Pedersen, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 5430 by Senator Shewmake

AN ACT Relating to providing support for low-income novice drivers to receive driver training; adding a new section to chapter 46.82 RCW; creating a new section; and providing an effective date.

Referred to Committee on Transportation.

SB 5431 by Senator Shewmake

AN ACT Relating to requiring and funding the purchase of zero emission school buses; amending RCW 28A.160.130, 28A.160.195, and 28A.160.205; adding new sections to chapter 28A.160 RCW; adding a new section to chapter 28A.710 RCW; adding a new section to chapter 28A.715 RCW; and creating a new section.

Referred to Committee on Early Learning & K-12 Education.

SB 5432 by Senator Hunt

AN ACT Relating to the privacy of lottery players; and amending RCW 42.56.230.

Referred to Committee on State Government & Elections.

SB 5433 by Senators Muzzall and Shewmake

AN ACT Relating to derelict aquatic structures; amending RCW 43.21B.110 and 43.21B.305; and adding a new chapter to Title 79 RCW.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SB 5434 by Senators Trudeau and Wilson, C.

AN ACT Relating to the jurisdiction of juvenile court; amending RCW 9A.04.050, 13.40.590, and 13.40.600; adding a new section to chapter 43.216 RCW; creating new sections; and providing an expiration date.

Referred to Committee on Human Services.

SB 5435 by Senators Trudeau and Saldaña

AN ACT Relating to residential rent increases under the residential landlord-tenant act and the manufactured/mobile home landlord-tenant act; adding new sections to chapter 59.18 RCW; adding new sections to chapter 59.20 RCW; prescribing penalties; and declaring an emergency.

Referred to Committee on Housing.

SB 5436 by Senator Wilson, J.

AN ACT Relating to transfers of firearms to museums and historical societies; and amending RCW 9.41.113.

Referred to Committee on Law & Justice.

SB 5437 by Senators MacEwen and Hunt

AN ACT Relating to vacancies of the governing body of special purpose districts; amending RCW 42.12.070, 43.06.010, and 70.44.056; and adding a new section to chapter 42.12 RCW.

Referred to Committee on Local Government, Land Use & Tribal Affairs.

SB 5438 by Senator Warnick

AN ACT Relating to facilitating supportive relationships with family and significant individuals within the behavioral health system; adding a new section to chapter 71.24 RCW; adding a new section to chapter 72.23 RCW; and creating a new section.

Referred to Committee on Human Services.

SB 5439 by Senator Warnick

AN ACT Relating to livestock identification; amending RCW 16.57.015, 16.57.015, 16.57.220, 16.57.220, and 16.57.460; providing an effective date; and providing expiration dates.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SB 5440 by Senator Dhingra

AN ACT Relating to providing timely competency evaluations and restoration services to persons suffering from behavioral health disorders within the framework of the forensic mental health care system consistent with the requirements agreed to in the Trueblood settlement agreement; amending RCW 10.77.060, 10.77.068, 10.77.074, 10.77.075, 10.77.078, 10.77.084, 10.77.086, 10.77.086, and 10.77.088; reenacting and amending RCW 10.77.010; adding a new section to chapter 10.77 RCW; providing effective dates; and declaring an emergency.

Referred to Committee on Law & Justice.

SB 5441 by Senators Wilson, C. and Liias

AN ACT Relating to promoting and supporting the development and adoption of school district curricula that is diverse, equitable, and inclusive; amending RCW 28A.320.230; adding a new section to chapter 28A.320 RCW; adding a new section to chapter 28A.310 RCW; adding a new section to chapter 43.06D RCW; and creating a new section.

Referred to Committee on Early Learning & K-12 Education.

SB 5442 by Senators Mullet, Cleveland, Salomon, Braun, Lovick, Schoesler, Wilson, L. and Short

AN ACT Relating to enrichment funding for charter public schools; amending RCW 28A.710.280; and creating a new section.

TENTH DAY, JANUARY 18, 2023

Referred to Committee on Early Learning & K-12 Education.

SB 5443 by Senators Dozier, Pedersen and Mullet

AN ACT Relating to lien priority of mortgages and deeds of trust; adding a new section to chapter 61.12 RCW; and creating new sections.

Referred to Committee on Law & Justice.

SB 5444 by Senator Valdez

AN ACT Relating to firearm sensitive places; and reenacting and amending RCW 9.41.300.

Referred to Committee on Law & Justice.

SB 5445 by Senators Rivers and Cleveland

AN ACT Relating to cost-sharing fairness; adding a new section to chapter 48.43 RCW; adding a new section to chapter 41.05 RCW; adding a new section to chapter 48.200 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Health & Long-Term Care.

SB 5446 by Senator Nguyen

AN ACT Relating to the restoration of local government authority to regulate firearms by adopting ordinances or regulations relating to firearms that are in addition to or more restrictive than the requirements of state law; reenacting and amending RCW 9.41.300; adding a new section to chapter 9.41 RCW; creating a new section; and repealing RCW 9.41.290.

Referred to Committee on Law & Justice.

SB 5447 by Senators Billig, King, Nguyen, MacEwen, Mullet, Wellman, Gildon, Keiser, Shewmake, Lovick, Boehnke, Warnick and Randall

AN ACT Relating to promoting the alternative jet fuel industry in Washington; amending RCW 70A.535.010, 43.330.565, and 43.330.570; adding a new section to chapter 70A.65 RCW; adding a new section to chapter 70A.535 RCW; adding a new section to chapter 28B.30 RCW; adding new sections to chapter 82.04 RCW; adding a new section to chapter 82.16 RCW; creating new sections; providing effective dates; providing an expiration date; and declaring an emergency.

Referred to Committee on Environment, Energy & Technology.

SB 5448 by Senators MacEwen and Mullet

AN ACT Relating to liquor licensee privileges for the delivery of alcohol; amending RCW 66.20.320, 82.08.150, and 66.24.660; amending 2021 c 48 s 2 (uncodified); reenacting and amending RCW 66.04.010 and 66.20.310; adding new sections to chapter 66.24 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Labor & Commerce.

SB 5449 by Senator Warnick

AN ACT Relating to the requirements for school buses used for purposes other than the transportation of students; and amending RCW 46.61.380.

Referred to Committee on Transportation.

SB 5450 by Senator Warnick

AN ACT Relating to parenting plans; amending RCW 26.09.260; and creating a new section.

Referred to Committee on Law & Justice.

SB 5451 by Senators Frame and Saldaña

AN ACT Relating to allowing qualifying persons serving long sentences committed prior to reaching 25 years of age to seek review for possible release from incarceration; amending RCW 9.94A.510, 9.94A.540, 9.94A.570, 9.94A.730, and 10.95.030; reenacting and amending RCW 9.94A.728; adding a new section to chapter 10.95 RCW; and creating new sections.

Referred to Committee on Law & Justice.

SB 5452 by Senator Shewmake

AN ACT Relating to authorizing impact fee revenue to fund improvements to bicycle and pedestrian facilities; amending RCW 82.02.090; and creating a new section.

Referred to Committee on Local Government, Land Use & Tribal Affairs.

SB 5453 by Senators Keiser and Dhingra

AN ACT Relating to female genital mutilation; amending RCW 18.130.180 and 9A.04.080; adding new sections to chapter 9A.36 RCW; adding a new section to chapter 18.130 RCW; adding a new section to chapter 43.70 RCW; creating a new section; prescribing penalties; providing effective dates; and declaring an emergency.

Referred to Committee on Law & Justice.

SB 5454 by Senators Cleveland, Robinson, King, Keiser and Van De Wege

AN ACT Relating to industrial insurance coverage for posttraumatic stress disorders affecting registered nurses; amending RCW 51.08.142; adding a new section to chapter 51.32 RCW; and providing an effective date.

Referred to Committee on Labor & Commerce.

SB 5455 by Senators Mullet and MacEwen

AN ACT Relating to classification as a competitive telecommunications company for an incumbent local exchange carrier currently operating under an alternative form of regulation authorized by RCW 80.36.135; and amending RCW 80.36.320.

Referred to Committee on Environment, Energy & Technology.

SJR 8205 by Senators Mullet, Rivers, Holy, King, Boehnke and Hunt

Authorizing investment of funds held for the purpose of reducing persistent poverty.

Referred to Committee on Ways & Means.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Introduction and First Reading report were referred to the committees as designated with the exception of Senate Bill No. 5447 which had been designated to the Committee on Business, Financial Services, Gaming & Trade and was referred to the Committee on Environment, Energy & Technology.

At 10:32 a.m., on motion of Senator Pedersen, the Senate adjourned until 12:30 p.m. Thursday, January 19, 2023.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

ELEVENTH DAY

AFTERNOON SESSION

Senate Chamber, Olympia
Thursday, January 19, 2023

The Senate was called to order at 12:30 p.m. by the President of the Senate, Lt. Governor Heck presiding. No roll call was taken.

MOTIONS

On motion of Senator Pedersen, the reading of the Journal of the previous day was dispensed with and it was approved.

On motion of Senator Pedersen, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

January 18, 2023

SB 5065 Prime Sponsor, Senator Short: Encouraging public school instruction in awareness of bone marrow donation. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune; Mullet and Pedersen.

Referred to Committee on Rules for second reading.

January 18, 2023

SB 5071 Prime Sponsor, Senator Nobles: Creating the purple star award. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 5071 be substituted therefor, and the substitute bill do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune; Mullet and Pedersen.

Referred to Committee on Ways & Means.

January 18, 2023

SB 5079 Prime Sponsor, Senator Braun: Concerning the date by which tuition operating fees are established. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: Do pass. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Rules for second reading.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Standing Committee report were referred to the committees as designated.

On motion of Senator Pedersen, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 5456 by Senators Frame and Liias

AN ACT Relating to encouraging transit-oriented development through a prohibition on the imposition of minimum parking requirements except under certain circumstances; amending RCW 36.70A.620; adding a new section to chapter 47.80 RCW; and adding a new section to chapter 43.21C RCW.

Referred to Committee on Local Government, Land Use & Tribal Affairs.

SB 5457 by Senators Short and Lovelett

AN ACT Relating to implementing growth management task force legislative recommendations regarding small cities; and reenacting and amending RCW 36.70A.130.

Referred to Committee on Local Government, Land Use & Tribal Affairs.

SB 5458 by Senators Kauffman and Kuderer

AN ACT Relating to port districts public works contracting; and amending RCW 53.08.120.

Referred to Committee on Local Government, Land Use & Tribal Affairs.

SB 5459 by Senator Hunt

AN ACT Relating to requests for records containing election information; amending RCW 29A.08.105 and 42.56.420; adding a new section to chapter 42.56 RCW; creating a new section; and repealing RCW 29A.60.290.

Referred to Committee on State Government & Elections.

SB 5460 by Senator Warnick

AN ACT Relating to collection of assessments for irrigation and rehabilitation districts; amending RCW 87.84.070; and creating a new section.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SB 5461 by Senators Fortunato and Wilson, J.

AN ACT Relating to requiring the removal of graffiti on department of transportation property; adding a new section to chapter 9A.48 RCW; and making an appropriation.

Referred to Committee on Law & Justice.

SB 5462 by Senators Liias and Wilson, C.

AN ACT Relating to promoting inclusive learning standards and instructional materials in public schools; amending RCW 28A.150.230, 28A.320.230, 28A.655.070, 28A.710.040, and 28A.715.020; adding a new section to chapter 28A.345 RCW; and creating a new section.

Referred to Committee on Early Learning & K-12 Education.

SB 5463 by Senator Lovick

AN ACT Relating to juvenile access to an attorney; and amending RCW 13.40.740.

Referred to Committee on Human Services.

SB 5464 by Senators Stanford, Hasegawa, Nguyen, Keiser and Conway

AN ACT Relating to promoting the fair servicing and repair of digital electronic equipment in a safe, secure, reliable, and sustainable manner to increase access to appropriate and affordable digital electronic equipment, support small businesses and jobs, and enhance digital connectivity in Washington state; adding a new chapter to Title 19 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Environment, Energy & Technology.

SB 5465 by Senators Stanford, Dozier, Rolfes, Mullet and Van De Wege

AN ACT Relating to increasing tourism to Washington state through enhancement of the statewide tourism marketing account and changing necessary match requirements; and amending RCW 43.384.040 and 82.08.225.

Referred to Committee on Business, Financial Services, Gaming & Trade.

SB 5466 by Senators Liias, Gildon, Kuderer, Lovelett, MacEwen, Mullet, Braun and Billig

AN ACT Relating to promoting transit-oriented development; amending RCW 36.70A.030, 36.70A.500, 36.70A.620, and 43.21C.229; adding new sections to chapter 47.01 RCW; adding a new section to chapter 36.70A RCW; adding a new section to chapter 64.38 RCW; adding a new section to chapter 64.90 RCW; adding a new section to chapter 64.34 RCW; adding a new section to chapter 64.32 RCW; and creating a new section.

Referred to Committee on Local Government, Land Use & Tribal Affairs.

SB 5467 by Senators Salomon, Lovick, Cleveland, Mullet, Rolfes, Wellman, Keiser, Kauffman, Conway, Hunt, Holy, Braun, Wilson, L., Liias and Van De Wege

AN ACT Relating to encouraging treatment for possession of certain counterfeit drugs or controlled substances; amending RCW 69.50.4011, 69.50.4013, 69.50.4014, 69.41.030, 9.96.060, and 10.31.110; amending 2021 c 311 s 29 (uncodified); adding a new section to chapter 69.50 RCW; adding a new section to chapter 43.43 RCW; repealing RCW 10.31.115; prescribing penalties; providing an expiration date; and declaring an emergency.

Referred to Committee on Law & Justice.

SB 5468 by Senators Van De Wege and Holy

AN ACT Relating to ensuring that firefighters who accept promotional firefighter positions within a fire department remain members of the law enforcement officers' and firefighters' retirement system; and amending RCW 41.26.030.

Referred to Committee on Ways & Means.

SB 5469 by Senators Lovick and Saldaña

AN ACT Relating to creating the covenant homeownership account and program to address the history of housing discrimination due to racially restrictive real estate covenants in Washington state; amending RCW 36.18.010, 43.84.092, and 43.84.092; adding a new section to chapter 36.22 RCW; adding a new chapter to Title 43 RCW; creating new sections; providing an effective date; and providing an expiration date.

Referred to Committee on Housing.

SB 5470 by Senators Trudeau and Short

AN ACT Relating to creating a new health profession for lactation consultants; amending RCW 18.120.020 and 18.130.040; adding a new chapter to Title 18 RCW; creating a new section; and providing effective dates.

Referred to Committee on Health & Long-Term Care.

SB 5471 by Senators Cleveland, Wilson, J., Shewmake, Randall, Lovelett, Valdez and Wilson, C.

AN ACT Relating to the use of electric-assisted bicycles on certain trails and roads by persons with disabilities; reenacting and amending RCW 46.61.710; providing an effective date; and declaring an emergency.

Referred to Committee on Transportation.

SB 5472 by Senators Gildon, Wellman and Wilson, C.

AN ACT Relating to providing incentives to employers to hire certain hard-to-place job seekers; adding a new section to chapter 82.04 RCW; adding a new section to chapter 82.16 RCW; creating a new section; and providing expiration dates.

Referred to Committee on Labor & Commerce.

SB 5473 by Senators Gildon, Liias, Mullet, MacEwen, Lovick and Wilson, L.

AN ACT Relating to project permit timelines; amending RCW 36.70B.020, 36.70B.070, 36.70B.080, 36.70B.140, and 36.70B.160; and providing an effective date.

Referred to Committee on Local Government, Land Use & Tribal Affairs.

SB 5474 by Senators Frame and Trudeau

AN ACT Relating to decreasing barriers to successful community participation for individuals involved in the juvenile justice system; amending RCW 6.17.020, 7.68.035, 7.68.120, 10.01.160, 13.40.020, 13.40.060, 13.40.077, 13.40.080, 13.40.127, 13.40.150, 13.40.162, 13.40.165, 13.40.180, 13.40.190, 13.40.200, 13.40.205, 13.40.205, 13.40.210, 13.40.250, 13.40.308, 13.40.510, 13.50.260, 13.50.270, and 43.43.7541; reenacting and amending RCW 13.40.020; adding new sections to chapter 13.40 RCW; creating new sections; repealing RCW 13.40.056, 13.40.085, 13.40.192, 13.40.198, 13.40.610, and 13.40.640; providing contingent effective dates; and providing contingent expiration dates.

Referred to Committee on Human Services.

SB 5475 by Senator Saldaña

ELEVENTH DAY, JANUARY 19, 2023

AN ACT Relating to the scoring of prior juvenile offenses in sentencing range calculations; amending RCW 9.94A.525; adding a new section to chapter 9.94A RCW; creating a new section; and providing an expiration date.

Referred to Committee on Law & Justice.

SB 5476 by Senator King

AN ACT Relating to authorizing an agricultural employer to select any 12 weeks in a calendar year as special circumstance weeks for labor demand, during which in each of the selected 12 weeks, the agricultural employer may employ agricultural employees for up to 50 hours before the requirement to pay overtime applies under RCW 49.46.130; amending RCW 49.46.130; creating a new section; and declaring an emergency.

Referred to Committee on Labor & Commerce.

SB 5477 by Senators Torres, Trudeau, Braun and Muzzall

AN ACT Relating to implementing the recommendations of the Washington state missing and murdered indigenous women and people task force; amending RCW 68.50.320; adding a new section to chapter 43.10 RCW; providing an effective date; providing an expiration date; and declaring an emergency.

Referred to Committee on Law & Justice.

SB 5478 by Senators Braun and Warnick

AN ACT Relating to installing signs on or near bridges to provide information to deter jumping; amending RCW 36.86.040, 47.36.030, and 81.36.100; adding a new section to chapter 35.21 RCW; adding a new section to chapter 47.04 RCW; adding a new section to chapter 47.36 RCW; adding a new section to chapter 53.08 RCW; adding a new section to chapter 77.12 RCW; adding a new section to chapter 79.10 RCW; adding a new section to chapter 79A.05 RCW; and creating new sections.

Referred to Committee on Transportation.

SB 5479 by Senators Schoesler, Mullet and Braun

AN ACT Relating to delaying the long-term services and supports trust program tax to allow a proposition to be submitted to repeal the long-term services and supports trust program authorized in chapter 50B.04 RCW, including the repeal of taxes to be paid by employees through payroll deductions; reenacting and amending RCW 50B.04.080; repealing RCW 50B.04.010, 50B.04.020, 50B.04.030, 50B.04.040, 50B.04.050, 50B.04.055, 50B.04.060, 50B.04.070, 50B.04.080, 50B.04.085, 50B.04.088, 50B.04.090, 50B.04.095, 50B.04.100, 50B.04.110, 50B.04.120, 50B.04.130, 50B.04.140, 50B.04.150, 50B.04.160, 50B.04.170, and 50B.04.900; providing an effective date; providing for submission of certain sections of this act to a vote of the people; and declaring an emergency.

Referred to Committee on Labor & Commerce.

SB 5480 by Senators Kauffman and Wilson, C.

AN ACT Relating to accelerating stability for people with a work-limiting disability or incapacity; and amending RCW 74.04.655, 74.04.805, 74.62.005, and 74.62.030.

Referred to Committee on Human Services.

SB 5481 by Senators Cleveland and Pedersen

AN ACT Relating to the uniform telemedicine act; and adding a new chapter to Title 18 RCW.

Referred to Committee on Health & Long-Term Care.

SB 5482 by Senators Frame, Wagoner, Wellman and Nguyen

AN ACT Relating to the margin tax; amending RCW 34.05.328, 82.04.020, 82.04.066, 82.04.067, 82.04.080, 82.04.2403, 82.04.310, 82.04.311, 82.04.320, 82.04.322, 82.04.323, 82.04.340, 82.04.350, 82.04.360, 82.04.380, 82.04.390, 82.04.405, 82.04.408, 82.04.4282, 82.04.4283, 82.04.4284, 82.04.4285, 82.04.4286, 82.04.4293, 82.04.4339, 82.04.440, 82.04.4497, 82.04.4499, 82.04.615, 82.04.767, 82.04.261, 82.04.285, 82.04.286, 82.04.29004, 82.04.290, 82.04.510, 82.32.045, 82.32.057, 82.32.090, 9.41.100, 9.46.071, 9.91.180, 28C.18.200, 35.87A.010, 35.102.160, 43.06.400, 43.365.020, 48.14.080, 48.62.151, 48.64.110, 48.180.055, 48.190.100, 49.04.220, 81.112.330, 82.02.250, 82.04.010, 82.04.051, 82.04.062, 82.04.2404, 82.04.280, 82.04.294, 82.04.297, 82.04.324, 82.04.385, 82.04.4265, 82.04.540, 82.04.293, 82.04.4328, 82.04.431, 82.08.0209, 82.08.02807, 82.08.0531, 82.08.052, 82.08.0291, 82.08.0311, 82.08.207, 82.08.806, 82.08.820, 82.08.830, 82.08.965, 82.08.9651, 82.08.970, 82.08.990, 82.12.02749, 82.12.0311, 82.12.970, 82.14B.061, 82.16.0496, 82.16.100, 82.16.325, 82.19.050, 82.29A.137, 82.32.030, 82.32.450, 82.32.534, 82.32.537, 82.32.670, 82.32.710, 82.32.790, 82.45.195, 84.36.645, 84.36.655, 88.46.010, and 90.56.010; reenacting and amending RCW 82.04.299, 43.79.195, 82.04.050, 82.04.170, 82.04.190, and 88.40.011; adding new sections to chapter 82.04 RCW; adding a new section to chapter 82.08 RCW; creating new sections; repealing RCW 43.365.050, 82.04.212, 82.04.220, 82.04.230, 82.04.240, 82.04.250, 82.04.255, 82.04.257, 82.04.258, 82.04.260, 82.04.2602, 82.04.263, 82.04.270, 82.04.272, 82.04.29001, 82.04.29002, 82.04.29005, 82.04.2905, 82.04.2906, 82.04.2907, 82.04.2908, 82.04.2909, 82.04.298, 82.04.301, 82.04.315, 82.04.317, 82.04.321, 82.04.326, 82.04.327, 82.04.330, 82.04.331, 82.04.332, 82.04.333, 82.04.334, 82.04.335, 82.04.337, 82.04.338, 82.04.339, 82.04.3395, 82.04.355, 82.04.363, 82.04.367, 82.04.368, 82.04.370, 82.04.392, 82.04.399, 82.04.410, 82.04.415, 82.04.418, 82.04.4201, 82.04.421, 82.04.422, 82.04.423, 82.04.425, 82.04.4251, 82.04.426, 82.04.4261, 82.04.4262, 82.04.4263, 82.04.4264, 82.04.4266, 82.04.4267, 82.04.4268, 82.04.4269, 82.04.427, 82.04.4271, 82.04.4272, 82.04.4274, 82.04.4275, 82.04.4281, 82.04.4287, 82.04.4289, 82.04.4290, 82.04.4291, 82.04.4292, 82.04.4294, 82.04.4295, 82.04.4296, 82.04.4297, 82.04.4298, 82.04.4311, 82.04.432, 82.04.4327, 82.04.433, 82.04.4331, 82.04.4332, 82.04.4337, 82.04.43391, 82.04.43392, 82.04.43393, 82.04.43395, 82.04.43396, 82.04.434, 82.04.4451, 82.04.44525, 82.04.4461, 82.04.4463, 82.04.447, 82.04.448, 82.04.4481, 82.04.4482, 82.04.4486, 82.04.4489, 82.04.449, 82.04.4496, 82.04.4498, 82.04.460, 82.04.462, 82.04.520, 82.04.545, 82.04.600, 82.04.601, 82.04.610, 82.04.620, 82.04.627, 82.04.628, 82.04.635, 82.04.640, 82.04.645, 82.04.650, 82.04.660, 82.04.750, 82.04.755, 82.04.756, 82.04.758, 82.04.765, 82.04.770, 82.04.775, 82.04.900, and 82.32.533; providing an effective

date; providing a contingent effective date; providing an expiration date; and providing contingent expiration dates.

Referred to Committee on Business, Financial Services, Gaming & Trade.

SB 5483 by Senators Stanford, Dozier, Lovick, Mullet, MacEwen, Gildon, Boehnke and Wilson, J.

AN ACT Relating to classification of digital processing services; amending RCW 82.08.0208 and 82.12.0208; and creating new sections.

Referred to Committee on Business, Financial Services, Gaming & Trade.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Introduction and First Reading report were referred to the committees as designated with the exception of Senate Bill No. 5482 which had been designated to the Committee on Ways & Means and was referred to the Committee on Business, Financial Services, Gaming & Trade.

At 12:33 p.m., on motion of Senator Pedersen, the Senate adjourned until 12:30 p.m. Friday, January 20, 2023.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

TWELFTH DAY

AFTERNOON SESSION

Senate Chamber, Olympia
Friday, January 20, 2023

The Senate was called to order at 12:30 p.m. by the President of the Senate, Lt. Governor Heck presiding. No roll call was taken.

MOTIONS

On motion of Senator Pedersen, the reading of the Journal of the previous day was dispensed with and it was approved.

On motion of Senator Pedersen, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

January 19, 2023

SB 5002 Prime Sponsor, Senator Lovick: Concerning alcohol concentration. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5002 be substituted therefor, and the substitute bill do pass. Signed by Senators Dhingra, Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Valdez; Wagoner and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Trudeau, Vice Chair; Salomon and Torres.

Referred to Committee on Transportation.

January 19, 2023

SB 5006 Prime Sponsor, Senator Pedersen: Clarifying waiver of firearm rights. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5006 be substituted therefor, and the substitute bill do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Kuderer; Pedersen; Salomon and Valdez.

MINORITY recommendation: Do not pass. Signed by Senators Padden, Ranking Member; McCune; Torres; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

January 19, 2023

SB 5010 Prime Sponsor, Senator Wilson, L.: Including synthetic opioids in the endangerment with a controlled substance statute. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5010 be substituted therefor, and the substitute bill do pass. Signed by Senators Dhingra, Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Trudeau, Vice Chair.

Referred to Committee on Rules for second reading.

January 19, 2023

SB 5019 Prime Sponsor, Senator Wellman: Concerning classified staff providing student and staff safety. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hunt; Mullet and Pedersen.

MINORITY recommendation: Do not pass. Signed by Senators Hawkins, Ranking Member and McCune.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Dozier.

Referred to Committee on Rules for second reading.

January 19, 2023

SB 5020 Prime Sponsor, Senator Wellman: Concerning elementary education starting at six years of age. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hunt; Mullet and Pedersen.

MINORITY recommendation: Do not pass. Signed by Senators Hawkins, Ranking Member; Dozier and McCune.

Referred to Committee on Ways & Means.

January 19, 2023

SB 5028 Prime Sponsor, Senator Pedersen: Revising the process for individuals to request name changes. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5028 be substituted therefor, and the substitute bill do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Kuderer; Pedersen; Salomon; Valdez and Wagoner.

MINORITY recommendation: Do not pass. Signed by Senators Padden, Ranking Member and McCune.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Torres and Wilson, L.

Referred to Committee on Rules for second reading.

January 19, 2023

SB 5032 Prime Sponsor, Senator Padden: Extending the felony driving under the influence lookback to 15 years while providing additional treatment options through the creation of a drug offender sentencing alternative for driving under the influence. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Transportation.

January 19, 2023

SB 5046 Prime Sponsor, Senator Saldaña: Concerning postconviction access to counsel. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5046 be substituted therefor, and the substitute bill do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Kuderer; Pedersen; Salomon; Valdez and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Padden, Ranking Member; McCune; Torres and Wilson, L.

Referred to Committee on Ways & Means.

January 18, 2023

SB 5048 Prime Sponsor, Senator Mullet: Eliminating college in the high school fees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That Substitute Senate Bill No. 5048 be substituted therefor, and the substitute bill do pass. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Ways & Means.

January 19, 2023

SB 5053 Prime Sponsor, Senator Wellman: Adding sublimits of coverage to an insurance policy's declaration page. Reported by Committee on Business, Financial Services, Gaming & Trade

MAJORITY recommendation: Do pass. Signed by Senators Stanford, Chair; Frame, Vice Chair; Dozier, Ranking Member; Gildon; Hasegawa; Lovick and Mullet.

MINORITY recommendation: Do not pass. Signed by Senators Boehnke and MacEwen.

Referred to Committee on Rules for second reading.

January 19, 2023

SB 5078 Prime Sponsor, Senator Pedersen: Protecting public safety by establishing duties of firearm industry members. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Kuderer; Pedersen; Salomon and Valdez.

MINORITY recommendation: Do not pass. Signed by Senators Padden, Ranking Member; McCune; Torres; Wagoner and Wilson, L.

Referred to Committee on Ways & Means.

January 19, 2023

SB 5085 Prime Sponsor, Senator Wellman: Concerning principal and assistant principal terms of employment. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 5085 be substituted therefor, and the substitute bill do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hunt; Mullet and Pedersen.

MINORITY recommendation: Do not pass. Signed by Senators Hawkins, Ranking Member; Dozier and McCune.

Referred to Committee on Rules for second reading.

January 19, 2023

SB 5087 Prime Sponsor, Senator Pedersen: Removing language from the Revised Code of Washington that has been identified by the justices of the supreme court or judges of the superior courts as defects and omissions in the laws pursuant to Article IV, section 25 of the Washington state Constitution. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5087 be substituted therefor, and the substitute bill do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Kuderer; Pedersen; Salomon; Valdez and Wagoner.

MINORITY recommendation: Do not pass. Signed by Senator McCune.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Padden, Ranking Member; Torres and Wilson, L.

Referred to Committee on Rules for second reading.

January 19, 2023

SB 5122 Prime Sponsor, Senator Cleveland: Extending the expiration date of the ambulance transport fund. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Ways & Means.

January 19, 2023

SB 5130 Prime Sponsor, Senator Frame: Concerning assisted outpatient treatment. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Wilson, L.

Referred to Committee on Rules for second reading.

January 19, 2023

SB 5171 Prime Sponsor, Senator Dhingra: Addressing consumer gender discrimination. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5171 be substituted therefor, and the substitute bill do

TWELFTH DAY, JANUARY 20, 2023

pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Kuderer; Pedersen; Salomon and Valdez.

MINORITY recommendation: Do not pass. Signed by Senators Padden, Ranking Member; McCune; Torres; Wagoner and Wilson, L.

Referred to Committee on Ways & Means.

January 19, 2023

SB 5173 Prime Sponsor, Senator Stanford: Concerning property exempt from execution. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5173 be substituted therefor, and the substitute bill do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Kuderer; Pedersen; Salomon and Valdez.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Padden, Ranking Member and McCune.

MINORITY recommendation: Do not pass. Signed by Senators Torres; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

January 19, 2023

SB 5175 Prime Sponsor, Senator Wellman: Concerning written contracts between school boards and principals. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hunt; Mullet and Pedersen.

MINORITY recommendation: Do not pass. Signed by Senators Hawkins, Ranking Member; Dozier and McCune.

Referred to Committee on Rules for second reading.

January 19, 2023

SB 5181 Prime Sponsor, Senator Cleveland: Concerning medical assistants. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5181 be substituted therefor, and the substitute bill do pass. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Rules for second reading.

January 19, 2023

SB 5205 Prime Sponsor, Senator Dhingra: Concerning limitations in parenting plans related to parental conduct. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5205 be substituted therefor, and the substitute bill do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Kuderer; Pedersen; Salomon and Valdez.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Padden, Ranking Member; McCune; Torres; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

January 19, 2023

SB 5210 Prime Sponsor, Senator Stanford: Concerning the best interest standard for annuity transactions. Reported by Committee on Business, Financial Services, Gaming & Trade

MAJORITY recommendation: That Substitute Senate Bill No. 5210 be substituted therefor, and the substitute bill do pass. Signed by Senators Stanford, Chair; Frame, Vice Chair; Dozier, Ranking Member; Boehnke; Gildon; Hasegawa; Lovick; MacEwen and Mullet.

Referred to Committee on Rules for second reading.

January 19, 2023

SB 5220 Prime Sponsor, Senator Frame: Concerning reorganization of domestic mutual insurers. Reported by Committee on Business, Financial Services, Gaming & Trade

MAJORITY recommendation: That Substitute Senate Bill No. 5220 be substituted therefor, and the substitute bill do pass. Signed by Senators Stanford, Chair; Frame, Vice Chair; Dozier, Ranking Member; Boehnke; Gildon; Lovick; MacEwen and Mullet.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Hasegawa.

Referred to Committee on Rules for second reading.

January 19, 2023

SB 5229 Prime Sponsor, Senator Frame: Accelerating rural job growth and promoting economic recovery across Washington through site readiness grants. Reported by Committee on Business, Financial Services, Gaming & Trade

MAJORITY recommendation: Do pass. Signed by Senators Stanford, Chair; Frame, Vice Chair; Dozier, Ranking Member; Boehnke; Gildon; Lovick; MacEwen and Mullet.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Hasegawa.

Referred to Committee on Ways & Means.

January 20, 2023

SB 5303 Prime Sponsor, Senator Mullet: Creating the public works assistance revolving account. Reported by Committee on State Government & Elections

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Valdez, Vice Chair; Wilson, J., Ranking Member; Hunt, Chair; Dozier; Fortunato; Hasegawa and Kuderer.

Referred to Committee on Ways & Means.

January 19, 2023

SB 5336 Prime Sponsor, Senator Cleveland: Concerning population criteria for the main street trust fund tax credit. Reported by Committee on Business, Financial Services, Gaming & Trade

MAJORITY recommendation: Do pass. Signed by Senators Stanford, Chair; Frame, Vice Chair; Dozier, Ranking Member; Boehnke; Gildon; Hasegawa; Lovick; MacEwen and Mullet.

Referred to Committee on Rules for second reading.

January 19, 2023

SGA 9156 SHARONDA AMAMILO, appointed on August 17, 2021, for the term ending August 2, 2024, as Member of the Sentencing Guidelines Commission. Reported by Committee on Law & Justice

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

January 19, 2023

SGA 9273 JUDGE WESLEY SAINT CLAIR, appointed on November 3, 2022, for the term ending August 2, 2025, as Chair of the Sentencing Guidelines Commission. Reported by Committee on Law & Justice

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Kuderer; Pedersen; Salomon; Valdez and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Padden, Ranking Member; McCune; Torres and Wilson, L.

Referred to Committee on Rules for second reading.

MOTIONS

On motion of Pedersen, all measures listed on the Standing Committee report were referred to the committees as designated with the exceptions of Senate Bill No. 5078, Senate Bill No. 5122, and Senate Bill No. 5171 which had been designated to the Committee on Rules and were referred to the Committee on Ways & Means.

On motion of Senator Pedersen, the Senate advanced to the third order of business.

MESSAGE FROM OTHER STATE OFFICERS

The following reports were submitted to and received by the office of the Secretary of the Senate:

Agriculture, Department of – “*Equity for Underrepresented Farmers and Ranchers Report*”, pursuant to Engrossed Substitute Senate Bill No. 5092; “*Hemp in Food Task Force Report – Revised*”, pursuant to Engrossed Substitute Senate Bill No. 5693;

Commerce, Department of – “*Collaborative Roadmap Phase III; Final Legislative Report*”, pursuant to Engrossed Substitute Senate Bill No. 5092; “*Defense Community Compatibility Account, 2022 Legislative Report*”, pursuant to Substitute Senate Bill No. 5748; “*SHB 1170 Report on Research*

and Development Incentives in Other States”, pursuant to Substitute House Bill No. 1170; “*Clean Buildings Legislative Report*”, in accordance with 19.27A.210 RCW; “*Clean Buildings Legislative Report*”, in accordance with 19.27A.220 RCW;

Community & Technical Colleges, State Board for (SBCTC) – “*Study to Support the Dental Hygiene and Dental Assisting Workforce*”, in accordance with 43.01.036 RCW;

County Road Administration Board, Washington State – “*2022 Annual Report*”, in accordance with 36.78.070 RCW;

Criminal Sentencing Task Force, The Washington State – “*Final Report and Recommendations*”, pursuant to Engrossed Substitute House Bill No. 1109; “*Final Report and Recommendations Letter of Transmittal*”, pursuant to Engrossed Substitute House Bill No. 1109;

Ecology, Department of – “*The Hydrofluorocarbon Transition: Estimating Leakage of Refrigerants from Existing Systems in Washington*”, in accordance with 70A.60.030 RCW;

Fish and Wildlife, Department of – “*Status of the Hoodport Beach Seine Fisheries*”, in accordance with 77.70.180 RCW;

Health Care Authority – “*Alternative Payment Model 4 (APM4) Program Evaluation; Evaluating Cost Effectiveness and Impacts on Patient Outcomes with the APM4 FQHC Value-Based Purchasing Model*”, pursuant to Engrossed Substitute Senate Bill No. 5693; “*Involuntary Treatment Act Work Group Follow-Up Report*”, pursuant to Second Engrossed Second Substitute Senate Bill No. 5720; “*Substance Use and Recovery Services Plan*”, pursuant to Engrossed Senate Bill No. 5476; “*HIV Antivirals: Annual Report*”, pursuant to Engrossed Substitute Senate Bill No. 5693; “*Service Coordination Organization Performance Measures, Accountability Implementation Status 2022*”, pursuant to Substitute Senate Bill No. 5147 and in accordance with 70.320.050 RCW;

Recreation and Conservation Office – “*Habitat and Recreation Lands Coordinating Group 2022 Progress Report*”, in accordance with 79A.25.260 RCW;

Sheriffs and Police Chiefs, Washington Association of – “*Racial Profiling Progress Report 2022*”, in accordance with 43.101 RCW;

Social & Health Services, Department of – “*Costs and Benefits of Expanding Medicare Savings Programs and Classic Medicaid Programs to Promote Affordable Care, Premiums, and Cost Sharing for Medicare Enrollees*”, pursuant to Engrossed Substitute Senate Bill No. 5693; “*Violations, Penalties, and Actions Relating to Persons on Conditional Release to a Secure Community Transition Facility*”, in accordance with 71.09.325 RCW; “*Western State Hospital - City of Lakewood Community Policing Program*”, pursuant to Engrossed Substitute Senate Bill No. 5092; “*Traumatic Brain Injury Statewide Comprehensive Plan*”, in accordance with 74.31.020 RCW; “*No-Paid Services Client Caseload*”, pursuant to Substitute Senate Bill No. 5819; “*No-Paid Services Client Caseload*”, pursuant to Engrossed Substitute Senate Bill No. 5693; “*Performance Report for Eastern and Western State Hospitals SFY 2022*”, pursuant to Engrossed Substitute Senate Bill No. 5092 and in accordance with 74.39A.275 RCW; “*Predicting Referrals for Competency Evaluation*”, pursuant to Engrossed Substitute Senate Bill No. 5092;

Tax Structure Workgroup - “*Recommendations Letter of Transmittal*”, pursuant to Engrossed Substitute House Bill No. 1109;

University of Washington Climate Impacts Group – “*Biophysical Climate Risks and Economic Impacts for Washington State*”, pursuant to Engrossed Substitute Senate Bill No. 5092;

TWELFTH DAY, JANUARY 20, 2023

UW Medicine – *“Harborview Medical Center (A Component Unit of King County) (Operated by the University of Washington) Basic Financial Statements June 30, 2022 and 2021”*, pursuant to Engrossed Substitute Senate Bill No. 5092; *“UW Medicine Select Units - UW Division; Basic Financial Statements, June 30, 2022 and 2021 (With Independent Auditors' Report Thereon)”*, pursuant to Engrossed Substitute Senate Bill No. 5092;

Washington State Patrol – *“Washington Background Check Advisory Board Annual Report 2022”*, pursuant to Engrossed Second Substitute House Bill No. 2467; *“Washington Background Check Advisory Board Annual Report 2022”*; pursuant to Engrossed Second Substitute House Bill No. 2467; *“State Fire Service Mobilization Report 2022”*, in accordance with 43.43.965 RCW.

MOTION

On motion of Senator Pedersen, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 5484 by Senator Shewmake

AN ACT Relating to supporting Washington's food production system by providing technical assistance in support of improved voluntary environmental stewardship; amending RCW 89.08.610, 89.08.615, and 89.08.630; adding a new section to chapter 89.08 RCW; and creating a new section.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SB 5485 by Senators Shewmake, Randall, Lovick, Trudeau and Cleveland

AN ACT Relating to public employee reimbursement for child and adult dependent care expenses; amending RCW 42.52.160, 43.03.050, and 42.24.090; and creating a new section.

Referred to Committee on State Government & Elections.

SB 5486 by Senators Frame, Nguyen, Robinson, Wellman, Hunt, Dhingra, Saldaña, Van De Wege, Wilson, C., Kuderer, Trudeau, Keiser, Stanford, Conway, Lovelett, Lovick, Hasegawa, Valdez and Cleveland

AN ACT Relating to investing in Washington families and creating a more fair tax system by enacting a narrowly tailored property tax on extreme wealth derived from the ownership of stocks, bonds, and other financial intangible property; amending RCW 82.32.160, 43.135.034, and 82.32.655; adding a new title to the Revised Code of Washington to be codified as Title 84A RCW; creating new sections; and prescribing penalties.

Referred to Committee on Ways & Means.

SB 5487 by Senator King

AN ACT Relating to parking at rest areas; and amending RCW 47.38.020 and 46.55.010.

Referred to Committee on Transportation.

SB 5488 by Senator Wilson, L.

AN ACT Relating to dedicating the enhanced food fish excise tax revenue to the fish, wildlife, and conservation account for the purpose of maintaining fishing, hunting, and recreational opportunities; amending RCW 82.27.070; and creating new sections.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SB 5489 by Senators Trudeau and Wellman

AN ACT Relating to protecting access to reproductive health care services and gender-affirming treatment in Washington state; amending RCW 5.51.020, 5.56.010, 9.73.040, 9.73.260, 10.55.020, 10.88.250, 10.88.320, 10.88.330, 10.96.020, 10.96.040, and 40.24.030; adding a new chapter to Title 7 RCW; prescribing penalties; and declaring an emergency.

Referred to Committee on Law & Justice.

SB 5490 by Senator Rolfes

AN ACT Relating to health care coverage for retired or disabled employees denied coverage for failure to timely notify the authority of their intent to defer coverage; adding a new section to chapter 41.05 RCW; and declaring an emergency.

Referred to Committee on Health & Long-Term Care.

SB 5491 by Senators Salomon and Shewmake

AN ACT Relating to allowing for residential buildings of a certain height to be served by a single exit under certain conditions; and amending RCW 19.27.060.

Referred to Committee on Local Government, Land Use & Tribal Affairs.

SB 5492 by Senator Cleveland

AN ACT Relating to improving health care affordability for older adults and people with disabilities on medicare; adding a new section to chapter 74.09 RCW; and creating a new section.

Referred to Committee on Health & Long-Term Care.

SB 5493 by Senators Kuderer and Wellman

AN ACT Relating to eliminating a business and occupation tax deduction for financial institutions to fund affordable housing; adding a new section to chapter 82.32 RCW; creating new sections; repealing RCW 82.04.29005 and 82.04.4292; and providing an effective date.

Referred to Committee on Housing.

SB 5494 by Senators Wilson, J., Kuderer, King, Lovick, Dozier, Wilson, L., Liias, Schoesler and Warnick

AN ACT Relating to government incentives for improving freight railroad infrastructure; adding new sections to chapter 82.04 RCW; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; adding new sections to chapter 82.16 RCW; creating new sections; providing an effective date; and providing expiration dates.

Referred to Committee on Business, Financial Services, Gaming & Trade.

Referred to Committee on Ways & Means.

SB 5495 by Senators Kuderer and Frame

AN ACT Relating to property tax rebates for homeowners and renters; amending RCW 82.03.190; adding a new title to the Revised Code of Washington to be codified as Title 84A RCW; creating a new section; prescribing penalties; and providing an effective date.

Referred to Committee on Ways & Means.

SB 5496 by Senators Lovick and Saldaña

AN ACT Relating to creating the covenant homeownership account and program to address the history of housing discrimination due to racially restrictive real estate covenants in Washington state; amending RCW 36.18.010, 43.84.092, and 43.84.092; adding a new section to chapter 36.22 RCW; adding a new chapter to Title 43 RCW; creating new sections; providing an effective date; and providing an expiration date.

Referred to Committee on Housing.

SB 5497 by Senators Wilson, L. and Rolfes

AN ACT Relating to medicaid expenditures; amending RCW 74.04.050; adding new sections to chapter 74.09 RCW; adding a new section to chapter 43.41 RCW; and creating a new section.

Referred to Committee on Health & Long-Term Care.

SB 5498 by Senators Mullet, Holy, Rivers, King, Cleveland and Braun

AN ACT Relating to creating the hospital-based nurse student loan repayment assistance program under the Washington health corps; amending RCW 28B.115.010, 28B.115.020, 28B.115.030, 28B.115.080, 28B.115.090, and 28B.115.110; adding a new section to chapter 28B.115 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Higher Education & Workforce Development.

SB 5499 by Senators Mullet, Rivers, King, Cleveland, Braun and Muzzall

AN ACT Relating to the multistate nurse licensure compact; amending RCW 18.79.020, 18.79.202, 18.79.030, 18.130.040, 18.130.040, 18.130.064, and 43.70.110; adding new sections to chapter 18.79 RCW; adding a new section to chapter 70.41 RCW; adding a new section to chapter 71.12 RCW; adding a new section to chapter 70.230 RCW; adding a new section to chapter 18.51 RCW; adding a new section to chapter 18.20 RCW; adding a new section to chapter 70.127 RCW; adding a new section to chapter 70.128 RCW; adding a new section to chapter 18.52C RCW; adding a new chapter to Title 18 RCW; providing an effective date; and providing an expiration date.

Referred to Committee on Health & Long-Term Care.

SB 5500 by Senators Billig and Padden

AN ACT Relating to retail sales tax exemptions for certain aircraft maintenance and repair; amending RCW 82.08.025661; and creating a new section.

SB 5501 by Senators Keiser and Randall

AN ACT Relating to establishing a public education program to reduce the incidence of stillbirth using a platform for recording and tracking fetal movements; amending RCW 74.09.800 and 43.70.619; adding a new section to chapter 74.09 RCW; and creating a new section.

Referred to Committee on Health & Long-Term Care.

SJM 8002 by Senator Hasegawa

Calling on Congress to exercise its authority under Article V of the United States Constitution to regulate money spent on elections.

Referred to Committee on State Government & Elections.

SJM 8003 by Senators Wilson, J. and Braun

Requesting the transportation commission to designate a section of Interstate 5 the Cowlitz County Deputy Sheriff Justin DeRosier memorial highway.

Referred to Committee on Transportation.

SJR 8206 by Senators Kuderer and Frame

Concerning property tax rebates.

Referred to Committee on Ways & Means.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Introduction and First Reading report were referred to the committees as designated with the exceptions of Senate Bill No. 5495 and Senate Joint Resolution No. 8206 which had been designated to the Committee on Housing and were referred to the Committee on Ways & Means.

On motion of Senator Pedersen, the Senate advanced to the eighth order of business.

MOTION

Senator Nguyen moved adoption of the following resolution:

SENATE RESOLUTION 8605

By Senators Nguyen, Billig, Conway, Dhingra, Frame, Hunt, Kuderer, Lovelett, Nobles, Pedersen, Robinson, Rolfes, Salomon, Valdez, Wagoner, Warnick, and Wellman

WHEREAS, On the 22nd day of January in 2023 the people of the great state of Washington unite to celebrate the Lunar New Year, joining to distinguish Asian American joy, cultures, and beautiful diversity; and

WHEREAS, The Lunar New Year begins on the first new moon of the lunisolar calendar; and

WHEREAS, This year is designated as the Year of the Rabbit or the Cat; both animals in the zodiac are characterized by their grace, adaptability, and thoughtfulness; their gentle nature bringing symbols of longevity, tranquility, and prosperity to the year; and

TWELFTH DAY, JANUARY 20, 2023

WHEREAS, Washington acknowledges both the wonderful heritage and collective trauma of our Asian American ancestors; and

WHEREAS, We deeply appreciate the Asian American community that has made Washington a vibrant place for us all to call home, through building and supporting their communities despite the uncertainty they have faced at times; and

WHEREAS, We highlight the solidarity and strength of the Asian American community in the face of violent racism, during the past few years - well before - and ongoing; and

WHEREAS, The Lunar New Year is a time to embrace reflections and understanding as we look towards renewal; and

WHEREAS, We step into the Year of the Rabbit or Cat not just as an individual, but as a family united in compassion and community stewardship;

NOW, THEREFORE, BE IT RESOLVED, That the Senate stand with the Asian American community in times of crisis and in times of celebration, we come together now with memories of fond endings and visions for new beginnings in acknowledgment of the Lunar New Year.

Senator Nguyen spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8605.

The motion by Senator Nguyen carried and the resolution was adopted by voice vote.

MOTION

At 12:35 p.m., on motion of Senator Pedersen, the Senate adjourned until 12:30 p.m. Monday, January 30, 2023.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

FIFTEENTH DAY

AFTERNOON SESSION

Senate Chamber, Olympia
Monday, January 23, 2023

The Senate was called to order at 12:30 p.m. by the President of the Senate, Lt. Governor Heck presiding. No roll call was taken.

MOTIONS

Pursuant to Rule 46, on motion of Senator Pedersen, and without objection, the Committee on Law & Justice was granted special leave to continue to meet during the day's floor session.

On motion of Senator Pedersen, the reading of the Journal of the previous day was dispensed with and it was approved.

On motion of Senator Pedersen, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

January 20, 2023

SB 5015 Prime Sponsor, Senator Fortunato: Reestablishing the productivity board. Reported by Committee on State Government & Elections

MAJORITY recommendation: Do pass. Signed by Senators Valdez, Vice Chair; Wilson, J., Ranking Member; Hunt, Chair; Dozier; Fortunato; Hasegawa and Kuderer.

Referred to Committee on Ways & Means.

January 20, 2023

SB 5127 Prime Sponsor, Senator Wilson, C.: Clarifying school districts' ability to redact personal information related to a student. Reported by Committee on State Government & Elections

MAJORITY recommendation: That Substitute Senate Bill No. 5127 be substituted therefor, and the substitute bill do pass. Signed by Senators Valdez, Vice Chair; Hunt, Chair; Hasegawa and Kuderer.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Wilson, J., Ranking Member; Dozier and Fortunato.

Referred to Committee on Rules for second reading.

January 19, 2023

SB 5142 Prime Sponsor, Senator Liias: Creating an account for the pharmaceutical rebate revenue generated by the purchase of medications for people living with HIV who are enrolled in the early intervention program. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Ways & Means.

January 20, 2023

SB 5151 Prime Sponsor, Senator Valdez: Updating the executive team of the office of the secretary of state by adding a chief of staff position. Reported by Committee on State Government & Elections

MAJORITY recommendation: That Substitute Senate Bill No. 5151 be substituted therefor, and the substitute bill do pass. Signed by Senators Valdez, Vice Chair; Wilson, J., Ranking Member; Hunt, Chair; Dozier; Fortunato; Hasegawa and Kuderer.

Referred to Committee on Rules for second reading.

January 20, 2023

SB 5153 Prime Sponsor, Senator Valdez: Concerning uniform disclosure of records related to future voters and making conforming amendments related to participation of future voters in state primaries. Reported by Committee on State Government & Elections

MAJORITY recommendation: Do pass. Signed by Senators Valdez, Vice Chair; Wilson, J., Ranking Member; Hunt, Chair; Dozier; Fortunato; Hasegawa and Kuderer.

Referred to Committee on Rules for second reading.

January 20, 2023

SB 5170 Prime Sponsor, Senator Hunt: Concerning funding and expenditures for legislative organizations by legislators who serve as elected leaders of those organizations. Reported by Committee on State Government & Elections

MAJORITY recommendation: That Substitute Senate Bill No. 5170 be substituted therefor, and the substitute bill do pass. Signed by Senators Valdez, Vice Chair; Wilson, J., Ranking Member; Hunt, Chair; Dozier; Fortunato; Hasegawa and Kuderer.

Referred to Committee on Rules for second reading.

January 20, 2023

SB 5182 Prime Sponsor, Senator Nguyen: Concerning procedures and deadlines for candidate filing. Reported by Committee on State Government & Elections

MAJORITY recommendation: That Substitute Senate Bill No. 5182 be substituted therefor, and the substitute bill do pass. Signed by Senators Valdez, Vice Chair; Wilson, J., Ranking Member; Hunt, Chair; Dozier; Fortunato; Hasegawa and Kuderer.

Referred to Committee on Rules for second reading.

January 20, 2023

SB 5208 Prime Sponsor, Senator Trudeau: Updating the process for online voter registration by allowing voter applicants to provide the last four digits of social security number for authentication. Reported by Committee on State Government & Elections

MAJORITY recommendation: That Substitute Senate Bill No. 5208 be substituted therefor, and the substitute bill do

FIFTEENTH DAY, JANUARY 23, 2023

pass. Signed by Senators Valdez, Vice Chair; Hunt, Chair; Hasegawa and Kuderer.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Wilson, J., Ranking Member; Dozier and Fortunato.

Referred to Committee on Rules for second reading.

January 20, 2023

SGA 9020 KEN A. LARSEN, reappointed on July 16, 2019, for the term ending June 30, 2023, as Member of the Housing Finance Commission. Reported by Committee on Housing

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Kuderer, Chair; Frame, Vice Chair; Fortunato, Ranking Member; Braun; Cleveland; Gildon; Rivers; Saldaña; Shewmake; Trudeau and Wilson, J.

Referred to Committee on Rules for second reading.

January 20, 2023

SGA 9150 NICOLE R. BASCOMB, appointed on July 9, 2021, for the term ending June 30, 2023, as Member of the Housing Finance Commission. Reported by Committee on Housing

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Kuderer, Chair; Frame, Vice Chair; Fortunato, Ranking Member; Braun; Cleveland; Gildon; Rivers; Saldaña; Shewmake; Trudeau and Wilson, J.

Referred to Committee on Rules for second reading.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Standing Committee report were referred to the committees as designated.

On motion of Senator Pedersen, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 5502 by Senators Gildon and Boehnke

AN ACT Relating to ensuring necessary access to substance use disorder treatment for individuals entering the graduated reentry program at the department of corrections; and amending RCW 9.94A.733.

Referred to Committee on Human Services.

SB 5503 by Senators Robinson, Cleveland, Mullet, Holy and Randall

AN ACT Relating to establishing requirements for uniform clinical placement hours for nursing education programs; and amending RCW 18.79.110.

Referred to Committee on Health & Long-Term Care.

SB 5504 by Senator Saldaña

AN ACT Relating to open motor vehicle safety recalls; adding a new section to chapter 46.32 RCW; adding a new

section to chapter 46.16A RCW; creating a new section; and providing an effective date.

Referred to Committee on Transportation.

SB 5505 by Senators Hawkins and Wellman

AN ACT Relating to addressing learning loss by expanding the school year; amending RCW 28A.150.220, 28A.150.222, 28A.150.290, 28A.300.109, 28A.310.240, 28A.330.100, 28A.400.300, 28A.410.080, and 28A.715.800; creating a new section; and providing an effective date.

Referred to Committee on Early Learning & K-12 Education.

SB 5506 by Senators Kauffman and Dhingra

AN ACT Relating to enhanced behavior support homes; amending RCW 43.185.020; adding new sections to chapter 43.185 RCW; and creating a new section.

Referred to Committee on Human Services.

SB 5507 by Senators Lias and Hasegawa

AN ACT Relating to increasing tenure-track faculty at the public baccalaureate institutions; adding a new section to chapter 28B.10 RCW; and providing an expiration date.

Referred to Committee on Higher Education & Workforce Development.

SB 5508 by Senator Short

AN ACT Relating to promoting local agriculture through greenhouses; amending RCW 19.27.015 and 19.27.065; and creating a new section.

Referred to Committee on State Government & Elections.

SB 5509 by Senators Kuderer and Lovelett

AN ACT Relating to the creation of the Washington state public infrastructure bank; amending RCW 39.59.040, 42.56.400, 43.10.067, and 43.84.080; reenacting and amending RCW 42.56.270; adding a new section to chapter 43.08 RCW; adding a new chapter to Title 43 RCW; and creating a new section.

Referred to Committee on Business, Financial Services, Gaming & Trade.

SB 5510 by Senator Braun

AN ACT Relating to addressing the current backlog of vehicle inspections; amending RCW 46.12.560 and 46.68.410; adding a new section to chapter 46.09 RCW; creating a new section; providing an effective date; providing an expiration date; and declaring an emergency.

Referred to Committee on Transportation.

SB 5511 by Senator Braun

AN ACT Relating to enhancing and improving the equity of K-12 education funding; amending RCW 84.52.0531, 28A.500.015, 28A.150.390, 28A.185.020, 28A.150.260, and 28A.150.260; adding a new section to chapter 28A.150 RCW; creating new sections; making an appropriation; providing an effective date; and providing expiration dates.

Referred to Committee on Early Learning & K-12 Education.

SB 5512 by Senators Holy, Liias, Rivers, Salomon, Wilson, J., Schoesler, Torres, Wilson, L., MacEwen, Dozier, Wagoner, Warnick, Gildon, McCune, Short, King, Braun, Muzzall and Nguyen

AN ACT Relating to adding financial transparency reporting requirements to the public four-year dashboard; and amending RCW 28B.77.090.

Referred to Committee on Higher Education & Workforce Development.

SB 5513 by Senators Liias and Randall

AN ACT Relating to mental health counseling at community and technical colleges; amending RCW 28B.50.930; adding a new section to chapter 28B.50 RCW; and providing expiration dates.

Referred to Committee on Higher Education & Workforce Development.

SB 5514 by Senators Lovick, Saldaña, Frame, Stanford and Liias

AN ACT Relating to prohibiting drivers from making a right turn within proximity of certain facilities; adding a new section to chapter 46.61 RCW; creating a new section; providing an effective date; and providing an expiration date.

Referred to Committee on Transportation.

SB 5515 by Senator Dhingra

AN ACT Relating to protecting children from child abuse and neglect; amending RCW 26.44.210 and 74.15.020; adding a new section to chapter 74.15 RCW; adding a new section to chapter 28A.305 RCW; adding a new section to chapter 71.24 RCW; creating new sections; and providing effective dates.

Referred to Committee on Human Services.

SB 5516 by Senators Fortunato and Rolfes

AN ACT Relating to exempting clay targets from sales and use tax; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; and creating new sections.

Referred to Committee on Ways & Means.

SB 5517 by Senators Warnick and Van De Wege

AN ACT Relating to enacting recommendations from the joint legislative task force on water resource mitigation; amending RCW 90.44.030, 90.03.247, 90.44.060, 70A.125.170, 90.03.015, and 90.54.020; adding a new section to chapter 90.03 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SB 5518 by Senators Boehnke, Stanford, MacEwen, Muzzall and Fortunato

AN ACT Relating to the protection of critical constituent and state operational data against the financial and personal harm caused by ransomware and other malicious cyber activities; amending RCW 43.105.220 and 43.105.342; reenacting and amending RCW 43.105.020; adding a new section to chapter 43.105 RCW; adding a new section to chapter 42.56 RCW; and creating new sections.

Referred to Committee on Environment, Energy & Technology.

SB 5519 by Senator Robinson

AN ACT Relating to improving consumer affordability through the health care cost transparency board; amending RCW 70.390.020, 70.390.040, 70.390.050, 70.390.070, 43.71C.030, and 70.405.030; adding new sections to chapter 70.390 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Health & Long-Term Care.

SB 5520 by Senators Liias and Wilson, J.

AN ACT Relating to establishing the fire service policy board and improving fire service training and mobilization; amending RCW 43.43.938, 43.43.960, 4.24.400, 9.40.100, 18.20.130, 18.46.110, 18.51.140, 18.51.145, 19.27A.110, 43.43.934, 43.43.938, 43.43.939, 43.43.940, 43.43.942, 43.43.944, 43.43.948, 43.43.952, 43.43.961, 43.43.962, 43.43.964, 43.43.965, 43.44.010, 43.44.020, 43.44.040, 43.44.050, 43.44.060, 43.44.070, 43.44.080, 43.44.090, 43.44.110, 43.44.115, 43.44.120, 43.44.130, 43.216.265, 43.216.290, 46.37.467, 48.05.320, 48.50.020, 48.50.040, 48.05.320, 48.53.020, 48.53.060, 52.30.020, 70.41.080, 70.74.191, 70.75.020, 70.75.030, 70.75.040, 70.77.170, 70.77.236, 70.77.250, 70.77.252, 70.77.270, 70.77.305, 70.77.315, 70.77.325, 70.77.330, 70.77.343, 70.77.355, 70.77.360, 70.77.365, 70.77.415, 70.77.430, 70.77.435, 70.77.440, 70.77.450, 70.77.455, 70.77.460, 70.77.548, 70.77.575, 70.77.580, 70.97.210, 70.108.040, 70.160.060, 71.12.485, 74.15.050, and 74.15.080; reenacting and amending RCW 70.77.375; adding new sections to chapter 43.44 RCW; recodifying RCW 43.43.930, 43.43.934, 43.43.938, 43.43.939, 43.43.940, 43.43.942, 43.43.944, 43.43.946, 43.43.948, 43.43.950, 43.43.952, 43.43.960, 43.43.961, 43.43.962, 43.43.963, 43.43.964, and 43.43.965; and providing an effective date.

Referred to Committee on State Government & Elections.

SB 5521 by Senators Conway and King

AN ACT Relating to the purchase and distribution of insignia to manufacturers of recreational vehicles and/or park trailers; and amending RCW 43.22.350.

Referred to Committee on Labor & Commerce.

SB 5522 by Senators Liias and Nobles

AN ACT Relating to adding a stipend to the Washington college grant program; amending RCW 28B.92.030; and adding a new section to chapter 28B.92 RCW.

Referred to Committee on Higher Education & Workforce Development.

SB 5523 by Senator Dhingra

FIFTEENTH DAY, JANUARY 23, 2023

AN ACT Relating to addressing the forensic pathologist shortage; amending RCW 68.50.104; reenacting and amending RCW 43.79A.040; adding a new chapter to Title 28B RCW; and creating a new section.

Referred to Committee on Higher Education & Workforce Development.

SB 5524 by Senators Van De Wege, Keiser and Lovick

AN ACT Relating to industrial insurance self-insured employer and third-party administrator penalties and duties; amending RCW 51.48.080 and 51.48.017; adding a new section to chapter 51.14 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Labor & Commerce.

SB 5525 by Senator MacEwen

AN ACT Relating to maintaining the safety of children who have been removed from a parent based on abuse, neglect, or abandonment; amending RCW 13.34.145; reenacting and amending RCW 13.34.138; adding a new section to chapter 13.34 RCW; and creating new sections.

Referred to Committee on Human Services.

SB 5526 by Senators Van De Wege and Muzzall

AN ACT Relating to nursing facility rates; amending RCW 74.46.501 and 74.46.561; creating a new section; and declaring an emergency.

Referred to Committee on Health & Long-Term Care.

SB 5527 by Senator Mullet

AN ACT Relating to adding additional courses to the list of courses approved as a graduation pathway option; and amending RCW 28A.655.250.

Referred to Committee on Early Learning & K-12 Education.

SB 5528 by Senator Stanford

AN ACT Relating to the retainage percentage withheld by prime contractors from subcontractors; and adding new sections to chapter 60.28 RCW.

Referred to Committee on Labor & Commerce.

SB 5529 by Senators Trudeau and Saldaña

AN ACT Relating to removing the exclusion of certain domestic workers from certain worker protections; amending RCW 51.12.020; reenacting and amending RCW 49.60.040; and adding a new section to chapter 49.60 RCW.

Referred to Committee on Labor & Commerce.

SB 5530 by Senator Gildon

AN ACT Relating to creating a work group to develop a "Whole WA" digital experience that will connect Washington residents to services; creating new sections; and providing an expiration date.

Referred to Committee on Environment, Energy & Technology.

SB 5531 by Senators King and Shewmake

AN ACT Relating to special use permits for milk product haulers; and amending RCW 46.44.0941.

Referred to Committee on Transportation.

SB 5532 by Senators King and Cleveland

AN ACT Relating to providing enhanced payment to low volume, small rural hospitals; amending RCW 74.09.5225; creating a new section; providing an effective date; and declaring an emergency.

Referred to Committee on Health & Long-Term Care.

SB 5533 by Senators Lovick and Randall

AN ACT Relating to the creation of a model vehicle pursuit policy for law enforcement agencies and the creation of a vehicle pursuit technology grant program; and adding new sections to chapter 43.101 RCW.

Referred to Committee on Law & Justice.

SB 5534 by Senators Randall and Holy

AN ACT Relating to workforce education investment accountability and oversight board staffing changes; amending RCW 28C.18.200 and 28B.50.925; adding a new section to chapter 28B.77 RCW; and recodifying RCW 28C.18.200.

Referred to Committee on Higher Education & Workforce Development.

SB 5535 by Senators Stanford and Valdez

AN ACT Relating to protecting human health from excessive air pollution; amending RCW 70A.15.6010; and creating a new section.

Referred to Committee on Environment, Energy & Technology.

SB 5536 by Senators Robinson, Lovick, Rolfes, Mullet, Dhingra and Billig

AN ACT Relating to justice system and behavioral health responses for persons experiencing circumstances that involve controlled substances, counterfeit substances, legend drugs, and drug paraphernalia; amending RCW 69.50.4011, 69.50.4013, 69.50.4014, 69.41.030, 69.50.4121, 69.50.509, 9.96.060, 36.70A.200, and 71.24.590; adding new sections to chapter 69.50 RCW; adding a new section to chapter 71.24 RCW; adding a new section to chapter 43.330 RCW; repealing RCW 10.31.115; prescribing penalties; and providing an expiration date.

Referred to Committee on Law & Justice.

SB 5537 by Senators Cleveland, Rivers, Dhingra, Mullet and Muzzall

AN ACT Relating to establishing the Washington state hospital patient care unit staffing innovation collaborative; adding a new section to chapter 43.70 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Health & Long-Term Care.

SB 5538 by Senators Cleveland and Dhingra

AN ACT Relating to postretirement employment in nursing positions for a state agency; amending RCW 41.37.050 and 41.40.037; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 5539 by Senators Cleveland, Wilson, L., Mullet, Boehnke, King and Liias

AN ACT Relating to making technical corrections to the local tax increment financing program under chapter 39.114 RCW by applying the definition of real property to ensure private investments made on state and local government-owned land are included in the increment value, ensuring that the relocation and construction of a government-owned facility is included as an eligible project, ensuring that acquisition costs include appurtenant rights, providing clarification to definitions of increment value and tax allocation base value for consistency with current law, clarifying notice requirements for the creation of a tax increment area, and creating consistency with current law for add-on levies codified in RCW 84.55.010; amending RCW 39.114.010, 39.114.020, 39.114.040, 39.114.050, 84.55.015, 84.55.020, and 84.55.030; and declaring an emergency.

Referred to Committee on Business, Financial Services, Gaming & Trade.

SB 5540 by Senators Cleveland and Rivers

AN ACT Relating to legislative authorization of medicaid managed health care system reprocurement; and amending RCW 74.09.522.

Referred to Committee on Health & Long-Term Care.

SJM 8004 by Senators Rivers, Fortunato, Muzzall, Wilson, J., Dozier, Boehnke, Schoesler, Wagoner, Wilson, L., Warnick and Torres

Applying for a convention to propose amendments to the United States Constitution relating to fiscal restraints on the federal government, the power and jurisdiction of the federal government, and limit terms of office for federal officials and for members of congress.

Referred to Committee on State Government & Elections.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

At 12:32 p.m., on motion of Senator Pedersen, the Senate adjourned until 12:30 p.m. Tuesday, January 24, 2023.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

SIXTEENTH DAY

AFTERNOON SESSION

Senate Chamber, Olympia
Tuesday, January 24, 2023

The Senate was called to order at 12:30 p.m. by the President of the Senate, Lt. Governor Heck presiding. No roll call was taken.

MOTIONS

Pursuant to Rule 46, on motion of Senator Pedersen, and without objection, the Committee on Law & Justice was granted special leave to continue to meet during the day's floor session.

On motion of Senator Pedersen, the reading of the Journal of the previous day was dispensed with and it was approved.

On motion of Senator Pedersen, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

January 24, 2023

SB 5067 Prime Sponsor, Senator Dozier: Concerning meetings of county legislative authorities. Reported by Committee on Local Government, Land Use & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Senators Lovelett, Chair; Salomon, Vice Chair; Torres, Ranking Member; Kauffman and Short.

Referred to Committee on Rules for second reading.

January 24, 2023

SB 5095 Prime Sponsor, Senator Nobles: Creating the "parks Rx" health and wellness pilot programs. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Randall and Van De Wege.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Padden.

Referred to Committee on Ways & Means.

January 24, 2023

SB 5106 Prime Sponsor, Senator Hunt: Updating timelines for adopting county commissioner district boundaries following expansion from three to five commissioners. Reported by Committee on Local Government, Land Use & Tribal Affairs

MAJORITY recommendation: That Substitute Senate Bill No. 5106 be substituted therefor, and the substitute bill do pass. Signed by Senators Lovelett, Chair; Salomon, Vice Chair; Torres, Ranking Member; Kauffman and Short.

Referred to Committee on Rules for second reading.

January 24, 2023

SB 5113 Prime Sponsor, Senator Warnick: Concerning faculty in dental schools. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Rules for second reading.

January 24, 2023

SB 5396 Prime Sponsor, Senator Wilson, L.: Concerning cost sharing for diagnostic and supplemental breast examinations. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5396 be substituted therefor, and the substitute bill do pass. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Randall and Van De Wege.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Padden.

Referred to Committee on Ways & Means.

January 24, 2023

SGA 9186 SARAH R. LAWSON, appointed on October 26, 2021, for the term ending June 30, 2027, as Member of the Gambling Commission. Reported by Committee on Business, Financial Services, Gaming & Trade

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Stanford, Chair; Frame, Vice Chair; Dozier, Ranking Member; Boehnke; Gildon; Hasegawa; Lovick; MacEwen and Mullet.

Referred to Committee on Rules for second reading.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Standing Committee report were referred to the committees as designated.

On motion of Senator Pedersen, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 5541 by Senators Dhingra and Keiser

AN ACT Relating to transparency in supply chains; amending RCW 19.320.010; adding new sections to chapter 19.320 RCW; creating a new section; and providing an effective date.

Referred to Committee on Labor & Commerce.

SB 5542 by Senators Wilson, J., Rolfes, Fortunato, Shewmake, Hunt, Wilson, C., Cleveland, Lovick, Valdez, Padden, Gildon and Braun

AN ACT Relating to preventing the destruction of electric vehicle charging equipment; reenacting and amending RCW 19.290.010; and creating a new section.

Referred to Committee on Law & Justice.

SB 5543 by Senators Frame and Wilson, C.

AN ACT Relating to creating a developmentally appropriate response to youth who commit sexual offenses; amending RCW 18.155.020, 9A.44.128, 9A.44.130, 9A.44.132, 9A.44.140, 13.40.162, and 9A.44.145; adding a new section to chapter 13.40 RCW; adding a new section to chapter 9A.44 RCW; creating a new section; prescribing penalties; and providing an effective date.

Referred to Committee on Human Services.

SB 5544 by Senator MacEwen

AN ACT Relating to ensuring adequate notice is provided to local communities when the department of social and health services contracts with a housing provider for individuals qualifying for a less restrictive alternative placement; and amending RCW 71.09.097.

Referred to Committee on Human Services.

SB 5545 by Senator MacEwen

AN ACT Relating to the requirements to obtain a journey level electrician certificate of competency; amending RCW 19.28.195; amending 2018 c 249 s 5 and 2020 c 153 ss 30 and 31 (uncodified); creating new sections; providing effective dates; providing expiration dates; and declaring an emergency.

Referred to Committee on Labor & Commerce.

SB 5546 by Senators Shewmake, Lovick, Keiser, King and Stanford

AN ACT Relating to establishing a Washington state cannabis commission; amending RCW 41.06.070; adding a new section to chapter 69.50 RCW; and adding a new chapter to Title 15 RCW.

Referred to Committee on Labor & Commerce.

SB 5547 by Senators Robinson and Muzzall

AN ACT Relating to transparency for nursing pools that provide health care personnel to hospitals and long-term care facilities; amending RCW 18.52C.030; reenacting and amending RCW 18.52C.020; and adding new sections to chapter 18.52C RCW.

Referred to Committee on Health & Long-Term Care.

SB 5548 by Senator Wilson, J.

AN ACT Relating to vehicle service fees; amending RCW 46.17.040; creating a new section; providing an effective date; and declaring an emergency.

Referred to Committee on Transportation.

SJM 8005 by Senator Hasegawa

Addressing "de-risking" by financial institutions.

Referred to Committee on Business, Financial Services, Gaming & Trade.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

On motion of Senator Pedersen, the Senate advanced to the eighth order of business.

On motion of Senator Pedersen, Senate Rule 20 was suspended for the remainder of the day to allow consideration of a floor resolution.

EDITOR'S NOTE: Senate Rule 20 requires floor resolutions to be presented at least twenty-four hours prior to consideration.

MOTION

Senator Liias moved adoption of the following resolution:

SENATE RESOLUTION

8608

By Senator Liias

WHEREAS, The National Road Safety Foundation recognizes January 22nd through January 28th as National Passenger Safety Week; and

WHEREAS, Everyone has an important role to play in increasing road safety; and

WHEREAS, Passenger car occupant deaths accounted for 35 percent of all traffic fatalities nationwide in 2020; and

WHEREAS, Traffic deaths increased 7 percent in 2020 and 10 percent in 2021, according to the National Highway Traffic Safety Administration's (NHTSA) preliminary estimates; and

WHEREAS, Passenger car occupant deaths rose 9 percent in 2021; and

WHEREAS, These historic increases in traffic deaths occurred even though there was a 13 percent decrease in the miles that vehicles traveled; and

WHEREAS, NHTSA's data shows that the main behaviors behind these increases were speeding, impaired driving, and failure to wear seat belts; and

WHEREAS, Whether a driver is impaired by alcohol or drugs, is speeding, is driving too aggressively, is driving distracted, or is unable to stay awake behind the wheel, bad driving choices put passengers at risk of serious injury or death; and

WHEREAS, Many of those lives might have been saved had a passenger in the car insisted that the driver slow down, stop texting, or not get behind the wheel in the first place; and

WHEREAS, Passengers, especially teens and young adults, need education and encouragement to empower them to save lives by stopping unsafe driving practices as they happen; and

WHEREAS, Parents also need education and encouragement to teach their children about the importance of speaking up or not getting in a car with someone who is drunk, drugged, or distracted;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate recognize National Passenger Safety Week, January 22-28, 2023, and encourage passengers in motor vehicles to educate themselves and advocate for their own safety and the safety of others during this week and throughout the year.

Senator Liias spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8608.

The motion by Senator Liias carried and the resolution was adopted by voice vote.

MOTION

At 12:36 p.m., on motion of Senator Pedersen, the Senate adjourned until 10:30 a.m. Wednesday, January 25, 2023.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

SEVENTEENTH DAY

MORNING SESSION

Senate Chamber, Olympia
Wednesday, January 25, 2023

The Senate was called to order at 10:30 a.m. by the President of the Senate, Lt. Governor Heck presiding. The Secretary called the roll and announced to the President that all Senators were present.

The Sergeant at Arms Color Guard consisting of Pages Mr. Alex Lucas and Miss Mallory Gilbert, presented the Colors. Page Miss Ellie Yun led the Senate in the Pledge of Allegiance.

The prayer was offered by Reverend Tammy Stampfli, United Churches of Olympia.

MOTIONS

On motion of Senator Pedersen, the reading of the Journal of the previous day was dispensed with and it was approved.

On motion of Senator Pedersen, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

January 24, 2023

SB 5001 Prime Sponsor, Senator Hawkins: Concerning public facility districts created by at least two city or county legislative authorities. Reported by Committee on Local Government, Land Use & Tribal Affairs

MAJORITY recommendation: That Substitute Senate Bill No. 5001 be substituted therefor, and the substitute bill do pass. Signed by Senators Lovelett, Chair; Salomon, Vice Chair and Kauffman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Torres, Ranking Member and Short.

Referred to Committee on Transportation.

January 23, 2023

SB 5082 Prime Sponsor, Senator Kuderer: Encouraging electoral participation and making ballots more meaningful by abolishing advisory votes. Reported by Committee on Ways & Means

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Gildon, Assistant Ranking Member, Operating; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Van De Wege and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Wilson, L., Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Torres and Wagoner.

Referred to Committee on Rules for second reading.

January 24, 2023

SB 5096 Prime Sponsor, Senator Padden: Concerning employee ownership. Reported by Committee on Business, Financial Services, Gaming & Trade

MAJORITY recommendation: That Substitute Senate Bill No. 5096 be substituted therefor, and the substitute bill do pass. Signed by Senators Stanford, Chair; Frame, Vice Chair; Dozier, Ranking Member; Boehnke; Gildon; Hasegawa; Lovick; MacEwen and Mullet.

Referred to Committee on Ways & Means.

January 24, 2023

SB 5176 Prime Sponsor, Senator Stanford: Concerning unemployment insurance benefits for officers of employee-owned cooperatives. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 5176 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Braun; MacEwen; Robinson; Schoesler and Stanford.

Referred to Committee on Rules for second reading.

January 24, 2023

SB 5240 Prime Sponsor, Senator Braun: Concerning unemployment insurance benefits appeal procedures. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Braun; MacEwen; Robinson; Schoesler and Stanford.

Referred to Committee on Rules for second reading.

January 24, 2023

SB 5261 Prime Sponsor, Senator Braun: Concerning cemetery authority permit, license, or endorsement deadlines. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 5261 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Braun; MacEwen; Robinson; Schoesler and Stanford.

Referred to Committee on Rules for second reading.

January 24, 2023

SB 5282 Prime Sponsor, Senator Valdez: Authorizing vehicle dealers to file a report of sale. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Braun; MacEwen; Robinson; Schoesler and Stanford.

Referred to Committee on Rules for second reading.

SEVENTEENTH DAY, JANUARY 25, 2023

January 24, 2023

SB 5319 Prime Sponsor, Senator Stanford: Concerning pet insurance. Reported by Committee on Business, Financial Services, Gaming & Trade

MAJORITY recommendation: Do pass. Signed by Senators Stanford, Chair; Frame, Vice Chair; Dozier, Ranking Member; Boehnke; Gildon; Hasegawa; Lovick; MacEwen and Mullet.

Referred to Committee on Rules for second reading.

January 24, 2023

SB 5331 Prime Sponsor, Senator Conway: Concerning job search requirements for unemployment insurance benefits. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Robinson and Stanford.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun; MacEwen and Schoesler.

Referred to Committee on Rules for second reading.

January 24, 2023

SB 5338 Prime Sponsor, Senator Cleveland: Reviewing the state's essential health benefits. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5338 be substituted therefor, and the substitute bill do pass. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Rules for second reading.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Standing Committee report were referred to the committees as designated with the exceptions of Senate Bill No. 5319 and Senate Bill No. 5338 which had been designated to the Committee on Ways & Means and were referred to the Committee on Rules.

On motion of Senator Pedersen, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 5549 by Senators Rivers and Hunt

AN ACT Relating to electric security alarm systems; adding a new section to chapter 35.21 RCW; adding a new section to chapter 35A.21 RCW; adding a new section to chapter 36.01 RCW; and creating a new section.

Referred to Committee on Local Government, Land Use & Tribal Affairs.

SB 5550 by Senators Liias, Randall, Valdez, Lovick, Wilson, C., Lovelett, Kauffman and Shewmake

AN ACT Relating to addressing workforce development issues, including cultural issues, at the Washington state ferries; reenacting and amending RCW 47.60.005; and adding a new section to chapter 47.60 RCW.

Referred to Committee on Transportation.

SB 5551 by Senators Shewmake, King, Salomon, Wellman, Warnick, Muzzall, Braun, Short and Van De Wege

AN ACT Relating to supporting Washington's crop and livestock farms, reducing greenhouse gas emissions, and generating renewable energy by capturing methane; amending RCW 89.08.610 and 89.08.615; and creating a new section.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SB 5552 by Senators Fortunato, Padden, Wilson, J., Boehnke, Schoesler and Hawkins

AN ACT Relating to permitting military exercises on state park property; amending RCW 79A.05.030; and creating a new section.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SB 5553 by Senators Lovelett and Robinson

AN ACT Relating to authorizing standards for temporary emergency shelters for local adoption; and amending RCW 19.27.042.

Referred to Committee on Local Government, Land Use & Tribal Affairs.

SB 5554 by Senator Nguyen

AN ACT Relating to Washington college grant award amounts; amending RCW 28B.92.030; and adding a new section to chapter 28B.92 RCW.

Referred to Committee on Higher Education & Workforce Development.

SB 5555 by Senators Randall and Dhingra

AN ACT Relating to addressing the behavioral health workforce shortage and expanding access to peer services by creating the profession of certified peer specialists; amending RCW 18.130.040, 18.130.040, 18.130.175, and 43.43.842; adding new sections to chapter 71.24 RCW; adding a new chapter to Title 18 RCW; creating new sections; providing an effective date; and providing an expiration date.

Referred to Committee on Higher Education & Workforce Development.

SB 5556 by Senator Wilson, J.

AN ACT Relating to transferring ownership of the Naselle Youth Camp property to the Chinook Indian Nation; amending RCW 28A.190.005 and 72.05.010; and creating a new section.

Referred to Committee on State Government & Elections.

SB 5557 by Senators Liias, Hasegawa and Valdez

AN ACT Relating to pay equity for part-time faculty; adding a new section to chapter 28B.50 RCW; and creating a new section.

Referred to Committee on Higher Education & Workforce Development.

SB 5558 by Senator McCune

AN ACT Relating to the fundamental right of parents and guardians to direct the upbringing and education of their children; adding a new section to chapter 28A.605 RCW; and creating a new section.

Referred to Committee on Early Learning & K-12 Education.

SB 5559 by Senator Wilson, C.

AN ACT Relating to restraint or isolation of students in public schools and educational programs; amending RCW 28A.600.485; and creating a new section.

Referred to Committee on Early Learning & K-12 Education.

SB 5560 by Senator Hunt

AN ACT Relating to improving older driver safety; amending RCW 46.20.181, 46.20.117, and 46.20.041; adding new sections to chapter 46.20 RCW; adding new sections to chapter 46.04 RCW; and adding a new section to chapter 42.56 RCW.

Referred to Committee on Transportation.

SB 5561 by Senators Conway, Pedersen, Lovick, Dhingra and Hasegawa

AN ACT Relating to extending the expiration date of the law enforcement community engagement grant project; amending RCW 43.330.545; and providing an expiration date.

Referred to Committee on Law & Justice.

SB 5562 by Senators Nguyen and Lovelett

AN ACT Relating to supporting Washington's clean energy economy and transitioning to a clean, affordable, and reliable energy future; amending RCW 80.28.010; adding a new chapter to Title 80 RCW; and declaring an emergency.

Referred to Committee on Environment, Energy & Technology.

SB 5563 by Senator King

AN ACT Relating to determining the prevailing wage for public works; and amending RCW 39.12.015.

Referred to Committee on Labor & Commerce.

SB 5564 by Senators Wagoner, Rolfes, Stanford, Holy, Torres, Dozier, Wilson, J., Fortunato, McCune, Braun, Salomon, Warnick, Shewmake, Randall, Saldaña, Wilson, L., Muzzall, Rivers and Van De Wege

AN ACT Relating to establishing a reward program for information related to missing or murdered indigenous women and persons, and other missing persons; adding new

sections to chapter 43.10 RCW; making an appropriation; and providing an effective date.

Referred to Committee on Law & Justice.

SB 5565 by Senators Schoesler and Rolfes

AN ACT Relating to modifying tax and revenue laws by making technical corrections, clarifying ambiguities, easing compliance burdens for taxpayers, and providing administrative efficiencies; amending RCW 19.150.060, 19.150.080, 19.240.080, 19.240.900, 35.90.020, 59.18.312, 59.18.595, 63.30.040, 82.04.260, 82.04.4489, 82.14.070, 82.32.045, 82.32.105, 82.60.020, 82.60.049, 82.60.060, 82.60.070, 82.70.900, 82.73.030, 82.90.080, 84.52.120, 84.52.816, 88.02.620, and 88.26.020; reenacting and amending RCW 82.08.0206; adding a new section to chapter 82.12 RCW; creating new sections; repealing RCW 82.12.02088, 82.27.060, and 82.70.050; and providing an expiration date.

Referred to Committee on Ways & Means.

SB 5566 by Senators Shewmake, Randall, Wellman, Saldaña and Liias

AN ACT Relating to the student basic needs at public postsecondary institutions act; adding a new section to chapter 28B.10 RCW; adding new sections to chapter 28B.50 RCW; creating new sections; and providing an expiration date.

Referred to Committee on Higher Education & Workforce Development.

SB 5567 by Senators Lovelett and Rivers

AN ACT Relating to splitting the volunteer firefighters' and reserve officers' relief and pension principal fund into two accounts; amending RCW 41.24.030, 41.24.035, 43.84.092, and 43.84.092; reenacting and amending RCW 41.24.010; adding new sections to chapter 41.24 RCW; creating new sections; providing an effective date; providing contingent effective dates; providing an expiration date; and providing a contingent expiration date.

Referred to Committee on Ways & Means.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Introduction and First Reading report were referred to the committees as designated with the exception of Senate Bill No. 5555 which had been designated to the Committee on Health & Long-Term Care and was referred to the Committee on Higher Education & Workforce Development.

On motion of Senator Pedersen, the Senate advanced to the eighth order of business.

MOTION

Senator Wagoner moved adoption of the following resolution:

SENATE RESOLUTION

8607

SEVENTEENTH DAY, JANUARY 25, 2023

By Senators Wagoner, Conway, Boehnke, Frame, Hasegawa, Hunt, Kuderer, Lovelett, Lovick, MacEwen, Robinson, Short, Stanford, and Warnick

WHEREAS, Director Lourdes E. Alvarado-Ramos served for 22 years defending our nation and achieving the rank of Command Sergeant Major at Madigan Army Medical Center and Troop Command at Joint Base Lewis-McChord; and

WHEREAS, Command Sergeant Major Alvarado-Ramos served with distinction, being awarded the Legion of Merit, Order of Military Medical Merit, Expert Field Medical Badge, and Meritorious Service Medals; and

WHEREAS, Director Alvarado-Ramos sought knowledge and skill with education from Harvard University's John F. Kennedy School of Government Executive Program, the University of Washington's Executive Management Program, and a Bachelor in Health Care Administration; and

WHEREAS, Director Alvarado-Ramos continued to serve her community and her state on Governor Jay Inslee's Executive Cabinet and as the Chair of the Washington Military Transition Council; and

WHEREAS, Director Alvarado-Ramos continued to serve her country as the President of the National Association of State Directors of Veterans Affairs and on the board of directors for the National Association of State Veterans Homes; and

WHEREAS, Director Alvarado-Ramos served our state in the Washington Department of Veterans Affairs since 1993 and was appointed to the governor's cabinet in 2013; and

WHEREAS, In her time as director, she has tirelessly worked to help servicemembers struggling with mental health concerns and suicide prevention; and

WHEREAS, In 2014, she spearheaded the Washington Goes to the Dogs Summit to connect veterans and providers to healing and service opportunities; and

WHEREAS, Director Alvarado-Ramos established the position of Traumatic Brain Injury Coordinator in partnership with the TBI Council to educate the community, provide peer-to-peer mentorship, and connect veterans with TBI to VA and community resources; and

WHEREAS, Under her leadership, new programs and services were established to meet the needs of Washington's veterans and their families, including opening the new State Veterans Home in Walla Walla in 2017, new programs to serve military spouses and LGBTQ+ veterans, and was heavily involved with the Veteran Employee Resource Group or VERG; and

WHEREAS, She is a multiyear recipient of the VA Pillar of Excellence Award, winning for her work on Homelessness in 2014, Military Transition Council in 2015, Incarcerated Veterans Program in 2016, Community Partnership in 2017, and the Veterans Corps Program in 2018; and

WHEREAS, Her compassion, dedication, and mentorship have prepared a generation of leaders and public servants to carry on her legacy; and

WHEREAS, Director Alvarado-Ramos, known to her community as Alfie, has not once allowed her commitment to servicemembers past and present to falter in all those years of service;

NOW, THEREFORE, BE IT RESOLVED, That on behalf of the people of the state, and more specifically the more than 520,000 veterans who call Washington home, the Senate express its deep gratitude to Director Alvarado-Ramos, and honor her for the awesome legacy of service and dedication she leaves behind.

Senators Wagoner, Conway, King and Saldaña spoke in favor of adoption of the resolution.

REMARKS BY THE PRESIDENT

President Heck: "The President would like to remind members that our rules require that all remarks be directed at the rostrum. Those are your rules."

Senator Hunt spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8607.

The motion by Senator Wagoner carried and the resolution was adopted by voice vote.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced Command Sergeant Major Alfie Alvarado-Ramos, Juani Flores and David Puente, as well as staff of the Washington State Department of Veteran's Affairs, who were seated in the gallery.

[The Senate rose in recognition and appreciation of Director Alvarado-Ramos' service and dedication to the state and nation.]

MOTION

Senator Pedersen moved adoption of the following resolution:

SENATE RESOLUTION 8606

By Senator Pedersen

WHEREAS, The Senate adopted permanent rules for the 2023-2025 biennium under Senate Resolution 8601; and

WHEREAS, The notice requirements set forth in Senate Rule 35 have been satisfied;

NOW, THEREFORE, BE IT RESOLVED, That Rule 45 is amended as follows:

"**Rule 45.** 1. At least five days' notice shall be given of all public hearings held by any committee other than the rules committee. Such notice shall contain the date, time and place of such hearing together with the title and number of each bill, or identification of the subject matter, to be considered at such hearing. By a majority vote of the committee members present at any committee meeting such notice may be dispensed with. The reason for such action shall be set forth in a written statement preserved in the records of the meeting.

2. No committee may hold a public hearing during a regular or extraordinary session on a proposal identified as a draft unless the draft has been made available to the public at least twenty-four hours prior to the hearing. This rule does not apply during the five days prior to any cutoff established by concurrent resolution nor does it apply to any measure exempted from the resolution.

3. During its consideration of or vote on any bill, resolution or memorial, the deliberations of any committee or subcommittee of the senate shall be open to the public. In case of any disturbance or disorderly conduct at any such deliberations, the chair shall order the sergeant at arms to suppress the same and may order the meeting closed to any person or persons creating such disturbance.

4. No committee shall amend a measure, adopt a substitute bill, or vote upon any measure or appointment absent a quorum. A

committee may conduct a hearing absent a quorum. A majority of any committee shall constitute a quorum and committees shall be considered to have a quorum present unless the question is raised. Any question as to quorum not raised at the time of the committee action is deemed waived.

5. Bills reported to the senate from a standing committee must have a majority report, which shall be prepared upon a printed standing committee report form; shall be adopted at a regularly or specially called meeting during a legislative session and shall be signed by a majority of the committee; and shall carry only one of the following recommendations:

- a. Do pass;
- b. Do pass as amended;
- c. That a substitute bill be substituted therefor, and the substitute bill do pass; or
- d. Without recommendation.

In addition to one of the above-listed recommendations, a report may also recommend that a bill be referred to another committee.

6. A majority report of a committee must carry the signatures of a majority of the members of the committee. In the event a committee has a quorum pursuant to subsection 4 of this rule, a majority of the members present may act on a measure, subject to obtaining the signatures of a majority of the members of the committee on the majority report. If, after executive action on a measure, the signatures of all members are not included on either a majority or minority report, the committee shall hold the signature sheets for the measure for 24 hours, not counting Saturdays or Sundays, from adjournment of the committee hearing at which executive action was taken on the measure. This 24-hour hold period applies even if a majority of the members of the committee has signed the majority report. After the 24-hour hold period, the signature sheets must be submitted to the workroom if there is a majority of signatures on the majority report. Once signature sheets have been submitted to the senate workroom by committee staff, a member may not sign or remove his or her signature from a majority or minority signature sheet. If a majority of members of the committee have not signed the majority report, the measure or appointment remains in the possession of the committee. The 24-hour hold period does not apply within the five days preceding any cutoff date and does not apply to a biennial or supplemental omnibus operating budget, omnibus capital budget, or omnibus transportation budget.

7. Any measure, appointment, substitute bill, or amendment still within a committee's possession before it has been reported out to the full senate may be reconsidered to correct an error, change language, or otherwise accurately reflect the will of the committee in its majority and minority reports to the full senate. Any such reconsideration may be made at any time, by any member of the committee, provided that the committee has not yet reported the measure, appointment, substitute bill, or amendment out to the full senate. Any such reconsideration made after a vote has been taken or signatures obtained will require a new vote and signature sheet. Any measure which does not receive a majority vote of the members present may be reconsidered at that meeting and may again be considered upon motion of any committee member if one day's notice of said motion is provided to all committee members.

8. Any member of the committee not concurring in the majority report may sign a minority report containing a recommendation of "do not pass" or "without recommendation," which shall be signed by those members of the committee subscribing thereto, and submitted with the majority report. Unless the signatory of a minority report expressly indicates a "do

not pass" recommendation, the member's vote shall be deemed to be "without recommendation." In every case where a majority report form is circulated for signature, a minority report form shall also be circulated.

9. When a committee reports a substitute for an original bill with the recommendation that the substitute bill do pass, it shall be in order to read the substitute bill the first time and have the same ordered printed.

A motion for the substitution of the substitute bill for the original bill shall not be in order until the committee on rules places the original bill on the second reading calendar.

10. No vote in any committee shall be taken by secret ballot nor shall any committee have a policy of secrecy as to any vote on action taken in such committee.

11. All reports of standing committees must be on the secretary's desk one hour prior to convening of the session in order to be read at said session. During any special session of the legislature or within the three days preceding any cut-off date or sine die, this rule may be suspended by a majority vote of those present. This rule does not apply to reports of biennial or supplemental omnibus operating budget, omnibus capital budget, or omnibus transportation budget bill.

12. For purposes of this rule, a committee is deemed to have reported a measure, appointment, substitute bill, or amendment out when it has delivered its majority and minority reports to the senate workroom. After such delivery, the committee no longer has possession of the measure, appointment, substitute bill, or amendment and no further committee action, including reconsideration or a member adding or removing his or her signature to a majority or minority report, may be taken.

13. All committees will rely upon and use the Electronic Bill Book. Committee staff should add all materials relating to hearings, work sessions, or executive sessions to the Electronic Bill Book as early as possible or when the material has been made public. Paper copies will not be provided to members. All materials submitted by the public shall be submitted electronically.

14. All committees will use the online Committee Sign-In system. All committee members will be able to view the list of individuals who have signed in to testify on each measure or appointment. Members of the public wishing to testify in-person or remotely may sign up remotely no later than one hour before the committee is scheduled to meet.

15. With the exception of the ways and means and transportation committees, the chairs of standing committees must publish the list of measures and appointments that may be considered for executive session by 4:00 p.m. two days preceding executive session. The chairs of the ways and means committee and the transportation committee must publish the list of measures and appointments that may be considered for executive session by 7:00 p.m. two days preceding executive session. A chair, with the consent of the ranking member, has discretion to waive this deadline in extraordinary circumstances. A published measure or appointment may be rescheduled for executive action at the committee's next meeting without additional notice, provided no additional amendments are considered.

16. Members must have amendment requests to nonpartisan committee staff by 12:00 p.m. the day before scheduled executive action. A chair, with the consent of the ranking member, has discretion to waive this deadline in extraordinary circumstances or to accept technical revisions to perfect an amendment. Members should be considerate of staff and turn in amendment

SEVENTEENTH DAY, JANUARY 25, 2023

requests earlier if they are long or complex, keeping in mind the final deadline for consideration of amendments.

17. All amendments, including substitutes, must be sponsored by a committee member. All amendments and effect statements must be either drafted or reviewed, or both, by nonpartisan committee staff. To be eligible for consideration at an executive session in a committee meeting scheduled to begin prior to 12:00 p.m., amendments must be released from confidentiality and posted to the Electronic Bill Book for committee members and the public by 4:00 p.m. the day before the executive session or the amendments will be considered out of order. To be eligible for consideration at an executive session in a committee meeting scheduled to begin on or after 12:00 p.m., amendments must be released from confidentiality and posted to the Electronic Bill Book for committee members and the public by 7:00 p.m. the day before the executive session or the amendments will be considered out of order. A chair with the consent of the ranking member has discretion to waive this deadline in extraordinary circumstances or to accept technical revisions to perfect an amendment.

18. A committee chair may choose to allow ~~((other))~~ committee members to participate remotely in committee meetings. The committee chair shall notify the secretary of the senate prior to the first day of the legislative session if the chair will allow committee members to participate remotely. A chair that initially chooses to allow only in-person participation may later choose to allow remote participation but must provide the secretary of the senate with notice of the change at least 24 hours prior to the committee hearing in which the change will become effective. Once a chair has chosen to allow members to participate remotely, this choice cannot be changed during the remainder of the session. If a chair allows committee members to participate remotely, those members will be considered "present" for the purposes of this rule and Senate Rule 49. All committee meetings shall be chaired in person. A chair may ~~((not))~~ participate remotely in a committee meeting when another member of the committee is acting as chair. Members participating remotely shall be allowed to participate in committee activities to the same extent as those attending in person."

Senator Pedersen spoke in favor of adoption of the resolution.

Senator Short spoke against adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8606.

The motion by Senator Pedersen carried and the resolution was adopted by voice vote.

MOTION

On motion of Senator Pedersen, the Senate reverted to the seventh order of business.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Randall moved that Davon Thomas, Senate Gubernatorial Appointment No. 9215, be confirmed as a member of the Washington Student Achievement Council.

Senators Randall and Holy spoke in favor of passage of the motion.

MOTION

On motion of Senator Nobles, Senator Frame was excused.

APPOINTMENT OF DAVON THOMAS

The President declared the question before the Senate to be the confirmation of Davon Thomas, Senate Gubernatorial Appointment No. 9215, as a member of the Washington Student Achievement Council.

The Secretary called the roll on the confirmation of Davon Thomas, Senate Gubernatorial Appointment No. 9215, as a member of the Washington Student Achievement Council and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Frame

Davon Thomas, Senate Gubernatorial Appointment No. 9215, having received the constitutional majority was declared confirmed as a member of the Washington Student Achievement Council.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Kuderer moved that Conor M. O'Meara, Senate Gubernatorial Appointment No. 9239, be confirmed as a member of the Bellevue College Board of Trustees.

Senators Kuderer and Holy spoke in favor of passage of the motion.

APPOINTMENT OF CONOR M. O'MEARA

The President declared the question before the Senate to be the confirmation of Conor M. O'Meara, Senate Gubernatorial Appointment No. 9239, as a member of the Bellevue College Board of Trustees.

The Secretary called the roll on the confirmation of Conor M. O'Meara, Senate Gubernatorial Appointment No. 9239, as a member of the Bellevue College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Conor M. O'Meara, Senate Gubernatorial Appointment No. 9239, having received the constitutional majority was declared confirmed as a member of the Bellevue College Board of Trustees.

Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

THIRD READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Liias moved that Keara A. Ryan, Senate Gubernatorial Appointment No. 9240, be confirmed as a member of the Western Washington University Board of Trustees.

Senators Liias and Holy spoke in favor of passage of the motion.

APPOINTMENT OF KEARA A. RYAN

The President declared the question before the Senate to be the confirmation of Keara A. Ryan, Senate Gubernatorial Appointment No. 9240, as a member of the Western Washington University Board of Trustees.

The Secretary called the roll on the confirmation of Keara A. Ryan, Senate Gubernatorial Appointment No. 9240, as a member of the Western Washington University Board of Trustees and the appointment was confirmed by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Keara A. Ryan, Senate Gubernatorial Appointment No. 9240, having received the constitutional majority was declared confirmed as a member of the Western Washington University Board of Trustees.

THIRD READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Warnick moved that David I. Hartless, Senate Gubernatorial Appointment No. 9241, be confirmed as a member of the Central Washington University Board of Trustees.

Senator Warnick spoke in favor of the motion.

APPOINTMENT OF DAVID I. HARTLESS

The President declared the question before the Senate to be the confirmation of David I. Hartless, Senate Gubernatorial Appointment No. 9241, as a member of the Central Washington University Board of Trustees.

The Secretary called the roll on the confirmation of David I. Hartless, Senate Gubernatorial Appointment No. 9241, as a member of the Central Washington University Board of Trustees and the appointment was confirmed by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford,

David I. Hartless, Senate Gubernatorial Appointment No. 9241, having received the constitutional majority was declared confirmed as a member of the Central Washington University Board of Trustees.

THIRD READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Hunt moved that Reanne L. Chilton, Senate Gubernatorial Appointment No. 9291, be confirmed as a member of the Washington State University Board of Regents.

Senators Hunt and Dozier spoke in favor of passage of the motion.

APPOINTMENT OF REANNE L. CHILTON

The President declared the question before the Senate to be the confirmation of Reanne L. Chilton, Senate Gubernatorial Appointment No. 9291, as a member of the Washington State University Board of Regents.

The Secretary called the roll on the confirmation of Reanne L. Chilton, Senate Gubernatorial Appointment No. 9291, as a member of the Washington State University Board of Regents and the appointment was confirmed by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Reanne L. Chilton, Senate Gubernatorial Appointment No. 9291, having received the constitutional majority was declared confirmed as a member of the Washington State University Board of Regents.

THIRD READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Randall moved that Jessica M. Doner, Senate Gubernatorial Appointment No. 9293, be confirmed as a member of the Eastern Washington University Board of Trustees.

Senator Randall spoke in favor of the motion.

APPOINTMENT OF JESSICA M. DONER

The President declared the question before the Senate to be the confirmation of Jessica M. Doner, Senate Gubernatorial Appointment No. 9293, as a member of the Eastern Washington University Board of Trustees.

The Secretary called the roll on the confirmation of Jessica M. Doner, Senate Gubernatorial Appointment No. 9293, as a member of the Eastern Washington University Board of Trustees

SEVENTEENTH DAY, JANUARY 25, 2023

and the appointment was confirmed by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Jessica M. Doner, Senate Gubernatorial Appointment No. 9293, having received the constitutional majority was declared confirmed as a member of the Eastern Washington University Board of Trustees.

THIRD READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Liias moved that Shinhae Hwang, Senate Gubernatorial Appointment No. 9301, be confirmed as a member of the Edmonds Community College Board of Trustees.

Senator Liias spoke in favor of the motion.

APPOINTMENT OF SHINHAE HWANG

The President declared the question before the Senate to be the confirmation of Shinhae Hwang, Senate Gubernatorial Appointment No. 9301, as a member of the Edmonds Community College Board of Trustees.

The Secretary called the roll on the confirmation of Shinhae Hwang, Senate Gubernatorial Appointment No. 9301, as a member of the Edmonds Community College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Shinhae Hwang, Senate Gubernatorial Appointment No. 9301, having received the constitutional majority was declared confirmed as a member of the Edmonds Community College Board of Trustees.

THIRD READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Pedersen moved that Elizabeth Lee, Senate Gubernatorial Appointment No. 9303, be confirmed as a member of the University of Washington Board of Regents.

Senator Pedersen spoke in favor of the motion.

APPOINTMENT OF ELIZABETH LEE

The President declared the question before the Senate to be the confirmation of Elizabeth Lee, Senate Gubernatorial

Appointment No. 9303, as a member of the University of Washington Board of Regents.

The Secretary called the roll on the confirmation of Elizabeth Lee, Senate Gubernatorial Appointment No. 9303, as a member of the University of Washington Board of Regents and the appointment was confirmed by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Elizabeth Lee, Senate Gubernatorial Appointment No. 9303, having received the constitutional majority was declared confirmed as a member of the University of Washington Board of Regents.

THIRD READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Nobles moved that Mustapha Samateh, Senate Gubernatorial Appointment No. 9311, be confirmed as a member of the Washington Student Achievement Council.

Senator Nobles spoke in favor of the motion.

APPOINTMENT OF MUSTAPHA SAMATEH

The President declared the question before the Senate to be the confirmation of Mustapha Samateh, Senate Gubernatorial Appointment No. 9311, as a member of the Washington Student Achievement Council.

The Secretary called the roll on the confirmation of Mustapha Samateh, Senate Gubernatorial Appointment No. 9311, as a member of the Washington Student Achievement Council and the appointment was confirmed by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Mustapha Samateh, Senate Gubernatorial Appointment No. 9311, having received the constitutional majority was declared confirmed as a member of the Washington Student Achievement Council.

MOTION

On motion of Senator Pedersen, the Senate reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 5003, by Senators Lovick, Robinson, Dhingra, Liias, Nobles, Stanford and Torres

Increasing the number of district court judges in Snohomish county.

The measure was read the second time.

MOTION

On motion of Senator Lovick, the rules were suspended, Senate Bill No. 5003 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Lovick and Padden spoke in favor of passage of the bill.

POINT OF INQUIRY

Senator Liias: “Thank you Mr. President. Apart from my duties as a citizen legislator I also work as a communications outreach manager employed by Snohomish County. This bill before us freezes the number of district court judges, as we’ve heard, specifically and exclusively for Snohomish County. As additional detail, I don’t lobby for the county, my job is not conditioned on the passage of this or any other bill, and my salary won’t be affected by the passage or failure of this bill. My employer however does have an interest. So, under Senate Rule No. 22, legislators are prohibited from voting on matters in which they have a personal or direct interest and my question to you is, ‘Do I have a personal or direct interest in the proposed legislation which would require my recusal from voting?’”

RULING BY THE PRESIDENT

President Heck: “Thank you Senator Liias. You are not prohibited from voting on this because you are not personally nor directly impacted by the outcome of this bill.”

The President declared the question before the Senate to be the final passage of Senate Bill No. 5003.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5003 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SENATE BILL NO. 5003, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5004, by Senators Pedersen, Padden, Dhingra, Mullet, Nobles and Wilson, J.

Making updates to the Washington business corporation act.

The measure was read the second time.

MOTION

On motion of Senator Pedersen, the rules were suspended, Senate Bill No. 5004 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Pedersen and Padden spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5004.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5004 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SENATE BILL NO. 5004, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5089, by Senators King, Rolfes and Wilson, J.

Making changes to factory assembled structures, manufactured or mobile homes, commercial coaches, conversion vending units, medical units, recreational vehicles, and park trailers requirements, including adding board members to the factory assembled structures advisory committee.

The measure was read the second time.

MOTION

On motion of Senator King, the rules were suspended, Senate Bill No. 5089 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators King and Keiser spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5089.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5089 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes,

SEVENTEENTH DAY, JANUARY 25, 2023

Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SENATE BILL NO. 5089, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5156, by Senators Torres, Dhingra, Hasegawa, Hunt, Muzzall, Nobles, Randall, Rolfes, Schoesler, Shewmake, Wagoner, Warnick, Wellman and Wilson, L.

Expanding the farm internship program.

MOTIONS

On motion of Senator Torres, Substitute Senate Bill No. 5156 was substituted for Senate Bill No. 5156 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Torres, the rules were suspended, Substitute Senate Bill No. 5156 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Torres, Keiser and Saldaña spoke in favor of passage of the bill.

Senators Schoesler, Short, Fortunato and Hunt spoke on passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5156.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5156 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SUBSTITUTE SENATE BILL NO. 5156, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

PERSONAL PRIVILEGE

Senator Torres: “Thank you Mr. President. Today before you, you have Treveri, which is a wine cellar so ... So it’s a bubbly, just think of the 15th Legislative District when you take a sip of this because you will hear or actually know that it is coming from the grapes of the 15th Legislative District. That is where it is made and manufactured, so I invite you when you drive by the 15th Legislative District, the Yakima Valley, to stop in there and check out the tasting room at Treveri Wine Cellars. So, enjoy. Again, *salud!* And just remember, in the bills that are being passed, to consider our bounty that comes from the 15th Legislative District such as water resources and our agriculture. Thank you.”

PERSONAL PRIVILEGE

Senator Warnick: “Thank you Mr. President. And I think we’ve all realized by now this is our brand-new Senator Torres’ first bill. So, I just want to congratulate her. First bill, first day. Thank you, Senator Keiser, for pointing that out as well. But congratulations Senator Torres.”

PERSONAL PRIVILEGE

Senator Billig: “Thank you Mr. President. Well, I would like to welcome Senator Torres here to the Senate body and congratulate her on her first bill. I had a chance to know Senator Torres when she was ‘Councilmember’ Torres of Pasco and I know how highly regarded she is in Pasco for all of her great work there. I did however have one question for her, but of course I will be addressing you, so perhaps you can either convey it or I will just express it generally, maybe she can answer it later. The bottle that we got as a gift is really, is terrific. It’s a really nice gift. But I noticed that some members got this size of the bottle, and some members got a much larger size of the bottle. I noticed Senator Braun, actually, the *Minority* Leader got the larger bottle; the *Majority* Leader got the smaller bottle. I don’t know if there was a system. I see Senator Schoesler got the larger one. So that is my question. I, of course am not asking her yield to a question on her first day on the floor but it is just as Senator Claire Wilson likes to say, ‘It’s a wonder that I have’.”

REMARKS BY THE PRESIDENT

President Heck: “The President would like to encourage each and every member to go back and reread the purpose of points of personal privilege.”

PERSONAL PRIVILEGE

Senator Braun: “Thank you Mr. President. Request a point of personal privilege.

President Heck: “State your, probably remotely-related to, point of personal privilege.”

Senator Braun: “No, Mr. President, I strictly abide by the rules of this body. I simply, there are some things that are just inappropriate to speak about in a point of personal privilege. I think you’ll agree. Anyhow, I rose simply to say, hey. I want to welcome Senator Torres to this body. From the moment I first met her last year she struck me as someone who is very thoughtful, tough-minded when she needs to be, extraordinarily hard-working. I think she is off to a tremendous start here. It is no small thing to be the first freshman to do the first, first-speech. And she did it with aplomb. I am very, very proud to have her in this body and part of our caucus. Thank you, Mr. President.”

PERSONAL PRIVILEGE

Senator Randall: “Thank you Mr. President. I rise today also with excitement about Senator Torres’ addition to this chamber. I want to say *felicidades* and *bienvenidos* to the newest member of our Latina caucus here in the Senate. I am excited that we now have a bipartisan representation across both sides of the mountains, and I know that Senator Torres brings a wealth of experience from her work in economic development in eastern Washington. Her investment in small businesses. And also, in educational pathways for students, whether they are working in

agriculture or in, on Main Street. We have a lot of work to do, and I am eager to learn from her and the experience that she brings and look forward to building stronger partnerships across the mountains as we work to train the next generation of leaders here in our state. And I am so grateful that she has come to join us.”

REMARKS BY THE PRESIDENT

President Heck: “As long as we have strayed this far, the President would invite you all to demonstrate your congratulations to Senator Torres.”

[The Senate rose in recognition of Senator Torres.]

MOTION

At 12:09 p.m., on motion of Senator Pedersen, the Senate adjourned until 12:30 p.m. Thursday, January 26, 2023.

Senator Warnick announced an immediate meeting of the Republican Caucus.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

EIGHTEENTH DAY

AFTERNOON SESSION

Senate Chamber, Olympia
Thursday, January 26, 2023

The Senate was called to order at 12:30 p.m. by the President of the Senate, Lt. Governor Heck presiding. No roll call was taken.

The prayer, consisting of two mantras, were offered virtually, by Ms. Anu Arora, Executive and Leadership Coach, Infinite Potential Leadership, Redmond, guest of Senator Dhingra.

MOTIONS

On motion of Senator Pedersen, the reading of the Journal of the previous day was dispensed with and it was approved.

On motion of Senator Pedersen, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

January 25, 2023

SB 5031 Prime Sponsor, Senator Wellman: Concerning safety net award distributions. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune; Mullet and Pedersen.

Referred to Committee on Rules for second reading.

January 25, 2023

SB 5045 Prime Sponsor, Senator Kuderer: Incentivizing rental of accessory dwelling units to low-income households. Reported by Committee on Housing

MAJORITY recommendation: That Substitute Senate Bill No. 5045 be substituted therefor, and the substitute bill do pass. Signed by Senators Kuderer, Chair; Frame, Vice Chair; Fortunato, Ranking Member; Braun; Cleveland; Gildon; Rivers; Saldaña; Shewmake and Trudeau.

MINORITY recommendation: Do not pass. Signed by Senator Wilson, J.

Referred to Committee on Ways & Means.

January 25, 2023

SB 5072 Prime Sponsor, Senator Nobles: Advancing equity in programs for highly capable students. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 5072 be substituted therefor, and the substitute bill do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune; Mullet and Pedersen.

Referred to Committee on Rules for second reading.

January 25, 2023

SB 5126 Prime Sponsor, Senator Pedersen: Providing common school trust revenue to small school districts. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Hunt; Mullet and Pedersen.

MINORITY recommendation: Do not pass. Signed by Senator Dozier.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator McCune.

Referred to Committee on Ways & Means.

January 25, 2023

SB 5174 Prime Sponsor, Senator Wellman: Providing adequate and predictable student transportation. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 5174 be substituted therefor, and the substitute bill do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hunt; Mullet and Pedersen.

MINORITY recommendation: Do not pass. Signed by Senators Hawkins, Ranking Member; Dozier and McCune.

Referred to Committee on Ways & Means.

January 25, 2023

SB 5180 Prime Sponsor, Senator Hunt: Adopting the interstate teacher mobility compact. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune; Mullet and Pedersen.

Referred to Committee on Ways & Means.

January 25, 2023

SGA 9153 BRIAN SURRATT, appointed on July 15, 2021, for the term ending June 30, 2025, as Member of the Housing Finance Commission. Reported by Committee on Housing

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Kuderer, Chair; Frame, Vice Chair; Fortunato, Ranking Member; Braun; Cleveland; Gildon; Rivers; Saldaña; Shewmake; Trudeau and Wilson, J.

Referred to Committee on Rules for second reading.

January 25, 2023

SGA 9205 LOWEL J. KRUEGER, reappointed on December 17, 2021, for the term ending June 30, 2025, as Member of the Housing Finance Commission. Reported by Committee on Housing

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Kuderer, Chair; Frame, Vice Chair; Fortunato, Ranking Member; Braun; Cleveland; Gildon; Rivers; Saldaña; Shewmake; Trudeau and Wilson, J.

Referred to Committee on Rules for second reading.

January 25, 2023

SGA 9206 ALISHIA F. TOPPER, reappointed on December 17, 2021, for the term ending June 30, 2025, as Member of the Housing Finance Commission. Reported by Committee on Housing

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Kuderer, Chair; Frame, Vice Chair; Fortunato, Ranking Member; Braun; Cleveland; Gildon; Rivers; Saldaña; Shewmake; Trudeau and Wilson, J.

Referred to Committee on Rules for second reading.

January 23, 2023

SGA 9227 ROSANN FITZPATRICK, appointed on April 1, 2022, for the term ending March 1, 2025, as Member of the Tax appeals Board. Reported by Committee on Ways & Means

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

January 23, 2023

SGA 9235 GREG B. MARKLEY, appointed on May 2, 2022, for the term ending December 31, 2024, as Member of the State Investment Board. Reported by Committee on Ways & Means

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

January 23, 2023

SGA 9284 YONA MAKOWSKI, reappointed on January 3, 2023, for the term ending December 31, 2025, as Member of the State Investment Board. Reported by Committee on Ways & Means

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Standing Committee report were referred to the committees as designated.

On motion of Senator Pedersen, the Senate advanced to the fourth order of business.

MESSAGE FROM THE HOUSE

January 25, 2023

MR. PRESIDENT:
The House has passed:

HOUSE BILL NO. 1017,
HOUSE BILL NO. 1046,
SUBSTITUTE HOUSE BILL NO. 1070,
HOUSE BILL NO. 1082,
HOUSE BILL NO. 1102,
HOUSE BILL NO. 1199,

and the same are herewith transmitted.

BERNARD DEAN, Chief Clerk

MOTION

On motion of Senator Pedersen, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 5568 by Senators Wagoner and Mullet
AN ACT Relating to restoring liquor sales revenue distributions to local governments; amending RCW 66.08.190 and 66.08.200; and repealing RCW 66.24.065.

Referred to Committee on Labor & Commerce.

SB 5569 by Senator Rivers
AN ACT Relating to creating temporary exemptions from certificate of need requirements for kidney disease centers due to emergency or surge situations; and adding a new section to chapter 70.38 RCW.

Referred to Committee on Health & Long-Term Care.

SB 5570 by Senators Lovelett and Trudeau
AN ACT Relating to authorizing electric utilities to establish energy efficiency revolving loan programs; adding a new section to chapter 43.330 RCW; adding a new section to chapter 82.16 RCW; and creating a new section.

Referred to Committee on Environment, Energy & Technology.

EIGHTEENTH DAY, JANUARY 26, 2023

SB 5571 by Senator Rivers

AN ACT Relating to limiting frivolous claims by modifying administrative and judicial review processes for public records request responses; and amending RCW 42.56.520 and 42.56.550.

Referred to Committee on State Government & Elections.

SB 5572 by Senators Valdez and Kauffman

AN ACT Relating to improving traffic safety by addressing compliance, enforcement, and data collection; amending RCW 46.20.349, 46.37.005, 46.37.320, 46.37.365, 46.37.470, 46.64.030, and 46.64.070; adding a new section to chapter 46.64 RCW; adding a new section to chapter 10.118 RCW; and creating new sections.

Referred to Committee on Transportation.

SB 5573 by Senator Fortunato

AN ACT Relating to expanding vehicle licensing options to include quarterly or semiannual registrations; and adding a new section to chapter 46.16A RCW.

Referred to Committee on Transportation.

SB 5574 by Senator Fortunato

AN ACT Relating to establishing a pay per mile fee system; amending RCW 42.56.330; adding a new section to chapter 46.17 RCW; and adding a new section to chapter 46.08 RCW.

Referred to Committee on Transportation.

SB 5575 by Senators Liias, Valdez, Nguyen, Lovelett, Lovick and Hunt

AN ACT Relating to public transportation benefit area governing bodies; amending RCW 36.57A.050; and creating a new section.

Referred to Committee on Local Government, Land Use & Tribal Affairs.

SB 5576 by Senator Dhingra

AN ACT Relating to sexual assault procedures; and amending RCW 43.43.754 and 9A.44.020.

Referred to Committee on Law & Justice.

SB 5577 by Senator Torres

AN ACT Relating to establishing and making appropriations for the capital broadband investment acceleration program; adding a new section to chapter 43.330 RCW; and making an appropriation.

Referred to Committee on Environment, Energy & Technology.

SB 5578 by Senators Padden and McCune

AN ACT Relating to service requirements for appeals of decisions by the board of tax appeals; and amending RCW 34.05.542.

Referred to Committee on Law & Justice.

SB 5579 by Senator Braun

AN ACT Relating to expanding the department of ecology's authority to refrain from enforcing chapter 70A.60 RCW to mitigate the effects of supply chain problems or other similar disruptions; amending RCW 70A.60.040; and creating a new section.

Referred to Committee on Environment, Energy & Technology.

SB 5580 by Senators Muzzall, Cleveland, Braun, Rivers and Warnick

AN ACT Relating to improving maternal health outcomes; amending RCW 74.09.830; and adding new sections to chapter 74.09 RCW.

Referred to Committee on Health & Long-Term Care.

SB 5581 by Senators Muzzall, Robinson, Braun, Rivers and Warnick

AN ACT Relating to developing strategies to reduce or eliminate deductibles for maternal support services and postpartum care; creating a new section; and providing an expiration date.

Referred to Committee on Health & Long-Term Care.

SB 5582 by Senators Holy, Randall, Rivers, Robinson, Dozier, King, Conway, Shewmake, Padden, Lovick, Gildon and Muzzall

AN ACT Relating to reducing barriers and expanding educational opportunities to increase the supply of nurses in Washington; amending RCW 18.79.150, 18.79.110, 28A.150.260, and 28A.150.260; adding new sections to chapter 28B.50 RCW; adding new sections to chapter 28C.18 RCW; adding a new section to chapter 43.60A RCW; adding a new section to chapter 43.70 RCW; adding a new section to chapter 28A.700 RCW; adding a new section to chapter 18.79 RCW; creating new sections; providing an effective date; and providing expiration dates.

Referred to Committee on Higher Education & Workforce Development.

SB 5583 by Senators Liias, Wilson, C., Kauffman and Valdez

AN ACT Relating to improving young driver safety; amending RCW 46.20.055, 46.20.075, 46.20.100, and 46.82.280; reenacting and amending RCW 28A.220.020; adding new sections to chapter 46.20 RCW; adding a new section to chapter 46.82 RCW; and adding a new section to chapter 42.56 RCW.

Referred to Committee on Transportation.

SB 5584 by Senators Mullet, King and Braun

AN ACT Relating to toll relief on the state route number 520 corridor during planned closures of Interstate 90 between Seattle and Bellevue; amending RCW 47.56.870; and adding a new section to chapter 47.56 RCW.

Referred to Committee on Transportation.

SB 5585 by Senators Braun and Dhingra

AN ACT Relating to allowing licensed and certified behavioral health agencies to designate certain individuals as mental health professionals; amending RCW 71.05.020

and 71.05.020; adding a new section to chapter 71.05 RCW; providing a contingent effective date; and providing a contingent expiration date.

Referred to Committee on Health & Long-Term Care.

SB 5586 by Senators King and Robinson

AN ACT Relating to employees' paid family or medical leave data; and amending RCW 50A.25.040.

Referred to Committee on Labor & Commerce.

SB 5587 by Senators King and Liias

AN ACT Relating to authorizing sports wagering at cardrooms and racetracks; amending RCW 9.46.0335, 9.46.153, 9.46.155, 9.46.210, 9.46.240, 67.04.010, 67.04.020, 67.04.030, 67.04.040, 67.04.050, 67.04.060, 67.04.070, and 67.04.080; adding a new section to chapter 82.04 RCW; adding a new section to chapter 67.04 RCW; adding a new chapter to Title 9 RCW; recodifying RCW 67.24.010; decodifying RCW 67.24.020; and prescribing penalties.

Referred to Committee on Business, Financial Services, Gaming & Trade.

SB 5588 by Senators Nobles and Wagoner

AN ACT Relating to the mental health sentencing alternative; and amending RCW 9.94A.695.

Referred to Committee on Law & Justice.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Introduction and First Reading report were referred to the committees as designated with the exception of Senate Bill No. 5585 which had been designated to the Committee on Law & Justice and was referred to the Committee on Health & Long-Term Care.

On motion of Senator Pedersen, the Senate advanced to the eighth order of business.

MOTION

Senator Dhingra moved adoption of the following resolution:

SENATE RESOLUTION

8610

By Senators Dhingra, Boehnke, Cleveland, Hasegawa, Hunt, Kauffman, Kuderer, Nobles, Pedersen, Shewmake, Stanford, Valdez, Warnick, Wellman, C. Wilson, and J. Wilson

WHEREAS, January 26, 2023, marks the 74th Republic Day in India, commemorating the effective adoption of the Constitution of the world's largest democracy; and

WHEREAS, India solidified their achievement of independence from British rule through peaceful and nonviolent resistance; and

WHEREAS, India's Constitution requires equality under the law, and declares "that the State shall not deny to any person equality before the law or the equal protection of the laws within the territory of India"; and

WHEREAS, India has a strong tradition of maintaining democratic ideals through robust checks on those in power; and

WHEREAS, Washington state has many cultural and economic ties to India, including more than 100,000 Indian Americans living in the state; and

WHEREAS, Indian Americans are small business owners, entrepreneurs, and CEOs of Washington companies, including the founding officers of many Washington-based tech companies; and

WHEREAS, These businesses provide useful services, resources, and jobs to the people of this state; and

WHEREAS, Indian Americans have been emigrating to the West Coast since the 19th century, working in our most vital industries including agriculture, lodging, and trade; and

WHEREAS, Indian Americans reflect the values of inclusion and pluralism through their many cultural and religious identities, including Muslim, Sikh, and Hindu; and

WHEREAS, Indian Americans serve selflessly in our armed forces and in law enforcement, and contribute profoundly to the health care industry and Washington's institutions of higher education;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate honor the 2023 Republic Day of India as a symbol of the shared values of democracy, diversity, and inclusion between the nation of India and both the State of Washington and the United States of America.

Senator Dhingra spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8610.

The motion by Senator Dhingra carried and the resolution was adopted by voice vote.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced State Representatives Vandana Slatter and Debra Entenman, who were present in the wings, as well as members of the Indian-American community who were present in the gallery.

MOTION

At 12:38 p.m., on motion of Senator Pedersen, the Senate adjourned until 12:30 p.m. Friday, January 27, 2023.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

NINETEENTH DAY

AFTERNOON SESSION

Senate Chamber, Olympia
Friday, January 27, 2023

The Senate was called to order at 12:30 p.m. by the President of the Senate, Lt. Governor Heck presiding. No roll call was taken.

MOTIONS

On motion of Senator Pedersen, the reading of the Journal of the previous day was dispensed with and it was approved.

On motion of Senator Pedersen, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

January 26, 2023

SB 5005 Prime Sponsor, Senator Pedersen: Concerning real property. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5005 be substituted therefor, and the substitute bill do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

January 26, 2023

SB 5025 Prime Sponsor, Senator Dozier: Concerning implementation of technology systems at the department of corrections. Reported by Committee on Human Services

MAJORITY recommendation: Do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Boehnke, Ranking Member; Frame; Nguyen; Warnick and Wilson, J.

Referred to Committee on Ways & Means.

January 26, 2023

SB 5058 Prime Sponsor, Senator Padden: Exempting buildings with 12 or fewer units that are no more than two stories from the definition of multiunit residential building. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

January 26, 2023

SB 5059 Prime Sponsor, Senator Kuderer: Concerning prejudgment interest. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Kuderer; Pedersen; Salomon and Valdez.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Padden, Ranking Member.

MINORITY recommendation: Do not pass. Signed by Senators McCune; Torres; Wagoner and Wilson, L.

Referred to Committee on Ways & Means.

January 26, 2023

SB 5070 Prime Sponsor, Senator Nobles: Concerning victims of nonfatal strangulation. Reported by Committee on Human Services

MAJORITY recommendation: Do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Boehnke, Ranking Member; Frame; Nguyen; Warnick and Wilson, J.

Referred to Committee on Ways & Means.

January 26, 2023

SB 5101 Prime Sponsor, Senator Saldaña: Concerning extraordinary medical placement for incarcerated individuals at the department of corrections. Reported by Committee on Human Services

MAJORITY recommendation: That Substitute Senate Bill No. 5101 be substituted therefor, and the substitute bill do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Frame; Nguyen and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Boehnke, Ranking Member and Wilson, J.

Referred to Committee on Rules for second reading.

January 26, 2023

SB 5114 Prime Sponsor, Senator Wilson, C.: Supporting adults with lived experience of sex trafficking. Reported by Committee on Human Services

MAJORITY recommendation: That Substitute Senate Bill No. 5114 be substituted therefor, and the substitute bill do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Boehnke, Ranking Member; Frame; Nguyen; Warnick and Wilson, J.

Referred to Committee on Ways & Means.

January 26, 2023

SB 5125 Prime Sponsor, Senator Trudeau: Creating the Washington future fund program. Reported by Committee on Human Services

MAJORITY recommendation: That Substitute Senate Bill No. 5125 be substituted therefor, and the substitute bill do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Frame and Nguyen.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Boehnke, Ranking Member; Warnick and Wilson, J.

Referred to Committee on Ways & Means.

January 26, 2023

SB 5131 Prime Sponsor, Senator Wilson, C.: Concerning money received by the department of corrections on behalf of inmates from family or other outside sources for the purchase of commissary items. Reported by Committee on Human Services

MAJORITY recommendation: Do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Boehnke, Ranking Member; Frame; Nguyen; Warnick and Wilson, J.

Referred to Committee on Ways & Means.

January 26, 2023

SB 5134 Prime Sponsor, Senator Wilson, C.: Concerning reentry services and supports. Reported by Committee on Human Services

MAJORITY recommendation: That Substitute Senate Bill No. 5134 be substituted therefor, and the substitute bill do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Frame and Nguyen.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Boehnke, Ranking Member; Warnick and Wilson, J.

Referred to Committee on Ways & Means.

January 26, 2023

SB 5155 Prime Sponsor, Senator Wagoner: Concerning the court of appeals. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

January 26, 2023

SB 5159 Prime Sponsor, Senator Torres: Concerning shoreline master program review schedules. Reported by Committee on Local Government, Land Use & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Senators Lovelett, Chair; Salomon, Vice Chair; Torres, Ranking Member; Kauffman and Short.

Referred to Committee on Rules for second reading.

January 26, 2023

SB 5160 Prime Sponsor, Senator Torres: Concerning organized retail theft. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Wagoner and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Valdez.

Referred to Committee on Rules for second reading.

January 26, 2023

SB 5183 Prime Sponsor, Senator Liias: Raising the residential personal needs allowance. Reported by Committee on Human Services

MAJORITY recommendation: Do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Boehnke, Ranking Member; Frame; Nguyen; Warnick and Wilson, J.

Referred to Committee on Ways & Means.

January 26, 2023

SB 5191 Prime Sponsor, Senator Stanford: Reforming the real estate agency law. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5191 be substituted therefor, and the substitute bill do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

January 26, 2023

SB 5199 Prime Sponsor, Senator Mullet: Providing tax relief for newspaper publishers. Reported by Committee on Business, Financial Services, Gaming & Trade

MAJORITY recommendation: That Substitute Senate Bill No. 5199 be substituted therefor, and the substitute bill do pass. Signed by Senators Stanford, Chair; Frame, Vice Chair; Dozier, Ranking Member; Boehnke; Hasegawa; Lovick; MacEwen and Mullet.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Gildon.

Referred to Committee on Ways & Means.

January 26, 2023

SB 5231 Prime Sponsor, Senator Salomon: Concerning the issuance of emergency domestic violence no contact orders. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5231 be substituted therefor, and the substitute bill do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Kuderer; Pedersen; Salomon and Valdez.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Padden, Ranking Member; McCune; Torres; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

January 26, 2023

SB 5237 Prime Sponsor, Senator Wilson, C.: Establishing complaint procedures to address noncompliance with certain state education laws. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 5237 be substituted therefor, and the substitute bill do

NINETEENTH DAY, JANUARY 27, 2023

pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hunt; Mullet and Pedersen.

MINORITY recommendation: Do not pass. Signed by Senators Hawkins, Ranking Member; Dozier and McCune.

Referred to Committee on Ways & Means.

January 26, 2023

SB 5311 Prime Sponsor, Senator Wellman: Concerning special education funding formula. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 5311 be substituted therefor, and the substitute bill do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune; Mullet and Pedersen.

Referred to Committee on Ways & Means.

January 26, 2023

SB 5361 Prime Sponsor, Senator Holy: Incentivizing cities and counties to increase employment of commissioned law enforcement officers. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5361 be substituted therefor, and the substitute bill do pass. Signed by Senators Dhingra, Chair; Padden, Ranking Member; McCune; Salomon; Torres; Wagoner and Wilson, L.

MINORITY recommendation: Do not pass. Signed by Senators Trudeau, Vice Chair and Valdez.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Kuderer and Pedersen.

Referred to Committee on Ways & Means.

January 26, 2023

SB 5374 Prime Sponsor, Senator Short: Concerning the adoption of county critical area ordinances by cities. Reported by Committee on Local Government, Land Use & Tribal Affairs

MAJORITY recommendation: That Substitute Senate Bill No. 5374 be substituted therefor, and the substitute bill do pass. Signed by Senators Lovelett, Chair; Salomon, Vice Chair; Torres, Ranking Member; Kauffman and Short.

Referred to Committee on Rules for second reading.

January 26, 2023

SB 5379 Prime Sponsor, Senator Frame: Supporting innovation at associate development organizations. Reported by Committee on Business, Financial Services, Gaming & Trade

MAJORITY recommendation: Do pass. Signed by Senators Stanford, Chair; Frame, Vice Chair; Dozier, Ranking Member; Boehnke; Gildon; Hasegawa; Lovick; MacEwen and Mullet.

Referred to Committee on Ways & Means.

January 26, 2023

SB 5465 Prime Sponsor, Senator Stanford: Increasing tourism to Washington state through enhancement of the statewide tourism marketing account and changing necessary match requirements. Reported by Committee on Business, Financial Services, Gaming & Trade

MAJORITY recommendation: Do pass. Signed by Senators Stanford, Chair; Frame, Vice Chair; Dozier, Ranking Member; Boehnke; Gildon; Hasegawa; Lovick; MacEwen and Mullet.

Referred to Committee on Ways & Means.

January 26, 2023

SB 5489 Prime Sponsor, Senator Trudeau: Concerning access to reproductive health care services and gender-affirming treatment in Washington state. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Kuderer; Pedersen; Salomon and Valdez.

MINORITY recommendation: Do not pass. Signed by Senators Padden, Ranking Member; McCune; Wagoner and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Torres.

Referred to Committee on Rules for second reading.

January 26, 2023

SJM 8001 Prime Sponsor, Senator Hasegawa: Concerning a national infrastructure bank. Reported by Committee on Business, Financial Services, Gaming & Trade

MAJORITY recommendation: Do pass. Signed by Senators Stanford, Chair; Frame, Vice Chair; Hasegawa; Lovick and Mullet.

MINORITY recommendation: Do not pass. Signed by Senators Dozier, Ranking Member; Boehnke; Gildon and MacEwen.

Referred to Committee on Rules for second reading.

January 26, 2023

SGA 9058 GUADALUPE GAMBOA, appointed on January 15, 2020, for the term ending June 17, 2024, as Member of the Human Rights Commission. Reported by Committee on Law & Justice

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

January 26, 2023

SGA 9174 JOSEPHINE WIGGS, reappointed on September 9, 2021, for the term ending August 2, 2024, as Member of the Sentencing Guidelines Commission. Reported by Committee on Law & Justice

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

January 26, 2023
SGA 9316 HAN TRAN, appointed on June 14, 2022, for the term ending June 17, 2026, as Member of the Human Rights Commission. Reported by Committee on Law & Justice

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Kuderer; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Padden, Ranking Member and McCune.

Referred to Committee on Rules for second reading.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Standing Committee report were referred to the committees as designated.

On motion of Senator Pedersen, the Senate advanced to the third order of business.

MESSAGE FROM OTHER STATE OFFICERS

The following reports were submitted to and received by the office of the Secretary of the Senate:

Fish and Wildlife, Department of – *“Status of the Hoodspout Beach Seine Fisheries”*, pursuant to 77.70.180 RCW;

Tax Structure Workgroup – *“Recommendations Letter of Transmittal”*, in accordance with Engrossed Substitute House Bill No. 1109;

UW Medicine – *“Harborview Medical Center (A Component Unit of King County) (Operated by the University of Washington) Basic Financial Statements June 30, 2022 and 2021”*, in accordance with Engrossed Substitute Senate Bill No. 5092; *“UW Medicine Select Units - UW Division; Basic Financial Statements, June 30, 2022 and 2021 (With Independent Auditors’ Report Thereon)”*, in accordance with Engrossed Substitute Senate Bill No. 5092.

MOTION

On motion of Senator Pedersen, the Senate advanced to the fourth order of business.

MESSAGE FROM THE HOUSE

January 26, 2023

MR. PRESIDENT:
The House has passed:

HOUSE BILL NO. 1030,
HOUSE BILL NO. 1031,
SUBSTITUTE HOUSE BILL NO. 1101,
HOUSE BILL NO. 1179,

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

MOTION

On motion of Senator Pedersen, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 5589 by Senator Stanford
AN ACT Relating to probate; amending RCW 11.54.010, 11.54.030, 11.54.020, 11.54.040, 11.54.050, 11.54.060, 11.76.110, and 11.76.120; adding new sections to chapter 11.54 RCW; creating a new section; repealing RCW 11.54.070 and 11.54.080; and providing an effective date.

Referred to Committee on Law & Justice.

SB 5590 by Senators Wilson, L. and Hunt
AN ACT Relating to creating Mount St. Helens special license plates; reenacting and amending RCW 46.18.200, 46.17.220, and 46.68.420; adding a new section to chapter 46.04 RCW; and providing an effective date.

Referred to Committee on Transportation.

SB 5591 by Senators Nobles and Mullet
AN ACT Relating to providing dependent youth with financial education and support; adding a new section to chapter 74.13 RCW; and creating a new section.

Referred to Committee on Human Services.

SB 5592 by Senators Hunt and Cleveland
AN ACT Relating to requiring semiautomatic external defibrillators at fitness centers; and adding a new section to chapter 70.54 RCW.

Referred to Committee on Health & Long Term Care.

SB 5593 by Senators Lias, Holy and Mullet
AN ACT Relating to improving equity in the transfer of student data between K-12 schools and institutions of higher education; adding a new section to chapter 28B.10 RCW; and adding a new section to chapter 28A.150 RCW.

Referred to Committee on Early Learning & K-12 Education.

SB 5594 by Senators Boehnke, Nguyen, Lias and King
AN ACT Relating to the operation of fully autonomous vehicles; amending RCW 46.30.050; adding new sections to chapter 46.92 RCW; and repealing RCW 46.92.010.

Referred to Committee on Transportation.

SB 5595 by Senators Wilson, J., Rolfes, Holy, Wilson, L., Lovick, Nguyen, Randall, Wilson, C., Valdez, Kuderer, Torres, Pedersen, Dhingra, Lovelett, Padden, Keiser, Muzzall, Short, Robinson, Schoesler, Dozier, Wagoner, Billig, Van De Wege, Warnick, Fortunato, Rivers, Braun, King, Gildon, Boehnke, McCune, Shewmake, Saldaña, Cleveland, Trudeau and Frame
AN ACT Relating to the state nickname; adding a new section to chapter 1.20 RCW; and creating new sections.

NINETEENTH DAY, JANUARY 27, 2023

Referred to Committee on State Government & Elections.

SB 5596 by Senators Wilson, J., Fortunato, Rivers and McCune
AN ACT Relating to restoring trust in public health through consumer protection; amending RCW 19.86.010, 9.04.010, 9.04.050, 9.04.060, 9.04.070, 9.04.080, 69.04.004, 69.04.007, and 69.04.019; adding new sections to chapter 19.86 RCW; adding a new section to chapter 9.04 RCW; adding new sections to chapter 69.04 RCW; creating new sections; providing an effective date; and declaring an emergency.

Referred to Committee on Health & Long-Term Care.

SB 5597 by Senators Van De Wege and Lovick
AN ACT Relating to modifying boater safety and education requirements; amending RCW 79A.60.010, 79A.60.630, and 79A.60.640; adding a new section to chapter 79A.60 RCW; and creating a new section.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SB 5598 by Senators Mullet, Fortunato, Nguyen, Keiser, Schoesler, Kauffman, Hunt, Padden and Wilson, J.
AN ACT Relating to providing supplementary funding to legalized horse racing and the recreational use of horses in Washington state; amending RCW 67.16.050 and 67.16.280; adding a new section to chapter 82.08 RCW; adding a new section to chapter 67.16 RCW; repealing RCW 67.16.105; and declaring an emergency.

Referred to Committee on Business, Financial Services, Gaming & Trade.

SB 5599 by Senators Liias and Wilson, C.
AN ACT Relating to supporting youth and young adults seeking protected health care services; amending RCW 13.32A.082 and 74.15.020; adding a new section to chapter 43.330 RCW; and making an appropriation.

Referred to Committee on Human Services.

SB 5600 by Senator Wellman
AN ACT Relating to removing the expiration date for the state universal communications services program; amending RCW 80.36.630, 80.36.650, 80.36.660, 80.36.670, 80.36.680, and 80.36.690; and repealing RCW 80.36.700.

Referred to Committee on Environment, Energy & Technology.

SB 5601 by Senators Wilson, C. and Frame
AN ACT Relating to the creation of a youth development office and grant program within the department of commerce; adding new sections to chapter 43.330 RCW; and creating a new section.

Referred to Committee on Human Services.

SB 5602 by Senators Torres and Schoesler
AN ACT Relating to the use of hearing examiners by a county board of equalization; and adding a new section to chapter 84.48 RCW.

Referred to Committee on Local Government, Land Use & Tribal Affairs.

SB 5603 by Senators Valdez and Holy
AN ACT Relating to requiring driver training curriculum to include instruction on sharing the road with large vehicles, including commercial motor vehicles and buses; amending RCW 46.82.420; and providing an effective date.

Referred to Committee on Transportation.

SB 5604 by Senator Robinson
AN ACT Relating to county sales and use taxes for mental health and housing; and amending RCW 82.14.460 and 82.14.540.

Referred to Committee on Local Government, Land Use & Tribal Affairs.

SB 5605 by Senator Robinson
AN ACT Relating to reducing lead in cookware; amending RCW 43.21B.110 and 43.21B.300; adding a new chapter to Title 70A RCW; and prescribing penalties.

Referred to Committee on Environment, Energy & Technology.

SB 5606 by Senators Lovick, Conway and Keiser
AN ACT Relating to deterring illegal racing; amending RCW 46.61.530, 46.55.360, and 46.55.370; reenacting and amending RCW 46.55.113; adding new sections to chapter 46.04 RCW; adding new sections to chapter 46.61 RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Law & Justice.

SB 5607 by Senator Nguyen
AN ACT Relating to requiring fashion retail sellers and manufacturers to disclose environmental due diligence policies; adding a new chapter to Title 70A RCW; and prescribing penalties.

Referred to Committee on Environment, Energy & Technology.

SB 5608 by Senator Kuderer
AN ACT Relating to arrest protections for the medical use of cannabis; amending RCW 69.51A.040, 69.51A.055, and 69.51A.060; and repealing RCW 69.51A.043.

Referred to Committee on Labor & Commerce.

SB 5609 by Senators Braun, Kuderer and Gildon
AN ACT Relating to establishing housing approval requirements that will eliminate Washington's housing shortage; amending RCW 82.45.180; and adding a new title to the Revised Code of Washington.

Referred to Committee on Housing.

SB 5610 by Senator Keiser
AN ACT Relating to enacting the used motor vehicles express warranties act; and adding a new chapter to Title 46 RCW.

Referred to Committee on Law & Justice.

section to chapter 64.38 RCW; adding a new section to chapter 64.90 RCW; and prescribing penalties.

SB 5611 by Senators Wagoner and Shewmake

AN ACT Relating to improving community preparedness, response, recovery, and resilience to wildland fire health and safety impacts in areas of increasing population density, including in the wildland urban interface; adding a new section to chapter 76.04 RCW; and creating new sections.

Referred to Committee on Law & Justice.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Introduction and First Reading report were referred to the committees as designated with the exception of Senate Bill No. 5609 which had been designated to the Committee on Local Government, Land Use & Tribal Affairs and was referred to the Committee on Housing.

At 12:33 p.m., on motion of Senator Pedersen, the Senate adjourned until 12:30 p.m. Monday, January 30, 2023.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

HB 1017 by Representatives Ryu, Leavitt, Chambers, Simmons, Jacobsen, Reed, Graham, Lekanoff, Caldier, Timmons, Reeves, Tharinger, Springer, Thai, Santos and Riccelli

AN ACT Relating to expediting licensure for cosmetologists, hair designers, barbers, manicurists, and estheticians; and amending RCW 18.16.090.

Referred to Committee on Labor & Commerce.

HB 1046 by Representatives Walen, Leavitt, Ryu, Bateman, Peterson, Doglio, Reeves, Wylie, Bergquist, Springer, Kloba, Santos and Ormsby

AN ACT Relating to expanding housing supply by supporting the ability of public housing authorities to finance affordable housing developments by rebenchmarking area median income limits; and amending RCW 35.82.070.

Referred to Committee on Housing.

SHB 1070 by House Committee on Housing (originally sponsored by Connors, Reeves, Hutchins, Schmidt, Peterson, Christian, Rude, Klicker, Barkis and Walsh)

AN ACT Relating to exempting the sale and leaseback of property by a seller from the residential landlord-tenant act when the seller agrees to a written lease at closing; and amending RCW 59.18.040.

Referred to Committee on Housing.

HB 1082 by Representatives Simmons, Jacobsen, Goodman, Springer, Santos and Ormsby

AN ACT Relating to expanding opportunities for physical therapy and occupational therapy professionals to form professional service corporations; and amending RCW 18.100.050.

Referred to Committee on Health & Long-Term Care.

HB 1102 by Representatives Taylor and Timmons

AN ACT Relating to judge pro tempore compensation; and amending RCW 2.08.180.

Referred to Committee on Law & Justice.

HB 1199 by Representatives Senn, Eslick, Leavitt, Berry, Bateman, Kloba, Reed, Simmons, Tharinger, Ramel, Doglio, Goodman, Macri, Callan, Fosse and Pollet

AN ACT Relating to licensed child care in common interest communities; adding a new section to chapter 64.32 RCW; adding a new section to chapter 64.34 RCW; adding a new

TWENTY SECOND DAY

AFTERNOON SESSION

Senate Chamber, Olympia
Monday, January 30, 2023

The Senate was called to order at 12:30 p.m. by the President of the Senate, Lt. Governor Heck presiding. No roll call was taken.

MOTIONS

On motion of Senator Pedersen, the reading of the Journal of the previous day was dispensed with and it was approved.

On motion of Senator Pedersen, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

January 26, 2023

SB 5023 Prime Sponsor, Senator Wilson, J.: Concerning roadside safety measures. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Liias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Cleveland; Fortunato; Hawkins; Kauffman; Lovelett; MacEwen; Nobles; Padden; Randall; Valdez; Wilson, C. and Wilson, J.

Referred to Committee on Rules for second reading.

January 26, 2023

SB 5041 Prime Sponsor, Senator Lovick: Concerning compliance with federal motor carrier safety administration requirements for the drug and alcohol clearinghouse. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Liias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Cleveland; Fortunato; Hawkins; Kauffman; Lovelett; MacEwen; Nobles; Padden; Randall; Valdez; Wilson, C. and Wilson, J.

Referred to Committee on Rules for second reading.

January 27, 2023

SB 5047 Prime Sponsor, Senator Saldaña: Enhancing the Washington voting rights act. Reported by Committee on State Government & Elections

MAJORITY recommendation: That Substitute Senate Bill No. 5047 be substituted therefor, and the substitute bill do pass. Signed by Senators Valdez, Vice Chair; Hunt, Chair; Hasegawa and Kuderer.

MINORITY recommendation: Do not pass. Signed by Senators Wilson, J., Ranking Member; Dozier and Fortunato.

Referred to Committee on Rules for second reading.

January 27, 2023

SB 5093 Prime Sponsor, Senator Rolfes: Improving climate resilience through updates to the state's integrated climate

response strategy. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: That Substitute Senate Bill No. 5093 be substituted therefor, and the substitute bill do pass. Signed by Senators Nguyen, Chair; Lovelett, Vice Chair; Lovick; Trudeau and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators MacEwen, Ranking Member; Boehnke and Short.

Referred to Committee on Ways & Means.

January 26, 2023

SB 5104 Prime Sponsor, Senator Salomon: Surveying Puget Sound marine shoreline habitat. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Muzzall, Ranking Member; Van De Wege, Chair; Salomon, Vice Chair; Rolfes; Shewmake; Stanford and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Short and Wagoner.

Referred to Committee on Ways & Means.

January 26, 2023

SB 5120 Prime Sponsor, Senator Dhingra: Establishing 23-hour crisis relief centers in Washington state. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5120 be substituted therefor, and the substitute bill do pass. Signed by Senators Robinson, Vice Chair; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Randall and Van De Wege.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Padden.

Referred to Committee on Ways & Means.

January 27, 2023

SB 5129 Prime Sponsor, Senator MacEwen: Planning for advanced nuclear reactor technology in Washington. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass. Signed by Senators Nguyen, Chair; Lovelett, Vice Chair; MacEwen, Ranking Member; Boehnke; Lovick; Short; Trudeau and Wellman.

Referred to Committee on Rules for second reading.

January 27, 2023

SB 5133 Prime Sponsor, Senator Keiser: Modifying the responsible bidder criteria for public works projects. Reported by Committee on State Government & Elections

MAJORITY recommendation: That Substitute Senate Bill No. 5133 be substituted therefor, and the substitute bill do pass. Signed by Senators Valdez, Vice Chair; Hunt, Chair; Hasegawa and Kuderer.

MINORITY recommendation: Do not pass. Signed by Senators Dozier and Fortunato.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Wilson, J., Ranking Member.

Referred to Committee on Ways & Means.

January 26, 2023

SB 5143 Prime Sponsor, Senator Torres: Changing the name and membership of the commission on pesticide registration. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That Substitute Senate Bill No. 5143 be substituted therefor, and the substitute bill do pass. Signed by Senators Muzzall, Ranking Member; Van De Wege, Chair; Shewmake; Short; Stanford; Wagoner and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Salomon, Vice Chair and Rolfes.

Referred to Committee on Rules for second reading.

January 27, 2023

SB 5166 Prime Sponsor, Senator Boehnke: Reauthorizing the business and occupation tax deduction for cooperative finance organizations. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass. Signed by Senators Nguyen, Chair; Lovelett, Vice Chair; MacEwen, Ranking Member; Boehnke; Lovick; Short; Trudeau and Wellman.

Referred to Committee on Ways & Means.

January 26, 2023

SB 5192 Prime Sponsor, Senator Shewmake: Authorizing administrative law judges to substitute for pollution control hearings board members in deciding derelict vessel appeals. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Muzzall, Ranking Member; Van De Wege, Chair; Salomon, Vice Chair; Rolfes; Shewmake; Short; Stanford; Wagoner and Warnick.

Referred to Committee on Rules for second reading.

January 27, 2023

SB 5207 Prime Sponsor, Senator Billig: Concerning campaign contributions by controlled entities. Reported by Committee on State Government & Elections

MAJORITY recommendation: That Substitute Senate Bill No. 5207 be substituted therefor, and the substitute bill do pass. Signed by Senators Valdez, Vice Chair; Hunt, Chair; Hasegawa and Kuderer.

MINORITY recommendation: Do not pass. Signed by Senator Fortunato.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Wilson, J., Ranking Member and Dozier.

Referred to Committee on Rules for second reading.

January 26, 2023

SB 5251 Prime Sponsor, Senator Valdez: Streamlining the licensing process for a commercial driver's license by allowing the department to waive requirements for applicants that previously surrendered the license, allowing the license to be renewed online, and modifying the license test fees. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Lias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Cleveland; Fortunato; Hawkins; Kauffman; Lovelett; MacEwen; Nobles; Padden; Randall; Valdez; Wilson, C. and Wilson, J.

Referred to Committee on Rules for second reading.

January 27, 2023

SB 5268 Prime Sponsor, Senator Hasegawa: Addressing equity and efficiencies in public works procurement including modifying small works roster requirements. Reported by Committee on State Government & Elections

MAJORITY recommendation: That Substitute Senate Bill No. 5268 be substituted therefor, and the substitute bill do pass. Signed by Senators Valdez, Vice Chair; Wilson, J., Ranking Member; Hunt, Chair; Dozier; Fortunato; Hasegawa and Kuderer.

Referred to Committee on Ways & Means.

January 26, 2023

SB 5272 Prime Sponsor, Senator Lias: Concerning speed safety camera systems on state highways. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5272 be substituted therefor, and the substitute bill do pass. Signed by Senators Lias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Cleveland; Fortunato; Hawkins; Kauffman; Lovelett; MacEwen; Nobles; Padden; Randall; Valdez; Wilson, C. and Wilson, J.

Referred to Committee on Rules for second reading.

January 27, 2023

SB 5274 Prime Sponsor, Senator Valdez: Expanding eligibility in certain public employment positions for lawful permanent residents. Reported by Committee on State Government & Elections

TWENTY SECOND DAY, JANUARY 30, 2023

MAJORITY recommendation: Do pass. Signed by Senators Valdez, Vice Chair; Hunt, Chair; Hasegawa and Kuderer.

MINORITY recommendation: Do not pass. Signed by Senators Wilson, J., Ranking Member; Dozier and Fortunato.

Referred to Committee on Rules for second reading.

January 26, 2023

SB 5277 Prime Sponsor, Senator Wilson, L.: Extending tax preferences for dairy, fruit and vegetable, and seafood processors. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Muzzall, Ranking Member; Van De Wege, Chair; Salomon, Vice Chair; Rolfes; Shewmake; Short; Wagoner and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Stanford.

Referred to Committee on Ways & Means.

January 27, 2023

SB 5287 Prime Sponsor, Senator Wilson, J.: Concerning a study on the recycling of wind turbine blades. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass. Signed by Senators Nguyen, Chair; Lovelett, Vice Chair; MacEwen, Ranking Member; Boehnke; Lovick; Short; Trudeau and Wellman.

Referred to Committee on Rules for second reading.

January 26, 2023

SB 5292 Prime Sponsor, Senator Randall: Addressing the access of certain aquatic lands by a public transportation benefit area. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Muzzall, Ranking Member; Van De Wege, Chair; Salomon, Vice Chair; Rolfes; Shewmake; Short; Stanford; Wagoner and Warnick.

Referred to Committee on Rules for second reading.

January 26, 2023

SB 5317 Prime Sponsor, Senator Nobles: Concerning the removal of vehicles by a regional transit authority when obstructing the operation of high capacity transportation vehicles or jeopardizing public safety. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5317 be substituted therefor, and the substitute bill do pass. Signed by Senators Lias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Cleveland; Fortunato; Hawkins; Kauffman; Lovelett; MacEwen; Nobles; Padden; Randall; Valdez; Wilson, C. and Wilson, J.

Referred to Committee on Rules for second reading.

January 27, 2023

SB 5322 Prime Sponsor, Senator Wellman: Requiring environmental and labor reporting for public building construction and renovation material. Reported by Committee on State Government & Elections

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Valdez, Vice Chair; Wilson, J., Ranking Member; Hunt, Chair; Dozier; Fortunato; Hasegawa and Kuderer.

Referred to Committee on Environment, Energy & Technology.

January 26, 2023

SB 5330 Prime Sponsor, Senator Torres: Concerning the Washington pesticide application act. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Muzzall, Ranking Member; Van De Wege, Chair; Salomon, Vice Chair; Rolfes; Shewmake; Short; Stanford; Wagoner and Warnick.

Referred to Committee on Rules for second reading.

January 26, 2023

SB 5341 Prime Sponsor, Senator Muzzall: Creating a location-based branding and promotion program for Washington food and agricultural products. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Muzzall, Ranking Member; Van De Wege, Chair; Salomon, Vice Chair; Rolfes; Shewmake; Short; Stanford and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Warnick.

Referred to Committee on Ways & Means.

January 26, 2023

SB 5342 Prime Sponsor, Senator Kauffman: Concerning transit agencies' ability to enter into interlocal agreements for procurement. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Lias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Cleveland; Fortunato; Hawkins; Kauffman; Lovelett; MacEwen; Nobles; Padden; Randall; Valdez; Wilson, C. and Wilson, J.

Referred to Committee on Rules for second reading.

January 27, 2023

SB 5421 Prime Sponsor, Senator Conway: Exempting benefit enrollment information collected and maintained by the health care authority from public inspection and copying under the public records act. Reported by Committee on State Government & Elections

MAJORITY recommendation: Do pass. Signed by Senators Valdez, Vice Chair; Wilson, J., Ranking Member; Hunt, Chair; Dozier; Fortunato; Hasegawa and Kuderer.

Referred to Committee on Rules for second reading.

January 26, 2023

SB 5490 Prime Sponsor, Senator Rolfe: Concerning health care coverage for retired or disabled employees denied coverage for failure to timely notify the authority of their intent to defer coverage. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Robinson, Vice Chair; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Padden; Randall and Van De Wege.

Referred to Committee on Ways & Means.

January 26, 2023

SB 5497 Prime Sponsor, Senator Wilson, L.: Concerning medicaid expenditures. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Robinson, Vice Chair; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Padden; Randall and Van De Wege.

Referred to Committee on Ways & Means.

January 27, 2023

SB 5508 Prime Sponsor, Senator Short: Promoting local agriculture through greenhouses. Reported by Committee on State Government & Elections

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Valdez, Vice Chair; Wilson, J., Ranking Member; Hunt, Chair; Dozier; Fortunato; Hasegawa and Kuderer.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

January 27, 2023

SCR 8402 Prime Sponsor, Senator Hunt: Renaming the Natural Resources Building as the Jennifer Belcher Building. Reported by Committee on State Government & Elections

MAJORITY recommendation: That Substitute Senate Concurrent Resolution No. 8402 be substituted therefor, and the substitute concurrent resolution do pass. Signed by Senators Valdez, Vice Chair; Wilson, J., Ranking Member; Hunt, Chair; Dozier; Fortunato; Hasegawa and Kuderer.

Referred to Committee on Rules for second reading.

January 27, 2023

SGA 9127 KATHLEEN DREW, reappointed on February 25, 2021, for the term ending at the governor's pleasure, as Chair of the Energy Facility Site Evaluation Council. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Nguyen, Chair; Lovelett, Vice Chair; MacEwen, Ranking Member; Boehnke; Lovick; Short; Trudeau and Wellman.

Referred to Committee on Rules for second reading.

January 27, 2023

SGA 9320 MILTON DOUMIT, reappointed on January 3, 2023, for the term ending January 1, 2029, as Member of the Utilities and Transportation Commission. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Nguyen, Chair; Lovelett, Vice Chair; MacEwen, Ranking Member; Boehnke; Lovick; Short; Trudeau and Wellman.

Referred to Committee on Rules for second reading.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Standing Committee report were referred to the committees as designated.

On motion of Senator Pedersen, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 5612 by Senator Lovelett

AN ACT Relating to modifying the sales and use tax for cultural access programs by allowing the tax to be imposed by a councilmanic or commission authority and defining timelines and priorities for action; amending RCW 82.14.525; and creating a new section.

Referred to Committee on Local Government, Land Use & Tribal Affairs.

SB 5613 by Senators Lovelett, Wagoner, Shewmake, Rivers, Van De Wege, Boehnke, Muzzall and Wilson, J.

AN ACT Relating to rural public facilities sales and use tax; and amending RCW 82.14.370.

Referred to Committee on Local Government, Land Use & Tribal Affairs.

SB 5614 by Senators Saldaña and Nguyen

AN ACT Relating to adult entertainment establishments; amending RCW 9A.88.010, 9A.88.030, 9A.88.030, and 49.17.470; adding a new section to chapter 49.17 RCW; adding a new section to chapter 66.24 RCW; creating a new section; providing an effective date; and providing an expiration date.

Referred to Committee on Labor & Commerce.

SB 5615 by Senator Valdez

AN ACT Relating to enabling local governments to plan and adopt programs to stabilize and control rents; creating a new section; and repealing RCW 35.21.830 and 36.01.130.

TWENTY SECOND DAY, JANUARY 30, 2023

Referred to Committee on Local Government, Land Use & Tribal Affairs.

SB 5616 by Senator Valdez

AN ACT Relating to increasing access and representation in policy-making processes for people with direct lived experience; adding a new section to chapter 43.06D RCW; adding a new chapter to Title 43 RCW; and creating a new section.

Referred to Committee on State Government & Elections.

SB 5617 by Senators Wellman and Nguyen

AN ACT Relating to facilitating course equivalency agreements between skill centers and school districts; amending RCW 28A.230.097, 28A.300.236, and 28A.320.208; reenacting and amending RCW 28A.700.070; and adding a new section to chapter 28A.245 RCW.

Referred to Committee on Early Learning & K-12 Education.

SB 5618 by Senators Kuderer and Wellman

AN ACT Relating to increasing the local property tax revenue growth limit; amending RCW 84.55.005, 84.55.0101, and 84.55.100; creating new sections; and providing a contingent effective date.

Referred to Committee on Local Government, Land Use & Tribal Affairs.

SB 5619 by Senators Liias and Boehnke

AN ACT Relating to establishing a cybersecurity governance framework within state government; reenacting and amending RCW 38.52.040; adding a new section to chapter 43.105 RCW; and adding a new section to chapter 42.56 RCW.

Referred to Committee on Environment, Energy & Technology.

SB 5620 by Senators Liias and Boehnke

AN ACT Relating to line extension tariffs for electric vehicle charging infrastructure; adding a new section to chapter 80.28 RCW; creating new sections; and declaring an emergency.

Referred to Committee on Transportation.

SB 5621 by Senators Muzzall and Robinson

AN ACT Relating to protecting workers displaced as a result of finfish aquaculture facility closures; and amending RCW 50.04.075.

Referred to Committee on Labor & Commerce.

SB 5622 by Senator Torres

AN ACT Relating to the transfer of alternate water rights and water rights for municipal water supply purposes; amending RCW 90.44.100; creating a new section; and declaring an emergency.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SB 5623 by Senator Dhingra

AN ACT Relating to modifying an element of the offense of hate crime and classifying a hate crime as crimes against persons; and amending RCW 9A.36.080 and 9.94A.411.

Referred to Committee on Law & Justice.

SB 5624 by Senators Dhingra, Kuderer, Nguyen, Saldaña, Lovelett and Wellman

AN ACT Relating to implementing the recommendations of the substance use recovery services advisory committee; amending RCW 69.50.4011, 69.50.4013, 69.41.030, 84.36.043, 69.50.4121, 36.70A.200, and 71.24.590; reenacting and amending RCW 13.34.030; adding a new section to chapter 69.50 RCW; adding a new section to chapter 26.12 RCW; adding new sections to chapter 71.24 RCW; adding a new section to chapter 43.216 RCW; adding a new section to chapter 43.330 RCW; creating new sections; and prescribing penalties.

Referred to Committee on Law & Justice.

SB 5625 by Senators Liias and Warnick

AN ACT Relating to public employee retirees; amending RCW 41.50.110, 41.40.660, and 41.26.030; and adding new sections to chapter 41.50 RCW.

Referred to Committee on Ways & Means.

SB 5626 by Senators Liias and Warnick

AN ACT Relating to expanding and enhancing media literacy and digital citizenship in K-12 education; adding new sections to chapter 28A.300 RCW; and providing an expiration date.

Referred to Committee on Early Learning & K-12 Education.

SB 5627 by Senator Hunt

AN ACT Relating to salaries for county commissioners and councilmembers; and amending RCW 36.17.024.

Referred to Committee on Local Government, Land Use & Tribal Affairs.

SB 5628 by Senators Torres, Rivers and Muzzall

AN ACT Relating to the preservation of water rights for farmland and economic development; amending RCW 90.66.040 and 90.66.065; and declaring an emergency.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SB 5629 by Senators Conway, Dhingra and Hasegawa

AN ACT Relating to hepatitis B and hepatitis C screening and health care services; and adding a new section to chapter 18.130 RCW.

Referred to Committee on Health & Long-Term Care.

SB 5630 by Senators Lovick and Wagoner

AN ACT Relating to calculating the provider rate for certain community residential services; adding a new section to chapter 71A.12 RCW; and creating a new section.

Referred to Committee on Human Services.

SB 5631 by Senators Torres and Saldaña

AN ACT Relating to requiring state agencies to clearly identify programs and services which accept applicants with deferred action for childhood arrival status; adding a new section to chapter 43.17 RCW; and creating a new section.

Referred to Committee on State Government & Elections.

SB 5632 by Senator Keiser

AN ACT Relating to protecting the health care of workers exercising their right to participate in a labor dispute; adding a new section to chapter 49.64 RCW; and creating a new section.

Referred to Committee on Health & Long-Term Care.

SB 5633 by Senators Conway and Van De Wege

AN ACT Relating to physician assistant collaborative practice; amending RCW 18.71A.020, 18.71A.025, 18.71A.030, 18.71A.050, 18.71A.090, 18.71A.120, 18.71A.130, 18.71A.150, 10.77.175, 18.71.030, 7.68.030, 51.04.030, 51.28.100, 71.05.020, 71.05.215, 71.05.217, 71.05.585, 71.32.110, 71.32.140, 71.32.250, 71.34.020, 71.34.755, and 74.09.497; reenacting and amending RCW 18.71A.010, 69.50.101, 71.05.760, 71.34.750, and 71.34.750; adding new sections to chapter 18.71A RCW; creating a new section; providing effective dates; providing expiration dates; and providing contingent expiration dates.

Referred to Committee on Health & Long-Term Care.

SB 5634 by Senators Conway and Keiser

AN ACT Relating to problem gambling; amending RCW 41.05.750, 67.70.340, 82.04.285, 82.04.286, and 9.46.071; creating a new section; providing an effective date; and declaring an emergency.

Referred to Committee on Business, Financial Services, Gaming & Trade.

SB 5635 by Senators Braun and Dhingra

AN ACT Relating to enhancing victims' rights; amending RCW 7.69.030; and creating a new section.

Referred to Committee on Law & Justice.

SCR 8403 by Senators Pedersen and Short

Honoring former members of the Senate and House of Representatives of the State of Washington who have passed from this life.

HB 1030 by Representatives Leavitt, Jacobsen, Pollet, Reeves and Bronoske

AN ACT Relating to applied doctorate degree-granting authority; adding a new section to chapter 28B.35 RCW; and repealing RCW 28B.35.215, 28B.35.216, and 28B.35.218.

Referred to Committee on Higher Education & Workforce Development.

HB 1031 by Representatives Low, Ryu, Schmidt, Christian, Reeves and Ramos

AN ACT Relating to the medal of valor award presentation; and amending RCW 1.60.030.

Referred to Committee on State Government & Elections.

SHB 1101 by House Committee on Housing (originally

sponsored by Taylor, Bergquist, Ramel and Gregerson) AN ACT Relating to tenant screening in common interest communities; adding a new section to chapter 64.32 RCW; adding a new section to chapter 64.34 RCW; adding a new section to chapter 64.38 RCW; and adding a new section to chapter 64.90 RCW.

Referred to Committee on Law & Justice.

HB 1179 by Representatives Ramos, Goodman, Leavitt, Ryu, Ortiz-Self, Bateman, Taylor, Callan and Macri

AN ACT Relating to authorizing the state auditor to receive nonconviction data; and amending RCW 10.97.050 and 43.101.460.

Referred to Committee on Law & Justice.

MOTIONS

On motion of Senator Pedersen, the measures listed on the Introduction and First Reading report were referred to the committees as designated with the exception of Senate Concurrent Resolution No. 8403 which was placed on the Second Reading Calendar pursuant to Senate Rule 59.

On motion of Senator Pedersen, the Senate advanced to the eighth order of business.

MOTION

Senator Torres moved adoption of the following resolution:

SENATE RESOLUTION 8612

By Senators Torres, Dhingra, and L. Wilson.

WHEREAS, Human trafficking is a horrendous crime that harms thousands of adults and children across the United States, as well as their families and loved ones; and

WHEREAS, Human trafficking subjects men, women, and children in the United States to forced labor, debt bondage, document servitude, and sexual abuse; and

WHEREAS, In 2010, President Obama designated the month of January as National Slavery and Human Trafficking Prevention Month, to advocate for legislation to protect survivors and punish offenders, educate leaders, and raise awareness on ways the public can combat human trafficking; and

WHEREAS, Human trafficking is modern-day slavery, victimizing vulnerable populations by force or coercion; and

WHEREAS, Washington ranks thirteenth among the states for active cases in federal courts for human trafficking cases; and

WHEREAS, Reports show Washington is a prime location for human trafficking, due to its long international border, major seaports and airports, vast and remote rural areas, dependence on agriculture, and major cross-state freeways; and

WHEREAS, Recently Port of Seattle commissioners and Alaska and Delta Airlines signed a pledge to help combat human trafficking by promoting awareness and training employees at Seattle-Tacoma International Airport to look for and recognize traffickers and their victims; and

TWENTY SECOND DAY, JANUARY 30, 2023

WHEREAS, Reports from the United States National Center for Missing and Exploited Children show a 98.66 percent increase of online enticement reports in 2020 compared to 2019, due to greater online presence among students; and

WHEREAS, The United States Department of Justice Child Exploitation and Obscenity Section reports that twelve years old is the average age of entry into sex trade and pornography; and

WHEREAS, A report by the Modern Slavery Research Project found that one in five youth experiencing homelessness has been a victim of sex or labor trafficking; and

WHEREAS, Human trafficking has been a particularly prevalent concern as of late in Seattle, the Yakima Valley, and Tri-Cities; and

WHEREAS, Washington's Internet Crimes Against Children task force, which dates to 1998, is part of a nationwide effort and works with law enforcement agencies statewide to fight human traffickers; and

WHEREAS, Washington's attorney general maintains a website intended to serve as a hub for victims of human trafficking, with the address of watraffickinghelp.org; and

WHEREAS, In 2003, Washington was the first state to pass a law criminalizing human trafficking and continues to have the most stringent law in the country; and

WHEREAS, January serves as an ideal time to renew efforts to increase awareness of human trafficking, and understanding of how to identify and deter this scourge;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate recognize the importance of education regarding and awareness of the issue of human trafficking and the state and federal resources available to support victims.

Senators Torres and McCune spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8612.

The motion by Senator Torres carried and the resolution was adopted by voice vote.

MOTION

At 12:39 p.m., on motion of Senator Pedersen, the Senate adjourned until 12:30 p.m. Tuesday, January 31, 2023.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

TWENTY THIRD DAY

AFTERNOON SESSION

Senate Chamber, Olympia
Tuesday, January 31, 2023

The Senate was called to order at 12:30 p.m. by the President of the Senate, Lt. Governor Heck presiding. No roll call was taken.

MOTIONS

On motion of Senator Pedersen, the reading of the Journal of the previous day was dispensed with and it was approved.

There being no objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

January 26, 2023

SB 5150 Prime Sponsor, Senator Shewmake: Concerning the beef commission's levied assessment. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That Substitute Senate Bill No. 5150 be substituted therefor, and the substitute bill do pass. Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; Rolfes; Shewmake; Stanford and Wagoner.

MINORITY recommendation: Do not pass. Signed by Senators Muzzall, Ranking Member and Short.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Warnick.

Referred to Committee on Rules for second reading.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Standing Committee report were referred to the committees as designated.

On motion of Senator Pedersen, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 5636 by Senator Hunt

AN ACT Relating to forest practices in cities; amending RCW 76.09.240; and creating a new section.

Referred to Committee on Local Government, Land Use & Tribal Affairs.

SB 5637 by Senator Fortunato

AN ACT Relating to graduated rental rate agreements under the transitional housing operating and rent program; and amending RCW 43.185C.210.

Referred to Committee on Housing.

SB 5638 by Senator Braun

AN ACT Relating to lake and beach districts; amending RCW 36.61.010, 36.61.020, 36.61.030, 36.61.080, and 36.61.100; and adding a new section to chapter 36.61 RCW.

Referred to Committee on Local Government, Land Use & Tribal Affairs.

SB 5639 by Senators Muzzall and Van De Wege

AN ACT Relating to prohibiting the recertification of existing long-term services and supports trust program exemptions; and amending RCW 50B.04.085.

Referred to Committee on Labor & Commerce.

SB 5640 by Senator Hunt

AN ACT Relating to establishing an independent living residents' rights work group; creating a new section; providing an expiration date; and declaring an emergency.

Referred to Committee on Housing.

SB 5641 by Senators Fortunato and Nobles

AN ACT Relating to establishing African heritage week; amending RCW 1.16.050; and creating a new section.

Referred to Committee on State Government & Elections.

SB 5642 by Senators Rolfes and Torres

AN ACT Relating to extradition of persons to and from Indian jurisdiction; and adding a new section to chapter 10.31 RCW.

Referred to Committee on Law & Justice.

SB 5643 by Senator Hasegawa

AN ACT Relating to creating a charter of people's personal data rights; adding a new section to chapter 42.56 RCW; adding a new chapter to Title 19 RCW; creating a new section; prescribing penalties; and providing an effective date.

Referred to Committee on Environment, Energy & Technology.

SB 5644 by Senators Frame and Wilson, C.

AN ACT Relating to juvenile records; amending RCW 13.50.050 and 13.50.260; and adding new sections to chapter 13.50 RCW.

Referred to Committee on Human Services.

SB 5645 by Senator MacEwen

AN ACT Relating to stormwater control facilities and county jurisdiction; and amending RCW 36.89.050 and 36.89.080.

Referred to Committee on Local Government, Land Use & Tribal Affairs.

SB 5646 by Senators Muzzall and Lovick

AN ACT Relating to leaving a child unattended in a motor vehicle; adding a new section to chapter 9.91 RCW; prescribing penalties; and making an appropriation.

TWENTY THIRD DAY, JANUARY 31, 2023

Referred to Committee on Law & Justice.

SB 5647 by Senator Torres

AN ACT Relating to providing substitute teachers and other temporary employees necessary information about school safety policies and procedures; and amending RCW 28A.320.125 and 28A.300.630.

Referred to Committee on Early Learning & K-12 Education.

SB 5648 by Senators Wellman and Randall

AN ACT Relating to including state-tribal education compact schools and charter schools as entities able to receive waivers from the state board of education for certain educational provisions; and amending RCW 28A.300.750.

Referred to Committee on Early Learning & K-12 Education.

SB 5649 by Senator Braun

AN ACT Relating to floodproofing improvements to residential structures undertaken in accordance with the Chehalis basin strategy; amending RCW 86.16.041; and creating a new section.

Referred to Committee on Local Government, Land Use & Tribal Affairs.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

At 12:31 p.m., on motion of Senator Pedersen, the Senate adjourned until 10:30 a.m. Wednesday, February 1, 2023.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

TWENTY FOURTH DAY

MORNING SESSION

Senate Chamber, Olympia
Wednesday, February 1, 2023

The Senate was called to order at 10:30 a.m. by the President of the Senate, Lt. Governor Heck presiding. The Secretary called the roll and announced to the President that all Senators were present with the exception of Senator Shewmake.

The Washington State National Guard Color Guard, consisting of Technical Sergeant Robert Valenzuela, Technical Sergeant Rachel Yandon, Senior Airman Jordan Nick-Cornelius, and Airman First Class Christine Krysiak presented the Colors. The National Anthem was performed by Sergeant Tricia Scheer.

The invocation was offered by Lt. Colonel Brain Banke, Chaplain, 194th Wing, Washington Air National Guard.

MOTIONS

On motion of Senator Pedersen, the reading of the Journal of the previous day was dispensed with and it was approved.

There being no objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

January 30, 2023

SB 5032 Prime Sponsor, Senator Padden: Extending the felony driving under the influence lookback to 15 years while providing additional treatment options through the creation of a drug offender sentencing alternative for driving under the influence. Reported by Committee on Transportation

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Lias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Holy, Assistant Ranking Member; Cleveland; Fortunato; Hawkins; Kauffman; MacEwen; Nobles; Padden; Randall; Valdez; Wilson, C. and Wilson, J.

Referred to Committee on Ways & Means.

January 31, 2023

SB 5080 Prime Sponsor, Senator Saldaña: Expanding and improving the social equity in cannabis program. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 5080 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Robinson and Stanford.

MINORITY recommendation: Do not pass. Signed by Senators Braun and MacEwen.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Schoesler.

Referred to Committee on Ways & Means.

January 31, 2023

SB 5123 Prime Sponsor, Senator Keiser: Concerning the employment of individuals who lawfully consume cannabis. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 5123 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; Robinson and Stanford.

MINORITY recommendation: Do not pass. Signed by Senators King, Ranking Member; Braun; MacEwen and Schoesler.

Referred to Committee on Rules for second reading.

January 31, 2023

SB 5141 Prime Sponsor, Senator Hunt: Granting Washington management service employees the right to collectively bargain. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 5141 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; Robinson and Stanford.

MINORITY recommendation: Do not pass. Signed by Senators King, Ranking Member; Braun and Schoesler.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator MacEwen.

Referred to Committee on Ways & Means.

January 31, 2023

SB 5152 Prime Sponsor, Senator Valdez: Defining synthetic media in campaigns for elective office, and providing relief for candidates and campaigns. Reported by Committee on State Government & Elections

MAJORITY recommendation: That Substitute Senate Bill No. 5152 be substituted therefor, and the substitute bill do pass. Signed by Senators Valdez, Vice Chair; Hunt, Chair; Fortunato; Hasegawa and Kuderer.

MINORITY recommendation: Do not pass. Signed by Senators Wilson, J., Ranking Member and Dozier.

Referred to Committee on Rules for second reading.

January 31, 2023

SB 5189 Prime Sponsor, Senator Trudeau: Establishing behavioral health support specialists. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5189 be substituted therefor, and the substitute bill do pass. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Ways & Means.

TWENTY FOURTH DAY, FEBRUARY 1, 2023

January 31, 2023

SB 5230 Prime Sponsor, Senator Wilson, C.: Concerning extended foster care services. Reported by Committee on Human Services

MAJORITY recommendation: That Substitute Senate Bill No. 5230 be substituted therefor, and the substitute bill do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Frame and Nguyen.

MINORITY recommendation: Do not pass. Signed by Senator Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Boehnke, Ranking Member and Wilson, J.

Referred to Committee on Ways & Means.

January 31, 2023

SB 5238 Prime Sponsor, Senator Saldaña: Expanding collective bargaining for employees who are enrolled in academic programs at public institutions of higher education. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; Robinson and Stanford.

MINORITY recommendation: Do not pass. Signed by Senators King, Ranking Member; Braun and MacEwen.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Schoesler.

Referred to Committee on Ways & Means.

January 31, 2023

SB 5242 Prime Sponsor, Senator Cleveland: Prohibiting cost sharing for abortion. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Vice Chair; Cleveland, Chair; Conway; Dhingra; Randall and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senators Muzzall, Assistant Ranking Member; Holy and Padden.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Rivers, Ranking Member.

Referred to Committee on Ways & Means.

January 30, 2023

SB 5243 Prime Sponsor, Senator Wellman: Concerning high school and beyond planning. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 5243 be substituted therefor, and the substitute bill do pass. Signed by Senators Wellman, Chair; Nobles, Vice

Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune and Pedersen.

Referred to Committee on Ways & Means.

January 31, 2023

SB 5256 Prime Sponsor, Senator Saldaña: Making permanent and expanding the child welfare housing assistance program. Reported by Committee on Human Services

MAJORITY recommendation: That Substitute Senate Bill No. 5256 be substituted therefor, and the substitute bill do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Boehnke, Ranking Member; Frame; Nguyen; Warnick and Wilson, J.

Referred to Committee on Ways & Means.

January 31, 2023

SB 5284 Prime Sponsor, Senator Nguyen: Concerning campaign finance disclosure. Reported by Committee on State Government & Elections

MAJORITY recommendation: That Substitute Senate Bill No. 5284 be substituted therefor, and the substitute bill do pass. Signed by Senators Valdez, Vice Chair; Hunt, Chair; Hasegawa and Kuderer.

MINORITY recommendation: Do not pass. Signed by Senators Dozier and Fortunato.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Wilson, J., Ranking Member.

Referred to Committee on Rules for second reading.

January 30, 2023

SB 5305 Prime Sponsor, Senator Wellman: Establishing the office of career connect Washington. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 5305 be substituted therefor, and the substitute bill do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune and Pedersen.

Referred to Committee on Ways & Means.

January 31, 2023

SB 5310 Prime Sponsor, Senator Lovelett: Defining attending provider and clarifying other provider functions for workers' compensation claims, and adding psychologists as attending providers for mental health only claims. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; Robinson and Stanford.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators King, Ranking Member; Braun and MacEwen.

MINORITY recommendation: Do not pass. Signed by Senator Schoesler.

Referred to Committee on Ways & Means.

January 31, 2023

Referred to Committee on Rules for second reading.

SB 5405 Prime Sponsor, Senator King: Modifying the liquor and cannabis board's subpoena authority. Reported by Committee on Labor & Commerce

January 30, 2023

SB 5315 Prime Sponsor, Senator Wilson, C.: Concerning nonpublic agencies operating special education programs for students with disabilities. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 5405 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Braun; MacEwen; Robinson; Schoesler and Stanford.

MAJORITY recommendation: That Substitute Senate Bill No. 5315 be substituted therefor, and the substitute bill do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hunt and Pedersen.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Saldaña, Vice Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Hawkins, Ranking Member; Dozier and McCune.

Referred to Committee on Rules for second reading.

January 31, 2023

Referred to Committee on Ways & Means.

SB 5424 Prime Sponsor, Senator Lovick: Concerning flexible work for general and limited authority Washington peace officers. Reported by Committee on Labor & Commerce

January 30, 2023

SB 5339 Prime Sponsor, Senator Nobles: Providing free school meals for all. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 5424 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; MacEwen; Robinson; Schoesler and Stanford.

MAJORITY recommendation: That Substitute Senate Bill No. 5339 be substituted therefor, and the substitute bill do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hunt and Pedersen.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Braun.

MINORITY recommendation: Do not pass. Signed by Senator McCune.

Referred to Committee on Ways & Means.

January 31, 2023

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Hawkins, Ranking Member and Dozier.

SB 5429 Prime Sponsor, Senator Stanford: Concerning a motor carrier's ability to access restroom facilities required by rules authorized under chapter 49.17 RCW. Reported by Committee on Labor & Commerce

Referred to Committee on Ways & Means.

MAJORITY recommendation: That Substitute Senate Bill No. 5429 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Braun; MacEwen; Robinson; Schoesler and Stanford.

January 31, 2023

SB 5376 Prime Sponsor, Senator Stanford: Allowing the sale of cannabis waste. Reported by Committee on Labor & Commerce

Referred to Committee on Ways & Means.

January 31, 2023

MAJORITY recommendation: That Substitute Senate Bill No. 5376 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Braun; MacEwen; Robinson; Schoesler and Stanford.

SB 5630 Prime Sponsor, Senator Lovick: Calculating the provider rate for certain community residential services. Reported by Committee on Human Services

Referred to Committee on Ways & Means.

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Boehnke, Ranking Member; Frame; Nguyen; Warnick and Wilson, J.

January 31, 2023

SB 5397 Prime Sponsor, Senator Wilson, C.: Preserving public benefit payments to people in the care of the department of children, youth, and families. Reported by Committee on Human Services

Referred to Committee on Ways & Means.

January 31, 2023

MAJORITY recommendation: That Substitute Senate Bill No. 5397 be substituted therefor, and the substitute bill do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Boehnke, Ranking Member; Frame; Nguyen; Warnick and Wilson, J.

SJR 8202 Prime Sponsor, Senator Keiser: Amending the Constitution to address reproductive freedom. Reported by Committee on Health & Long-Term Care

TWENTY FOURTH DAY, FEBRUARY 1, 2023

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Vice Chair; Cleveland, Chair; Conway; Dhingra; Randall and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senators Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Holy and Padden.

Referred to Committee on Rules for second reading.

MOTIONS

On motion of Pedersen, all measures listed on the Standing Committee report were referred to the committees as designated with the exception of Senate Bill No. 5429 which had been designated to the Committee on Rules and was referred to the Committee on Ways & Means.

On motion of Senator Pedersen, the Senate advanced to the third order of business.

MESSAGE FROM THE GOVERNOR GUBERNATORIAL APPOINTMENTS

January 9, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

KERI J. CLARK, reappointed January 9, 2023, for the term ending July 1, 2026, as Member of the Washington State School for the Blind Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Early Learning & K-12 Education as Senate Gubernatorial Appointment No. 9325.

January 19, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

PAUL E. PITRE, appointed January 19, 2023, for the term ending January 12, 2027, as Member of the State Board of Education.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Early Learning & K-12 Education as Senate Gubernatorial Appointment No. 9326.

January 30, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

DOUGLAS T. PICHA, appointed January 30, 2023, for the term ending September 30, 2023, as Member of the Washington State University Board of Regents.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9327.

MOTIONS

On motion of Senator Pedersen, all appointees listed on the Gubernatorial Appointments report were referred to the committees as designated.

On motion of Senator Pedersen, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 5650 by Senators Rolfes and Robinson

AN ACT Relating to salary inflationary increases for K-12 employees; and amending RCW 28A.400.205.

Referred to Committee on Ways & Means.

SB 5651 by Senators Lovelett and Saldaña

AN ACT Relating to equity and environmental justice in the growth management act; amending RCW 36.70A.020, 36.70A.030, and 36.70A.140; and reenacting and amending RCW 36.70A.070 and 36.70A.130.

Referred to Committee on Local Government, Land Use & Tribal Affairs.

SB 5652 by Senator Lovick

AN ACT Relating to compensation for tow truck operators for keeping the public roadways clear; and amending RCW 46.44.110.

Referred to Committee on Transportation.

SB 5653 by Senator Fortunato

AN ACT Relating to protecting the childhood of children; adding a new section to chapter 28A.320 RCW; adding a new chapter to Title 26 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Early Learning & K-12 Education.

SB 5654 by Senator Stanford

AN ACT Relating to the unlawful trade of fur products; adding a new chapter to Title 19 RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SB 5655 by Senator Torres

AN ACT Relating to creating the Washington achievers grant program; and adding a new chapter to Title 28B RCW.

Referred to Committee on Higher Education & Workforce Development.

SB 5656 by Senator Torres

AN ACT Relating to establishing the school security and preparedness infrastructure grant program; and adding a new section to chapter 28A.335 RCW.

Referred to Committee on Early Learning & K-12 Education.

SB 5657 by Senators Wilson, J. and Mullet

AN ACT Relating to city and town permitting of kit homes; amending RCW 19.27.015; adding a new section to chapter 19.27 RCW; and creating a new section.

Referred to Committee on State Government & Elections.

SB 5658 by Senator Hunt

AN ACT Relating to competitive bidding thresholds for institutions of higher education; and amending RCW 28B.10.029.

Referred to Committee on Higher Education & Workforce Development.

SB 5659 by Senators Boehnke and Liias

AN ACT Relating to incentivizing gas companies to develop and acquire renewable energy resources; amending RCW 80.28.385; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; adding a new section to chapter 80.28 RCW; adding a new section to chapter 19.27A RCW; adding a new section to chapter 70A.65 RCW; creating new sections; and providing expiration dates.

Referred to Committee on Environment, Energy & Technology.

SB 5660 by Senators Boehnke and Dhingra

AN ACT Relating to establishing a mental health advance directive effective implementation work group; creating a new section; and providing an expiration date.

Referred to Committee on Health & Long-Term Care.

SB 5661 by Senators Boehnke and Lovelett

AN ACT Relating to skill center class size; amending RCW 28A.150.260 and 28A.150.260; creating a new section; providing an effective date; and providing an expiration date.

Referred to Committee on Early Learning & K-12 Education.

SB 5662 by Senator Saldaña

AN ACT Relating to creating the cannabis employee job retention act; adding a new chapter to Title 49 RCW; and prescribing penalties.

Referred to Committee on Labor & Commerce.

SB 5663 by Senator Warnick

AN ACT Relating to abandoned vehicles sold at auctions conducted by registered tow truck operators; amending RCW 82.04.040; adding a new section to chapter 82.04 RCW; adding a new section to chapter 82.08 RCW; creating a new section; repealing 2019 c 357 ss 1 and 3 (uncodified); and providing an effective date.

Referred to Committee on Ways & Means.

SB 5664 by Senators McCune, Wilson, J., Holy, Fortunato, Dozier, Wagoner, Warnick and Padden

AN ACT Relating to salmon labeling for human consumption; and amending RCW 77.140.040.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SB 5665 by Senator Wagoner

AN ACT Relating to allowing courts to order appropriate hospital discharge and transition to long-term care services or residence for an individual in a hospital during the pendency of a guardianship process; and adding a new section to chapter 11.130 RCW.

Referred to Committee on Law & Justice.

SB 5666 by Senators Randall and Trudeau

AN ACT Relating to a community or technical college student housing pilot program; adding a new section to chapter 28B.50 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Higher Education & Workforce Development.

SB 5667 by Senators Muzzall and Van De Wege

AN ACT Relating to eligibility, enrollment, and compensation of small forestland owners volunteering for participation in the forestry riparian easement program; and amending RCW 76.13.120, 76.13.130, and 76.13.140.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SB 5668 by Senators Shewmake and Torres

AN ACT Relating to small districts with less than 2,750 students and significant participation in skill centers; and amending RCW 28A.245.020.

Referred to Committee on Early Learning & K-12 Education.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

On motion of Senator Pedersen, the Senate advanced to the eighth order of business.

On motion of Senator Pedersen, Senate Rule 20 was suspended for the remainder of the day to allow consideration of floor resolutions received after the cutoff.

EDITOR'S NOTE: Senate Rule 20 limits consideration of floor resolutions not turned in to the Secretary twenty-four hours in advance.

The Vice President Pro Tempore, Senator John Lovick, assumed the chair.

MOTION

Senator Nobles moved adoption of the following resolution:

SENATE RESOLUTION

8613

By Senators Nobles, Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa,

TWENTY FOURTH DAY, FEBRUARY 1, 2023

Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, C. Wilson, J. Wilson, and L. Wilson

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

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

WHEREAS, The Guard always answers the state's call in response to all emergency efforts such as natural disasters to protect lives, essential infrastructure, and property; and

WHEREAS, For more than 18 months one thousand two hundred service members from the Washington National Guard supported state agencies, local jurisdictions, tribes, and nonprofit organizations in responding to the COVID-19 pandemic in order to save lives and relieve human suffering; and

WHEREAS, In 2022 the Guard deployed to Lewis County to provide support to the communities dealing with rising waters, and just a week later deployed to Leavenworth to assist digging out the small mountain community that was hit with record snow fall; and

WHEREAS, The Guard continues to train for adaptation, capability, and capacity to react to the rising challenges in a rapidly changing world that poses a threat to United States national security at home and abroad, including cyber threats; and

WHEREAS, Washington National Guard soldiers and airmen continue to provide critical support for federal missions with members deployed to Poland, Germany, the Kingdom of Thailand, and Malaysia; and

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

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

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

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

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

Senators Nobles, Warnick, Padden, Fortunato, Wellman, Randall, and Braun spoke in favor of adoption of the resolution.

The Vice President Pro Tempore declared the question before the Senate to be the adoption of Senate Resolution No. 8613.

The motion by Senator Nobles carried and the resolution was adopted by voice vote.

INTRODUCTION OF SPECIAL GUESTS

The Vice President Pro Tempore welcomed and introduced Brigadier General Gent Welsh, Commander of the Washington Air National Guard, Brigadier General Dan Dent, Commander of the Washington Army National Guard, Lt. Col. Carrie Wentzel, and Command Sergeant Major Eric Honeycutt, who were seated at the rostrum.

The President assumed the chair.

MOTIONS

On motion of Senator Pedersen and without objection, the names of all members were added to Senate Resolution No. 8613.

On motion of Senator Pedersen, the Senate reverted to the sixth order of business.

SECOND READING

SENATE CONCURRENT RESOLUTION NO. 8403, by Senators Pedersen, Short, Hunt, Lovelett, Nguyen, Nobles and Wilson, C.

Honoring former members of the Senate and House of Representatives of the State of Washington who have passed from this life.

The measure was read the second time.

MOTION

On motion of Senator Pedersen, the rules were suspended, Senate Concurrent Resolution No. 8403 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

The President declared the question before the Senate to be the final passage of Senate Concurrent Resolution No. 8403.

Senator Pedersen spoke in favor of adoption of the resolution.

SENATE CONCURRENT RESOLUTION NO. 8403 having received a majority was adopted by voice vote.

SECOND READING

SENATE BILL NO. 5210, by Senators Stanford, Gildon and Hasegawa

Concerning the best interest standard for annuity transactions.

MOTIONS

On motion of Senator Stanford, Substitute Senate Bill No. 5210 was substituted for Senate Bill No. 5210 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Stanford, the rules were suspended, Substitute Senate Bill No. 5210 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Stanford and Dozier spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5210.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5210 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 1; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Absent: Senator Shewmake

SUBSTITUTE SENATE BILL NO. 5210, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Nobles, Senator Shewmake was excused.

SECOND READING

SENATE BILL NO. 5036, by Senators Muzzall, Holy, Van De Wege and Warnick

Concerning telemedicine.

The measure was read the second time.

MOTION

On motion of Senator Muzzall, the rules were suspended, Senate Bill No. 5036 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Muzzall and Cleveland spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5036.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5036 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen,

Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Shewmake

SENATE BILL NO. 5036, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5081, by Senators Nobles, Trudeau, Dhingra, Frame, Hasegawa, Keiser, Lovick, Nguyen, Saldaña, Salomon, Shewmake, Stanford, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

Concerning victim notification.

MOTIONS

On motion of Senator Nobles, Substitute Senate Bill No. 5081 was substituted for Senate Bill No. 5081 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Nobles, the rules were suspended, Substitute Senate Bill No. 5081 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Nobles and Boehnke spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5081.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5081 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Shewmake

SUBSTITUTE SENATE BILL NO. 5081, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5121, by Senator Cleveland

Extending the expiration date of the joint select committee on health care oversight. Revised for 1st Substitute: Establishing the joint select committee on health care and behavioral health oversight.

MOTIONS

TWENTY FOURTH DAY, FEBRUARY 1, 2023

On motion of Senator Cleveland, Substitute Senate Bill No. 5121 was substituted for Senate Bill No. 5121 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Cleveland, the rules were suspended, Substitute Senate Bill No. 5121 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Cleveland and Rivers spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5121.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5121 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Shewmake

SUBSTITUTE SENATE BILL NO. 5121, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 11:13 a.m., on motion of Senator Pedersen, the Senate was declared to be at ease subject to the call of the President.

Senator Hasegawa announced a meeting of the Democratic Caucus immediately upon going at ease.

Senator Warnick announced a meeting of the Republican Caucus immediately upon going at ease.

AFTERNOON SESSION

The Senate was called to order at 12:02 p.m. by President Heck.

MOTION

On motion of Senator Pedersen, the Senate reverted to the third order of business.

MESSAGE FROM THE GOVERNOR

March 31, 2022

To the Honorable President and Members,
The Senate of the State of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval, Engrossed Senate Bill No. 5017 entitled:

“AN ACT Relating to clarifying school district procurement requirements for personal service contracts for construction

management, value engineering, constructability review, and building commissioning.”

Engrossed Senate Bill 5017 modifies the list of school district purchases and bidding that require public notification. Public notification and transparency of school district purchases are important to maintain. It is not clear that this change meets the public’s expectation of transparency.

For these reasons I have vetoed Engrossed Senate Bill No. 5017 in its entirety.

Respectfully submitted,

/s/

Jay Inslee

Governor

MOTION

Senator Wellman moved that the Senate pass Engrossed Senate Bill No. 5017, notwithstanding the Governor’s veto.

Senators Wellman and Hawkins spoke in favor of the motion.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5017 the Governor’s veto notwithstanding.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5017 and the bill passed the Senate by the following vote, the Governor’s veto notwithstanding: Yeas, 47; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting Nay: Senator Liias

Excused: Senator Shewmake

ENGROSSED SENATE BILL NO. 5017, having received the constitutional majority, was declared passed, the Governor’s veto notwithstanding. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE GOVERNOR

March 31, 2022

To the Honorable President and Members,
The Senate of the State of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval, Substitute Senate Bill No. 5810 entitled:

“AN ACT Relating to exempting certain prepaid services from insurance regulation.”

Substitute Senate Bill 5810 establishes that legal service contractors are not insurers and legal service plans are not

insurance; however, it does so without establishing a clear regulatory framework for this sector. In addition, the definition of “legal service contractor” is overly broad and my capture services beyond the intended scope of the bill. More work needs to be done to ensure that these policy changes address consumer protections.

For these reasons I have vetoed Substitute Senate Bill No. 5810 in its entirety.

Respectfully submitted,
/s/
Jay Inslee
Governor

MOTION

Senator Mullet moved that the Senate pass Substitute Senate Bill No. 5810, notwithstanding the Governor’s Veto.

Senators Mullet and Dozier spoke in favor of the motion.

The President declared the question before the Senate to be the motion by Senator Wellman that Substitute Senate Bill No. 5810 (2022) pass the Senate the Governor’s veto notwithstanding.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5810 and the bill passed the Senate by the following vote, the Governor’s veto notwithstanding: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting Nay: Senator Liias
Excused: Senator Shewmake

SUBSTITUTE SENATE BILL NO. 5810, having received the constitutional majority, was declared passed, the Governor’s veto notwithstanding. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Pedersen, the Senate advanced to the sixth order of business.

SECOND READING

SENATE BILL NO. 5286, by Senators Robinson, King, Keiser, Liias, Stanford, Wellman and Wilson, C.

Modifying the premium provisions of the paid family and medical leave program.

MOTIONS

On motion of Senator Robinson, Substitute Senate Bill No. 5286 was substituted for Senate Bill No. 5286 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Robinson, the rules were suspended, Substitute Senate Bill No. 5286 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Robinson, King and Keiser spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5286.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5286 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Shewmake

SUBSTITUTE SENATE BILL NO. 5286, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5087, by Senators Pedersen, Mullet, Billig, Dhingra, Frame, Hasegawa, Hunt, Kauffman, Kuderer, Liias, Lovelett, Nobles, Saldaña, Stanford and Wellman

Removing language from the Revised Code of Washington that has been identified by the justices of the supreme court or judges of the superior courts as defects and omissions in the laws pursuant to Article IV, section 25 of the Washington state Constitution.

MOTION

On motion of Senator Pedersen, Substitute Senate Bill No. 5087 was substituted for Senate Bill No. 5087 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Wagoner moved that the following striking amendment no. 0006 by Senator Wagoner be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 2.43.040 and 2008 c 291 s 3 are each amended to read as follows:

(1) Interpreters appointed according to this chapter are entitled to a reasonable fee for their services and shall be reimbursed for actual expenses which are reasonable as provided in this section.

(2) In all legal proceedings in which the non-English-speaking person is a party, or is subpoenaed or summoned by the

TWENTY FOURTH DAY, FEBRUARY 1, 2023

appointing authority or is otherwise compelled by the appointing authority to appear, including criminal proceedings, grand jury proceedings, coroner's inquests, mental health commitment proceedings, and other legal proceedings initiated by agencies of government, the cost of providing the interpreter shall be borne by the governmental body initiating the legal proceedings.

(3) In other legal proceedings, the cost of providing the interpreter shall be borne by the non-English-speaking person unless such person is indigent according to adopted standards of the body. In such a case the cost shall be an administrative cost of the governmental body under the authority of which the legal proceeding is conducted.

~~(4) ((The cost of providing the interpreter is a taxable cost of any proceeding in which costs ordinarily are taxed.~~

~~(5))~~ Subject to the availability of funds specifically appropriated therefor, the administrative office of the courts shall reimburse the appointing authority for up to one-half of the payment to the interpreter where an interpreter is appointed by a judicial officer in a proceeding before a court at public expense and:

(a) The interpreter appointed is an interpreter certified by the administrative office of the courts or is a qualified interpreter registered by the administrative office of the courts in a noncertified language, or where the necessary language is not certified or registered, the interpreter has been qualified by the judicial officer pursuant to this chapter;

(b) The court conducting the legal proceeding has an approved language assistance plan that complies with RCW 2.43.090; and

(c) The fee paid to the interpreter for services is in accordance with standards established by the administrative office of the courts.

Sec. 2. RCW 2.48.190 and 1987 c 202 s 107 are each amended to read as follows:

No person shall be permitted to practice as an attorney or counselor at law or to do work of a legal nature for compensation, or to represent himself or herself as an attorney or counselor at law or qualified to do work of a legal nature, unless he or she is ~~((a citizen of the United States and))~~ a bona fide resident of this state and has been admitted to practice law in this state: PROVIDED, That any person may appear and conduct his or her own case in any action or proceeding brought by or against him or her, or may appear in his or her own behalf in the small claims department of the district court: AND PROVIDED FURTHER, That an attorney of another state may appear as counselor in a court of this state without admission, upon satisfying the court that his or her state grants the same right to attorneys of this state.

NEW SECTION. Sec. 3. RCW 2.48.210 (Oath on admission) and 2013 c 23 s 1 & 1921 c 126 s 12 are each repealed.

Sec. 4. RCW 4.16.190 and 2020 c 312 s 702 are each amended to read as follows:

~~((+))~~ Unless otherwise provided in this section, if a person entitled to bring an action mentioned in this chapter, except for a penalty or forfeiture, or against a sheriff or other officer, for an escape, be at the time the cause of action accrued either under the age of eighteen years, or incompetent or disabled to such a degree that he or she cannot understand the nature of the proceedings, such incompetency or disability as determined according to chapter 11.130 RCW, or imprisoned on a criminal charge prior to sentencing, the time of such disability shall not be a part of the time limited for the commencement of action.

~~((2) Subsection (1) of this section with respect to a person under the age of eighteen years does not apply to the time limited for the commencement of an action under RCW 4.16.350.)~~

NEW SECTION. Sec. 5. RCW 4.56.250 (Claims for noneconomic damages—Limitation) and 1986 c 305 s 301 are each repealed.

Sec. 6. RCW 48.140.010 and 2006 c 8 s 201 are each amended to read as follows:

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

(1) "Claim" means a demand for monetary damages for injury or death caused by medical malpractice, and a voluntary indemnity payment for injury or death caused by medical malpractice made in the absence of a demand for monetary damages.

(2) "Claimant" means a person, including a decedent's estate, who is seeking or has sought monetary damages for injury or death caused by medical malpractice.

(3) "Closed claim" means a claim that has been settled or otherwise disposed of by the insuring entity, self-insurer, facility, or provider. A claim may be closed with or without an indemnity payment to a claimant.

(4) "Commissioner" means the insurance commissioner.

(5) "Economic damages" ~~((has the same meaning as in RCW 4.56.250(1)(a))~~ means objectively verifiable monetary losses, including medical expenses, loss of earnings, burial costs, loss of use of property, cost of replacement or repair, cost of obtaining substitute domestic services, loss of employment, and loss of business or employment opportunities.

(6) "Health care facility" or "facility" means a clinic, diagnostic center, hospital, laboratory, mental health center, nursing home, office, surgical facility, treatment facility, or similar place where a health care provider provides health care to patients, and includes entities described in RCW 7.70.020(3).

(7) "Health care provider" or "provider" has the same meaning as in RCW 7.70.020 (1) and (2).

(8) "Insuring entity" means:

(a) An insurer;

(b) A joint underwriting association;

(c) A risk retention group; or

(d) An unauthorized insurer that provides surplus lines coverage.

(9) "Medical malpractice" means an actual or alleged negligent act, error, or omission in providing or failing to provide health care services that is actionable under chapter 7.70 RCW.

(10) "Noneconomic damages" ~~((has the same meaning as in RCW 4.56.250(1)(b))~~ means subjective, nonmonetary losses including, but not limited to, pain, suffering, inconvenience, mental anguish, disability or disfigurement incurred by the injured party, emotional distress, loss of society and companionship, loss of consortium, injury to reputation and humiliation, and destruction of the parent-child relationship.

(11) "Self-insurer" means any health care provider, facility, or other individual or entity that assumes operational or financial risk for claims of medical malpractice.

Sec. 7. RCW 6.25.030 and 2011 c 336 s 147 are each amended to read as follows:

The writ of attachment may be issued by the court in which the action is pending on one or more of the following grounds:

(1) That the defendant is a foreign corporation; or

(2) That the defendant is not a resident of this state; or

(3) That the defendant conceals himself or herself so that the ordinary process of law cannot be served upon him or her; or

(4) That the defendant has absconded or absented himself or herself from his or her usual place of abode in this state, so that the ordinary process of law cannot be served upon him or her; or

(5) That the defendant has removed or is about to remove any of his or her property from this state, with intent to delay or defraud his or her creditors; or

(6) That the defendant has assigned, secreted, or disposed of, or is about to assign, secrete, or dispose of, any of his or her property, with intent to delay or defraud his or her creditors; or

(7) That the defendant is about to convert his or her property, or a part thereof, into money, for the purpose of placing it beyond the reach of his or her creditors; or

(8) That the defendant has been guilty of a fraud in contracting the debt or incurring the obligation for which the action is brought; or

(9) That the damages for which the action is brought are for injuries arising from the commission of some felony, gross misdemeanor, or misdemeanor(~~(or~~

~~(10) That the object for which the action is brought is to recover on a contract, express or implied).~~

NEW SECTION. Sec. 8. The following acts or parts of acts are each repealed:

(1) RCW 7.48.050 (Moral nuisances—Definitions) and 1990 c 152 s 1, 1979 c 1 s 1 (Initiative Measure No. 335, approved November 8, 1977), & 1913 c 127 s 1;

(2) RCW 7.48.052 (Moral nuisances) and 1990 c 152 s 2, 1988 c 141 s 1, & 1979 c 1 s 2 (Initiative Measure No. 335, approved November 8, 1977);

(3) RCW 7.48.054 (Moral nuisance—Personal property—Effects of notice) and 1990 c 152 s 3 & 1979 c 1 s 3 (Initiative Measure No. 335, approved November 8, 1977);

(4) RCW 7.48.056 (Abate moral nuisance—Enjoin owner) and 1979 c 1 s 4 (Initiative Measure No. 335, approved November 8, 1977);

(5) RCW 7.48.058 (Maintaining action to abate moral nuisance—Bond) and 2011 c 336 s 212 & 1979 c 1 s 5 (Initiative Measure No. 335, approved November 8, 1977);

(6) RCW 7.48.060 (Moral nuisance—Jurisdiction—Filing a complaint) and 1979 c 1 s 6 (Initiative Measure No. 335, approved November 8, 1977) & 1913 c 127 s 2;

(7) RCW 7.48.062 (Moral nuisance—Restraining order—Violations) and 1979 c 1 s 7 (Initiative Measure No. 335, approved November 8, 1977);

(8) RCW 7.48.064 (Moral nuisance—Hearing—Notice—Consolidation with trial) and 1979 c 1 s 8 (Initiative Measure No. 335, approved November 8, 1977);

(9) RCW 7.48.066 (Finding of moral nuisance—Orders) and 1979 c 1 s 9 (Initiative Measure No. 335, approved November 8, 1977);

(10) RCW 7.48.068 (Abatement of moral nuisance by owner—Effect on injunction) and 1979 c 1 s 10 (Initiative Measure No. 335, approved November 8, 1977);

(11) RCW 7.48.070 (Moral nuisance—Priority of action on calendar) and 1979 c 1 s 11 (Initiative Measure No. 335, approved November 8, 1977) & 1913 c 127 s 3;

(12) RCW 7.48.072 (Moral nuisance—Effects of admission or finding of guilt) and 1979 c 1 s 12 (Initiative Measure No. 335, approved November 8, 1977);

(13) RCW 7.48.074 (Moral nuisance—Evidence of reputation—Admissibility) and 1979 c 1 s 13 (Initiative Measure No. 335, approved November 8, 1977);

(14) RCW 7.48.076 (Moral nuisance—Trial—Costs—Dismissal—Judgment) and 2011 c 336 s 213 & 1979 c 1 s 14 (Initiative Measure No. 335, approved November 8, 1977);

(15) RCW 7.48.078 (Moral nuisance—Judgment—Penalties—Disposal of personal

property) and 2011 c 336 s 214 & 1979 c 1 s 15 (Initiative Measure No. 335, approved November 8, 1977);

(16) RCW 7.48.080 (Moral nuisance—Violation of injunction—Contempt of court) and 1989 c 373 s 11, 1979 c 1 s 16 (Initiative Measure No. 335, approved November 8, 1977), & 1913 c 127 s 4;

(17) RCW 7.48.085 (Moral nuisance—Property owner may repossess) and 2011 c 336 s 215 & 1979 c 1 s 17 (Initiative Measure No. 335, approved November 8, 1977);

(18) RCW 7.48.090 (Moral nuisance—Contraband—Forfeitures) and 1979 c 1 s 18 (Initiative Measure No. 335, approved November 8, 1977), 1927 c 94 s 1, & 1913 c 127 s 5; and

(19) RCW 7.48.100 (Moral nuisance—Immunity of certain motion picture theater employees) and 2011 c 336 s 216, 1979 c 1 s 19 (Initiative Measure No. 335, approved November 8, 1977), 1927 c 94 s 2, & 1913 c 127 s 6.

Sec. 9. RCW 10.105.900 and 2003 c 39 s 6 are each amended to read as follows:

This chapter does not apply to property subject to forfeiture under chapter 66.32 RCW, RCW 69.50.505, 9.41.098, 9.46.231, 9A.82.100, 9A.83.030, (~~(7.48.090,)~~) or 77.15.070.

NEW SECTION. Sec. 10. RCW 7.70.150 (Actions alleging violation of accepted standard of care—Certificate of merit required) and 2006 c 8 s 304 are each repealed.

NEW SECTION. Sec. 11. The following acts or parts of acts are each repealed:

(1) RCW 9.81.010 (Definitions) and 1953 c 142 s 1 & 1951 c 254 s 1;

(2) RCW 9.81.020 (Subversive activities made felony—Penalty) and 2003 c 53 s 44 & 1951 c 254 s 2;

(3) RCW 9.81.030 (Membership in subversive organization is felony—Penalty) and 2003 c 53 s 45 & 1951 c 254 s 3;

(4) RCW 9.81.040 (Disqualification from voting or holding public office) and 1951 c 254 s 4;

(5) RCW 9.81.050 (Dissolution of subversive organizations—Disposition of property) and 1951 c 254 s 5;

(6) RCW 9.81.060 (Public employment—Subversive person ineligible) and 1951 c 254 s 11;

(7) RCW 9.81.070 (Public employment—Determining eligibility—Inquiries—Oath) and 1955 c 377 s 1 & 1951 c 254 s 12;

(8) RCW 9.81.080 (Public employment—Inquiries may be dispensed with, when) and 1955 c 377 s 2 & 1951 c 254 s 13;

(9) RCW 9.81.082 (Membership in subversive organization described) and 1955 c 377 s 3;

(10) RCW 9.81.083 (Communist party declared a subversive organization) and 1955 c 377 s 4;

(11) RCW 9.81.090 (Public employees—Discharge of subversive persons—Procedure—Hearing—Appeal) and 2011 c 336 s 328, 1971 c 81 s 44, & 1951 c 254 s 15;

(12) RCW 9.81.110 (Misstatements are punishable as perjury—Penalty) and 1951 c 254 s 17; and

(13) RCW 9.81.120 (Constitutional rights—Censorship or infringement) and 1951 c 254 s 19.

NEW SECTION. Sec. 12. RCW 9.91.180 (Violent video or computer games) and 2003 c 365 s 2 are each repealed.

Sec. 13. RCW 7.80.120 and 2022 c 105 s 1 are each amended to read as follows:

(1) A person found to have committed a civil infraction shall be assessed a monetary penalty.

(a) The maximum penalty and the default amount for a class 1 civil infraction shall be \$250, not including statutory assessments, except for an infraction of state law involving (i) potentially dangerous litter as specified in RCW 70A.200.060(4) (~~(or violent~~

TWENTY FOURTH DAY, FEBRUARY 1, 2023

~~video or computer games under RCW 9.91.180)),~~ in which case the maximum penalty and default amount is \$500; or (ii) a person's refusal to submit to a test or tests pursuant to RCW 79A.60.040 and 79A.60.700, in which case the maximum penalty and default amount is \$1,000; or (iii) the misrepresentation of service animals under RCW 49.60.214, in which case the maximum penalty and default amount is \$500; or (iv) untraceable firearms pursuant to RCW 9.41.326 or unfinished frames or receivers pursuant to RCW 9.41.327, in which case the maximum penalty and default amount is \$500;

(b) The maximum penalty and the default amount for a class 2 civil infraction shall be \$125, not including statutory assessments;

(c) The maximum penalty and the default amount for a class 3 civil infraction shall be \$50, not including statutory assessments; and

(d) The maximum penalty and the default amount for a class 4 civil infraction shall be \$25, not including statutory assessments.

(2) The supreme court shall prescribe by rule the conditions under which local courts may exercise discretion in assessing fines for civil infractions.

(3) Whenever a monetary penalty is imposed by a court under this chapter it is immediately payable. If the person is unable to pay at that time the court may grant an extension of the period in which the penalty may be paid. If the penalty is not paid on or before the time established for payment, the court may proceed to collect the penalty in the same manner as other civil judgments and may notify the prosecuting authority of the failure to pay.

(4) The court may also order a person found to have committed a civil infraction to make restitution.

NEW SECTION. **Sec. 14.** RCW 9.92.100 (Prevention of procreation) and 1909 c 249 s 35 are each repealed.

Sec. 15. RCW 9.94A.530 and 2008 c 231 s 4 are each amended to read as follows:

(1) The intersection of the column defined by the offender score and the row defined by the offense seriousness score determines the standard sentence range (see RCW 9.94A.510, (Table 1) and RCW 9.94A.517, (Table 3)). The additional time for deadly weapon findings or for other adjustments as specified in RCW 9.94A.533 shall be added to the entire standard sentence range. The court may impose any sentence within the range that it deems appropriate. All standard sentence ranges are expressed in terms of total confinement.

(2) In determining any sentence other than a sentence above the standard range, the trial court may rely on no more information than is admitted by the plea agreement, or admitted, acknowledged, or proved in a trial or at the time of sentencing, or proven pursuant to RCW 9.94A.537. ~~((Acknowledgment includes not objecting to information stated in the presentence reports and not objecting to criminal history presented at the time of sentencing.))~~ Where the defendant disputes material facts, the court must either not consider the fact or grant an evidentiary hearing on the point. The facts shall be deemed proved at the hearing by a preponderance of the evidence, except as otherwise specified in RCW 9.94A.537. On remand for resentencing following appeal or collateral attack, the parties shall have the opportunity to present and the court to consider all relevant evidence regarding criminal history, including criminal history not previously presented.

(3) In determining any sentence above the standard sentence range, the court shall follow the procedures set forth in RCW 9.94A.537. Facts that establish the elements of a more serious crime or additional crimes may not be used to go outside the standard sentence range except upon stipulation or when

specifically provided for in RCW 9.94A.535(3)(d), (e), (g), and (h).

Sec. 16. RCW 9A.46.020 and 2011 c 64 s 1 are each amended to read as follows:

(1) A person is guilty of harassment if:

(a) Without lawful authority, the person knowingly threatens:

(i) To cause bodily injury immediately or in the future to the person threatened or to any other person; or

(ii) To cause physical damage to the property of a person other than the actor; or

(iii) To subject the person threatened or any other person to physical confinement or restraint; or

(iv) Maliciously to do any other act which is intended to substantially harm the person threatened or another with respect to his or her physical ~~((or mental))~~ health or safety; and

(b) The person by words or conduct places the person threatened in reasonable fear that the threat will be carried out. "Words or conduct" includes, in addition to any other form of communication or conduct, the sending of an electronic communication.

(2)(a) Except as provided in (b) of this subsection, a person who harasses another is guilty of a gross misdemeanor.

(b) A person who harasses another is guilty of a class C felony if any of the following apply: (i) The person has previously been convicted in this or any other state of any crime of harassment, as defined in RCW 9A.46.060, of the same victim or members of the victim's family or household or any person specifically named in a no-contact or no-harassment order; (ii) the person harasses another person under subsection (1)(a)(i) of this section by threatening to kill the person threatened or any other person; (iii) the person harasses a criminal justice participant who is performing his or her official duties at the time the threat is made; or (iv) the person harasses a criminal justice participant because of an action taken or decision made by the criminal justice participant during the performance of his or her official duties. For the purposes of (b)(iii) and (iv) of this subsection, the fear from the threat must be a fear that a reasonable criminal justice participant would have under all the circumstances. Threatening words do not constitute harassment if it is apparent to the criminal justice participant that the person does not have the present and future ability to carry out the threat.

(3) Any criminal justice participant who is a target for threats or harassment prohibited under subsection (2)(b)(iii) or (iv) of this section, and any family members residing with him or her, shall be eligible for the address confidentiality program created under RCW 40.24.030.

(4) For purposes of this section, a criminal justice participant includes any (a) federal, state, or local law enforcement agency employee; (b) federal, state, or local prosecuting attorney or deputy prosecuting attorney; (c) staff member of any adult corrections institution or local adult detention facility; (d) staff member of any juvenile corrections institution or local juvenile detention facility; (e) community corrections officer, probation, or parole officer; (f) member of the indeterminate sentence review board; (g) advocate from a crime victim/witness program; or (h) defense attorney.

(5) The penalties provided in this section for harassment do not preclude the victim from seeking any other remedy otherwise available under law.

Sec. 17. RCW 10.05.030 and 2021 c 215 s 116 are each amended to read as follows:

The arraigning judge upon consideration of the petition ~~((and with the concurrence of the prosecuting attorney))~~ may continue the arraignment and refer such person for a diagnostic investigation and evaluation to:

(1) An approved substance use disorder treatment program as designated in chapter 71.24 RCW if the petition alleges a substance use disorder;

(2) An approved mental health center if the petition alleges a mental problem;

(3) The department of social and health services if the petition is brought under RCW 10.05.020(2); or

(4) An approved state-certified domestic violence treatment provider pursuant to RCW 43.20A.735 if the petition alleges a domestic violence behavior problem.

NEW SECTION. Sec. 18. RCW 10.52.100 (Identity of child victims of sexual assault not to be disclosed) and 1992 c 188 s 9 are each repealed.

NEW SECTION. Sec. 19. RCW 10.58.090 (Sex offenses—Admissibility) and 2008 c 90 s 2 are each repealed.

Sec. 20. RCW 10.95.035 and 2015 c 134 s 7 are each amended to read as follows:

(1) A person, who was sentenced prior to June 1, 2014, under this chapter or any prior law, to a term of life without the possibility of parole for an offense committed prior to their eighteenth birthday, shall be returned to the sentencing court or the sentencing court's successor for sentencing consistent with RCW 10.95.030. Release and supervision of a person who receives a minimum term of less than life will be governed by RCW 10.95.030.

(2) The court shall provide an opportunity for victims and survivors of victims of any crimes for which the offender has been convicted to present a statement personally or by representation.

~~(3) ((The court's order setting a minimum term is subject to review to the same extent as a minimum term decision by the parole board before July 1, 1986.~~

(4)) A resentencing under this section shall not reopen the defendant's conviction to challenges that would otherwise be barred by RCW 10.73.090, 10.73.100, 10.73.140, or other procedural barriers.

Sec. 21. RCW 10.95.030 and 2015 c 134 s 5 are each amended to read as follows:

(1) Except as provided in subsections (2) and (3) of this section, any person convicted of the crime of aggravated first degree murder shall be sentenced to life imprisonment without possibility of release or parole. A person sentenced to life imprisonment under this section shall not have that sentence suspended, deferred, or commuted by any judicial officer and the indeterminate sentence review board or its successor may not parole such prisoner nor reduce the period of confinement in any manner whatsoever including but not limited to any sort of good-time calculation. The department of social and health services or its successor or any executive official may not permit such prisoner to participate in any sort of release or furlough program.

(2) If, pursuant to a special sentencing proceeding held under RCW 10.95.050, the trier of fact finds that there are not sufficient mitigating circumstances to merit leniency, the sentence shall be death. In no case, however, shall a person be sentenced to death if the person had an intellectual disability at the time the crime was committed, under the definition of intellectual disability set forth in (a) of this subsection. A diagnosis of intellectual disability shall be documented by a licensed psychiatrist or licensed psychologist designated by the court, who is an expert in the diagnosis and evaluation of intellectual disabilities. The defense must establish an intellectual disability by a preponderance of the evidence and the court must make a finding as to the existence of an intellectual disability.

(a) "Intellectual disability" means the individual has: (i) Significantly subaverage general intellectual functioning; (ii) existing concurrently with deficits in adaptive behavior; and (iii) both significantly subaverage general intellectual functioning and deficits in adaptive behavior were manifested during the developmental period.

(b) "General intellectual functioning" means the results obtained by assessment with one or more of the individually administered general intelligence tests developed for the purpose of assessing intellectual functioning.

(c) "Significantly subaverage general intellectual functioning" means intelligence quotient seventy or below.

(d) "Adaptive behavior" means the effectiveness or degree with which individuals meet the standards of personal independence and social responsibility expected for his or her age.

(e) "Developmental period" means the period of time between conception and the eighteenth birthday.

(3)(a)(i) Any person convicted of the crime of aggravated first degree murder for an offense committed prior to the person's sixteenth birthday shall be sentenced to a maximum term of life imprisonment and a minimum term of total confinement of twenty-five years.

(ii) Any person convicted of the crime of aggravated first degree murder for an offense committed when the person is at least sixteen years old but less than eighteen years old shall be sentenced to a maximum term of life imprisonment and a minimum term of total confinement of no less than twenty-five years. ~~((A minimum term of life may be imposed, in which case the person will be ineligible for parole or early release.))~~

(b) In setting a minimum term, the court must take into account mitigating factors that account for the diminished culpability of youth as provided in *Miller v. Alabama*, 132 S.Ct. 2455 (2012) including, but not limited to, the age of the individual, the youth's childhood and life experience, the degree of responsibility the youth was capable of exercising, and the youth's chances of becoming rehabilitated.

(c) A person sentenced under this subsection shall serve the sentence in a facility or institution operated, or utilized under contract, by the state. During the minimum term of total confinement, the person shall not be eligible for community custody, earned release time, furlough, home detention, partial confinement, work crew, work release, or any other form of early release authorized under RCW 9.94A.728, or any other form of authorized leave or absence from the correctional facility while not in the direct custody of a corrections officer. The provisions of this subsection shall not apply: (i) In the case of an offender in need of emergency medical treatment; or (ii) for an extraordinary medical placement when authorized under RCW 9.94A.728~~((3))~~ (1)(c).

(d) Any person sentenced pursuant to this subsection shall be subject to community custody under the supervision of the department of corrections and the authority of the indeterminate sentence review board. As part of any sentence under this subsection, the court shall require the person to comply with any conditions imposed by the board.

(e) No later than five years prior to the expiration of the person's minimum term, the department of corrections shall conduct an assessment of the offender and identify programming and services that would be appropriate to prepare the offender for return to the community. To the extent possible, the department shall make programming available as identified by the assessment.

(f) No later than one hundred eighty days prior to the expiration of the person's minimum term, the department of corrections shall

TWENTY FOURTH DAY, FEBRUARY 1, 2023

conduct, and the offender shall participate in, an examination of the person, incorporating methodologies that are recognized by experts in the prediction of dangerousness, and including a prediction of the probability that the person will engage in future criminal behavior if released on conditions to be set by the board. The board may consider a person's failure to participate in an evaluation under this subsection in determining whether to release the person. The board shall order the person released, under such affirmative and other conditions as the board determines appropriate, unless the board determines by a preponderance of the evidence that, despite such conditions, it is more likely than not that the person will commit new criminal law violations if released. If the board does not order the person released, the board shall set a new minimum term not to exceed five additional years. The board shall give public safety considerations the highest priority when making all discretionary decisions regarding the ability for release and conditions of release.

(g) In a hearing conducted under (f) of this subsection, the board shall provide opportunities for victims and survivors of victims of any crimes for which the offender has been convicted to present statements as set forth in RCW 7.69.032. The procedures for victim and survivor of victim input shall be provided by rule. To facilitate victim and survivor of victim involvement, county prosecutor's offices shall ensure that any victim impact statements and known contact information for victims of record and survivors of victims are forwarded as part of the judgment and sentence.

(h) An offender released by the board is subject to the supervision of the department of corrections for a period of time to be determined by the board. The department shall monitor the offender's compliance with conditions of community custody imposed by the court or board and promptly report any violations to the board. Any violation of conditions of community custody established or modified by the board are subject to the provisions of RCW 9.95.425 through 9.95.440.

(i) An offender released or discharged under this section may be returned to the institution at the discretion of the board if the offender is found to have violated a condition of community custody. The offender is entitled to a hearing pursuant to RCW 9.95.435. The board shall set a new minimum term of incarceration not to exceed five years.

NEW SECTION. Sec. 22. RCW 18.108.190 (Inspection of premises by law enforcement personnel) and 1975 1st ex.s. c 280 s 20 are each repealed.

NEW SECTION. Sec. 23. RCW 35.13.165 (Termination of annexation proceedings in cities over four hundred thousand—Declarations of termination filed by property owners) and 1989 c 351 s 7 & 1981 c 332 s 2 are each repealed.

NEW SECTION. Sec. 24. The following acts or parts of acts are each repealed:

- (1) RCW 36.105.010 (Purpose) and 1991 c 363 s 99;
- (2) RCW 36.105.020 (Definitions) and 1991 c 363 s 100;
- (3) RCW 36.105.030 (Minimum requirements) and 1991 c 363 s 101;
- (4) RCW 36.105.040 (Creation) and 1991 c 363 s 102;
- (5) RCW 36.105.050 (Election of initial community councilmembers) and 2015 c 53 s 68 & 1991 c 363 s 103;
- (6) RCW 36.105.060 (Community councilmembers—Election—Terms) and 1991 c 363 s 104;
- (7) RCW 36.105.070 (Responsibility of county legislative authority) and 1991 c 363 s 105;
- (8) RCW 36.105.080 (Powers) and 1991 c 363 s 106;
- (9) RCW 36.105.090 (Annexation) and 1991 c 363 s 107; and
- (10) RCW 36.105.100 (Dissolution) and 1991 c 363 s 108.

NEW SECTION. Sec. 25. The following acts or parts of acts are each repealed:

- (1) RCW 39.88.010 (Declaration) and 1982 1st ex.s. c 42 s 2;
- (2) RCW 39.88.020 (Definitions) and 2011 c 336 s 815 & 1982 1st ex.s. c 42 s 3;
- (3) RCW 39.88.030 (Authority—Limitations) and 1982 1st ex.s. c 42 s 4;
- (4) RCW 39.88.040 (Procedure for adoption of public improvement) and 1982 1st ex.s. c 42 s 5;
- (5) RCW 39.88.050 (Notice of public improvement) and 1982 1st ex.s. c 42 s 6;
- (6) RCW 39.88.060 (Disagreements between taxing districts) and 1989 c 378 s 1 & 1982 1st ex.s. c 42 s 7;
- (7) RCW 39.88.070 (Apportionment of taxes) and 1982 1st ex.s. c 42 s 8;
- (8) RCW 39.88.080 (Application of tax allocation revenues) and 1982 1st ex.s. c 42 s 9;
- (9) RCW 39.88.090 (General obligation bonds) and 1982 1st ex.s. c 42 s 10;
- (10) RCW 39.88.100 (Tax allocation bonds) and 1982 1st ex.s. c 42 s 11;
- (11) RCW 39.88.110 (Legal investments) and 1982 1st ex.s. c 42 s 13;
- (12) RCW 39.88.120 (Notice to state) and 1982 1st ex.s. c 42 s 14;
- (13) RCW 39.88.130 (Conclusive presumption of validity) and 1982 1st ex.s. c 42 s 15;
- (14) RCW 39.88.900 (Supplemental nature of chapter) and 1982 1st ex.s. c 42 s 16;
- (15) RCW 39.88.905 (Short title) and 1982 1st ex.s. c 42 s 1; and
- (16) RCW 39.88.910 (Captions not part of law—1982 1st ex.s. c 42) and 1982 1st ex.s. c 42 s 17.

NEW SECTION. Sec. 26. RCW 41.20.110 (Withdrawal of pension—Grounds) and 2012 c 117 s 30, 1937 c 24 s 5, & 1909 c 39 s 10 are each repealed.

Sec. 27. RCW 41.56.0251 and 2016 c 241 s 137 are each amended to read as follows:

In addition to the entities listed in RCW 41.56.020, this chapter applies to any charter school established under chapter 28A.710 RCW. ~~((Any bargaining unit or units established at the charter school must be limited to employees working in the charter school and must be separate from other bargaining units in school districts, educational service districts, or institutions of higher education.))~~ Any charter school established under chapter 28A.710 RCW is a separate employer from any school district, including the school district in which it is located.

Sec. 28. RCW 43.135.034 and 2020 c 218 s 4 are each amended to read as follows:

~~(1)((a) Any action or combination of actions by the legislature that raises taxes may be taken only if approved by a two-thirds vote in both the house of representatives and the senate. Pursuant to the referendum power set forth in Article II, section 1(b) of the state Constitution, tax increases may be referred to the voters for their approval or rejection at an election.~~

~~(b))~~ For the purposes of this chapter, "raises taxes" means any action or combination of actions by the state legislature that increases state tax revenue deposited in any fund, budget, or account, regardless of whether the revenues are deposited into the general fund.

(2) The state or any political subdivision of the state may not impose any tax on intangible property listed in RCW 84.36.070 as that statute exists on January 1, 1993.

NEW SECTION. Sec. 29. RCW 47.44.030 (Removal of facilities—Notice—Reimbursement, when) and 1984 c 7 s 234 & 1961 c 13 s 47.44.030 are each repealed.

NEW SECTION. Sec. 30. The following acts or parts of acts are each repealed:

(1) RCW 49.32.072 (Injunctions—Hearings and findings—Temporary orders—Security) and 2012 c 117 s 130 & 1933 ex.s. c 7 s 7;

(2) RCW 49.32.073 (Injunctions—Complaints, conditions precedent) and 1933 ex.s. c 7 s 8; and

(3) RCW 49.32.074 (Injunctions—Findings and order essential) and 1933 ex.s. c 7 s 9.

NEW SECTION. Sec. 31. RCW 66.24.480 (Bottle clubs—License required) and 2012 c 117 s 281 & 1951 c 120 s 2 (adding a new section to Title 66 RCW) are each repealed.

NEW SECTION. Sec. 32. RCW 66.28.080 (Permit for music and dancing upon licensed premises) and 1969 ex.s. c 178 s 8, 1949 c 5 s 7, & 1937 c 217 s 3 (adding new section 27-A to 1933 ex.s. c 62) are each repealed.

Sec. 33. RCW 35A.66.020 and 1967 ex.s. c 119 s 35A.66.020 are each amended to read as follows:

The qualified electors of any code city may petition for an election upon the question of whether the sale of liquor shall be permitted within the boundaries of such city as provided by chapter 66.40 RCW, and shall be governed by the procedure therein ~~(, and may regulate music, dancing and entertainment as authorized by RCW 66.28.080)~~: PROVIDED, That every code city shall enforce state laws relating to the investigation and prosecution of all violations of Title 66 RCW relating to control of alcoholic beverages and shall be entitled to retain the fines collected therefrom as therein provided. Every code city shall also share in the allocation and distribution of liquor profits and excise as provided in RCW 82.08.170, 66.08.190, and 66.08.210, and make reports of seizure as required by RCW 66.32.090, and otherwise regulate by ordinances not in conflict with state law or liquor and cannabis board regulations.

NEW SECTION. Sec. 34. The following acts or parts of acts are each repealed:

(1) RCW 73.04.050 (Right to peddle, vend, sell goods without license—License fee on business established under act of congress prohibited) and 2012 c 117 s 504, 1945 c 144 s 9, & 1903 c 69 s 1; and

(2) RCW 73.04.060 (Right to peddle, vend, sell goods without license—Issuance of license) and 2012 c 117 s 505, 1945 c 144 s 10, & 1903 c 69 s 2.

NEW SECTION. Sec. 35. RCW 85.05.130 (Assessment of benefited lands formerly omitted—Procedure—Appeals) and 2013 c 23 s 385, 1971 c 81 s 157, 1913 c 89 s 1, 1901 c 111 s 1, & 1895 c 117 s 13 are each repealed.

Sec. 36. RCW 9A.72.160 and 1985 c 327 s 1 are each amended to read as follows:

(1) A person is guilty of intimidating a judge if a person directs a threat to a judge because of a ruling or decision of the judge in any official proceeding, or if by use of a threat directed to a judge, a person attempts to influence a ruling or decision of the judge in any official proceeding.

(2) "Threat" as used in this section means:

(a) To communicate, directly or indirectly, the intent immediately to use force against any person who is present at the time; or

(b) Threats as defined in RCW 9A.04.110 ~~((25))~~ (28).

(3) Intimidating a judge is a class B felony."

On page 1, line 5 of the title, after "Constitution;" strike the remainder of the title and insert "amending RCW 2.43.040, 2.48.190, 4.16.190, 48.140.010, 6.25.030, 10.105.900, 7.80.120,

9.94A.530, 9A.46.020, 10.05.030, 10.95.035, 10.95.030, 41.56.0251, 43.135.034, 35A.66.020, and 9A.72.160; and repealing RCW 2.48.210, 4.56.250, 7.48.050, 7.48.052, 7.48.054, 7.48.056, 7.48.058, 7.48.060, 7.48.062, 7.48.064, 7.48.066, 7.48.068, 7.48.070, 7.48.072, 7.48.074, 7.48.076, 7.48.078, 7.48.080, 7.48.085, 7.48.090, 7.48.100, 7.70.150, 9.81.010, 9.81.020, 9.81.030, 9.81.040, 9.81.050, 9.81.060, 9.81.070, 9.81.080, 9.81.082, 9.81.083, 9.81.090, 9.81.110, 9.81.120, 9.91.180, 9.92.100, 10.52.100, 10.58.090, 18.108.190, 35.13.165, 36.105.010, 36.105.020, 36.105.030, 36.105.040, 36.105.050, 36.105.060, 36.105.070, 36.105.080, 36.105.090, 36.105.100, 39.88.010, 39.88.020, 39.88.030, 39.88.040, 39.88.050, 39.88.060, 39.88.070, 39.88.080, 39.88.090, 39.88.100, 39.88.110, 39.88.120, 39.88.130, 39.88.900, 39.88.905, 39.88.910, 41.20.110, 47.44.030, 49.32.072, 49.32.073, 49.32.074, 66.24.480, 66.28.080, 73.04.050, 73.04.060, and 85.05.130."

Senators Wagoner and Padden spoke in favor of adoption of the striking amendment.

Senators Pedersen and Trudeau spoke against adoption of the striking amendment.

The President declared the question before the Senate to be the adoption of striking amendment no. 0006 by Senator Wagoner to Substitute Senate Bill No. 5087.

The motion by Senator Wagoner did not carry and striking amendment no. 0006 was not adopted by voice vote.

MOTION

On motion of Senator Pedersen, the rules were suspended, Substitute Senate Bill No. 5087 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Pedersen spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5087.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5087 and the bill passed the Senate by the following vote: Yeas, 34; Nays, 14; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Cleveland, Conway, Dhingra, Frame, Hasegawa, Hawkins, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Stanford, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

Voting nay: Senators Braun, Dozier, Fortunato, Gildon, Holy, MacEwen, McCune, Padden, Rivers, Schoesler, Short, Torres, Van De Wege and Wilson, L.

Excused: Senator Shewmake

SUBSTITUTE SENATE BILL NO. 5087, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5336, by Senators Cleveland, Wilson, L., Frame and Mullet

TWENTY FOURTH DAY, FEBRUARY 1, 2023

Concerning population criteria for the main street trust fund tax credit.

The measure was read the second time.

MOTION

Senator Liias moved that the following amendment no. 0005 by Senator Liias be adopted:

On page 3, after line 2, insert the following:

"Sec. 2. RCW 82.73.025 and 2017 3rd sp.s. c 37 s 104 are each amended to read as follows:

(1) A person that was approved for credit as provided in RCW 82.73.020 must ~~((make))~~ send the total approved contribution by November 15th of the calendar year in which the application is approved. If November 15th falls upon a Saturday, Sunday, or legal holiday, the payment of the contribution will be considered timely if ~~((made))~~ sent on the next business day.

(2)(a) A person that does not make a contribution as required in subsection (1) of this section forfeits all credits for the approved contribution.

(b) The department must make credits forfeited as provided in (a) of this subsection available to new applicants.

(3) A person that was approved for credit as provided in RCW 82.73.020 after November 15th must make the total approved contribution by the end of the calendar year in which the contribution was approved."

On page 1, line 1 of the title, after "to" strike "population criteria for"

On page 1, line 2 of the title, after "82.73.030" insert "and 82.73.025"

Senator Liias spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0005 by Senator Liias on page 3, after line 2 to Senate Bill No. 5087.

The motion by Senator Liias carried and amendment no. 0005 was adopted by voice vote.

MOTION

On motion of Senator Cleveland, the rules were suspended, Engrossed Senate Bill No. 5336 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Cleveland spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5336.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5336 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Shewmake

ENGROSSED SENATE BILL NO. 5336, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5065, by Senators Short, Wellman, Lovick and Valdez

Encouraging public school instruction in awareness of bone marrow donation.

The measure was read the second time.

MOTION

On motion of Senator Short, the rules were suspended, Senate Bill No. 5065 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Short, Wellman and Padden spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5065.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5065 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Shewmake

SENATE BILL NO. 5065, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5208, by Senators Trudeau, King, Hunt, Nobles, Randall, Keiser, Kuderer, Lovick, Saldaña, Hasegawa, Liias, Conway, Frame, Nguyen, Pedersen, Stanford, Valdez, Wellman and Wilson, C.

Updating the process for online voter registration by allowing voter applicants to provide the last four digits of social security number for authentication.

MOTIONS

On motion of Senator Trudeau, Substitute Senate Bill No. 5208 was substituted for Senate Bill No. 5208 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Trudeau, the rules were suspended, Substitute Senate Bill No. 5208 was advanced to third reading,

the second reading considered the third and the bill was placed on final passage.

Senator Trudeau spoke in favor of passage of the bill.

Senators Short and Boehnke spoke against passage of the bill.

MOTION

On motion of Senator Wagoner, Senator Wilson, J. was excused.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5208.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5208 and the bill passed the Senate by the following vote: Yeas, 29; Nays, 18; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Gildon, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Lias, Lovelett, Lovick, Mullet, Nguyen, Nobles, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Hawkins, Holy, King, MacEwen, McCune, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Wagoner, Warnick and Wilson, L.

Excused: Senators Shewmake and Wilson, J.

SUBSTITUTE SENATE BILL NO. 5208, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5028, by Senators Pedersen, Wagoner, Dhingra, Frame, Hunt, Keiser, Kuderer, Lias, Nobles, Randall, Saldaña, Shewmake, Stanford, Wellman and Wilson, C.

Revising the process for individuals to request name changes.

MOTIONS

On motion of Senator Pedersen, Substitute Senate Bill No. 5028 was substituted for Senate Bill No. 5028 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Pedersen, the rules were suspended, Substitute Senate Bill No. 5028 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Pedersen and Wagoner spoke in favor of passage of the bill.

Senator Padden spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5028.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5028 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 3; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Frame, Gildon, Hasegawa, Hawkins,

Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senators Fortunato, McCune and Padden

Excused: Senator Shewmake

SUBSTITUTE SENATE BILL NO. 5028, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5173, by Senators Stanford, Hasegawa, Kuderer, Pedersen, Saldaña and Trudeau

Concerning property exempt from execution.

MOTION

On motion of Senator Stanford, Substitute Senate Bill No. 5173 was substituted for Senate Bill No. 5173 and the substitute bill was placed on the second reading and read the second time.

WITHDRAWAL OF AMENDMENT

On motion of Senator Stanford and without objection, amendment no. 0009 by Senator Stanford on page 4, line 39 to Substitute Senate Bill No. 5173 was withdrawn.

MOTION

Senator Stanford moved that the following amendment no. 0010 by Senator Stanford be adopted:

On page 4, line 38, after "means the consumer price index" insert "seasonally adjusted".

On page 4, line 39, after "for the" strike "Seattle area" and insert "United States".

On page 5, at the beginning of line 1, strike all material through "areas." On line 2

On page 8, line 16, after "means the consumer price index" insert "seasonally adjusted".

On page 8, line 17 after "for the" strike "Seattle area" and insert "United States".

On page 8, at the beginning of line 19, strike all material through "areas." on line 20

Senator Stanford spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0010 by Senator Stanford on page 4, line 38 to Substitute Senate Bill No. 5173.

The motion by Senator Stanford carried and amendment no. 0010 was adopted by voice vote.

MOTION

Senator Wagoner moved that the following amendment no. 0007 by Senator Wagoner be adopted:

Beginning on page 4, line 19, strike all of subsection (4)

Beginning on page 7, line 37, strike all of subsection (4)

TWENTY FOURTH DAY, FEBRUARY 1, 2023

Senator Wagoner spoke in favor of adoption of the amendment.

Senator Dhingra spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0007 by Senator Wagoner on page 4, line 19 to Substitute Senate Bill No. 5173.

The motion by Senator Wagoner did not carry and amendment no. 0007 was not adopted by voice vote.

MOTION

On motion of Senator Stanford, the rules were suspended, Engrossed Substitute Senate Bill No. 5173 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Stanford spoke in favor of passage of the bill.

Senator Padden spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5173.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5173 and the bill passed the Senate by the following vote: Yeas, 29; Nays, 19; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Gildon, Hasegawa, Holy, Hunt, Kauffman, Keiser, Kuderer, Liias, Lovelett, Lovick, Nguyen, Nobles, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Hawkins, King, MacEwen, McCune, Mullet, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

Excused: Senator Shewmake

ENGROSSED SUBSTITUTE SENATE BILL NO. 5173, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5000, by Senators Wagoner, Boehnke, Braun, Conway, Dozier, Frame, Gildon, Hasegawa, Holy, King, Kuderer, MacEwen, Mullet, Muzzall, Pedersen, Rivers, Rolfes, Schoesler, Short, Torres, Warnick, Wellman, Wilson, J. and Wilson, L.

Recognizing contributions of Americans of Chinese descent.

The measure was read the second time.

MOTION

On motion of Senator Wagoner, the rules were suspended, Senate Bill No. 5000 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wagoner, Hunt, Kuderer, Muzzall, Wilson, J., Fortunato, Padden and Saldaña spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5000.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5000 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Shewmake

SENATE BILL NO. 5000, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 1:26 p.m., on motion of Senator Pedersen, the Senate adjourned until 12:30 p.m. Thursday, February 2, 2023.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

TWENTY FIFTH DAY

AFTERNOON SESSION

Senate Chamber, Olympia
Thursday, February 2, 2023

The Senate was called to order at 12:30 p.m. by the President of the Senate, Lt. Governor Heck presiding. No roll call was taken.

MOTIONS

On motion of Senator Pedersen, the reading of the Journal of the previous day was dispensed with and it was approved.

There being no objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

February 1, 2023

SB 5054 Prime Sponsor, Senator Wellman: Promoting and facilitating the use of professional learning communities. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 5054 be substituted therefor, and the substitute bill do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hunt and Pedersen.

MINORITY recommendation: Do not pass. Signed by Senators Hawkins, Ranking Member; Dozier; McCune and Mullet.

Referred to Committee on Rules for second reading.

January 31, 2023

SB 5122 Prime Sponsor, Senator Cleveland: Extending the expiration date of the ambulance transport fund. Reported by Committee on Ways & Means

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

January 31, 2023

SB 5147 Prime Sponsor, Senator Mullet: Expanding the use of air conditioning in adult family homes. Reported by Committee on Human Services

MAJORITY recommendation: That Substitute Senate Bill No. 5147 be substituted therefor, and the substitute bill do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Boehnke, Ranking Member; Frame; Nguyen; Warnick and Wilson, J.

Referred to Committee on Ways & Means.

February 1, 2023

SB 5221 Prime Sponsor, Senator Liias: Concerning program administration for the Washington state opportunity scholarship program. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That Substitute Senate Bill No. 5221 be substituted therefor, and the substitute bill do pass. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Ways & Means.

February 1, 2023

SB 5225 Prime Sponsor, Senator Wilson, C.: Increasing access to the working connections child care program. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 5225 be substituted therefor, and the substitute bill do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hunt; Mullet and Pedersen.

MINORITY recommendation: Do not pass. Signed by Senators Hawkins, Ranking Member; Dozier and McCune.

Referred to Committee on Ways & Means.

February 1, 2023

SB 5247 Prime Sponsor, Senator Nobles: Developing opportunities for service and workforce programs to support climate-ready communities. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: Do pass. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member and Liias.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Hawkins.

Referred to Committee on Ways & Means.

February 1, 2023

SB 5257 Prime Sponsor, Senator Nobles: Ensuring elementary school students receive sufficient daily recess. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 5257 be substituted therefor, and the substitute bill do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hunt; Mullet and Pedersen.

MINORITY recommendation: Do not pass. Signed by Senator Hawkins, Ranking Member.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Dozier and McCune.

Referred to Committee on Rules for second reading.

TWENTY FIFTH DAY, FEBRUARY 2, 2023

January 31, 2023

SB 5285 Prime Sponsor, Senator Nguyen: Adding a new caseload for the official caseload forecast for the number of people eligible for the working families' tax credit under RCW 82.08.0206. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

January 31, 2023

SB 5295 Prime Sponsor, Senator Wilson, L.: Eliminating accounts. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 1, 2023

SB 5316 Prime Sponsor, Senator Wilson, C.: Concerning background check and licensing fees for programs administered by the department of children, youth, and families. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune; Mullet and Pedersen.

Referred to Committee on Ways & Means.

February 1, 2023

SB 5385 Prime Sponsor, Senator Liias: Concerning work performed by institutions of higher education. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: Do pass. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Rules for second reading.

February 1, 2023

SB 5423 Prime Sponsor, Senator Nobles: Providing eligibility for working connections child care benefits. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 5423 be substituted therefor, and the substitute bill do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hunt; Mullet and Pedersen.

MINORITY recommendation: Do not pass. Signed by Senators Hawkins, Ranking Member; Dozier and McCune.

Referred to Committee on Ways & Means.

February 1, 2023

SB 5513 Prime Sponsor, Senator Liias: Concerning mental health counseling at community and technical colleges. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: Do pass. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Ways & Means.

MOTIONS

On motion of Pedersen, all measures listed on the Standing Committee report were referred to the committees as designated with the exception of Senate Bill No. 5221 which had been designated to the Committee on Rules and was referred to the Committee on Ways & Means.

On motion of Senator Pedersen, the Senate advanced to the fourth order of business.

MESSAGE FROM THE HOUSE

February 1, 2023

MR. PRESIDENT:

The House has passed:

SUBSTITUTE HOUSE BILL NO. 1007,
HOUSE BILL NO. 1049,
SUBSTITUTE HOUSE BILL NO. 1103,
HOUSE BILL NO. 1107,
HOUSE BILL NO. 1128,
HOUSE BILL NO. 1218,

and the same are herewith transmitted.

BERNARD DEAN, Chief Clerk

MOTION

On motion of Senator Pedersen, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 5669 by Senator Fortunato

AN ACT Relating to rights of individuals to bear arms; creating a new section; repealing RCW 9.41.---, 9.41.---, 9.41.---, 9.41.---, 9.41.---, 9.41.---, 7.48.---, and 7.48.---; repealing 2023 c ... (SB 5193) s 2, 2023 c ... (HB 1180) s 2, 2023 c ... (SB 5265) s 2, and 2023 c ... (SHB 1240) s 2; and repealing 2023 c ... (SB 5193) s 1, 2023 c ... (HB 1180) s 1, 2023 c ... (SB 5265) s 1, 2023 c ... (HB 1240) s 1, 2023 c ... (SB 5078) s 1, and 2023 c ... (HB 1130) s 1 (uncodified).

Referred to Committee on Law & Justice.

SB 5670 by Senators Hawkins and Randall

AN ACT Relating to permitting 10th grade students to participate in running start in online settings; amending RCW 28A.600.320, 28A.600.330, and 28A.600.385; and reenacting and amending RCW 28A.600.310.

Referred to Committee on Higher Education & Workforce Development.

SB 5671 by Senators MacEwen and Hunt

AN ACT Relating to making experience factor adjustments for certificated instructional staff; amending RCW 28A.150.412; and creating a new section.

Referred to Committee on Early Learning & K-12 Education.

SB 5672 by Senators Wilson, L. and Rolfes

AN ACT Relating to the Washington auto theft prevention authority account; amending RCW 46.63.110, 46.66.080, and 48.14.020; creating a new section; providing an effective date; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 5673 by Senators Short and Van De Wege

AN ACT Relating to the forest practices board; and amending RCW 76.09.030.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SB 5674 by Senators Frame and Gildon

AN ACT Relating to defining affordable housing for purposes of using surplus public property for public benefit; and amending RCW 39.33.015.

Referred to Committee on Housing.

SB 5675 by Senator Wilson, L.

AN ACT Relating to fish and wildlife commission members; amending RCW 77.04.030, 43.06.092, 77.04.040, and 77.04.055; adding new sections to chapter 77.04 RCW; and creating a new section.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SB 5676 by Senator Short

AN ACT Relating to siting intensive behavioral health treatment facilities; and amending RCW 71.24.648.

Referred to Committee on Health & Long-Term Care.

SB 5677 by Senators Dozier, Fortunato, Boehnke, Torres, McCune, Schoesler, Short, King, Braun, Holy, Wilson, L., Muzzall, Wilson, J. and Wagoner

AN ACT Relating to recognizing Walla Walla sweet onion day; and amending RCW 1.16.050.

Referred to Committee on State Government & Elections.

SB 5678 by Senator Wagoner

AN ACT Relating to voluntary firearms safety instruction for students; and adding a new section to chapter 28A.300 RCW.

Referred to Committee on Early Learning & K-12 Education.

SB 5679 by Senator Fortunato

AN ACT Relating to modifying the income eligibility requirement for the senior citizen and persons with disabilities property tax exemption program; amending RCW 84.36.381, 84.36.383, 84.38.020, and 84.38.030; and creating new sections.

Referred to Committee on Ways & Means.

SB 5680 by Senator Schoesler

AN ACT Relating to seismic safety in Washington public schools; amending RCW 28A.525.159 and 28A.525.320; adding a new section to chapter 28A.630 RCW; and providing an expiration date.

Referred to Committee on Early Learning & K-12 Education.

SB 5681 by Senators Fortunato and Liias

AN ACT Relating to allowing medicare supplemental insurance premiums to be deducted from the calculation of disposable income for the purpose of qualifying for senior property tax programs; amending RCW 84.36.383; and creating a new section.

Referred to Committee on Ways & Means.

SB 5682 by Senators Holy, Randall, Padden, Wilson, C., Shewmake, King and Liias

AN ACT Relating to policing costs driven by proximity to state hospitals; and adding a new section to chapter 72.23 RCW.

Referred to Committee on Law & Justice.

SB 5683 by Senator Kauffman

AN ACT Relating to child-specific foster care licenses for placement of an Indian child in the custody of a federally recognized tribe or the tribe's child placing agency; and amending RCW 74.15.125.

Referred to Committee on Human Services.

SHB 1103 by House Committee on Transportation (originally sponsored by Fey, Barkis and Wylie)

AN ACT Relating to avoiding interest arbitration charges on bond proceeds in the capital vessel replacement account; amending 2022 c 186 s 406 (uncodified); creating a new section; and declaring an emergency.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Introduction and First Reading report were referred to the committees as designated with the exception of Substitute House Bill No. 1103 which was placed on the Second Reading Calendar under suspension of the rules and without objection.

TWENTY FIFTH DAY, FEBRUARY 2, 2023

On motion of Senator Pedersen, the Senate advanced to the eighth order of business.

MOTION

Senator Keiser moved adoption of the following resolution:

SENATE RESOLUTION
8611

By Senators Keiser, Schoesler, King, Fortunato, Valdez, Cleveland, Stanford, Conway, Nguyen, Lovick, Hasegawa, Rolfes, and Salomon

WHEREAS, Washington state is committed to the development of its maritime industry's role in achieving a sustainable future and contributions to economic growth, ecological health, and thriving communities; and

WHEREAS, The current global pandemic has demonstrated the critical importance of maintaining resilient domestic industries and transportation services to the citizens and workforce of Washington state; and

WHEREAS, In 1920, Senator Wesley Jones of Washington championed the Merchant Marine Act of 1920 requiring vessels carrying cargo between locations in the United States be owned by American companies, crewed by American mariners, and built in American shipyards; and

WHEREAS, Washington state is home to 22,500 maritime jobs, the sixth highest among all states, that generate \$1,500,000,000 in labor income through the construction and maintenance of ferries, fishing boats, and cargo vessels; and

WHEREAS, Maritime industry jobs create ladders of opportunity through high-paying, family-wage careers that offer significant career advancement without generally necessitating advanced formal education and extensive student loans; and

WHEREAS, The more than 40,000 vessel strong fleet supports nearly 650,000 family-wage jobs and over \$154,000,000,000 in economic output nationally and \$6,100,000,000 to the Washington state economy;

NOW, THEREFORE, BE IT RESOLVED, That the Washington state Senate celebrate the centennial anniversary of the law championed by Senator Wesley Jones in 1920 in fostering a strong domestic maritime industry that is critical to Washington state's and the nation's economic prosperity and national security.

Senators Keiser and Hasegawa spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8611.

The motion by Senator Keiser carried and the resolution was adopted by voice vote.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced members and representatives of American Waterways Operators; the Puget Sound Metal Trades Council, AFL-CIO; the Puget Sound Maritime Trades Council, AFL-CIO; the Washington Maritime Federation; and the Transportation Institute, a non-profit organization established in 1967 dedicated to maritime research education and promotion, who were seated in the gallery.

MOTION

At 12:41 p.m., on motion of Senator Pedersen, the Senate adjourned until 12:30 p.m. Friday, February 3, 2023.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

TWENTY SIXTH DAY

AFTERNOON SESSION

Senate Chamber, Olympia
Friday, February 3, 2023

The Senate was called to order at 12:30 p.m. by the President of the Senate, Lt. Governor Heck presiding. No roll call was taken.

MOTIONS

On motion of Senator Pedersen, the reading of the Journal of the previous day was dispensed with and it was approved.

There being no objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

February 2, 2023

SB 5094 Prime Sponsor, Senator Rolfes: Adding a climate resilience element to water system plans. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That Substitute Senate Bill No. 5094 be substituted therefor, and the substitute bill do pass. Signed by Senators Muzzall, Ranking Member; Van De Wege, Chair; Salomon, Vice Chair; Rolfes; Shewmake; Stanford and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Short and Wagoner.

Referred to Committee on Ways & Means.

February 2, 2023

SB 5124 Prime Sponsor, Senator Trudeau: Supporting guardianships and voluntary placement with nonrelative kin. Reported by Committee on Human Services

MAJORITY recommendation: That Substitute Senate Bill No. 5124 be substituted therefor, and the substitute bill do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Boehnke, Ranking Member; Frame; Nguyen; Warnick and Wilson, J.

Referred to Committee on Ways & Means.

February 2, 2023

SB 5163 Prime Sponsor, Senator Rivers: Removing the sunset provisions on the medicaid fraud false claims act. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Wilson, L.

Referred to Committee on Ways & Means.

February 1, 2023

SB 5202 Prime Sponsor, Senator Trudeau: Reducing homelessness in Washington state through capital expenditures for programs that address housing insecurity. Reported by Committee on Housing

MAJORITY recommendation: That Substitute Senate Bill No. 5202 be substituted therefor, and the substitute bill do pass. Signed by Senators Kuderer, Chair; Frame, Vice Chair; Cleveland; Saldaña; Shewmake and Trudeau.

MINORITY recommendation: Do not pass. Signed by Senator Fortunato, Ranking Member.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun; Gildon; Rivers and Wilson, J.

Referred to Committee on Ways & Means.

February 2, 2023

SB 5228 Prime Sponsor, Senator Dhingra: Providing occupational therapy services for persons with behavioral health disorders. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Ways & Means.

February 2, 2023

SB 5269 Prime Sponsor, Senator Shewmake: Concerning Washington state manufacturing. Reported by Committee on Business, Financial Services, Gaming & Trade

MAJORITY recommendation: That Substitute Senate Bill No. 5269 be substituted therefor, and the substitute bill do pass. Signed by Senators Stanford, Chair; Frame, Vice Chair; Boehnke; Gildon; Hasegawa; Lovick; MacEwen and Mullet.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Dozier, Ranking Member.

Referred to Committee on Ways & Means.

February 1, 2023

SB 5279 Prime Sponsor, Senator Wilson, J.: Expanding a sales and use tax deferral program for affordable housing to include structures initially used as temporary employee housing for employees constructing warehouses, distribution centers, and other large facilities. Reported by Committee on Housing

MAJORITY recommendation: Do pass. Signed by Senators Kuderer, Chair; Frame, Vice Chair; Fortunato, Ranking Member; Braun; Cleveland; Gildon; Rivers; Saldaña; Shewmake; Trudeau and Wilson, J.

Referred to Committee on Ways & Means.

TWENTY SIXTH DAY, FEBRUARY 3, 2023

February 2, 2023

SB 5280 Prime Sponsor, Senator Frame: Concerning the duty of clergy to report child abuse or neglect. Reported by Committee on Human Services

MAJORITY recommendation: Do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Boehnke, Ranking Member; Frame; Nguyen and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Wilson, J.

Referred to Committee on Rules for second reading.

February 1, 2023

SB 5301 Prime Sponsor, Senator Mullet: Concerning housing programs administered by the department of commerce. Reported by Committee on Housing

MAJORITY recommendation: That Substitute Senate Bill No. 5301 be substituted therefor, and the substitute bill do pass. Signed by Senators Kuderer, Chair; Frame, Vice Chair; Fortunato, Ranking Member; Braun; Cleveland; Gildon; Rivers; Saldaña; Shewmake; Trudeau and Wilson, J.

Referred to Committee on Ways & Means.

February 2, 2023

SB 5306 Prime Sponsor, Senator Short: Authorizing the department of fish and wildlife to establish disease interdiction and control check stations. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That Substitute Senate Bill No. 5306 be substituted therefor, and the substitute bill do pass. Signed by Senators Muzzall, Ranking Member; Van De Wege, Chair; Salomon, Vice Chair; Rolfes; Shewmake; Short; Stanford; Wagoner and Warnick.

Referred to Committee on Rules for second reading.

February 2, 2023

SB 5308 Prime Sponsor, Senator Cleveland: Concerning athletic trainers. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5308 be substituted therefor, and the substitute bill do pass. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Rules for second reading.

February 2, 2023

SB 5318 Prime Sponsor, Senator Nobles: Limiting estate recovery. Reported by Committee on Human Services

MAJORITY recommendation: That Substitute Senate Bill No. 5318 be substituted therefor, and the substitute bill do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Frame and Nguyen.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Boehnke, Ranking Member; Warnick and Wilson, J.

Referred to Committee on Ways & Means.

February 2, 2023

SB 5344 Prime Sponsor, Senator Schoesler: Establishing a public school revolving fund. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune; Mullet and Pedersen.

Referred to Committee on Ways & Means.

February 2, 2023

SB 5355 Prime Sponsor, Senator Wilson, C.: Mandating instruction on sex trafficking prevention and identification for students in grades seven through 12. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hunt; McCune; Mullet and Pedersen.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Hawkins, Ranking Member and Dozier.

Referred to Committee on Ways & Means.

February 2, 2023

SB 5364 Prime Sponsor, Senator Frame: Increasing housing options through lot splitting. Reported by Committee on Local Government, Land Use & Tribal Affairs

MAJORITY recommendation: That Substitute Senate Bill No. 5364 be substituted therefor, and the substitute bill do pass. Signed by Senators Lovelett, Chair; Salomon, Vice Chair; Torres, Ranking Member; Kauffman and Short.

Referred to Committee on Rules for second reading.

February 2, 2023

SB 5370 Prime Sponsor, Senator Wagoner: Concerning adult protective services. Reported by Committee on Human Services

MAJORITY recommendation: Do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Boehnke, Ranking Member; Frame; Nguyen; Warnick and Wilson, J.

Referred to Committee on Rules for second reading.

February 2, 2023

SB 5390 Prime Sponsor, Senator Shewmake: Establishing a programmatic safe harbor agreement on forestlands. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Muzzall, Ranking Member; Van De Wege, Chair; Salomon, Vice Chair; Rolfes; Shewmake; Short; Stanford; Wagoner and Warnick.

Referred to Committee on Ways & Means.

February 2, 2023

SB 5452 Prime Sponsor, Senator Shewmake: Authorizing impact fee revenue to fund improvements to bicycle and pedestrian facilities. Reported by Committee on Local Government, Land Use & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Senators Lovelett, Chair; Salomon, Vice Chair and Kauffman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Torres, Ranking Member and Short.

Referred to Committee on Transportation.

February 2, 2023

SB 5480 Prime Sponsor, Senator Kauffman: Accelerating stability for people with a work-limiting disability or incapacity. Reported by Committee on Human Services

MAJORITY recommendation: That Substitute Senate Bill No. 5480 be substituted therefor, and the substitute bill do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Frame and Nguyen.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Boehnke, Ranking Member; Warnick and Wilson, J.

Referred to Committee on Ways & Means.

February 2, 2023

SB 5539 Prime Sponsor, Senator Cleveland: Making technical corrections to the local tax increment financing program. Reported by Committee on Business, Financial Services, Gaming & Trade

MAJORITY recommendation: Do pass. Signed by Senators Stanford, Chair; Frame, Vice Chair; Dozier, Ranking Member; Boehnke; Gildon; Hasegawa; Lovick; MacEwen and Mullet.

Referred to Committee on Ways & Means.

February 2, 2023

SB 5575 Prime Sponsor, Senator Liias: Concerning public transportation benefit area governing bodies. Reported by Committee on Local Government, Land Use & Tribal Affairs

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Lovelett, Chair; Salomon, Vice Chair; Torres, Ranking Member; Kauffman and Short.

Referred to Committee on Transportation.

February 2, 2023

SB 5632 Prime Sponsor, Senator Keiser: Protecting the health care of workers participating in a labor dispute. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Labor & Commerce.

February 2, 2023

SJM 8005 Prime Sponsor, Senator Hasegawa: Addressing "de-risking" by financial institutions. Reported by Committee on Business, Financial Services, Gaming & Trade

MAJORITY recommendation: Do pass. Signed by Senators Stanford, Chair; Frame, Vice Chair; Hasegawa; Lovick and Mullet.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Dozier, Ranking Member; Boehnke; Gildon and MacEwen.

Referred to Committee on Rules for second reading.

February 2, 2023

SJR 8203 Prime Sponsor, Senator Schoesler: Establishing a public school revolving fund. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune; Mullet and Pedersen.

Referred to Committee on Ways & Means.

February 2, 2023

SGA 9013 ROBERT J. LOPEZ, reappointed on January 18, 2019, for the term ending January 17, 2025, as Member of the Horse Racing Commission. Reported by Committee on Business, Financial Services, Gaming & Trade

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Stanford, Chair; Frame, Vice Chair; Dozier, Ranking Member; Boehnke; Gildon; Hasegawa; Lovick; MacEwen and Mullet.

Referred to Committee on Rules for second reading.

February 2, 2023

SGA 9015 CLAUDE A. RAGLE, appointed on April 13, 2019, for the term ending January 1, 2024, as Member of the Horse Racing Commission. Reported by Committee on Business, Financial Services, Gaming & Trade

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Stanford, Chair; Frame, Vice Chair; Dozier, Ranking Member; Boehnke; Gildon; Hasegawa; Lovick; MacEwen and Mullet.

Referred to Committee on Rules for second reading.

February 1, 2023

SGA 9021 WENDY L. LAWRENCE, reappointed on July 16, 2019, for the term ending June 30, 2023, as Member of

TWENTY SIXTH DAY, FEBRUARY 3, 2023

the Housing Finance Commission. Reported by Committee on Housing

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Kuderer, Chair; Frame, Vice Chair; Fortunato, Ranking Member; Braun; Cleveland; Gildon; Rivers; Saldaña; Shewmake; Trudeau and Wilson, J.

Referred to Committee on Rules for second reading.

February 2, 2023

SGA 9125 JEFF SBIAH, appointed on February 17, 2021, for the term ending June 17, 2025, as Member of the Human Rights Commission. Reported by Committee on Law & Justice

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; Pedersen; Salomon; Torres; Wagoner and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator McCune.

Referred to Committee on Rules for second reading.

February 2, 2023

SGA 9246 LEKHA FERNANDES, appointed on September 12, 2022, for the term ending January 1, 2025, as Director of the Office of Minority and Women's Business Enterprises - Agency Head. Reported by Committee on Business, Financial Services, Gaming & Trade

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Stanford, Chair; Frame, Vice Chair; Dozier, Ranking Member; Boehnke; Gildon; Hasegawa; Lovick and Mullet.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator MacEwen.

Referred to Committee on Rules for second reading.

February 2, 2023

SGA 9277 NICOLE M. GRANT, appointed on November 28, 2022, for the term ending June 30, 2027, as Member of the Transportation Commission. Reported by Committee on Transportation

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Liias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Holy, Assistant Ranking Member; Cleveland; Hawkins; Lovelett; MacEwen; Nobles; Padden; Wilson, C. and Wilson, J.

Referred to Committee on Rules for second reading.

February 2, 2023

SGA 9318 DEBORAH C. YOUNG, reappointed on July 1, 2022, for the term ending June 30, 2028, as Member of the Transportation Commission. Reported by Committee on Transportation

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Liias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Holy, Assistant Ranking Member; Cleveland; Hawkins; Lovelett; MacEwen; Nobles; Padden; Wilson, C. and Wilson, J.

Referred to Committee on Rules for second reading.

MOTIONS

On motion of Pedersen, all measures listed on the Standing Committee report were referred to the committees as designated with the exceptions of:

Senate Bill No. 5452 which had been designated to the Committee on Rules and was referred to the Committee on Transportation; and

Senate Bill No. 5539 which had been designated to the Committee on Rules and was referred to the Committee on Ways & Means.

On motion of Senator Pedersen, the Senate advanced to the fourth order of business.

MESSAGES FROM THE HOUSE

February 1, 2023

MR. PRESIDENT:

The House has passed:

ENGROSSED HOUSE BILL NO. 1210,

and the same is herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

February 2, 2023

MR. PRESIDENT:

The House has passed:

SUBSTITUTE HOUSE BILL NO. 1015,

HOUSE BILL NO. 1120,

SUBSTITUTE HOUSE BILL NO. 1165,

HOUSE BILL NO. 1237,

HOUSE BILL NO. 1287,

SUBSTITUTE HOUSE BILL NO. 1302,

SUBSTITUTE HOUSE BILL NO. 1326,

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

MOTION

On motion of Senator Pedersen, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 5684 by Senator Hasegawa

AN ACT Relating to small works rosters; amending RCW 39.04.010; adding new sections to chapter 39.04 RCW; and repealing RCW 39.04.155.

Referred to Committee on State Government & Elections.

SB 5685 by Senator Randall

AN ACT Relating to the profession of dental therapist; amending RCW 18.32.030, 18.32.0351, 18.120.020, 18.130.040, 18.260.010, 18.260.040, 18.260.070, 18.260.080, 69.41.010, 69.41.030, and 70.350.020; adding a new chapter to Title 18 RCW; creating a new section; providing an effective date; and declaring an emergency.

Referred to Committee on Health & Long-Term Care.

SB 5686 by Senator Braun

AN ACT Relating to imposing a local sales tax wholly credited against the state sales tax to support programs for senior citizens; adding a new section to chapter 82.14 RCW; providing an effective date; and declaring an emergency.

Referred to Committee on Local Government, Land Use & Tribal Affairs.

SB 5687 by Senator Van De Wege

AN ACT Relating to creating postsecondary wrestling grant programs; adding a new section to chapter 28B.77 RCW; and creating a new section.

Referred to Committee on Higher Education & Workforce Development.

SB 5688 by Senators Lovelett and Nguyen

AN ACT Relating to providing carbon sequestration and ecosystem services in the management of public lands; amending RCW 79.02.010 and 79.105.150; reenacting and amending RCW 79.64.110 and 79.22.050; adding a new section to chapter 70A.65 RCW; adding a new chapter to Title 79 RCW; and creating a new section.

Referred to Committee on Environment, Energy & Technology.

SB 5689 by Senator Stanford

AN ACT Relating to providing a sales and use tax exemption related to internet and telecommunications infrastructure projects involving a federally recognized Indian tribe; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; creating a new section; and providing expiration dates.

Referred to Committee on Business, Financial Services, Gaming & Trade.

SB 5690 by Senator Dhirra

AN ACT Relating to conditional release transition teams; amending RCW 10.77.110, 10.77.150, 10.77.175, and 10.77.160; and reenacting and amending RCW 10.77.010.

Referred to Committee on Human Services.

SB 5691 by Senators Warnick and Shewmake

AN ACT Relating to resource and assessment centers; and amending RCW 74.15.311.

Referred to Committee on Human Services.

SB 5692 by Senators Lovelett, Van De Wege and Wilson, C.

AN ACT Relating to increasing the maximum per pupil limit for enrichment levy authority; amending RCW 84.52.0531; and providing an effective date.

Referred to Committee on Early Learning & K-12 Education.

SB 5693 by Senator Van De Wege

AN ACT Relating to limiting liability for salmon recovery projects performed by regional fisheries enhancement groups; and amending RCW 77.85.050.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SB 5694 by Senator Hunt

AN ACT Relating to public employee salary surveys; amending RCW 41.06.152, 41.06.157, and 41.80.020; and creating a new section.

Referred to Committee on State Government & Elections.

SB 5695 by Senator Stanford

AN ACT Relating to eliminating child marriage; amending RCW 26.04.010, 26.04.130, and 26.04.210; and creating a new section.

Referred to Committee on Law & Justice.

SB 5696 by Senator Robinson

AN ACT Relating to eligibility for participation in the public employees' benefits board for retired or disabled employees of counties, municipalities, and other political subdivisions; amending RCW 41.05.080; creating a new section; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 5697 by Senators Van De Wege and Kuderer

AN ACT Relating to authorizing the utilities and transportation commission to regulate the rates and services of all persons engaging in the business of acting as a landlord for a mobile home park, manufactured housing community, or manufactured/mobile home community; amending RCW 80.01.040 and 59.20.060; reenacting and amending RCW 59.20.030; adding new sections to chapter 59.20 RCW; and prescribing penalties.

Referred to Committee on Housing.

SB 5698 by Senator Warnick

AN ACT Relating to the state cactus; and adding a new section to chapter 1.20 RCW.

Referred to Committee on State Government & Elections.

SB 5699 by Senators Van De Wege, Salomon, Hunt, Warnick, Short and Muzzall

AN ACT Relating to increasing the compensation for members of the fish and wildlife commission; and amending RCW 77.04.060.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SB 5700 by Senators Van De Wege and Cleveland

AN ACT Relating to modernization of state health care authority-related laws; amending RCW 41.05.006, 41.05.009, 41.05.011, 41.05.013, 41.05.015, 41.05.031, 41.05.035, 41.05.039, 41.05.046, 41.05.066, 41.05.068, 41.05.130, 41.05.160, 41.05.220, 41.05.310, 41.05.320, 41.05.400, 41.05.413, 41.05.520, 41.05.540, 41.05.550, 41.05.601, 41.05.650, 41.05.660, 41.05A.120, 41.05A.160,

TWENTY SIXTH DAY, FEBRUARY 3, 2023

41.05A.170, 70.320.050, 70.390.020, 71.24.380, 74.09.010, 74.09.171, 74.09.215, 74.09.220, 74.09.325, 74.09.328, 74.09.470, 74.09.4701, 74.09.480, 74.09.522, 74.09.630, 74.09.634, 74.09.645, 74.09.650, 74.09.653, 74.09.655, 74.09.657, and 74.09.860; reenacting and amending RCW 41.05.021, 71.24.035, 74.09.053, and 74.09.659; decodifying RCW 41.05.033, 41.05.110, 41.05.280, 41.05.680, and 74.09.756; and repealing RCW 41.05.090, 41.05.205, 41.05.240, and 74.09.720.

Referred to Committee on Health & Long-Term Care.

SB 5701 by Senator King

AN ACT Relating to expanding the definition of designated forestland; and amending RCW 84.33.035, 84.33.130, and 84.33.140.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SHB 1007 by House Committee on Appropriations (originally sponsored by Paul, Stokesbary, Bergquist, Leavitt, Simmons, Griffey, Callan, Doglio, Timmons, Reeves, Bronoske, Shavers, Riccelli and Ormsby)

AN ACT Relating to interruptive military service credit for members of the state retirement systems; amending RCW 41.04.005; and creating a new section.

Referred to Committee on Ways & Means.

HB 1049 by Representatives Doglio, Bateman, Riccelli and Ormsby

AN ACT Relating to updating timelines for adopting county commissioner district boundaries following expansion from three to five commissioners; and amending RCW 36.32.0552.

Referred to Committee on Local Government, Land Use & Tribal Affairs.

HB 1107 by Representatives Fosse, Reed, Berry, Ramel, Doglio, Simmons, Reeves, Kloba, Riccelli and Ormsby

AN ACT Relating to removing the terms "master" and "servant" from Titles 50 and 50A RCW; amending RCW 50.04.100 and 50A.05.010; and creating a new section.

Referred to Committee on Labor & Commerce.

HB 1128 by Representatives Bateman, Reed, Taylor, Doglio, Macri, Caldier, Simmons, Thai, Bergquist, Wylie, Kloba, Ormsby and Tharinger

AN ACT Relating to raising the residential personal needs allowance; and amending RCW 74.09.340.

Referred to Committee on Human Services.

EHB 1210 by Representatives Rude, Callan, Fey and Bergquist

AN ACT Relating to the recording of school board meetings; amending RCW 42.56.080 and 42.30.035; adding a new section to chapter 42.56 RCW; adding a new section to chapter 28A.320 RCW; and providing an effective date.

Referred to Committee on State Government & Elections.

HB 1218 by Representatives Bergquist, Stokesbary, Tharinger, Doglio and Macri

AN ACT Relating to adding a new caseload for the official caseload forecast for the number of people eligible for the working families' tax credit under RCW 82.08.0206; and amending RCW 43.88C.010.

Referred to Committee on Ways & Means.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Introduction and First Reading report were referred to the committees as designated with the exceptions of:

Senate Bill No. 5689 which had been designated to the Committee on Environment, Energy & Technology and was referred to the Committee on Business, Financial Services, Gaming & Trade; and

Senate Bill No. 5690 which had been designated to the Committee on Law & Justice and was referred to the Committee on Human Services.

At 12:33 p.m., on motion of Senator Pedersen, the Senate adjourned until 12:30 p.m. Monday, February 6, 2023.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

TWENTY NINTH DAY

AFTERNOON SESSION

Senate Chamber, Olympia
Monday, February 6, 2023

The Senate was called to order at 12:30 p.m. by the President of the Senate, Lt. Governor Heck presiding. No roll call was taken.

MOTIONS

Pursuant to Rule 46, on motion of Senator Pedersen, and without objection, the Standing Committees were granted special leave to continue to meet during the day’s floor session.

On motion of Senator Pedersen, the reading of the Journal of the previous day was dispensed with and it was approved.

There being no objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

February 2, 2023

SB 5001 Prime Sponsor, Senator Hawkins: Concerning public facility districts created by at least two city or county legislative authorities. Reported by Committee on Transportation

MAJORITY recommendation: That Second Substitute Senate Bill No. 5001 be substituted therefor, and the second substitute bill do pass. Signed by Senators Liias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Holy, Assistant Ranking Member; Cleveland; Fortunato; Hawkins; Lovelett; MacEwen; Nobles; Padden; Valdez; Wilson, C. and Wilson, J.

Referred to Committee on Ways & Means.

February 2, 2023

SB 5112 Prime Sponsor, Senator Hunt: Updating processes related to voter registration. Reported by Committee on Transportation

MAJORITY recommendation: That Second Substitute Senate Bill No. 5112 be substituted therefor, and the second substitute bill do pass. Signed by Senators Liias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Holy, Assistant Ranking Member; Cleveland; Hawkins; Lovelett; MacEwen; Nobles; Valdez; Wilson, C. and Wilson, J.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Padden.

MINORITY recommendation: Do not pass. Signed by Senator Fortunato.

Referred to Committee on Rules for second reading.

February 2, 2023

SB 5478 Prime Sponsor, Senator Braun: Installing signs on or near bridges to provide information to deter jumping. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Liias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Holy, Assistant Ranking Member; Cleveland; Fortunato; Hawkins; Lovelett; MacEwen; Nobles; Padden; Valdez; Wilson, C. and Wilson, J.

Referred to Committee on Rules for second reading.

February 3, 2023

SGA 9278 VICKI L. LOWE, appointed on November 28, 2022, for the term ending June 30, 2025, as Member of the Washington State Women’s Commission. Reported by Committee on State Government & Elections

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wilson, J., Ranking Member; Hunt, Chair; Dozier; Fortunato; Hasegawa and Kuderer.

Referred to Committee on Rules for second reading.

February 3, 2023

SGA 9292 QUINN R. DALAN, appointed on July 1, 2022, for the term ending June 30, 2025, as Member of the Washington State Women’s Commission. Reported by Committee on State Government & Elections

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wilson, J., Ranking Member; Hunt, Chair; Dozier; Fortunato; Hasegawa and Kuderer.

Referred to Committee on Rules for second reading.

February 3, 2023

SGA 9307 RIDDHI MUKHOPADHYAY, appointed on July 1, 2022, for the term ending June 30, 2025, as Member of the Washington State Women’s Commission. Reported by Committee on State Government & Elections

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wilson, J., Ranking Member; Hunt, Chair; Dozier; Fortunato; Hasegawa and Kuderer.

Referred to Committee on Rules for second reading.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Standing Committee report were referred to the committees as designated.

On motion of Senator Pedersen, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 5702 by Senators Trudeau and Nobles
AN ACT Relating to expanding the students experiencing homelessness and foster youth pilot program; and amending RCW 28B.50.916 and 28B.77.850.

TWENTY NINTH DAY, FEBRUARY 6, 2023

Referred to Committee on Higher Education & Workforce Development.

SB 5703 by Senators Randall and Holy

AN ACT Relating to modifying the Washington college grant and establishing bridge grants; amending RCW 28B.92.205; and adding a new section to chapter 28B.92 RCW.

Referred to Committee on Higher Education & Workforce Development.

SB 5704 by Senators Rivers, Shewmake, Dozier, Cleveland, King, Torres and Lovick

AN ACT Relating to requirements for fund-raising activities of bona fide charitable or nonprofit organizations; amending RCW 9.46.0209, 9.46.0277, 9.46.0311, 9.46.0315, 9.46.0321, 9.46.0323, 9.46.0356, and 9.46.070; and adding a new section to chapter 9.46 RCW.

Referred to Committee on Business, Financial Services, Gaming & Trade.

SB 5705 by Senator Stanford

AN ACT Relating to the administration of the legislative committee on economic development and international relations; amending RCW 43.15.050, 43.15.060, and 43.15.090; and repealing RCW 43.15.085.

Referred to Committee on Business, Financial Services, Gaming & Trade.

SB 5706 by Senators Frame and Lovick

AN ACT Relating to privileged communication between employees and the unions that represent them; reenacting and amending RCW 5.60.060; adding a new section to chapter 28B.52 RCW; adding a new section to chapter 41.56 RCW; adding a new section to chapter 41.59 RCW; adding a new section to chapter 41.76 RCW; adding a new section to chapter 41.80 RCW; adding a new section to chapter 47.64 RCW; adding a new section to chapter 49.36 RCW; adding a new section to chapter 53.18 RCW; and creating a new section.

Referred to Committee on Law & Justice.

SB 5707 by Senator Kuderer

AN ACT Relating to establishing a housing court pilot program; amending RCW 59.18.370; adding new sections to chapter 59.18 RCW; and providing an expiration date.

Referred to Committee on Law & Justice.

SB 5708 by Senators Frame and Rolfes

AN ACT Relating to the operation, authorization, and permitting of microenterprise home kitchens; adding a new section to chapter 69.07 RCW; adding a new section to chapter 70.54 RCW; adding a new chapter to Title 69 RCW; creating new sections; and providing expiration dates.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SB 5709 by Senators Torres, Hunt and Schoesler

AN ACT Relating to irrigation district elections; amending RCW 87.03.031, 87.03.032, 87.03.033, 87.03.045, 87.03.051, 87.03.071, 87.03.075, 87.03.085, and 87.03.105; adding new sections to chapter 87.03 RCW; and prescribing penalties.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SB 5710 by Senators Torres, Wellman, Braun and Muzzall

AN ACT Relating to providing access to behavioral health services to youth in rural and underserved areas; amending RCW 71.24.061; and adding a new section to chapter 28A.300 RCW.

Referred to Committee on Early Learning & K-12 Education.

SB 5711 by Senators Nobles and Liias

AN ACT Relating to extending the terms of eligibility for the Washington college grant program; amending RCW 28B.92.200; creating a new section; and declaring an emergency.

Referred to Committee on Higher Education & Workforce Development.

SHB 1015 by House Committee on Education (originally sponsored by Santos, Ybarra, Bergquist, Stonier, Leavitt, Rude, Jacobsen, Simmons, Reed, Lekanoff, Goodman, Pollet, Ortiz-Self, Callan, Doglio, Reeves, Tharinger, Wylie, Paul, Thai, Springer and Ormsby)

AN ACT Relating to minimum employment requirements for paraeducators; and amending RCW 28A.413.040 and 28A.413.030.

Referred to Committee on Early Learning & K-12 Education.

HB 1120 by Representatives Reeves, Corry and Ryu

AN ACT Relating to the best interest standard for annuities in Washington; amending RCW 48.23.015; adding a new section to chapter 48.23 RCW; and providing an effective date.

Referred to Committee on Business, Financial Services, Gaming & Trade.

SHB 1165 by House Committee on Civil Rights & Judiciary (originally sponsored by Orwall, Reeves, Wylie and Davis)

AN ACT Relating to civil remedies for unauthorized disclosure of intimate images; adding a new chapter to Title 7 RCW; creating a new section; repealing RCW 4.24.795; and prescribing penalties.

Referred to Committee on Law & Justice.

HB 1237 by Representatives Robertson and Fey

AN ACT Relating to distribution of the vehicle identification number inspection fee; amending RCW 46.17.130 and 46.68.410; providing an effective date; and declaring an emergency.

Referred to Committee on Transportation.

HB 1287 by Representatives Thai, Caldier, Graham, Riccelli,
Macri, Reed, Pollet and Leavitt
AN ACT Relating to dental hygienists; and amending RCW
18.29.190.

Referred to Committee on Health & Long-Term Care.

SHB 1302 by House Committee on Transportation
(originally sponsored by Timmons, Hutchins, Barkis,
Orcutt and Ramel)
AN ACT Relating to the vehicle report of sale; and
amending RCW 46.12.650.

Referred to Committee on Transportation.

SHB 1326 by House Committee on Local Government
(originally sponsored by Cortes, Chopp, Berry, Duerr,
Farivar, Morgan, Peterson, Ramel, Ryu, Senn,
Simmons, Walen, Mena, Reed, Doglio, Pollet, Springer
and Macri)
AN ACT Relating to waiving municipal utility connection
charges for certain properties; amending RCW 35.92.380;
and adding a new section to chapter 35.92 RCW.

Referred to Committee on Local Government, Land Use &
Tribal Affairs.

MOTIONS

On motion of Senator Pedersen, all measures listed on the
Introduction and First Reading report were referred to the
committees as designated.

At 12:32 p.m., on motion of Senator Pedersen, the Senate
adjourned until 12:30 p.m. Tuesday, February 7, 2023.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

THIRTIETH DAY

AFTERNOON SESSION

Senate Chamber, Olympia
Tuesday, February 7, 2023

The Senate was called to order at 12:30 p.m. by the President of the Senate, Lt. Governor Heck presiding. No roll call was taken.

MOTIONS

On motion of Senator Pedersen, the reading of the Journal of the previous day was dispensed with and it was approved.

There being no objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

February 2, 2023

SB 5033 Prime Sponsor, Senator Padden: Reclassifying the sentence for the crime of custodial sexual misconduct. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5033 be substituted therefor, and the substitute bill do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

February 2, 2023

SB 5077 Prime Sponsor, Senator Pedersen: Concerning the uniform commercial code. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5077 be substituted therefor, and the substitute bill do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

February 2, 2023

SB 5086 Prime Sponsor, Senator Lovick: Concerning training for tribal police officers and employees. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

February 3, 2023

SB 5154 Prime Sponsor, Senator Rolfes: Improving Washington's solid waste management outcomes. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: That Substitute Senate Bill No. 5154 be substituted therefor, and the substitute bill do pass. Signed by Senators Nguyen, Chair; Lovelett, Vice Chair; Lovick; Trudeau and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators MacEwen, Ranking Member; Boehnke and Short.

Referred to Committee on Ways & Means.

February 2, 2023

SB 5299 Prime Sponsor, Senator Braun: Concerning law enforcement officer protection. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5299 be substituted therefor, and the substitute bill do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

February 3, 2023

SB 5323 Prime Sponsor, Senator MacEwen: Concerning the department of veterans affairs. Reported by Committee on State Government & Elections

MAJORITY recommendation: Do pass. Signed by Senators Valdez, Vice Chair; Wilson, J., Ranking Member; Hunt, Chair; Dozier; Fortunato and Kuderer.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Hasegawa.

Referred to Committee on Rules for second reading.

February 3, 2023

SB 5324 Prime Sponsor, Senator Conway: Concerning the defense community compatibility account. Reported by Committee on State Government & Elections

MAJORITY recommendation: Do pass. Signed by Senators Valdez, Vice Chair; Wilson, J., Ranking Member; Hunt, Chair; Dozier; Fortunato; Hasegawa and Kuderer.

Referred to Committee on Ways & Means.

February 2, 2023

SB 5347 Prime Sponsor, Senator Wagoner: Concerning access to abstract driving records. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

February 3, 2023

SB 5358 Prime Sponsor, Senator Gildon: Expanding veterans' services and programs. Reported by Committee on State Government & Elections

MAJORITY recommendation: That Substitute Senate Bill No. 5358 be substituted therefor, and the substitute bill do pass. Signed by Senators Valdez, Vice Chair; Wilson, J., Ranking Member; Hunt, Chair; Dozier; Fortunato; Hasegawa and Kuderer.

Referred to Committee on Ways & Means.

February 3, 2023

SB 5381 Prime Sponsor, Senator Braun: Concerning letters of recommendation or congratulations sent by legislators. Reported by Committee on State Government & Elections

MAJORITY recommendation: That Substitute Senate Bill No. 5381 be substituted therefor, and the substitute bill do pass. Signed by Senators Valdez, Vice Chair; Wilson, J., Ranking Member; Hunt, Chair; Dozier; Fortunato; Hasegawa and Kuderer.

Referred to Committee on Rules for second reading.

February 2, 2023

SB 5392 Prime Sponsor, Senator Schoesler: Concerning overpayments for certain matters. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

February 2, 2023

SB 5415 Prime Sponsor, Senator Trudeau: Concerning public defense services for persons committed as not guilty by reason of insanity. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5415 be substituted therefor, and the substitute bill do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Ways & Means.

February 2, 2023

SB 5427 Prime Sponsor, Senator Valdez: Concerning people who have been targeted or affected by hate crimes and bias incidents. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Kuderer; Pedersen; Salomon and Valdez.

MINORITY recommendation: Do not pass. Signed by Senators Padden, Ranking Member and McCune.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Torres; Wagoner and Wilson, L.

Referred to Committee on Ways & Means.

February 3, 2023

SB 5432 Prime Sponsor, Senator Hunt: Concerning the privacy of lottery players. Reported by Committee on State Government & Elections

MAJORITY recommendation: Do pass. Signed by Senators Valdez, Vice Chair; Wilson, J., Ranking Member; Hunt, Chair; Dozier; Fortunato; Hasegawa and Kuderer.

Referred to Committee on Rules for second reading.

February 2, 2023

SB 5453 Prime Sponsor, Senator Keiser: Concerning female genital mutilation. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5453 be substituted therefor, and the substitute bill do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Ways & Means.

February 2, 2023

SB 5533 Prime Sponsor, Senator Lovick: Concerning the creation of a model vehicle pursuit policy. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5533 be substituted therefor, and the substitute bill do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Kuderer; Pedersen; Salomon and Valdez.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Padden, Ranking Member; McCune; Torres; Wagoner and Wilson, L.

Referred to Committee on Ways & Means.

February 2, 2023

SB 5576 Prime Sponsor, Senator Dhingra: Concerning sexual assault procedures. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5576 be substituted therefor, and the substitute bill do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

February 2, 2023

SB 5623 Prime Sponsor, Senator Dhingra: Modifying an element of the offense of hate crime and classifying a hate crime as crimes against persons. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Kuderer; Pedersen; Salomon and Valdez.

THIRTIETH DAY, FEBRUARY 7, 2023

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Padden, Ranking Member; McCune; Torres; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

February 6, 2023

SB 5709 Prime Sponsor, Senator Torres: Concerning irrigation district elections. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Muzzall, Ranking Member; Van De Wege, Chair; Salomon, Vice Chair; Rolfes; Shewmake; Short; Stanford; Wagoner and Warnick.

Referred to Committee on Local Government, Land Use & Tribal Affairs.

February 3, 2023

SGA 9146 CHRISTINA (CHRIS) KOBDISH, appointed on July 1, 2021, for the term ending June 30, 2024, as Member of the Washington State Women's Commission. Reported by Committee on State Government & Elections

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Valdez, Vice Chair; Hunt, Chair; Hasegawa and Kuderer.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Wilson, J., Ranking Member; Dozier and Fortunato.

Referred to Committee on Rules for second reading.

February 3, 2023

SGA 9152 KASI M. FARRAR, appointed on July 9, 2021, for the term ending June 30, 2024, as Member of the Washington State Women's Commission. Reported by Committee on State Government & Elections

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Valdez, Vice Chair; Hunt, Chair; Hasegawa and Kuderer.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Wilson, J., Ranking Member; Dozier and Fortunato.

Referred to Committee on Rules for second reading.

February 3, 2023

SGA 9265 ANN E. SIMONS, appointed on October 25, 2022, for the term ending June 30, 2024, as Member of the Washington State Women's Commission. Reported by Committee on State Government & Elections

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Valdez, Vice Chair; Hunt, Chair; Hasegawa and Kuderer.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Wilson, J., Ranking Member; Dozier and Fortunato.

Referred to Committee on Rules for second reading.

MOTIONS

On motion of Pedersen, all measures listed on the Standing Committee report were referred to the committees as designated with the exception of Senate Bill No. 5453 which had been designated to the Committee on Rules and was referred to the Committee on Ways & Means.

On motion of Senator Pedersen, the Senate advanced to the fourth order of business.

MESSAGES FROM THE HOUSE

February 6, 2023

MR. PRESIDENT:
The House has passed:

HOUSE BILL NO. 1008,
HOUSE BILL NO. 1054,
SUBSTITUTE HOUSE BILL NO. 1056,
HOUSE BILL NO. 1066,
SUBSTITUTE HOUSE BILL NO. 1069,
SUBSTITUTE HOUSE BILL NO. 1113,
SUBSTITUTE HOUSE BILL NO. 1213,

and the same are herewith transmitted.

BERNARD DEAN, Chief Clerk

February 6, 2023

MR. PRESIDENT:
The House has adopted:

SENATE CONCURRENT RESOLUTION NO. 8403,
and the same is herewith transmitted.

BERNARD DEAN, Chief Clerk

February 6, 2023

MR. PRESIDENT:
The House has passed:

ENGROSSED HOUSE BILL NO. 1086,
and the same is herewith transmitted.

BERNARD DEAN, Chief Clerk

MOTION

On motion of Senator Pedersen, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 5712 by Senators Lias and Saldaña

AN ACT Relating to expanding the Washington college grant and establishing the Washington college promise program; amending RCW 28B.92.205; adding a new section to chapter 28B.92 RCW; adding a new chapter to Title 28B RCW; and providing an effective date.

Referred to Committee on Higher Education & Workforce Development.

SB 5713 by Senator Wagoner

AN ACT Relating to regionalization factors for Concrete and Granite Falls school districts; and amending RCW 28A.150.412.

Referred to Committee on Early Learning & K-12 Education.

SB 5714 by Senator Wagoner

AN ACT Relating to payments made for property taxes or special assessments by an automated check processing service; and amending RCW 84.56.020.

Referred to Committee on Local Government, Land Use & Tribal Affairs.

SB 5715 by Senator Fortunato

AN ACT Relating to providing property tax relief to senior citizens; adding a new section to chapter 84.36 RCW; and creating new sections.

Referred to Committee on Ways & Means.

SB 5716 by Senator Rivers

AN ACT Relating to removing the authorization for the department of health to perform validation surveys on in-home services agencies and area agencies on aging; and amending RCW 70.127.085.

Referred to Committee on Health & Long-Term Care.

SB 5717 by Senator Stanford

AN ACT Relating to a voluntary compliance program for industrial insurance; adding a new section to chapter 51.16 RCW; and providing an effective date.

Referred to Committee on Labor & Commerce.

SB 5718 by Senator Wellman

AN ACT Relating to a state broadband map; amending RCW 43.155.160, 43.330.534, and 43.155.165; reenacting and amending RCW 42.56.270; adding a new section to chapter 43.330 RCW; and repealing RCW 43.330.400, 43.330.403, 43.330.406, and 43.330.409.

Referred to Committee on Environment, Energy & Technology.

SB 5719 by Senators Hunt and Hawkins

AN ACT Relating to modifying and extending requirements of a work group convened to address the needs of students in foster care, experiencing homelessness, or both, by adding reporting and other requirements related to students in or exiting institutional education facilities; amending RCW 28A.300.544; and providing an expiration date.

Referred to Committee on Human Services.

SB 5720 by Senator Stanford

AN ACT Relating to risk mitigation in property insurance; and amending RCW 48.18.558 and 48.19.530.

Referred to Committee on Business, Financial Services, Gaming & Trade.

SB 5721 by Senators Boehnke and Lovick

AN ACT Relating to authorizing a business and occupation tax credit to incentivize private sector investment in advanced aerospace manufacturing training and education; adding a new section to chapter 82.04 RCW; creating a new section; providing an effective date; and providing an expiration date.

Referred to Committee on Higher Education & Workforce Development.

SB 5722 by Senators Kuderer and King

AN ACT Relating to photographs, microphotographs, and electronic images from traffic safety cameras and toll systems; amending RCW 46.63.170, 46.63.170, and 46.63.160; providing an effective date; and providing an expiration date.

Referred to Committee on Law & Justice.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Introduction and First Reading report were referred to the committees as designated with the exception of Senate Bill No. 5722 which had been designated to the Committee on Transportation and was referred to the Committee on Law & Justice.

At 12:32 p.m., on motion of Senator Pedersen, the Senate adjourned until 10:30 a.m. Wednesday, February 8, 2023.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

THIRTY FIRST DAY

MORNING SESSION

Senate Chamber, Olympia
Wednesday, February 8, 2023

The Senate was called to order at 10:31 a.m. by the President Pro Tempore, Senator Keiser presiding. The Secretary called the roll and announced to the President Pro Tempore that all senators were present.

The Sergeant at Arms Color Guard consisting of Pages Miss Amela Moudy and Mr. Landon Saino, presented the Colors. Page Mr. Mitchell Hannigan led the Senate in the Pledge of Allegiance.

The prayer was offered by Pastor Bob Luhn of Othello Church of the Nazarene.

MOTIONS

On motion of Senator Pedersen, the reading of the Journal of the previous day was dispensed with and it was approved.

On motion of Senator Pedersen, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

February 7, 2023

SB 5039 Prime Sponsor, Senator Rolfes: Mitigating the risk of wildfires through electric utility planning and identification of best management practices appropriate to each electric utility's circumstances. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: That Substitute Senate Bill No. 5039 be substituted therefor, and the substitute bill do pass. Signed by Senators Nguyen, Chair; Lovelett, Vice Chair; Boehnke; Lovick; Trudeau and Wellman.

MINORITY recommendation: Do not pass. Signed by Senator Short.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator MacEwen, Ranking Member.

Referred to Committee on Ways & Means.

February 7, 2023

SB 5061 Prime Sponsor, Senator Kuderer: Concerning access to personnel records. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 5061 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; Robinson and Stanford.

MINORITY recommendation: Do not pass. Signed by Senators King, Ranking Member; Braun; MacEwen and Schoesler.

Referred to Committee on Ways & Means.

February 6, 2023

SB 5102 Prime Sponsor, Senator Wellman: Concerning school library information and technology programs. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 5102 be substituted therefor, and the substitute bill do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hunt and Pedersen.

MINORITY recommendation: Do not pass. Signed by Senator Dozier.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Mullet.

Referred to Committee on Ways & Means.

February 7, 2023

SB 5103 Prime Sponsor, Senator Muzzall: Concerning payment to acute care hospitals for difficult to discharge medicaid patients. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5103 be substituted therefor, and the substitute bill do pass. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Holy; Padden; Randall and Van De Wege.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Dhingra.

Referred to Committee on Ways & Means.

February 7, 2023

SB 5109 Prime Sponsor, Senator Saldaña: Creating a wage replacement program for certain Washington workers excluded from unemployment insurance. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 5109 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; Robinson and Stanford.

MINORITY recommendation: Do not pass. Signed by Senators Braun; MacEwen and Schoesler.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator King, Ranking Member.

Referred to Committee on Ways & Means.

February 7, 2023

SB 5144 Prime Sponsor, Senator Stanford: Providing for responsible environmental management of batteries. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: That Substitute Senate Bill No. 5144 be substituted therefor, and the substitute bill do pass. Signed by Senators Nguyen, Chair; Lovelett, Vice

Chair; MacEwen, Ranking Member; Lovick; Trudeau and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Boehnke.

MINORITY recommendation: Do not pass. Signed by Senator Short.

Referred to Committee on Ways & Means.

February 7, 2023

SB 5209 Prime Sponsor, Senator Hunt: Establishing universal civic duty voting. Reported by Committee on State Government & Elections

MAJORITY recommendation: Do pass. Signed by Senators Valdez, Vice Chair; Hunt, Chair; Hasegawa and Kuderer.

MINORITY recommendation: Do not pass. Signed by Senators Wilson, J., Ranking Member; Dozier and Fortunato.

Referred to Committee on Rules for second reading.

February 7, 2023

SB 5217 Prime Sponsor, Senator Dhingra: Concerning the state's ability to regulate certain industries and risk classes to prevent musculoskeletal injuries and disorders. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 5217 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; Robinson and Stanford.

MINORITY recommendation: Do not pass. Signed by Senators King, Ranking Member; Braun; MacEwen and Schoesler.

Referred to Committee on Rules for second reading.

February 7, 2023

SB 5226 Prime Sponsor, Senator Padden: Concerning the department of corrections' highest duty to ensure public safety through the prioritization of open active warrants of persons who have violated the terms of their supervision. Reported by Committee on Human Services

MAJORITY recommendation: That Substitute Senate Bill No. 5226 be substituted therefor, and the substitute bill do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Boehnke, Ranking Member; Frame; Nguyen; Warnick and Wilson, J.

Referred to Committee on Ways & Means.

February 7, 2023

SB 5236 Prime Sponsor, Senator Robinson: Concerning hospital staffing standards. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 5236 be substituted therefor, and the substitute bill do

pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; Robinson and Stanford.

MINORITY recommendation: Do not pass. Signed by Senators King, Ranking Member; Braun; MacEwen and Schoesler.

Referred to Committee on Ways & Means.

February 6, 2023

SB 5248 Prime Sponsor, Senator Braun: Using COVID-19 relief funding on high quality tutoring and rigorous extended learning programs. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 5248 be substituted therefor, and the substitute bill do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Dozier; Hunt; Mullet and Pedersen.

Referred to Committee on Ways & Means.

February 7, 2023

SB 5252 Prime Sponsor, Senator Valdez: Making modifications necessary to comply with federal regulations regarding dissemination of federal bureau of investigation criminal history record information. Reported by Committee on Human Services

MAJORITY recommendation: Do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Boehnke, Ranking Member; Frame; Nguyen; Warnick and Wilson, J.

Referred to Committee on Rules for second reading.

February 7, 2023

SB 5271 Prime Sponsor, Senator Cleveland: Protecting patients in facilities regulated by the department of health by establishing uniform enforcement tools. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5271 be substituted therefor, and the substitute bill do pass. Signed by Senators Robinson, Vice Chair; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Randall and Van De Wege.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Rivers, Ranking Member and Padden.

Referred to Committee on Ways & Means.

February 7, 2023

SB 5283 Prime Sponsor, Senator Van De Wege: Authorizing the state board of registration for professional engineers and land surveyors to waive the fundamentals examination for professional engineer or professional land surveyor comity applicants. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; MacEwen; Robinson; Schoesler and Stanford.

THIRTY FIRST DAY, FEBRUARY 8, 2023

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Braun.

Referred to Committee on Rules for second reading.

February 7, 2023

SB 5302 Prime Sponsor, Senator Mullet: Establishing a property tax exemption for adult family homes that serve people with intellectual or developmental disabilities and are owned by a nonprofit. Reported by Committee on Human Services

MAJORITY recommendation: Do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Boehnke, Ranking Member; Frame; Nguyen; Warnick and Wilson, J.

Referred to Committee on Ways & Means.

February 7, 2023

SB 5320 Prime Sponsor, Senator Saldaña: Concerning journey level electrician certifications of competency. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 5320 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; Robinson and Stanford.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators King, Ranking Member and MacEwen.

MINORITY recommendation: Do not pass. Signed by Senators Braun and Schoesler.

Referred to Committee on Rules for second reading.

February 7, 2023

SB 5368 Prime Sponsor, Senator Keiser: Expanding access to the workers' compensation stay-at-work program through off-site light duty return to work opportunities. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 5368 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Saldaña, Vice Chair; King, Ranking Member; Braun; MacEwen and Robinson.

MINORITY recommendation: Do not pass. Signed by Senators Conway, Vice Chair and Schoesler.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Stanford.

Referred to Committee on Rules for second reading.

February 7, 2023

SB 5369 Prime Sponsor, Senator Billig: Reassessing standards for polychlorinated biphenyls in consumer products. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass. Signed by Senators Nguyen, Chair; Lovelett, Vice Chair; MacEwen, Ranking Member; Boehnke; Lovick; Short; Trudeau and Wellman.

Referred to Committee on Ways & Means.

February 7, 2023

SB 5412 Prime Sponsor, Senator Salomon: Reducing local governments' land use permitting workloads. Reported by Committee on Local Government, Land Use & Tribal Affairs

MAJORITY recommendation: That Substitute Senate Bill No. 5412 be substituted therefor, and the substitute bill do pass. Signed by Senators Lovelett, Chair; Salomon, Vice Chair; Torres, Ranking Member and Short.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Kauffman.

Referred to Committee on Transportation.

February 7, 2023

SB 5417 Prime Sponsor, Senator Keiser: Protecting the rights of workers to refrain from attending meetings or listening to their employer's speech on political or religious matters. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 5417 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; Robinson and Stanford.

MINORITY recommendation: Do not pass. Signed by Senators King, Ranking Member; Braun and Schoesler.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator MacEwen.

Referred to Committee on Rules for second reading.

February 7, 2023

SB 5419 Prime Sponsor, Senator Gildon: Removing a Washington state institute of public policy outcome evaluation requirement. Reported by Committee on Human Services

MAJORITY recommendation: Do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Boehnke, Ranking Member; Frame; Nguyen; Warnick and Wilson, J.

Referred to Committee on Rules for second reading.

February 7, 2023

SB 5426 Prime Sponsor, Senator Kauffman: Implementing the family connections program. Reported by Committee on Human Services

MAJORITY recommendation: Do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Boehnke, Ranking Member; Frame; Nguyen; Warnick and Wilson, J.

Referred to Committee on Ways & Means.

February 7, 2023

SB 5437 Prime Sponsor, Senator MacEwen: Concerning vacancies of the governing body of special purpose districts. Reported by Committee on Local Government, Land Use & Tribal Affairs

MAJORITY recommendation: That Substitute Senate Bill No. 5437 be substituted therefor, and the substitute bill do pass. Signed by Senators Lovelett, Chair; Salomon, Vice Chair; Torres, Ranking Member; Kauffman and Short.

Referred to Committee on Rules for second reading.

February 7, 2023

SB 5457 Prime Sponsor, Senator Short: Implementing growth management task force legislative recommendations regarding small cities. Reported by Committee on Local Government, Land Use & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Senators Lovelett, Chair; Salomon, Vice Chair; Torres, Ranking Member; Kauffman and Short.

Referred to Committee on Rules for second reading.

February 7, 2023

SB 5459 Prime Sponsor, Senator Hunt: Concerning requests for records containing election information. Reported by Committee on State Government & Elections

MAJORITY recommendation: Do pass. Signed by Senators Valdez, Vice Chair; Wilson, J., Ranking Member; Hunt, Chair; Dozier; Fortunato; Hasegawa and Kuderer.

Referred to Committee on Rules for second reading.

February 7, 2023

SB 5466 Prime Sponsor, Senator Liias: Promoting transit-oriented development. Reported by Committee on Local Government, Land Use & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Senators Lovelett, Chair; Salomon, Vice Chair and Kauffman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Torres, Ranking Member and Short.

Referred to Committee on Transportation.

February 7, 2023

SB 5502 Prime Sponsor, Senator Gildon: Ensuring access to substance use disorder treatment. Reported by Committee on Human Services

MAJORITY recommendation: That Substitute Senate Bill No. 5502 be substituted therefor, and the substitute bill do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Boehnke, Ranking Member; Frame; Nguyen; Warnick and Wilson, J.

Referred to Committee on Ways & Means.

February 7, 2023

SB 5506 Prime Sponsor, Senator Kauffman: Establishing an enhanced behavior support homes model. Reported by Committee on Human Services

MAJORITY recommendation: That Substitute Senate Bill No. 5506 be substituted therefor, and the substitute bill do

pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Frame; Nguyen; Warnick and Wilson, J.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Boehnke, Ranking Member.

Referred to Committee on Ways & Means.

February 7, 2023

SB 5515 Prime Sponsor, Senator Dhingra: Protecting children from child abuse and neglect. Reported by Committee on Human Services

MAJORITY recommendation: That Substitute Senate Bill No. 5515 be substituted therefor, and the substitute bill do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Boehnke, Ranking Member; Frame; Nguyen; Warnick and Wilson, J.

Referred to Committee on Ways & Means.

February 7, 2023

SB 5586 Prime Sponsor, Senator King: Concerning employees' paid family or medical leave data. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 5586 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Braun; MacEwen; Robinson and Stanford.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Schoesler.

Referred to Committee on Rules for second reading.

February 7, 2023

SGA 9304 MICHAEL MACKILLOP, appointed on April 18, 2022, for the term ending January 1, 2025, as Director of the Department of Services for the Blind - Agency Head. Reported by Committee on Human Services

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Boehnke, Ranking Member; Frame; Nguyen; Warnick and Wilson, J.

Referred to Committee on Rules for second reading.

MOTIONS

On motion of Pedersen, all measures listed on the Standing Committee report were referred to the committees as designated with the exceptions of:

Senate Bill No. 5061 which had been designated to the Committee on Rules and was referred to the Committee on Ways & Means; and

Senate Bill No. 5412 which had been designated to the Committee on Rules and was referred to the Committee on Transportation.

On motion of Senator Pedersen, the Senate advanced to the fifth order of business.

THIRTY FIRST DAY, FEBRUARY 8, 2023

INTRODUCTION AND FIRST READING

SB 5723 by Senators Valdez and Kuderer

AN ACT Relating to giving cities and towns the freedom to switch their general elections to even-numbered years to take advantage of higher and more diverse voter turnout; amending RCW 29A.04.330, 35.17.020, 35.18.270, 35.23.051, 35.27.090, 35.30.080, and 35A.02.050; and creating new sections.

Referred to Committee on State Government & Elections.

SB 5724 by Senators Van De Wege and Boehnke

AN ACT Relating to the director of fire protection's administration and reimbursement of fire service-related training programs; and amending RCW 43.43.934.

Referred to Committee on State Government & Elections.

SB 5725 by Senator Keiser

AN ACT Relating to clarifying the application of the industrial welfare act and minimum wage act to airline cabin crews; amending RCW 49.46.130; reenacting and amending RCW 49.12.187; creating a new section; and declaring an emergency.

Referred to Committee on Labor & Commerce.

SB 5726 by Senator King

AN ACT Relating to the prevailing wages and sick leave benefits for construction workers; amending RCW 39.12.015, 39.12.030, and 49.46.210; and providing an effective date.

Referred to Committee on Labor & Commerce.

SB 5727 by Senator Trudeau

AN ACT Relating to providing protections for consumers engaging with common interest communities; amending RCW 64.06.015, 64.06.030, 64.06.040, 64.32.170, 64.32.200, 64.34.304, 64.34.364, 64.34.372, 64.34.420, 64.34.425, 64.38.045, 64.38.100, 64.90.485, 64.90.495, 64.90.635, and 64.90.640; reenacting and amending RCW 7.60.025, 64.06.020, 64.32.010, 64.34.020, and 64.38.010; adding a new section to chapter 64.32 RCW; adding a new section to chapter 64.34 RCW; adding a new section to chapter 64.38 RCW; adding a new section to chapter 64.90 RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Law & Justice.

SB 5728 by Senators Dozier and Schoesler

AN ACT Relating to developing a process to implement exemptions for certain fuels under the climate commitment act; amending RCW 70A.65.260; reenacting and amending RCW 70A.65.230; and creating a new section.

Referred to Committee on Environment, Energy & Technology.

HB 1008 by Representatives Bronoske, Simmons, Goodman, Leavitt, Bateman, Lekanoff, Callan, Kloba, Santos, Ormsby and Fosse

AN ACT Relating to participating in insurance plans and contracts by separated plan 2 members of certain retirement

systems; amending RCW 41.05.011; and providing an effective date.

Referred to Committee on Ways & Means.

HB 1054 by Representatives Walen, Simmons, Ryu, Bateman, Ramel, Doglio, Macri, Gregerson, Springer, Thai, Kloba and Donaghy

AN ACT Relating to the authority of owners' associations in common interest communities to regulate or limit occupancy by unrelated persons; adding a new section to chapter 64.32 RCW; adding a new section to chapter 64.34 RCW; adding a new section to chapter 64.38 RCW; and adding a new section to chapter 64.90 RCW.

Referred to Committee on Law & Justice.

SHB 1056 by House Committee on Appropriations (originally sponsored by Stokesbary, Fitzgibbon, Leavitt, Simmons, Lekanoff, Rule, Griffey, Macri, Bergquist, Wylie and Ormsby)

AN ACT Relating to repealing some postretirement employment restrictions; amending RCW 41.32.765, 41.32.802, 41.32.862, 41.32.875, 41.35.060, 41.35.420, 41.35.680, 41.40.630, and 41.40.820; creating a new section; and providing an effective date.

Referred to Committee on Ways & Means.

HB 1066 by Representatives Goodman, Abbarno, Simmons and Kloba

AN ACT Relating to making technical corrections and removing obsolete language from the Revised Code of Washington pursuant to RCW 1.08.025; amending RCW 10.99.033, 7.68.360, 18.85.285, 19.27.190, 24.46.010, 28A.160.090, 28A.515.320, 28B.30.537, 28B.30.900, 28B.50.281, 28C.18.130, 28C.18.140, 31.24.030, 34.05.330, 35.02.260, 35.13.171, 35.21.300, 36.01.120, 36.70A.085, 36.70A.131, 36.70B.040, 36.70B.080, 36.93.080, 36.110.030, 39.04.156, 39.19.240, 39.34.230, 39.35D.080, 39.44.210, 39.44.230, 39.84.090, 40.10.020, 41.06.072, 43.20A.037, 43.20A.790, 43.21A.510, 43.21A.515, 43.21A.612, 43.21G.010, 43.22.495, 43.22A.020, 43.23.035, 43.30.835, 43.31.205, 43.31.504, 43.31.970, 43.63A.115, 43.63A.135, 43.63A.155, 43.63A.230, 43.63A.275, 43.63A.400, 43.63A.410, 43.63A.720, 43.63A.735, 43.63A.764, 43.70.540, 43.132.030, 43.132.810, 43.133.030, 43.133.050, 43.150.040, 43.163.020, 43.163.120, 43.168.010, 43.176.030, 43.176.901, 43.180.040, 43.180.200, 43.180.220, 43.185A.100, 43.185C.200, 43.210.030, 43.210.060, 43.270.020, 43.270.070, 43.270.080, 43.310.020, 43.325.100, 43.325.110, 43.330.065, 43.330.904, 43.332.010, 47.01.440, 47.12.064, 47.39.040, 47.39.069, 47.39.090, 47.50.090, 47.76.230, 49.04.200, 50.38.030, 50.72.030, 53.36.030, 54.16.285, 54.52.020, 57.46.010, 57.46.020, 59.18.440, 59.24.020, 59.24.050, 59.24.060, 59.28.030, 59.28.040, 59.28.050, 59.28.060, 59.28.120, 64.34.442, 66.08.195, 66.08.198, 67.28.8001, 67.38.070, 70.62.290, 70.114A.070, 70.136.030, 70A.50.020, 70A.205.210, 70A.205.710, 71.09.255, 72.09.055, 72.65.210, 76.56.020, 79.105.600, 79A.30.050, 79A.50.100, 79A.60.480, 80.36.440, 80.80.050, 80.80.080, 90.56.280, 9.41.280, 9.41.284, 9.41.305, 9A.44.050, 9A.44.100, 9.94A.838, 9A.44.128, 9A.72.160, 10.31.115,

43.20A.715, 82.04.758, 43.41.425, 64.38.110, 72.01.412, and 88.02.620; reenacting and amending RCW 10.99.080, 28A.300.145, 43.03.305, 43.185B.020, 46.04.670, 46.68.340, 53.08.370, 54.16.330, 70A.15.3150, 79.64.100, 43.21J.030, and 9A.44.010; reenacting RCW 10.99.030, 46.25.010, 66.24.210, 66.24.495, 69.50.530, 69.50.540, 70.47.020, 74.09.053, 82.38.060, and 82.42.040; creating a new section; decodifying RCW 28A.300.2851, 28A.300.807, 43.10.300, 43.280.091, and 44.82.010; repealing 2011 1st sp. sess. c 35 s 3 (uncodified); providing a contingent effective date; and providing expiration dates.

Referred to Committee on Law & Justice.

SHB 1069 by House Committee on Postsecondary Education & Workforce (originally sponsored by Leavitt, Harris, Riccelli, Simmons, Barkis, Slatter, Ryu, Bateman, Rude, Schmidt, Rule, Goodman, Ybarra, Callan, Doglio, Orwall, Macri, Caldier, Senn, Tharinger, Bronoske, Gregerson, Paul, Wylie, Stonier, Kloba, Ormsby and Farivar)

AN ACT Relating to the mental health counselor compact; amending RCW 18.225.090; and adding a new chapter to Title 18 RCW.

Referred to Committee on Health & Long-Term Care.

EHB 1086 by Representatives Shavers, Ryu, Ramel, Lekanoff, Callan, Simmons, Timmons, Thai, Paul, Santos, Ormsby and Tharinger

AN ACT Relating to increasing local governments' ability to contract with community service organizations; amending RCW 35.21.278; and creating a new section.

Referred to Committee on Local Government, Land Use & Tribal Affairs.

SHB 1113 by House Committee on Education (originally sponsored by Harris, Santos and Stonier)

AN ACT Relating to reprimands for professional educators; adding a new section to chapter 28A.410 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Early Learning & K-12 Education.

SHB 1213 by House Committee on Environment & Energy (originally sponsored by Ybarra, Fitzgibbon, Ramel, Doglio and Macri)

AN ACT Relating to compliance with labeling requirements for wipes; amending RCW 70A.525.901 and 70A.525.020; and declaring an emergency.

Referred to Committee on Environment, Energy & Technology.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

On motion of Senator Pedersen, the Senate advanced to the eighth order of business.

MOTION

Senator Mullet moved adoption of the following resolution:

SENATE RESOLUTION
8614

By Senators Mullet, L. Wilson, Hasegawa, Lovelett, Rivers, and Saldaña

WHEREAS, It has been the tradition of the Washington State Senate to honor significant and important contributions made by employees; and

WHEREAS, Keenan Konopaski retired as Washington's Legislative Auditor on January 4, 2023, following a thirty-one year career in public service, with eighteen of those years serving the Legislature through his work at the Joint Legislative Audit and Review Committee (JLARC); and

WHEREAS, While serving under the direction of eight different JLARC chairs, Keenan consistently displayed a commitment to rigorous, nonpartisan, objective analysis that has benefited the Legislature, state agencies, and the people of Washington; and

WHEREAS, Keenan oversaw performance audits that together addressed nearly every facet of state government, including competency to stand trial, highway maintenance and preservation, K-12 health benefits, low-income housing, worker's compensation, unemployment benefits, Medicaid, wildfire suppression, and more; and

WHEREAS, Keenan led JLARC and the Citizens Commission for the Performance Measurement of Tax Preferences in developing one of the nation's first state-level systematic reviews of tax preferences, through which he oversaw two hundred and seventy-seven reviews of preferences pertaining to agriculture, aerospace, manufacturing, education, and more; and

WHEREAS, Keenan ensured that the Legislature had relevant and timely information on demand by shifting reports from print to online, adding interactive tools and different formats; and

WHEREAS, To improve visibility of reports and foster implementation of recommendations, Keenan created a policy of notifying committee chairs and ranking members of audit reports on subjects within their committees' jurisdiction; and

WHEREAS, Keenan's insight and dedication to leading-edge approaches brought national recognition for JLARC's work, earning three awards for excellence in research methods, twelve certificates of impact, and four notable document awards from the National Conference of State Legislatures, as well as invitations for JLARC staff members to share their work at national conferences; and

WHEREAS, Keenan has improved the efficiency and effectiveness of state government for all Washingtonians, as agencies implemented over ninety percent of the one hundred seventy-five recommendations issued to agencies under his leadership as Legislative Auditor; and

WHEREAS, Keenan led the effort to incorporate racial-equity analyses into all JLARC performance audits; and

WHEREAS, Keenan's commitment to professional development has benefited the sixty-nine current and former JLARC staff and interns that served under him, and instilled a dedication to producing well-researched, easily understandable, and relevant work for the Legislature; and

WHEREAS, Keenan's willingness to carry on the long-standing office tradition of having a pink flamingo mascot has resulted in numerous purchases of pink flamingo mugs, pens, stuffed animals, statues, cake toppers, trivets, towels, and flashing lights; and

THIRTY FIRST DAY, FEBRUARY 8, 2023

WHEREAS, Keenan's retirement as Legislative Auditor does not end his state service, as he will continue to serve the citizens of Washington as an adjunct professor at The Evergreen State College and help develop the next generation of public servants, which hopefully will include future JLARC research analysts; and

WHEREAS, Keenan will be missed, but his retirement is well-deserved and we wish him all the best and many camping trips and travels with his family;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate express its sincerest gratitude to Keenan Konopaski for a long career serving the state of Washington; and

BE IT FURTHER RESOLVED, That a copy of this resolution be immediately transmitted to Keenan Konopaski.

Senators Mullet, Wilson, L., Hasegawa and Braun spoke in favor of adoption of the resolution.

The President Pro Tempore declared the question before the Senate to be the adoption of Senate Resolution No. 8614.

The motion by Senator Mullet carried and the resolution was adopted by voice vote.

INTRODUCTION OF SPECIAL GUESTS

The President Pro Tempore welcomed and introduced Mr. Keenan Konopaski, Legislative Auditor, and Joint Legislative Audit and Review Committee (JLARC) staff who were seated in the gallery.

MOTION

On motion of Senator Pedersen, the Senate reverted to the seventh order of business.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Hunt moved that Kathleen Drew, Senate Gubernatorial Appointment No. 9127, be confirmed as a chair of the Energy Facility Site Evaluation Council.

Senator Hunt spoke in favor of the motion.

APPOINTMENT OF KATHLEEN DREW

The President Pro Tempore declared the question before the Senate to be the confirmation of Kathleen Drew, Senate Gubernatorial Appointment No. 9127, as a chair of the Energy Facility Site Evaluation Council.

The Secretary called the roll on the confirmation of Kathleen Drew, Senate Gubernatorial Appointment No. 9127, as a chair of the Energy Facility Site Evaluation Council and the appointment was confirmed by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senator Schoesler

Kathleen Drew, Senate Gubernatorial Appointment No. 9127, having received the constitutional majority was declared confirmed as a chair of the Energy Facility Site Evaluation Council.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Trudeau moved that Judge Wesley Saint Clair, Senate Gubernatorial Appointment No. 9273, be confirmed as a Chair of the Sentencing Guidelines Commission.

Senator Trudeau spoke in favor of the motion.

Senator Padden spoke against the motion.

APPOINTMENT OF JUDGE WESLEY SAINT CLAIR

The President Pro Tempore declared the question before the Senate to be the confirmation of Judge Wesley Saint Clair, Senate Gubernatorial Appointment No. 9273, as a Chair of the Sentencing Guidelines Commission.

The Secretary called the roll on the confirmation of Judge Wesley Saint Clair, Senate Gubernatorial Appointment No. 9273, as a Chair of the Sentencing Guidelines Commission and the appointment was confirmed by the following vote: Yeas, 35; Nays, 14; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Cleveland, Conway, Dhingra, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, Mullet, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Braun, Dozier, Fortunato, MacEwen, McCune, Muzzall, Padden, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

Judge Wesley Saint Clair, Senate Gubernatorial Appointment No. 9273, having received the constitutional majority was declared confirmed as a Chair of the Sentencing Guidelines Commission.

MOTION

On motion of Senator Pedersen, the Senate reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 5005, by Senators Pedersen, Padden, Dhingra and Nobles

Concerning real property.

MOTIONS

On motion of Senator Pedersen, Substitute Senate Bill No. 5005 was substituted for Senate Bill No. 5005 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Pedersen, the rules were suspended, Substitute Senate Bill No. 5005 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Pedersen and Padden spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5005.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5005 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SUBSTITUTE SENATE BILL NO. 5005, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SIGNED BY THE PRESIDENT PRO TEMPORE

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President Pro Tempore announced the signing of and thereupon did sign in open session:

SENATE CONCURRENT RESOLUTION NO. 8403

SECOND READING

SENATE BILL NO. 5106, by Senator Hunt

Updating timelines for adopting county commissioner district boundaries following expansion from three to five commissioners.

MOTIONS

On motion of Senator Hunt, Substitute Senate Bill No. 5106 was substituted for Senate Bill No. 5106 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Hunt, the rules were suspended, Substitute Senate Bill No. 5106 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hunt and Torres spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5106.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5106 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford,

Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SUBSTITUTE SENATE BILL NO. 5106, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5155, by Senators Wagoner and Dhingra

Concerning the court of appeals.

The measure was read the second time.

MOTION

On motion of Senator Wagoner, the rules were suspended, Senate Bill No. 5155 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wagoner and Dhingra spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5155.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5155 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SENATE BILL NO. 5155, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5261, by Senator Braun

Concerning cemetery authority permit, license, or endorsement deadlines.

MOTIONS

On motion of Senator Braun, Substitute Senate Bill No. 5261 was substituted for Senate Bill No. 5261 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Braun, the rules were suspended, Substitute Senate Bill No. 5261 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Braun and Conway spoke in favor of passage of the bill.

THIRTY FIRST DAY, FEBRUARY 8, 2023

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5261.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5261 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SUBSTITUTE SENATE BILL NO. 5261, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5282, by Senators Valdez, MacEwen, Gildon, Lias and Nguyen

Authorizing vehicle dealers to file a report of sale.

The measure was read the second time.

MOTION

On motion of Senator Valdez, the rules were suspended, Senate Bill No. 5282 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Valdez and Wagoner spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5282.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5282 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SENATE BILL NO. 5282, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

PERSONAL PRIVILEGE

Senator Valdez: "Thank you Madam President. You know I am really fortunate. I think, of course, I think I live in one of, the best

district in the state of Washington, the 46th Legislative District. And one of our neighborhoods is actually a, it's called the Lake City neighborhood. And in the Lake City neighborhood there's a fabulous organization there called the Refugee Artisan Initiative. It was started by a woman named Ming Ming, [Ms. Ming-Ming Tung-Edelman] where she has been helping to train refugee and immigrant women to foster an inclusive, prosperous transition to the United States through artisan skills training and micro-business development. It is a fantastic organization. They're really doing a wonderful job of getting women trained in this industry, and becoming small business owners themselves down the line and micro-entrepreneurs. And so, we have a tradition here in this chamber that when you pass your first bill you present something to our, my, your colleagues about, reflective of your district and so I have offered to all of you some handmade napkins that these young professionals have made. And so, I hope you enjoy them. Thank you."

The President Pro Tempore welcomed Senator Valdez to the body and thanked the Senator for the gift on behalf of the Senate.

MOTION

At 11:30 a.m., on motion of Senator Pedersen, the Senate was declared to be at ease subject to the call of the President.

Senator Hasegawa announced a meeting of the Democratic Caucus immediately upon going at ease.

Senator Warnick announced a meeting of the Republican Caucus immediately upon going at ease.

AFTERNOON SESSION

The Senate was called to order at 12:12 p.m. by President Pro Tempore, Senator Keiser presiding.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1103, by House Committee on Transportation (originally sponsored by Fey, Barkis and Wylie)

Avoiding interest arbitrage charges on bond proceeds in the capital vessel replacement account.

The measure was read the second time.

MOTION

On motion of Senator Lias, the rules were suspended, Substitute House Bill No. 1103 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Lias and King spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute House Bill No. 1103.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1103 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias,

Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SUBSTITUTE HOUSE BILL NO. 1103, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5072, by Senators Nobles, Wellman, Hunt, Keiser, Kuderer, Liias, Nguyen, Pedersen, Randall, Rolfes, Saldaña, Salomon, Trudeau, Valdez and Wilson, C.

Advancing equity in programs for highly capable students.

MOTIONS

On motion of Senator Nobles, Substitute Senate Bill No. 5072 was substituted for Senate Bill No. 5072 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Nobles, the rules were suspended, Substitute Senate Bill No. 5072 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Nobles, Hawkins, Fortunato, Wagoner, Trudeau and Rolfes spoke in favor of passage of the bill.

MOTION

On motion of Senator Wagoner, Senator Padden was excused.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5072.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5072 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Padden

SUBSTITUTE SENATE BILL NO. 5072, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5176, by Senators Stanford, Billig, Keiser and Van De Wege

Concerning unemployment insurance benefits for officers of employee-owned cooperatives.

MOTIONS

On motion of Senator Stanford, Substitute Senate Bill No. 5176 was substituted for Senate Bill No. 5176 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Stanford, the rules were suspended, Substitute Senate Bill No. 5176 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Stanford spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5176.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5176 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Padden

SUBSTITUTE SENATE BILL NO. 5176, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5101, by Senators Saldaña, Warnick, Dhingra, Kuderer, Nguyen, Nobles, Shewmake and Wilson, C.

Concerning extraordinary medical placement for incarcerated individuals at the department of corrections.

MOTION

On motion of Senator Saldaña, Substitute Senate Bill No. 5101 was substituted for Senate Bill No. 5101 and the substitute bill was placed on the second reading and read the second time.

WITHDRAWAL OF AMENDMENT

On motion of Senator Warnick and without objection, amendment no. 0013 by Senator Warnick on page 1, line 19 to Substitute Senate Bill No. 5101 was withdrawn.

MOTION

On motion of Senator Saldaña, the rules were suspended, Substitute Senate Bill No. 5101 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Saldaña and Warnick spoke in favor of passage of the bill.

Senator Boehnke spoke against passage of the bill.

THIRTY FIRST DAY, FEBRUARY 8, 2023

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5101.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5101 and the bill passed the Senate by the following vote: Yeas, 37; Nays, 11; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Fortunato, Frame, Gildon, Hasegawa, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Stanford, Torres, Trudeau, Valdez, Van De Wege, Warnick, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Dozier, Hawkins, MacEwen, McCune, Schoesler, Short, Wagoner, Wilson, J. and Wilson, L.

Excused: Senator Padden

SUBSTITUTE SENATE BILL NO. 5101, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE JOINT MEMORIAL NO. 8001, by Senators Hasegawa, Kuderer, Wellman, Nguyen, Keiser, Conway, Dhingra, Frame, Hunt, Lias, Lovelett, Nobles, Saldaña, Stanford, Trudeau and Wilson, C.

Concerning a national infrastructure bank.

The measure was read the second time.

MOTION

On motion of Senator Hasegawa, the rules were suspended, Senate Joint Memorial No. 8001 was advanced to third reading, the second reading considered the third and the memorial was placed on final passage.

Senators Hasegawa and Lovelett spoke in favor of passage of the memorial.

Senators Dozier and King spoke on passage of the memorial.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Joint Memorial No. 8001.

ROLL CALL

The Secretary called the roll on the final passage of Senate Joint Memorial No. 8001 and the memorial passed the Senate by the following vote: Yeas, 29; Nays, 19; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Lias, Lovelett, Lovick, Mullet, Nguyen, Nobles, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Muzzall, Rivers, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

Excused: Senator Padden

SENATE JOINT MEMORIAL NO. 8001, having received the constitutional majority, was declared passed. There being no objection, the title of the memorial was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5067, by Senators Dozier, Boehnke, Fortunato, Hunt, King, Padden, Short, Stanford, Torres, Warnick and Wilson, J.

Concerning meetings of county legislative authorities.

The measure was read the second time.

MOTION

On motion of Senator Dozier, the rules were suspended, Senate Bill No. 5067 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Dozier and Lovelett spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5067.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5067 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 2; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, McCune, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senators MacEwen and Schoesler

Excused: Senator Padden

SENATE BILL NO. 5067, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5338, by Senators Cleveland, Muzzall, Conway and Randall

Reviewing the state's essential health benefits.

MOTIONS

On motion of Senator Cleveland, Substitute Senate Bill No. 5338 was substituted for Senate Bill No. 5338 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Cleveland, the rules were suspended, Substitute Senate Bill No. 5338 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Cleveland and Rivers spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5338.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5338 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Padden

SUBSTITUTE SENATE BILL NO. 5338, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5191, by Senators Stanford, Dozier and Gildon

Reforming the real estate agency law.

MOTIONS

On motion of Senator Stanford, Substitute Senate Bill No. 5191 was substituted for Senate Bill No. 5191 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Stanford, the rules were suspended, Substitute Senate Bill No. 5191 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Stanford spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5191.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5191 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Padden

SUBSTITUTE SENATE BILL NO. 5191, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5082, by Senators Kuderer, Hunt, Conway, Dhingra, Frame, Hasegawa, Nguyen, Nobles, Pedersen, Rolfes, Valdez, Van De Wege, Wellman and Wilson, C.

Encouraging electoral participation and making ballots more meaningful by abolishing advisory votes.

MOTION

On motion of Senator Kuderer, Substitute Senate Bill No. 5082 was substituted for Senate Bill No. 5082 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Kuderer moved that the following striking amendment no. 0003 by Senator Kuderer be adopted:

Strike everything after the enacting clause and insert the following:

"PART I

STATEMENT OF LEGISLATIVE INTENT

NEW SECTION. **Sec. 1.** The legislature finds that making the act of casting a ballot as simple as possible will help promote the free and equal elections guaranteed by Article I, section 19 and Article VI, section 1 of the Washington state Constitution. The legislature recognizes that transparency and fiscal responsibility are important to the people of Washington, and that election administration and ballot design should reflect these long-held values. The legislature further finds that the people rightfully expect items on their ballots to be neutrally and accurately worded. Finally, the legislature finds for the votes that Washingtonians cast to have meaning, the ballot must be limited to candidate elections that give the people the power to choose their representatives or ballot measures that determine what laws and plan of government the state and its localities shall have.

PART II

REPEAL OF ADVISORY VOTES

Sec. 2. RCW 29A.32.070 and 2016 c 83 s 1 are each amended to read as follows:

The secretary of state shall determine the format and layout of the voters' pamphlet published under RCW 29A.32.010. The secretary of state shall print the pamphlet in clear, readable type on a size, quality, and weight of paper that in the judgment of the secretary of state best serves the voters. The pamphlet must contain a table of contents. Measures and arguments must be printed in the order specified by RCW 29A.72.290.

The secretary of state's name may not appear in the voters' pamphlet in his or her official capacity if the secretary is a candidate for office during the same year. His or her name may only be included as part of the information normally included for candidates.

The voters' pamphlet must provide the following information for each statewide issue on the ballot (~~except measures for an advisory vote of the people whose requirements are provided in subsection (1) of this section~~):

- (1) The legal identification of the measure by serial designation or number;
- (2) The official ballot title of the measure;
- (3) A statement prepared by the attorney general explaining the law as it presently exists;
- (4) A statement prepared by the attorney general explaining the effect of the proposed measure if it becomes law;

THIRTY FIRST DAY, FEBRUARY 8, 2023

(5) The fiscal impact statement prepared under RCW 29A.72.025;

(6) The total number of votes cast for and against the measure in the senate and house of representatives, if the measure has been passed by the legislature;

(7) An argument advocating the voters' approval of the measure together with any statement in rebuttal of the opposing argument;

(8) An argument advocating the voters' rejection of the measure together with any statement in rebuttal of the opposing argument;

(9) Each argument or rebuttal statement must be followed by the names of the committee members who submitted them, and may be followed by a telephone number that citizens may call to obtain information on the ballot measure;

(10) The full text of the measure;

~~(11) Two pages shall be provided in the general election voters' pamphlet for each measure for an advisory vote of the people under RCW 43.135.041 and shall consist of the serial number assigned by the secretary of state under RCW 29A.72.040, the short description formulated by the attorney general under RCW 29A.72.283, the tax increase's most up to date ten year cost projection, including a year-by-year breakdown, by the office of financial management under RCW 43.135.031, and the names of the legislators, and their contact information, and how they voted on the increase upon final passage so they can provide information to, and answer questions from, the public. For the purposes of this subsection, "names of legislators, and their contact information" includes each legislator's position (senator or representative), first name, last name, party affiliation (for example, Democrat or Republican), city or town they live in, office phone number, and office email address).~~

Sec. 3. RCW 29A.64.090 and 2016 c 204 s 1 are each amended to read as follows:

When the official canvass of returns of any election reveals that the difference in the number of votes cast for the approval of a statewide measure and the number of votes cast for the rejection of such measure is less than two thousand votes and also less than one-half of one percent of the total number of votes cast on such measure, the secretary of state shall direct that a recount of all votes cast on such measure be made on such measure, in the manner provided by RCW 29A.64.041 and 29A.64.061, and the cost of such recount will be at state expense. ~~(This section does not apply to any statewide advisory vote of the people that was placed on the ballot pursuant to RCW 43.135.041 and the secretary of state shall not direct any recount for any statewide advisory vote of the people.)~~

Sec. 4. RCW 29A.72.040 and 2008 c 1 s 7 are each amended to read as follows:

The secretary of state shall give a serial number to each initiative, referendum bill, or referendum measure, ~~((or measure for an advisory vote of the people,))~~ using a separate series for initiatives to the legislature, initiatives to the people, referendum bills, and referendum measures, ~~((and measures for an advisory vote of the people,))~~ and forthwith transmit one copy of the measure proposed bearing its serial number to the attorney general. Thereafter a measure shall be known and designated on all petitions, ballots, and proceedings as "Initiative Measure No. . . .," "Referendum Bill No. . . .," or "Referendum Measure No. . . ." ~~((;))~~ ~~((or "Advisory Vote No. . . ."))~~

Sec. 5. RCW 29A.72.250 and 2013 c 11 s 75 are each amended to read as follows:

If a referendum or initiative petition for submission of a measure to the people is found sufficient, the secretary of state shall at the time and in the manner that he or she certifies to the

county auditors of the various counties the names of candidates for state and district officers certify to each county auditor the serial numbers and ballot titles of the several initiative and referendum measures ~~((and serial numbers and short descriptions of measures submitted for an advisory vote of the people))~~ to be voted upon at the next ensuing general election or special election ordered by the legislature.

Sec. 6. RCW 29A.72.290 and 2022 c 114 s 4 are each amended to read as follows:

The county auditor of each county shall print the serial numbers, ballot titles, and public investment impact disclosures certified by the secretary of state on the official ballots for the election at which initiative and referendum measures ~~((and measures for an advisory vote of the people))~~ are to be submitted to the people for their approval or rejection ~~((; the serial numbers, ballot titles, and public investment impact disclosures certified by the secretary of state and the serial numbers and short descriptions of measures for an advisory vote of the people))~~. They must appear under separate headings in the order of the serial numbers as follows:

- (1) Initiatives to the people;
- (2) Referendum measures;
- (3) Referendum bills;
- (4) Initiatives to the legislature;
- (5) Initiatives to the legislature and legislative alternatives;
- (6) ~~((Advisory votes;~~
- ~~(7))~~ Proposed constitutional amendments.

NEW SECTION. Sec. 7. The following acts or parts of acts are each repealed:

- (1) RCW 29A.72.283 (Advisory vote on tax legislation—Short description) and 2008 c 1 s 8;
- (2) RCW 29A.72.285 (Advisory vote on tax legislation—Short description filing and transmittal) and 2008 c 1 s 9; and
- (3) RCW 43.135.041 (Tax legislation—Advisory vote—Duties of the attorney general and secretary of state—Exemption) and 2016 c 1 s 5, 2013 c 1 s 6, 2010 c 4 s 3, & 2008 c 1 s 6.

PART III

INFORMATION REGARDING STATE TAX REVENUE

Sec. 8. RCW 29A.32.031 and 2020 c 208 s 11 are each amended to read as follows:

The voters' pamphlet published or distributed under RCW 29A.32.010 must contain:

- (1) Information about ~~((each measure for an advisory vote of the people and))~~ each ballot measure initiated by or referred to the voters for their approval or rejection as required by RCW 29A.32.070;
- (2) In even-numbered years, statements, if submitted, from candidates for the office of president and vice president of the United States, United States senator, United States representative, governor, lieutenant governor, secretary of state, state treasurer, state auditor, attorney general, commissioner of public lands, superintendent of public instruction, insurance commissioner, state senator, state representative, justice of the supreme court, judge of the court of appeals, or judge of the superior court. Candidates may also submit campaign contact information and a photograph not more than five years old in a format that the secretary of state determines to be suitable for reproduction in the voters' pamphlet;
- (3) In odd-numbered years, if any office voted upon statewide appears on the ballot due to a vacancy, then statements and photographs for candidates for any vacant office listed in subsection (2) of this section must appear;
- (4) Contact information for the public disclosure commission established under RCW 42.17A.100, including the following

statement: "For a list of the people and organizations that donated to state and local candidates and ballot measure campaigns, visit www.pdc.wa.gov." The statement must be placed in a prominent position, such as on the cover or on the first two pages of the voters' pamphlet. The secretary of state may substitute such language as is necessary for accuracy and clarity and consistent with the intent of this section;

(5) Contact information for major political parties;

(6) A brief statement explaining the deletion and addition of language for proposed measures under RCW 29A.32.080;

(7) A list of all student engagement hubs as designated under RCW 29A.40.180; (~~and~~)

(8) A page providing information about how to access the internet presentation of the information created in section 9 of this act about the state budgets, including a uniform resource locator, a quick response code, and a phone number for the legislative information center. The uniform resource locator and quick response codes will lead the voter to the internet information required in section 9 of this act; and

(9) Any additional information pertaining to elections as may be required by law or in the judgment of the secretary of state is deemed informative to the voters.

NEW SECTION. Sec. 9. A new section is added to chapter 44.48 RCW to read as follows:

The legislative evaluation and accountability program, in conjunction with the office of financial management, must create a website presentation accessible 24 hours a day beginning August 15th of each year containing the following information:

(1)(a) A summary of each of the following:

(i) The adopted operating budget and supplemental operating budget for the most recent fiscal biennium;

(ii) The adopted capital budget and supplemental capital budget for the most recent fiscal biennium; and

(iii) The adopted transportation budget and supplemental transportation budget for the most recent fiscal biennium;

(b) Every summary required by (a) of this subsection must additionally include:

(i) The numbers of each bill that was part of the budget for that session;

(ii) Access information for each bill on the official legislative website;

(iii) The date that each bill was approved with brief instructions on how to locate roll call votes online; and

(iv) The number of votes cast for and against each bill;

(2) Graphical depictions of funds subject to outlook and a data visualization showing total budgeted funds for the state operating budget by functional areas of government for the most recent biennium;

(3) Tables provided by the office of financial management comparing state and local expenditures with personal income from the most recent fiscal year available to each fiscal year going back 20 years; and

(4) Instructions for voters on how to locate analyses produced in compliance with RCW 43.135.031."

On page 1, line 2 of the title, after "votes;" strike the remainder of the title and insert "amending RCW 29A.32.070, 29A.64.090, 29A.72.040, 29A.72.250, 29A.72.290, and 29A.32.031; adding a new section to chapter 44.48 RCW; creating a new section; and repealing RCW 29A.72.283, 29A.72.285, and 43.135.041."

MOTION

Senator Short moved that the following amendment no. 0017 by Senator Short be adopted:

Beginning on page 1, line 3, strike all material through "REVENUE" on page 5, line 1

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

On page 7, beginning on line 1, after "line" strike all material through "43.135.041." on line 5 and insert "1 of the title, after "to" strike the remainder of the title and insert "advisory votes; amending RCW 29A.32.031; and adding a new section to chapter 44.48 RCW."

Senator Short spoke in favor of adoption of the amendment to the striking amendment.

Senator Hunt spoke against adoption of the amendment to the striking amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 0017 by Senator Short on page 1, line 3 to Substitute Senate Bill No. 5082.

The motion by Senator Short did not carry and amendment no. 0017 was not adopted by voice vote.

MOTION

Senator Wilson, J. moved that the following amendment no. 0021 by Senator Wilson, J. be adopted:

On page 1, line 11, after "values," strike all material through "43.135.031." on page 6, line 39 and insert the following:

PART II

BLUE RIBBON TASK FORCE

NEW SECTION. Sec. 2. A new section is added to chapter 29A.72 RCW to read as follows:

(1) The blue ribbon task force on advisory votes is created to improve the process for gathering public input on legislative measures which raise taxes or fees by:

(a) Evaluating advisory votes;

(b) Evaluating the effectiveness of the advisory vote process at communicating the activities of the legislature on tax issues to the public; and

(c) Incorporating suggestions from the public on how to improve the advisory vote process.

(2) The task force is composed of the following members:

(a) Eight members representing nonprofit, nonpartisan organizations focused on state tax issues, of which:

(i) Two members must be appointed by the majority leader of the senate;

(ii) Two members must be appointed by the minority leader of the senate;

(iii) Two members must be appointed by the speaker of the house of representatives; and

(iv) Two members must be appointed by the minority leader of the house of representatives;

(b) Two members appointed by the governor;

(c) Two members appointed by the secretary of state; and

(d) Two members appointed by the Washington association of county auditors.

(3) Each appointing authority under subsection (2)(b) through (d) of this section must select one appointee who is an appointed public official and one private citizen, with a preference for private citizens with experience in state tax issues, public financing, or state ballot measures.

(4) The task force must hold public meetings for the purpose of gathering public testimony and input. The task force must hold at least one public meeting in each congressional district in the state. Public notice must be given of all meetings under the requirements in chapter 42.30 RCW. The task force must provide

THIRTY FIRST DAY, FEBRUARY 8, 2023

options for remote public participation. Whenever possible, meetings of the task force must be held at locations that provide accommodations for persons with accessibility or mobility issues. The task force must also consult with experts in election administration, public polling, public sector finance, and other areas as the task force deems appropriate to further the purposes of this section and may invite their testimony at public meetings.

(5) The task force must provide a report with its findings and recommendations on improvements to the advisory vote process to the relevant committees of the legislature by December 1, 2024.

(6) Staff support for the task force shall be provided by the secretary of state.

(7) Members must be compensated in accordance with RCW 43.03.220 in addition to travel expenses provided by RCW 43.03.050 and 43.03.060.

(8) This section expires January 1, 2025.

On page 7, beginning on line 1, after "line" strike all material through "43.135.041." on line 5 and insert "1 of the title, after "to" strike the remainder of the title and insert "creating the blue ribbon task force on advisory votes; adding a new section to chapter 29A.72 RCW; adding a new section; and providing an expiration date."

Senator Wilson, J. spoke in favor of adoption of the amendment to the striking amendment.

Senator Hunt spoke against adoption of the amendment to the striking amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 0021 by Senator Wilson, J. on page 1, line 11 to Substitute Senate Bill No. 5082.

The motion by Senator Wilson, J. did not carry, and amendment no. 0021 was not adopted by voice vote.

MOTION

Senator Fortunato moved that the following amendment no. 0022 by Senator Fortunato be adopted:

On page 1, line 13, after "worded.", strike the remainder of section 1.

On page 1, beginning on line 19, strike all material down through "43.135.031." on page 6, line 39 and insert the following:

Sec. 2. RCW 29A.72.283 and 2008 c 1 s 8 are each amended to read as follows:

Within five days of receipt of a measure for an advisory vote of the people from the secretary of state under RCW 29A.72.040 the attorney general shall formulate a short description not exceeding thirty-three words and not subject to appeal, of each tax increase and shall transmit a certified copy of such short description meeting the requirements of this section to the secretary of state. The description must be formulated and displayed on the ballot substantially as follows:

"The legislature imposed, without a vote of the people, (identification of tax and description of increase), costing (most up-to-date ten-year cost projection, expressed in dollars and rounded to the nearest million) in its first ten years, for government spending. ~~((This))~~ My opinion of this tax increase ~~((should be))~~ is:

~~((Repealed))~~ I like it []

~~((Maintained))~~ I don't like it []"

Saturdays, Sundays, and legal holidays are not counted in calculating the time limits in this section. The words "~~((This))~~ My opinion of this tax increase ~~((should be))~~ is: ~~((Repealed))~~ I like it . . .

[] ~~((Maintained))~~ I don't like it . . . []" are not counted in the thirty-three word limit for a short description under this section.

On page 7, beginning on line 1, after "line" strike all material through "43.135.041." on line 5 and insert "1 of the title, after "to" strike the remainder of the title and insert "advisory votes; adding a new section; and amending RCW 29A.72.283."

Senator Fortunato spoke in favor of adoption of the amendment to the striking amendment.

Senator Kuderer spoke against adoption of the amendment to the striking amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 0022 by Senator Fortunato on page 1, line 13 to Substitute Senate Bill No. 5082.

The motion by Senator Fortunato did not carry and amendment no. 0022 was not adopted by voice vote.

MOTION

Senator Kuderer moved that the following amendment no. 0014 by Senator Kuderer be adopted:

On page 6, line 38, after "(4)" strike "Instructions" and insert "A list, generated by the legislative evaluation and accountability program in coordination with the office of financial management, of every bill for which an analysis was produced in compliance with RCW 43.135.031, and links to the legislative website for each bill on the list so the public may see how legislators voted and instructions"

Senator Kuderer spoke in favor of adoption of the amendment to the striking amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 0014 by Senator Kuderer on page 6, line 38 to Substitute Senate Bill No. 5082.

The motion by Senator Kuderer carried and amendment no. 0014 was adopted by voice vote.

MOTION

Senator Wilson, J. moved that the following amendment no. 0015 by Senator Wilson, J. be adopted:

On page 6, after line 39, insert the following:

"NEW SECTION. **Sec. 10.** The secretary of state shall submit this act to the people for their adoption and ratification, or rejection, at the next general election to be held in this state, in accordance with Article II, section 1 of the state Constitution and the laws adopted to facilitate its operation."

On page 7, at the beginning of line 5, strike "and"

On page 7, line 5, after "43.135.041" insert "; and providing for submission of this act to a vote of the people"

Senators Wilson, J. and Fortunato spoke in favor of adoption of the amendment to the striking amendment.

Senator Hunt spoke against adoption of the amendment to the striking amendment.

MOTION

Senator Wilson, J. demanded a roll call.

The President Pro Tempore declared that one-sixth of the members supported the demand, and the demand was sustained.

MOTION

The President declared the question before the Senate to be the adoption of the amendment by Senator Wilson, J. on page 6, after line 39 to Substitute Senate Bill No. 5082.

At 1:54 p.m., on motion of Senator Pedersen, the Senate adjourned until 12:30 p.m. Thursday, February 9, 2023.

ROLL CALL

The Secretary called the roll on the adoption of the amendment by Senator Wilson, J. and amendment no. 0015 was not adopted by the following vote: Yeas, 20; Nays, 28; Absent, 0; Excused, 1.

Voting yea: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Mullet, Muzzall, Rivers, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

Voting nay: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Liias, Lovelett, Lovick, Nguyen, Nobles, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Excused: Senator Padden.

KAREN KEISER, President Pro Tempore of the Senate

SARAH BANNISTER, Secretary of the Senate

The President Pro Tempore declared the question before the Senate to be the adoption of striking amendment no. 0003 by Senator Kuderer as amended to Substitute Senate Bill No. 5082.

The motion by Senator Kuderer carried and striking amendment no. 0003 as amended was adopted by voice vote.

MOTION

On motion of Senator Kuderer, the rules were suspended, Engrossed Substitute Senate Bill No. 5082 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Kuderer and Lovelett spoke in favor of passage of the bill.

Senators Schoesler, Wilson, J., Rivers, Fortunato, Muzzall, King and Braun spoke against passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5082.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5082 and the bill passed the Senate by the following vote: Yeas, 30; Nays, 18; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hasegawa, Hawkins, Hunt, Kauffman, Keiser, Kuderer, Liias, Lovelett, Lovick, Mullet, Nguyen, Nobles, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Holy, King, MacEwen, McCune, Muzzall, Rivers, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

Excused: Senator Padden

ENGROSSED SUBSTITUTE SENATE BILL NO. 5082, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

THIRTY SECOND DAY

AFTERNOON SESSION

Senate Chamber, Olympia
Thursday, February 9, 2023

The Senate was called to order at 12:30 p.m. by the President Pro Tempore, Senator Keiser presiding. No roll call was taken.

MOTIONS

On motion of Senator Pedersen, the reading of the Journal of the previous day was dispensed with and it was approved.

There being no objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

February 8, 2023

SB 5060 Prime Sponsor, Senator Kuderer: Requiring the registration of rental and vacant housing units. Reported by Committee on Housing

MAJORITY recommendation: That Substitute Senate Bill No. 5060 be substituted therefor, and the substitute bill do pass. Signed by Senators Kuderer, Chair; Frame, Vice Chair; Cleveland; Saldaña; Shewmake and Trudeau.

MINORITY recommendation: Do not pass. Signed by Senators Fortunato, Ranking Member; Braun; Gildon and Wilson, J.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Rivers.

Referred to Committee on Ways & Means.

February 7, 2023

SB 5071 Prime Sponsor, Senator Nobles: Creating the purple star award. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5071 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 7, 2023

SB 5084 Prime Sponsor, Senator Braun: Creating a separate fund for the purposes of self-insured pensions and assessments. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member,

Operating; Schoesler, Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Hasegawa.

Referred to Committee on Rules for second reading.

February 7, 2023

SB 5142 Prime Sponsor, Senator Liias: Creating an account for the pharmaceutical rebate revenue generated by the purchase of medications for people living with HIV who are enrolled in the early intervention program. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5142 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 7, 2023

SB 5158 Prime Sponsor, Senator Wilson, L.: Concerning transparency in state and local taxation. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5158 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Dhingra and Pedersen.

Referred to Committee on Rules for second reading.

February 7, 2023

SB 5165 Prime Sponsor, Senator Nguyen: Concerning electric power system transmission planning. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: That Substitute Senate Bill No. 5165 be substituted therefor, and the substitute bill do pass. Signed by Senators Nguyen, Chair; Lovelett, Vice Chair; Lovick; Trudeau and Wellman.

MINORITY recommendation: Do not pass. Signed by Senator Short.

Referred to Committee on Rules for second reading.

February 7, 2023

MINORITY recommendation: That it be referred without recommendation. Signed by Senators MacEwen, Ranking Member and Boehnke.

SB 5275 Prime Sponsor, Senator Robinson: Expanding access to benefits provided by the school employees' benefits board. Reported by Committee on Ways & Means

Referred to Committee on Ways & Means.

MAJORITY recommendation: That Substitute Senate Bill No. 5275 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

February 8, 2023

SB 5190 Prime Sponsor, Senator Trudeau: Increasing middle housing in areas traditionally dedicated to single-family detached housing. Reported by Committee on Housing

MAJORITY recommendation: That Substitute Senate Bill No. 5190 be substituted therefor, and the substitute bill do pass. Signed by Senators Kuderer, Chair; Frame, Vice Chair; Cleveland; Saldaña; Shewmake and Trudeau.

Referred to Committee on Rules for second reading.

February 7, 2023

MINORITY recommendation: Do not pass. Signed by Senators Fortunato, Ranking Member and Gildon.

SB 5296 Prime Sponsor, Senator Nobles: Concerning interruptive military service credit for members of the state retirement systems. Reported by Committee on Ways & Means

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun; Rivers and Wilson, J.

Referred to Committee on Ways & Means.

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

February 8, 2023

SB 5197 Prime Sponsor, Senator Kuderer: Addressing landlord-tenant relations by providing technical changes to eviction notice forms and modifying certain eviction processes. Reported by Committee on Housing

MAJORITY recommendation: That Substitute Senate Bill No. 5197 be substituted therefor, and the substitute bill do pass. Signed by Senators Kuderer, Chair; Frame, Vice Chair; Cleveland; Saldaña; Shewmake and Trudeau.

Referred to Committee on Rules for second reading.

February 7, 2023

MINORITY recommendation: Do not pass. Signed by Senators Fortunato, Ranking Member; Braun; Gildon; Rivers and Wilson, J.

SB 5328 Prime Sponsor, Senator Van De Wege: Concerning public safety employees' retirement plan membership for public safety telecommunicators. Reported by Committee on Ways & Means

Referred to Committee on Rules for second reading.

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

February 7, 2023

SB 5229 Prime Sponsor, Senator Frame: Accelerating rural job growth and promoting economic recovery across Washington through site readiness grants. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5229 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: Do not pass. Signed by Senator Schoesler, Ranking Member, Capital.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Braun.

Referred to Committee on Rules for second reading.

February 7, 2023

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Braun.

SB 5349 Prime Sponsor, Senator Conway: Repealing some postretirement employment restrictions. Reported by Committee on Ways & Means

THIRTY SECOND DAY, FEBRUARY 9, 2023

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege and Wellman.

MINORITY recommendation: Do not pass. Signed by Senator Schoesler, Ranking Member, Capital.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun and Wagoner.

Referred to Committee on Rules for second reading.

February 7, 2023

SB 5396 Prime Sponsor, Senator Wilson, L.: Concerning cost sharing for diagnostic and supplemental breast examinations. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5396 as recommended by Committee on Health & Long-Term Care be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 8, 2023

SB 5408 Prime Sponsor, Senator Liias: Establishing the ninth grade success grant program. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune; Mullet and Pedersen.

Referred to Committee on Ways & Means.

February 7, 2023

SB 5434 Prime Sponsor, Senator Trudeau: Concerning the jurisdiction of juvenile court. Reported by Committee on Human Services

MAJORITY recommendation: That Substitute Senate Bill No. 5434 be substituted therefor, and the substitute bill do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Frame and Nguyen.

MINORITY recommendation: Do not pass. Signed by Senators Boehnke, Ranking Member; Warnick and Wilson, J.

Referred to Committee on Ways & Means.

February 8, 2023

SB 5441 Prime Sponsor, Senator Wilson, C.: Promoting the adoption of school district curricula that is diverse, equitable, and inclusive. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 5441 be substituted therefor, and the substitute bill do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hunt; Mullet and Pedersen.

MINORITY recommendation: Do not pass. Signed by Senators Hawkins, Ranking Member; Dozier and McCune.

Referred to Committee on Ways & Means.

February 7, 2023

SB 5447 Prime Sponsor, Senator Billig: Promoting the alternative jet fuel industry in Washington. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: That Substitute Senate Bill No. 5447 be substituted therefor, and the substitute bill do pass. Signed by Senators Nguyen, Chair; Lovelett, Vice Chair; MacEwen, Ranking Member; Boehnke; Lovick; Short; Trudeau and Wellman.

Referred to Committee on Ways & Means.

February 8, 2023

SB 5462 Prime Sponsor, Senator Liias: Promoting inclusive learning standards and instructional materials in public schools. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hunt; Mullet and Pedersen.

MINORITY recommendation: Do not pass. Signed by Senators Hawkins, Ranking Member; Dozier and McCune.

Referred to Committee on Rules for second reading.

February 8, 2023

SB 5493 Prime Sponsor, Senator Kuderer: Eliminating a business and occupation tax deduction for financial institutions to fund affordable housing. Reported by Committee on Housing

MAJORITY recommendation: That Substitute Senate Bill No. 5493 be substituted therefor, and the substitute bill do pass. Signed by Senators Kuderer, Chair; Frame, Vice Chair; Cleveland; Saldaña; Shewmake and Trudeau.

MINORITY recommendation: Do not pass. Signed by Senators Fortunato, Ranking Member; Braun; Gildon; Rivers and Wilson, J.

Referred to Committee on Ways & Means.

February 8, 2023

SB 5512 Prime Sponsor, Senator Holy: Adding financial transparency reporting requirements to the public four-year dashboard. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That Substitute Senate Bill No. 5512 be substituted therefor, and the substitute bill do pass. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Ways & Means.

February 8, 2023

SB 5523 Prime Sponsor, Senator Dhingra: Addressing the forensic pathologist shortage. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That Substitute Senate Bill No. 5523 be substituted therefor, and the substitute bill do pass. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member and Liias.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Hawkins.

Referred to Committee on Ways & Means.

February 7, 2023

SB 5565 Prime Sponsor, Senator Schoesler: Modifying tax and revenue laws by making technical corrections, clarifying ambiguities, easing compliance burdens for taxpayers, and providing administrative efficiencies. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5565 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 8, 2023

SB 5582 Prime Sponsor, Senator Holy: Reducing barriers and expanding educational opportunities to increase the supply of nurses in Washington. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That Substitute Senate Bill No. 5582 be substituted therefor, and the substitute bill do pass. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Ways & Means.

MOTION

On motion of Senator Pedersen, all measures listed on the Standing Committee report were referred to the committees as designated.

MOTION

On motion of Senator Pedersen, the Senate advanced to the fourth order of business.

MESSAGE FROM THE HOUSE

February 8, 2023

MR. PRESIDENT:
The House has passed:

HOUSE BILL NO. 1001,
HOUSE BILL NO. 1006,
HOUSE BILL NO. 1114,
SUBSTITUTE HOUSE BILL NO. 1121,
SUBSTITUTE HOUSE BILL NO. 1234,
HOUSE BILL NO. 1259,
HOUSE BILL NO. 1312,
SUBSTITUTE HOUSE BILL NO. 1352,

and the same are herewith transmitted.

BERNARD DEAN, Chief Clerk

MOTION

On motion of Senator Pedersen, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 5729 by Senator Keiser

AN ACT Relating to extending the expiration date on the cost-sharing cap for insulin; and amending RCW 48.43.780.

Referred to Committee on Health & Long-Term Care.

SB 5730 by Senator Fortunato

AN ACT Relating to impounds of vehicles used as residences; amending RCW 46.55.120 and 46.68.175; and adding a new section to chapter 46.53 RCW.

Referred to Committee on Transportation.

SB 5731 by Senator Lovick

AN ACT Relating to assaults committed against amateur sports officials; and amending RCW 9A.36.031.

Referred to Committee on Law & Justice.

SB 5732 by Senators Randall and Rolfes

AN ACT Relating to protecting senior citizens' and disabled veterans' property tax exemption eligibility; amending RCW 84.36.381; and creating a new section.

Referred to Committee on Ways & Means.

SB 5733 by Senators Mullet and Wilson, L.

AN ACT Relating to creating a business and occupation tax deduction and increasing the tax rate for persons conducting payment card processing activities; amending RCW 82.04.290 and 82.04.29004; reenacting and amending RCW 82.04.299; adding a new section to chapter 82.04 RCW; creating new sections; and providing an effective date.

Referred to Committee on Business, Financial Services, Gaming & Trade.

SB 5734 by Senators Braun and Keiser

AN ACT Relating to encouraging achieving a better life experience accounts; amending RCW 43.330.464; adding a new section to chapter 43.330 RCW; creating a new section; and making an appropriation.

THIRTY SECOND DAY, FEBRUARY 9, 2023

Referred to Committee on Ways & Means.

SB 5735 by Senators Wagoner, Wilson, J., Saldaña, Muzzall, Warnick and Van De Wege

AN ACT Relating to notice for active duty military owners of impounded vehicles; and amending RCW 46.55.110 and 46.55.130.

Referred to Committee on Transportation.

SB 5736 by Senators Nobles, Holy, Mullet, Hawkins, Randall, Nguyen and Liias

AN ACT Relating to addressing high demand workforce shortages; and reenacting and amending RCW 43.79.195.

Referred to Committee on Higher Education & Workforce Development.

SB 5737 by Senator Kuderer

AN ACT Relating to impounds of vehicles used as residences; amending RCW 46.55.120 and 46.68.175; and adding a new section to chapter 46.53 RCW.

Referred to Committee on Housing.

SB 5738 by Senators Conway, Gildon, Trudeau, Nobles, King, Wilson, C. and Liias

AN ACT Relating to creating the LeMay-America's Car Museum special license plate; reenacting and amending RCW 46.17.220, 46.18.200, and 46.68.420; adding a new section to chapter 46.04 RCW; and providing an effective date.

Referred to Committee on Transportation.

SJM 8006 by Senators Hasegawa, Cleveland and Billig

Requesting that the federal government create a universal health care program.

Referred to Committee on Health & Long-Term Care.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Introduction and First Reading report were referred to the committees as designated with the exceptions of:

Senate Bill No. 5734 which had been designated to the Committee on Human Services and was referred to the Committee on Ways & Means; and

Senate Bill No. 5737 which had been designated to the Committee on Transportation and was referred to the Committee on Housing.

At 12:33 p.m., on motion of Senator Pedersen, the Senate adjourned until 12:30 p.m. Friday, February 10, 2023.

KAREN KEISER, President Pro Tempore of the Senate

SARAH BANNISTER, Secretary of the Senate

THIRTY THIRD DAY

AFTERNOON SESSION

Senate Chamber, Olympia
Friday, February 10, 2023

The Senate was called to order at 12:30 p.m. by the President Pro Tempore, Senator Keiser presiding. No roll call was taken.

MOTIONS

On motion of Senator Nguyen, the reading of the Journal of the previous day was dispensed with and it was approved.

There being no objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

February 9, 2023

SB 5002 Prime Sponsor, Senator Lovick: Concerning alcohol concentration. Reported by Committee on Transportation

MAJORITY recommendation: That Second Substitute Senate Bill No. 5002 be substituted therefor, and the second substitute bill do pass. Signed by Senators Liias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; Holy, Assistant Ranking Member; Cleveland; Hawkins; Kauffman; Lovelett; MacEwen; Nobles; Padden; Randall; Valdez and Wilson, C.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators King, Ranking Member; Fortunato and Wilson, J.

Referred to Committee on Rules for second reading.

February 9, 2023

SB 5022 Prime Sponsor, Senator Muzzall: Exempting fentanyl testing equipment from the definition of drug paraphernalia. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

February 9, 2023

SB 5050 Prime Sponsor, Senator Wellman: Concerning informed consent for breast implant surgery. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5050 be substituted therefor, and the substitute bill do pass. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Rules for second reading.

February 9, 2023

SB 5051 Prime Sponsor, Senator Wellman: Concerning language understanding of documents used in dissolution proceedings. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5051 be substituted therefor, and the substitute bill do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Ways & Means.

February 9, 2023

SB 5056 Prime Sponsor, Senator Padden: Establishing a special allegation for habitual property offenders. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5056 be substituted therefor, and the substitute bill do pass. Signed by Senators Dhingra, Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Wagoner and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Trudeau, Vice Chair and Valdez.

Referred to Committee on Rules for second reading.

February 9, 2023

SB 5097 Prime Sponsor, Senator Holy: Creating an advisory council on rare diseases. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Ways & Means.

February 9, 2023

SB 5177 Prime Sponsor, Senator Mullet: Concerning organ transport vehicles. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5177 be substituted therefor, and the substitute bill do pass. Signed by Senators Liias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Holy, Assistant Ranking Member; Cleveland; Fortunato; Hawkins; Kauffman; Lovelett; MacEwen; Nobles; Padden; Randall; Valdez; Wilson, C. and Wilson, J.

Referred to Committee on Ways & Means.

February 9, 2023

SB 5178 Prime Sponsor, Senator Fortunato: Concerning large debris removal from interstate highways. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5178 be substituted therefor, and the substitute bill do pass. Signed by Senators Liias, Chair; Lovick, Vice Chair;

THIRTY THIRD DAY, FEBRUARY 10, 2023

Shewmake, Vice Chair; King, Ranking Member; Holy, Assistant Ranking Member; Cleveland; Fortunato; Hawkins; Kauffman; Lovelett; MacEwen; Nobles; Padden; Randall; Valdez; Wilson, C. and Wilson, J.

Referred to Committee on Rules for second reading.

February 9, 2023

SB 5179 Prime Sponsor, Senator Pedersen: Increasing access to the provisions of the Washington death with dignity act. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5179 be substituted therefor, and the substitute bill do pass. Signed by Senators Robinson, Vice Chair; Cleveland, Chair; Conway; Dhingra; Randall and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senators Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Holy and Padden.

Referred to Committee on Rules for second reading.

February 9, 2023

SB 5203 Prime Sponsor, Senator Lovelett: Improving the state's response to climate change by updating the state's planning framework. Reported by Committee on Local Government, Land Use & Tribal Affairs

MAJORITY recommendation: That Substitute Senate Bill No. 5203 be substituted therefor, and the substitute bill do pass. Signed by Senators Lovelett, Chair; Salomon, Vice Chair and Kauffman.

MINORITY recommendation: Do not pass. Signed by Senators Torres, Ranking Member and Short.

Referred to Committee on Ways & Means.

February 9, 2023

SB 5214 Prime Sponsor, Senator Frame: Licensing music therapists. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Vice Chair; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Randall and Van De Wege.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Rivers, Ranking Member; Holy and Padden.

Referred to Committee on Rules for second reading.

February 9, 2023

SB 5216 Prime Sponsor, Senator Frame: Addressing collision reporting criteria triggering driver's license reexamination. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Liias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Cleveland; Fortunato; Hawkins; Kauffman; Lovelett; MacEwen; Nobles; Padden; Randall; Valdez and Wilson, C.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Holy, Assistant Ranking Member and Wilson, J.

Referred to Committee on Rules for second reading.

February 9, 2023

SB 5235 Prime Sponsor, Senator Shewmake: Concerning accessory dwelling units. Reported by Committee on Local Government, Land Use & Tribal Affairs

MAJORITY recommendation: That Substitute Senate Bill No. 5235 be substituted therefor, and the substitute bill do pass. Signed by Senators Lovelett, Chair; Salomon, Vice Chair; Torres, Ranking Member; Kauffman and Short.

Referred to Committee on Rules for second reading.

February 9, 2023

SB 5254 Prime Sponsor, Senator Van De Wege: Concerning the leasing of state lands. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That Substitute Senate Bill No. 5254 be substituted therefor, and the substitute bill do pass. Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; Rolfe; Shewmake and Stanford.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Muzzall, Ranking Member; Short; Wagoner and Warnick.

Referred to Committee on Ways & Means.

February 9, 2023

SB 5290 Prime Sponsor, Senator Mullet: Concerning consolidating local permit review processes. Reported by Committee on Local Government, Land Use & Tribal Affairs

MAJORITY recommendation: That Substitute Senate Bill No. 5290 be substituted therefor, and the substitute bill do pass. Signed by Senators Lovelett, Chair; Salomon, Vice Chair; Torres, Ranking Member; Kauffman and Short.

Referred to Committee on Ways & Means.

February 9, 2023

SB 5300 Prime Sponsor, Senator Dhingra: Concerning continuity of coverage for prescription drugs prescribed for the treatment of behavioral health conditions. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5300 be substituted therefor, and the substitute bill do pass. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Rules for second reading.

February 9, 2023

SB 5326 Prime Sponsor, Senator Lovick: Concerning verification of motor vehicle insurance. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5326 be substituted therefor, and the substitute bill do pass. Signed by Senators Lias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Holy, Assistant Ranking Member; Cleveland; Fortunato; Hawkins; Nobles; Padden; Randall; Valdez; Wilson, C. and Wilson, J.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Kauffman; Lovelett and MacEwen.

Referred to Committee on Rules for second reading.

February 9, 2023

SB 5334 Prime Sponsor, Senator Lovelett: Providing a local government option for the funding of essential affordable housing programs. Reported by Committee on Local Government, Land Use & Tribal Affairs

MAJORITY recommendation: That Substitute Senate Bill No. 5334 be substituted therefor, and the substitute bill do pass. Signed by Senators Lovelett, Chair; Salomon, Vice Chair Torres, Ranking Member.

MINORITY recommendation: Do not pass. Signed by Senator Short.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Kauffman.

Referred to Committee on Ways & Means.

February 9, 2023

SB 5353 Prime Sponsor, Senator Wagoner: Concerning the voluntary stewardship program. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That Substitute Senate Bill No. 5353 be substituted therefor, and the substitute bill do pass. Signed by Senators Muzzall, Ranking Member; Van De Wege, Chair; Salomon, Vice Chair; Rolfes; Shewmake; Short; Stanford; Wagoner and Warnick.

Referred to Committee on Ways & Means.

February 9, 2023

SB 5372 Prime Sponsor, Senator Rolfes: Authorizing the department of natural resources to create and manage a trust land transfer program. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That Substitute Senate Bill No. 5372 be substituted therefor, and the substitute bill do pass. Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; Rolfes; Shewmake; Short and Stanford.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Muzzall, Ranking Member; Wagoner and Warnick.

Referred to Committee on Ways & Means.

February 9, 2023

SB 5382 Prime Sponsor, Senator MacEwen: Concerning off-duty employment of fish and wildlife officers. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5382 be substituted therefor, and the substitute bill do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

February 9, 2023

SB 5388 Prime Sponsor, Senator Rivers: Concerning improving diversity in clinical trials. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5388 be substituted therefor, and the substitute bill do pass. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Ways & Means.

February 9, 2023

SB 5394 Prime Sponsor, Senator Randall: Concerning malpractice insurance for international medical graduate supervisors. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Rules for second reading.

February 9, 2023

SB 5399 Prime Sponsor, Senator Mullet: Providing for future listing right purchase contracts. Reported by Committee on Business, Financial Services, Gaming & Trade

MAJORITY recommendation: That Substitute Senate Bill No. 5399 be substituted therefor, and the substitute bill do pass. Signed by Senators Stanford, Chair; Frame, Vice Chair; Dozier, Ranking Member; Boehnke; Gildon; Hasegawa; Lovick; MacEwen and Mullet.

Referred to Committee on Ways & Means.

February 9, 2023

SB 5460 Prime Sponsor, Senator Warnick: Concerning collection of assessments for irrigation and rehabilitation districts. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That Substitute Senate Bill No. 5460 be substituted therefor, and the substitute bill do pass. Signed by Senators Muzzall, Ranking Member; Van De Wege, Chair; Salomon, Vice Chair; Rolfes; Shewmake; Short; Stanford; Wagoner and Warnick.

THIRTY THIRD DAY, FEBRUARY 10, 2023

Referred to Committee on Rules for second reading.

February 9, 2023

SB 5471 Prime Sponsor, Senator Cleveland: Addressing the use of electric-assisted bicycles on certain trails and roads by persons with disabilities. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5471 be substituted therefor, and the substitute bill do pass. Signed by Senators Lias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Holy, Assistant Ranking Member; Cleveland; Fortunato; Hawkins; Kauffman; Padden; Randall; Valdez; Wilson, C. and Wilson, J.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Fortunato; Hawkins; Kauffman and MacEwen.

Referred to Committee on Ways & Means.

February 9, 2023

SB 5474 Prime Sponsor, Senator Frame: Concerning juvenile justice. Reported by Committee on Human Services

MAJORITY recommendation: That Substitute Senate Bill No. 5474 be substituted therefor, and the substitute bill do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Frame and Nguyen.

MINORITY recommendation: Do not pass. Signed by Senators Boehnke, Ranking Member; Warnick and Wilson, J.

Referred to Committee on Ways & Means.

February 9, 2023

SB 5477 Prime Sponsor, Senator Torres: Implementing the recommendations of the Washington state missing and murdered indigenous women and people task force. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5477 be substituted therefor, and the substitute bill do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Ways & Means.

February 9, 2023

SB 5487 Prime Sponsor, Senator King: Concerning parking at rest areas. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Lias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Holy, Assistant Ranking Member; Cleveland; Fortunato; Hawkins; Kauffman; Lovelett; MacEwen; Nobles; Padden; Randall; Valdez; Wilson, C. and Wilson, J.

Referred to Committee on Rules for second reading.

February 9, 2023

SB 5531 Prime Sponsor, Senator King: Concerning special use permits for milk product haulers. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Lias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Holy, Assistant Ranking Member; Cleveland; Fortunato; Hawkins; Kauffman; Lovelett; MacEwen; Nobles; Padden; Randall; Valdez; Wilson, C. and Wilson, J.

Referred to Committee on Rules for second reading.

February 9, 2023

SB 5536 Prime Sponsor, Senator Robinson: Concerning controlled substances, counterfeit substances, and legend drug possession and treatment. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5536 be substituted therefor, and the substitute bill do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Kuderer; Pedersen; Salomon and Valdez.

MINORITY recommendation: Do not pass. Signed by Senators Padden, Ranking Member; McCune; Torres and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Wagoner.

Referred to Committee on Ways & Means.

February 9, 2023

SB 5542 Prime Sponsor, Senator Wilson, J.: Preventing the destruction of electric vehicle charging equipment. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5542 be substituted therefor, and the substitute bill do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

February 9, 2023

SB 5561 Prime Sponsor, Senator Conway: Extending the expiration date of the law enforcement community engagement grant project. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5561 be substituted therefor, and the substitute bill do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Ways & Means.

February 9, 2023

SB 5578 Prime Sponsor, Senator Padden: Addressing service requirements for appeals of decisions by the board of tax appeals. Reported by Committee on Law & Justice

February 9, 2023

MAJORITY recommendation: That Substitute Senate Bill No. 5578 be substituted therefor, and the substitute bill do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

February 9, 2023

SB 5583 Prime Sponsor, Senator Liias: Improving young driver safety. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5583 be substituted therefor, and the substitute bill do pass. Signed by Senators Liias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Holy, Assistant Ranking Member; Cleveland; Hawkins; Kauffman; Lovelett; MacEwen; Nobles; Randall; Valdez; Wilson, C. and Wilson, J.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Fortunato and Padden.

Referred to Committee on Rules for second reading.

February 9, 2023

SB 5634 Prime Sponsor, Senator Conway: Concerning problem gambling. Reported by Committee on Business, Financial Services, Gaming & Trade

MAJORITY recommendation: That Substitute Senate Bill No. 5634 be substituted therefor, and the substitute bill do pass. Signed by Senators Stanford, Chair; Frame, Vice Chair; Dozier, Ranking Member; Boehnke; Gildon; Hasegawa; Lovick; MacEwen and Mullet.

Referred to Committee on Ways & Means.

February 9, 2023

SB 5705 Prime Sponsor, Senator Stanford: Concerning the administration of the legislative committee on economic development and international relations. Reported by Committee on Business, Financial Services, Gaming & Trade

MAJORITY recommendation: Do pass. Signed by Senators Stanford, Chair; Frame, Vice Chair; Dozier, Ranking Member; Boehnke; Gildon; Hasegawa; Lovick; MacEwen and Mullet.

Referred to Committee on Rules for second reading.

February 9, 2023

SGA 9101 JUDITH GINIGER, reappointed on October 22, 2020, for the term ending August 2, 2026, as Member of the Lottery Commission. Reported by Committee on Business, Financial Services, Gaming & Trade

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Stanford, Chair; Frame, Vice Chair; Dozier, Ranking Member; Boehnke; Gildon; Hasegawa; Lovick; MacEwen and Mullet.

Referred to Committee on Rules for second reading.

SGA 9157 GINA CARDENAS, appointed on August 17, 2021, for the term ending August 2, 2023, as Member of the Sentencing Guidelines Commission. Reported by Committee on Law & Justice

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

February 9, 2023

SGA 9221 RODOLFO (RUDY) N. MENDOZA, appointed on February 7, 2022, for the term ending August 2, 2027, as Member of the Lottery Commission. Reported by Committee on Business, Financial Services, Gaming & Trade

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Stanford, Chair; Frame, Vice Chair; Dozier, Ranking Member; Boehnke; Gildon; Hasegawa; Lovick; MacEwen and Mullet.

Referred to Committee on Rules for second reading.

February 9, 2023

SGA 9271 NORRIE GREGOIRE, appointed on November 3, 2022, for the term ending August 2, 2025, as Member of the Sentencing Guidelines Commission. Reported by Committee on Law & Justice

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

February 9, 2023

SGA 9280 EILEEN SULLIVAN, appointed on November 28, 2022, for the term ending August 2, 2024, as Member of the Lottery Commission. Reported by Committee on Business, Financial Services, Gaming & Trade

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Stanford, Chair; Frame, Vice Chair; Dozier, Ranking Member; Boehnke; Gildon; Hasegawa; Lovick; MacEwen and Mullet.

Referred to Committee on Rules for second reading.

February 9, 2023

SGA 9300 SCHUYLER F. HOSS, appointed on June 13, 2022, for the term ending August 2, 2023, as Member of the Lottery Commission. Reported by Committee on Business, Financial Services, Gaming & Trade

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Stanford, Chair; Frame, Vice Chair; Dozier, Ranking Member; Boehnke; Gildon; Hasegawa; Lovick; MacEwen and Mullet.

Referred to Committee on Rules for second reading.

THIRTY THIRD DAY, FEBRUARY 10, 2023
MOTIONS

On motion of Nguyen, all measures listed on the Standing Committee report were referred to the committees as designated with the exceptions of Senate Bill No. 5353, Senate Bill No. 5399, and Senate Bill No. 5471 which had been designated to the Committee on Rules and were referred to the Committee on Ways & Means.

On motion of Senator Nguyen, the Senate advanced to the fourth order of business.

MESSAGES FROM THE HOUSE

February 9, 2023

MR. PRESIDENT:

The House has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1251,
and the same is herewith transmitted.

BERNARD DEAN, Chief Clerk

February 8, 2023

MR. PRESIDENT:

The House has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1042,
and the same is herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

February 9, 2023

MR. PRESIDENT:

The House has passed:

HOUSE BILL NO. 1058,
SUBSTITUTE HOUSE BILL NO. 1080,
HOUSE BILL NO. 1100,
HOUSE BILL NO. 1262,
HOUSE BILL NO. 1367,
HOUSE BILL NO. 1416,
HOUSE BILL NO. 1544,
SUBSTITUTE HOUSE BILL NO. 1620,

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

MOTION

On motion of Senator Nguyen, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

HB 1001 by Representatives Leavitt, Rude, Ryu, Simmons, Goodman, Pollet, Doglio, Orwall, Macri, Caldier, Reeves, Bronoske, Kloba and Riccelli

AN ACT Relating to the audiology and speech-language pathology interstate compact; adding a new chapter to Title 18 RCW; and providing a contingent effective date.

Referred to Committee on Health & Long-Term Care.

HB 1006 by Representatives Orwall, Mosbrucker, Goodman, Davis, Hackney, Simmons, Griffey, Peterson, Leavitt, Ryu, Bateman, Reed, Graham, Ramel, Pollet, Doglio, Rude, Macri, Caldier, Reeves, Wylie, Gregerson, Kloba, Riccelli, Farivar and Fosse

AN ACT Relating to expanding access to drug testing equipment to promote community safety; and amending RCW 69.50.102 and 69.50.4121.

Referred to Committee on Law & Justice.

HB 1114 by Representatives Mosbrucker, Simmons, Reed and Goodman

AN ACT Relating to the membership of the sentencing guidelines commission; and amending RCW 9.94A.860.

Referred to Committee on Law & Justice.

SHB 1121 by House Committee on Civil Rights & Judiciary (originally sponsored by Goodman, Leavitt, Reeves, Lekanoff and Wylie)

AN ACT Relating to the uniform child abduction prevention act; and adding a new chapter to Title 26 RCW.

Referred to Committee on Law & Justice.

SHB 1234 by House Committee on Civil Rights & Judiciary (originally sponsored by Goodman, Eslick, Peterson, Leavitt, Fitzgibbon, Bateman, Walen, Stearns and Pollet)

AN ACT Relating to the civil forfeiture of animals seized for abuse or neglect; amending RCW 16.52.085; and creating a new section.

Referred to Committee on Law & Justice.

HB 1259 by Representatives Abbarno, Stearns and Reeves

AN ACT Relating to updating the executive team of the office of the secretary of state by adding signing authority to the chief of staff position; amending RCW 43.07.020; and declaring an emergency.

Referred to Committee on State Government & Elections.

HB 1312 by Representatives Rude, Entenman, Goodman, Ortiz-Self and Ormsby

AN ACT Relating to allowing persons who are 70 years of age or older to opt out of juror service; and amending RCW 2.36.100.

Referred to Committee on Law & Justice.

SHB 1352 by House Committee on Local Government (originally sponsored by Stearns, Low, Cortes, Entenman, Couture, Ramel, Lekanoff, Pollet and Fosse)

AN ACT Relating to authorizing tribal investment in county investment pools; and amending RCW 36.29.020, 36.29.022, and 36.29.024.

Referred to Committee on Local Government, Land Use & Tribal Affairs.

MOTIONS

On motion of Senator Nguyen, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

At 12:33 p.m., on motion of Senator Nguyen, the Senate adjourned until 12:30 p.m. Monday, February 13, 2023.

KAREN KEISER, President Pro Tempore of the Senate

SARAH BANNISTER, Secretary of the Senate

THIRTY SIXTH DAY

AFTERNOON SESSION

Senate Chamber, Olympia
Monday, February 13, 2023

The Senate was called to order at 12:30 p.m. by the President of the Senate, Lt. Governor Heck presiding. No roll call was taken.

MOTIONS

On motion of Senator Pedersen, the reading of the Journal of the previous day was dispensed with and it was approved.

There being no objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

February 10, 2023

SB 5066 Prime Sponsor, Senator Short: Concerning health care benefit managers. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Vice Chair; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Randall and Van De Wege.

Referred to Committee on Rules for second reading.

February 9, 2023

SB 5163 Prime Sponsor, Senator Rivers: Removing the sunset provisions on the medicaid fraud false claims act. Reported by Committee on Ways & Means

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 10, 2023

SB 5245 Prime Sponsor, Senator Wilson, J.: Concerning biosolids. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: That Substitute Senate Bill No. 5245 be substituted therefor, and the substitute bill do pass. Signed by Senators Nguyen, Chair; Lovelett, Vice Chair; MacEwen, Ranking Member; Boehnke; Lovick; Short; Trudeau and Wellman.

Referred to Committee on Rules for second reading.

February 10, 2023

SB 5278 Prime Sponsor, Senator Wilson, L.: Implementing audit recommendations to reduce barriers to home care aide certification. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5278 be substituted therefor, and the substitute bill do pass. Signed by Senators Robinson, Vice Chair; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Randall and Van De Wege.

Referred to Committee on Ways & Means.

February 10, 2023

SB 5322 Prime Sponsor, Senator Wellman: Requiring environmental and labor reporting for public building construction and renovation material. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: That Substitute Senate Bill No. 5322 be substituted therefor, and the substitute bill do pass. Signed by Senators Nguyen, Chair; Lovelett, Vice Chair; Lovick; Trudeau and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators MacEwen, Ranking Member; Boehnke and Short.

Referred to Committee on Ways & Means.

February 10, 2023

SB 5366 Prime Sponsor, Senator Nguyen: Preventing utility shutoffs for nonpayment during extreme heat. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: That Substitute Senate Bill No. 5366 be substituted therefor, and the substitute bill do pass. Signed by Senators Nguyen, Chair; Lovelett, Vice Chair; Lovick; Trudeau and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators MacEwen, Ranking Member; Boehnke and Short.

Referred to Committee on Rules for second reading.

February 10, 2023

SB 5378 Prime Sponsor, Senator Kauffman: Concerning voter education. Reported by Committee on State Government & Elections

MAJORITY recommendation: That Substitute Senate Bill No. 5378 be substituted therefor, and the substitute bill do pass. Signed by Senators Valdez, Vice Chair; Wilson, J., Ranking Member; Hunt, Chair; Dozier; Fortunato; Hasegawa and Kuderer.

Referred to Committee on Rules for second reading.

February 10, 2023

SB 5380 Prime Sponsor, Senator Nguyen: Concerning clean energy siting. Reported by Committee on Environment, Energy & Technology

THIRTY SIXTH DAY, FEBRUARY 13, 2023

MAJORITY recommendation: That Substitute Senate Bill No. 5380 be substituted therefor, and the substitute bill do pass. Signed by Senators Nguyen, Chair; Lovelett, Vice Chair; Lovick; Trudeau and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators MacEwen, Ranking Member; Boehnke and Short.

Referred to Committee on Ways & Means.

February 9, 2023

SB 5403 Prime Sponsor, Senator Schoesler: Establishing school district depreciation subfunds for the purposes of preventative maintenance. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; Mullet and Pedersen.

Referred to Committee on Rules for second reading.

February 10, 2023

SB 5428 Prime Sponsor, Senator Valdez: Modifying state procurement procedures for competitive, sole source, convenience, and emergency goods and services contracts. Reported by Committee on State Government & Elections

MAJORITY recommendation: Do pass. Signed by Senators Valdez, Vice Chair; Wilson, J., Ranking Member; Hunt, Chair; Dozier; Fortunato; Hasegawa and Kuderer.

Referred to Committee on Rules for second reading.

February 9, 2023

SB 5439 Prime Sponsor, Senator Warnick: Concerning livestock identification. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That Substitute Senate Bill No. 5439 be substituted therefor, and the substitute bill do pass. Signed by Senators Muzzall, Ranking Member; Van De Wege, Chair; Salomon, Vice Chair; Rolfes; Shewmake; Short; Stanford; Wagoner and Warnick.

Referred to Committee on Rules for second reading.

February 10, 2023

SB 5485 Prime Sponsor, Senator Shewmake: Concerning public employee reimbursement for child and adult dependent care expenses. Reported by Committee on State Government & Elections

MAJORITY recommendation: Do pass. Signed by Senators Valdez, Vice Chair; Hunt, Chair; Hasegawa and Kuderer.

MINORITY recommendation: Do not pass. Signed by Senators Wilson, J., Ranking Member; Dozier and Fortunato.

Referred to Committee on Ways & Means.

February 9, 2023

SB 5527 Prime Sponsor, Senator Mullet: Adding additional courses to the list of courses approved as a graduation pathway option. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; Mullet and Pedersen.

Referred to Committee on Rules for second reading.

February 10, 2023

SB 5581 Prime Sponsor, Senator Muzzall: Developing strategies to reduce or eliminate deductibles for maternal support services and postpartum care. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5581 be substituted therefor, and the substitute bill do pass. Signed by Senators Robinson, Vice Chair; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Randall and Van De Wege.

Referred to Committee on Rules for second reading.

February 9, 2023

SB 5593 Prime Sponsor, Senator Liias: Improving equity in the transfer of student data between K-12 schools and institutions of higher education. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 5593 be substituted therefor, and the substitute bill do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hunt; Mullet and Pedersen.

MINORITY recommendation: Do not pass. Signed by Senators Hawkins, Ranking Member and Dozier.

Referred to Committee on Ways & Means.

February 10, 2023

SB 5595 Prime Sponsor, Senator Wilson, J.: Adopting the evergreen state as the state nickname. Reported by Committee on State Government & Elections

MAJORITY recommendation: Do pass. Signed by Senators Valdez, Vice Chair; Wilson, J., Ranking Member; Hunt, Chair; Dozier; Fortunato; Hasegawa and Kuderer.

Referred to Committee on Rules for second reading.

February 10, 2023

SB 5684 Prime Sponsor, Senator Hasegawa: Concerning small works rosters. Reported by Committee on State Government & Elections

MAJORITY recommendation: Do pass. Signed by Senators Valdez, Vice Chair; Hunt, Chair; Dozier; Fortunato; Hasegawa and Kuderer.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Wilson, J., Ranking Member.

Referred to Committee on Ways & Means.

MOTION

On motion of Pedersen, all measures listed on the Standing Committee report were referred to the committees as designated with the exception of Senate Bill No. 5485 which had been designated to the Committee on Rules and was referred to the Committee on Ways & Means.

REMARKS BY THE PRESIDENT

President Heck: "The President would like to note the annual trip around the sun being celebrated by one of the rostrum attorneys here, Ms. Jeannie Gorrell. A particularly significant birthday. Ends in a zero, four-zero, or something along those lines. The President would like to extend his hardest birthday wishes."

MOTION

On motion of Senator Pedersen, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 5739 by Senator Fortunato

AN ACT Relating to providing notice to members of the community where a sexually violent predator will reside; and amending RCW 71.09.140 and 71.09.096.

Referred to Committee on Human Services.

SB 5740 by Senators Wilson, J. and MacEwen

AN ACT Relating to deterring catalytic converter theft; amending RCW 19.290.020, 19.290.030, 19.290.050, 19.290.080, and 9.94A.515; reenacting and amending RCW 19.290.010; adding a new section to chapter 19.290 RCW; adding a new section to chapter 43.43 RCW; adding new sections to chapter 9A.82 RCW; creating a new section; prescribing penalties; providing an effective date; and declaring an emergency.

Referred to Committee on Law & Justice.

SB 5741 by Senators Braun, Lovick and Wilson, J.

AN ACT Relating to establishing a housing gap voucher pilot program; adding new sections to chapter 43.185B RCW; creating a new section; providing expiration dates; providing an effective date; and declaring an emergency.

Referred to Committee on Housing.

SB 5742 by Senators Kauffman and Liias

AN ACT Relating to codifying certain existing grant programs at the department of transportation; adding new sections to chapter 47.66 RCW; adding new sections to chapter 47.76 RCW; and adding a new section to chapter 47.04 RCW.

Referred to Committee on Transportation.

SJM 8007 by Senators Kauffman and Hasegawa
Requesting Congress to fully fund 40 percent of the costs of IDEA.

Referred to Committee on Early Learning & K-12 Education.

ESHB 1042 by House Committee on Housing (originally sponsored by Walen, Ryu, Barkis, Simmons, Duerr, Goodman, Bateman, Reed, Ramel, Peterson, Pollet, Doglio, Macri, Reeves, Mena, Tharinger, Wylie, Gregerson, Springer, Bergquist, Thai, Kloba, Santos and Ormsby)

AN ACT Relating to the creation of additional housing units in existing buildings; adding a new section to chapter 35A.21 RCW; and adding a new section to chapter 35.21 RCW.

Referred to Committee on Housing.

HB 1058 by Representatives Paul, Orcutt, Simmons, Ryu, Reed, Ramel, Lekanoff, Sandlin, Macri, Timmons, Wylie, Shavers, Kloba and Ormsby

AN ACT Relating to streamlining the licensing process for a commercial driver's license by allowing the department to waive requirements for applicants that previously surrendered the license, allowing the license to be renewed online, and modifying the license test fees; amending RCW 46.25.088 and 46.25.060; and providing an effective date.

Referred to Committee on Transportation.

SHB 1080 by House Committee on Civil Rights & Judiciary (originally sponsored by Taylor, Peterson, Simmons, Walen, Reed, Stearns, Berry, Pollet, Goodman, Orwall, Bergquist, Gregerson and Thai)

AN ACT Relating to body worn cameras; and amending RCW 42.56.240.

Referred to Committee on Law & Justice.

HB 1100 by Representatives Schmick and Leavitt

AN ACT Relating to the disposition of the remains of a county resident who dies indigent in an adjacent county outside of Washington; and amending RCW 36.39.030.

Referred to Committee on Local Government, Land Use & Tribal Affairs.

ESHB 1251 by House Committee on Local Government (originally sponsored by Stonier, Bateman, Reed, Riccelli and Pollet)

AN ACT Relating to water systems' notice to customers of public health considerations; and adding a new section to chapter 70A.125 RCW.

Referred to Committee on Health & Long-Term Care.

HB 1262 by Representatives Walen, Reed and Davis

AN ACT Relating to establishing a lump sum reporting system; amending RCW 26.23.020, 26.23.060, and 26.23.070; adding a new section to chapter 26.23 RCW; and creating a new section.

Referred to Committee on Law & Justice.

HB 1367 by Representatives Donaghy, Reed, Doglio, Ramel, Pollet and Macri

THIRTY SIXTH DAY, FEBRUARY 13, 2023

AN ACT Relating to eliminating unnecessary homeless funding budget and auditing requirements; amending RCW 36.22.179; and reenacting and amending RCW 43.185C.060.

Referred to Committee on Housing.

HB 1416 by Representatives Doglio, Ramel, Berry, Lekanoff and Reed

AN ACT Relating to applying the affected market customer provisions of the Washington clean energy transformation act to nonresidential customers of consumer-owned utilities; and amending RCW 19.405.020.

Referred to Committee on Environment, Energy & Technology.

HB 1544 by Representatives Alvarado, Tharinger, Pollet and Duerr

AN ACT Relating to shoreline master program review schedules; amending RCW 90.58.080 and 90.58.080; providing an effective date; and providing an expiration date.

Referred to Committee on Local Government, Land Use & Tribal Affairs.

SHB 1620 by House Committee on Local Government (originally sponsored by Fey and Morgan)

AN ACT Relating to the number of inhabitants required for incorporation as a city or town; amending RCW 35.02.010 and 35.02.010; providing an effective date; and providing an expiration date.

Referred to Committee on Local Government, Land Use & Tribal Affairs.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

At 12:32 p.m., on motion of Senator Pedersen, the Senate adjourned until 12:30 p.m. Tuesday, February 14, 2023.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

THIRTY SEVENTH DAY

AFTERNOON SESSION

Senate Chamber, Olympia
Tuesday, February 14, 2023

The Senate was called to order at 12:30 p.m. by the President of the Senate, Lt. Governor Heck presiding. No roll call was taken.

MOTIONS

Pursuant to Rule 46, on motion of Senator Pedersen, and without objection, the Standing Committees were granted special leave to continue to meet during the day's floor session.

On motion of Senator Pedersen, the reading of the Journal of the previous day was dispensed with and it was approved.

There being no objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

February 13, 2023

SB 5259 Prime Sponsor, Senator Keiser: Ensuring commerce and workplaces are safe from product theft. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 5259 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; Robinson and Stanford.

MINORITY recommendation: Do not pass. Signed by Senator Schoesler.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators King, Ranking Member; Braun and MacEwen.

Referred to Committee on Ways & Means.

February 13, 2023

SB 5340 Prime Sponsor, Senator King: Regarding limits on the sale and possession of retail cannabis products. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Braun; MacEwen; Robinson; Schoesler and Stanford.

Referred to Committee on Rules for second reading.

February 13, 2023

SB 5355 Prime Sponsor, Senator Wilson, C.: Mandating instruction on sex trafficking prevention and identification for students in grades seven through 12. Reported by Committee on Ways & Means

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler,

Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Braun; Conway; Dhingra; Hasegawa; Keiser; Muzzall; Nguyen; Pedersen; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 13, 2023

SB 5363 Prime Sponsor, Senator MacEwen: Concerning cannabis retailer advertising. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Braun; MacEwen; Robinson; Schoesler and Stanford.

Referred to Committee on Rules for second reading.

February 13, 2023

SB 5367 Prime Sponsor, Senator Robinson: Concerning the regulation of products containing THC. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 5367 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Robinson; Schoesler and Stanford.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun and MacEwen.

Referred to Committee on Ways & Means.

February 10, 2023

SB 5386 Prime Sponsor, Senator Robinson: Reducing administrative complexity by increasing transparency of revenue flows for activities funded by document recording fees. Reported by Committee on Housing

MAJORITY recommendation: That Substitute Senate Bill No. 5386 be substituted therefor, and the substitute bill do pass. Signed by Senators Kuderer, Chair; Frame, Vice Chair; Fortunato, Ranking Member; Cleveland; Gildon; Saldaña; Shewmake and Trudeau.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun and Wilson, J.

Referred to Committee on Ways & Means.

February 13, 2023

SB 5425 Prime Sponsor, Senator Salomon: Concerning fire protection sprinkler system contractors. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 5425 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Braun; Robinson and Stanford.

THIRTY SEVENTH DAY, FEBRUARY 14, 2023

MINORITY recommendation: Do not pass. Signed by Senator Schoesler.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator MacEwen.

Referred to Committee on Ways & Means.

February 13, 2023

SB 5454 Prime Sponsor, Senator Cleveland: Concerning industrial insurance coverage for posttraumatic stress disorders affecting registered nurses. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 5454 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; Robinson and Stanford.

MINORITY recommendation: Do not pass. Signed by Senator Schoesler.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators King, Ranking Member; Braun and MacEwen.

Referred to Committee on Ways & Means.

February 10, 2023

SB 5498 Prime Sponsor, Senator Mullet: Creating the hospital-based nurse student loan repayment assistance program under the Washington health corps. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That Substitute Senate Bill No. 5498 be substituted therefor, and the substitute bill do pass. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member and Liias.

Referred to Committee on Ways & Means.

February 10, 2023

SB 5609 Prime Sponsor, Senator Braun: Establishing housing approval requirements that will eliminate Washington's housing shortage. Reported by Committee on Housing

MAJORITY recommendation: That Substitute Senate Bill No. 5609 be substituted therefor, and the substitute bill do pass. Signed by Senators Kuderer, Chair; Frame, Vice Chair; Fortunato, Ranking Member; Braun; Cleveland; Gildon; Saldaña; Shewmake; Trudeau and Wilson, J.

Referred to Committee on Ways & Means.

February 13, 2023

SB 5617 Prime Sponsor, Senator Wellman: Facilitating course equivalency agreements between skill centers and school districts. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 5617 be substituted therefor, and the substitute bill do pass. Signed by Senators Wellman, Chair; Nobles, Vice

Chair; Wilson, C., Vice Chair; Dozier; Hunt; Mullet and Pedersen.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Hawkins, Ranking Member and McCune.

Referred to Committee on Ways & Means.

February 13, 2023

SB 5621 Prime Sponsor, Senator Muzzall: Protecting workers displaced due to finfish aquaculture facility closure. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Braun; MacEwen; Robinson; Schoesler and Stanford.

Referred to Committee on Rules for second reading.

February 13, 2023

SB 5626 Prime Sponsor, Senator Liias: Expanding and enhancing media literacy and digital citizenship in K-12 education. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 5626 be substituted therefor, and the substitute bill do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune; Mullet and Pedersen.

Referred to Committee on Ways & Means.

February 13, 2023

SB 5632 Prime Sponsor, Senator Keiser: Protecting the health care of workers participating in a labor dispute. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; Robinson and Stanford.

MINORITY recommendation: Do not pass. Signed by Senators King, Ranking Member; Braun; MacEwen and Schoesler.

Referred to Committee on Ways & Means.

February 13, 2023

SB 5647 Prime Sponsor, Senator Torres: Providing temporary employees necessary information about school safety policies and procedures. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune; Mullet and Pedersen.

Referred to Committee on Rules for second reading.

February 13, 2023

SB 5648 Prime Sponsor, Senator Wellman: Including state-tribal education compact schools and charter schools as entities able to receive waivers from the state board of education. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 5648 be substituted therefor, and the substitute bill do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune; Mullet and Pedersen.

Referred to Committee on Rules for second reading.

February 13, 2023

SB 5710 Prime Sponsor, Senator Torres: Providing access to behavioral health services to youth in rural and underserved areas. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hunt and Mullet.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Hawkins, Ranking Member; Dozier; McCune and Pedersen.

Referred to Committee on Ways & Means.

February 13, 2023

SB 5730 Prime Sponsor, Senator Fortunato: Concerning impounds of vehicles used as residences. Reported by Committee on Transportation

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Lias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Holy, Assistant Ranking Member; Cleveland; Fortunato; Hawkins; Kauffman; MacEwen; Nobles; Padden; Randall; Valdez; Wilson, C. and Wilson, J.

Referred to Committee on Housing.

February 10, 2023

HB 1046 Prime Sponsor, Representative Walen: Expanding housing supply by supporting the ability of public housing authorities to finance affordable housing developments by rebenchmarking area median income limits. Reported by Committee on Housing

MAJORITY recommendation: Do pass. Signed by Senators Kuderer, Chair; Frame, Vice Chair; Fortunato, Ranking Member; Braun; Cleveland; Gildon; Saldaña; Shewmake; Trudeau and Wilson, J.

Referred to Committee on Rules for second reading.

February 10, 2023

SHB 1070 Prime Sponsor, Committee on Housing: Exempting the sale and leaseback of property by a seller from the residential landlord-tenant act when the seller agrees to a written lease at closing. Reported by Committee on Housing

MAJORITY recommendation: Do pass. Signed by Senators Kuderer, Chair; Frame, Vice Chair; Fortunato,

Ranking Member; Braun; Cleveland; Gildon; Saldaña; Shewmake; Trudeau and Wilson, J.

Referred to Committee on Rules for second reading.

February 13, 2023

SGA 9001 JUANITA J. KAMPHUIS, reappointed on July 23, 2018, for the term ending July 1, 2023, as Member of the Washington Center for Deaf and Hard of Hearing Youth. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune; Mullet and Pedersen.

Referred to Committee on Rules for second reading.

February 13, 2023

SGA 9002 MARIA J. CHRISTIANSON, reappointed on July 27, 2018, for the term ending July 1, 2023, as Member of the Washington Center for Deaf and Hard of Hearing Youth. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune; Mullet and Pedersen.

Referred to Committee on Rules for second reading.

February 13, 2023

SGA 9003 DENNIS W. MATHEWS, reappointed on September 6, 2018, for the term ending July 1, 2023, as Member of the Washington State School for the Blind Board of Trustees. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune; Mullet and Pedersen.

Referred to Committee on Rules for second reading.

February 13, 2023

SGA 9004 NANCY L. MCDANIEL, reappointed on September 25, 2018, for the term ending July 1, 2023, as Member of the Washington State School for the Blind Board of Trustees. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune; Mullet and Pedersen.

Referred to Committee on Rules for second reading.

February 13, 2023

SGA 9010 LILY CLIFTON, appointed on November 8, 2018, for the term ending July 1, 2023, as Member of the Washington State School for the Blind Board of Trustees. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wellman, Chair; Nobles,

THIRTY SEVENTH DAY, FEBRUARY 14, 2023

Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune; Mullet and Pedersen.

Referred to Committee on Rules for second reading.

February 13, 2023

SGA 9046 F. MARIBEL VILCHEZ, appointed on November 19, 2019, for the term ending June 30, 2023, as Member of the Professional Educator Standards Board. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune; Mullet and Pedersen.

Referred to Committee on Rules for second reading.

February 13, 2023

SGA 9047 WESLEY HENSON, appointed on November 20, 2019, for the term ending July 1, 2024, as Member of the Washington Center for Deaf and Hard of Hearing Youth. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune; Mullet and Pedersen.

Referred to Committee on Rules for second reading.

February 13, 2023

SGA 9053 JENNIFER G. ACUNA, appointed on December 17, 2019, for the term ending July 1, 2024, as Member of the Washington Center for Deaf and Hard of Hearing Youth. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune; Mullet and Pedersen.

Referred to Committee on Rules for second reading.

February 13, 2023

SGA 9054 ROBERT HAND, appointed on January 20, 2020, for the term ending June 30, 2023, as Member of the Professional Educator Standards Board. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune; Mullet and Pedersen.

Referred to Committee on Rules for second reading.

February 13, 2023

SGA 9066 LORI M. RAMSDELL, appointed on April 16, 2020, for the term ending April 15, 2025, as Member of the Indeterminate Sentence Review Board. Reported by Committee on Human Services

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wilson, C., Chair;

Kauffman, Vice Chair; Boehnke, Ranking Member; Frame; Nguyen; Warnick and Wilson, J.

Referred to Committee on Rules for second reading.

February 13, 2023

SGA 9072 ALLIE M. JOINER, appointed on July 31, 2020, for the term ending July 1, 2025, as Member of the Washington Center for Deaf and Hard of Hearing Youth. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune; Mullet and Pedersen.

Referred to Committee on Rules for second reading.

February 13, 2023

SGA 9073 NANCY J. SINKOVITZ, reappointed on July 31, 2020, for the term ending July 1, 2025, as Member of the Washington Center for Deaf and Hard of Hearing Youth. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; Mullet and Pedersen.

Referred to Committee on Rules for second reading.

February 13, 2023

SGA 9135 KRESTIN G. BAHR, appointed on April 1, 2021, for the term ending June 30, 2023, as Member of the Professional Educator Standards Board. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune; Mullet and Pedersen.

Referred to Committee on Rules for second reading.

February 13, 2023

SGA 9142 BETHANY S. RIVARD, reappointed on July 1, 2021, for the term ending June 30, 2025, as Member of the Professional Educator Standards Board. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune; Mullet and Pedersen.

Referred to Committee on Rules for second reading.

February 13, 2023

SGA 9200 BROOKE A. BROWN, appointed on January 13, 2022, for the term ending January 12, 2026, as Member of the State Board of Education. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wellman, Chair; Nobles,

Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune; Mullet and Pedersen.

Referred to Committee on Rules for second reading.

February 13, 2023

SGA 9202 ARIELE P. BELO, reappointed on December 17, 2021, for the term ending July 1, 2026, as Member of the Washington Center for Deaf and Hard of Hearing Youth. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; Mullet and Pedersen.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator McCune.

Referred to Committee on Rules for second reading.

February 13, 2023

SGA 9207 ADAM L. AGUILERA, reappointed on January 6, 2022, for the term ending September 30, 2025, as Member of the Professional Educator Standards Board. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; Mullet and Pedersen.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator McCune.

Referred to Committee on Rules for second reading.

February 13, 2023

SGA 9208 SUSANA REYES, reappointed on January 13, 2022, for the term ending January 12, 2026, as Member of the State Board of Education. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune; Mullet and Pedersen.

Referred to Committee on Rules for second reading.

February 13, 2023

SGA 9209 DANA M. RILEY BLACK, appointed on January 13, 2022, for the term ending January 12, 2026, as Member of the State Board of Education. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune; Mullet and Pedersen.

Referred to Committee on Rules for second reading.

February 13, 2023

SGA 9233 DENNIS L. MATTHEWS, appointed on March 25, 2022, for the term ending July 1, 2026, as Member of the Washington Center for Deaf and Hard of Hearing Youth. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune; Mullet and Pedersen.

Referred to Committee on Rules for second reading.

February 13, 2023

SGA 9252 DOUG D. BALDWIN JR., appointed on October 4, 2022, for the term ending September 25, 2026, as Member of the Clemency and Pardons Board. Reported by Committee on Human Services

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Boehnke, Ranking Member; Frame; Nguyen; Warnick and Wilson, J.

Referred to Committee on Rules for second reading.

February 13, 2023

SGA 9253 KAZIPUTALIMBA JOSHUA, appointed on October 4, 2022, for the term ending September 25, 2023, as Member of the Clemency and Pardons Board. Reported by Committee on Human Services

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Boehnke, Ranking Member; Frame; Nguyen; Warnick and Wilson, J.

Referred to Committee on Rules for second reading.

February 13, 2023

SGA 9288 ELYSE M. BALMERT, reappointed on April 18, 2022, for the term ending April 15, 2027, as Member of the Indeterminate Sentence Review Board. Reported by Committee on Human Services

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Boehnke, Ranking Member; Frame; Nguyen; Warnick and Wilson, J.

Referred to Committee on Rules for second reading.

February 13, 2023

SGA 9289 AMY G. CAMPBELL, appointed on July 1, 2022, for the term ending June 30, 2026, as Member of the Professional Educator Standards Board. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune; Mullet and Pedersen.

Referred to Committee on Rules for second reading.

February 13, 2023

THIRTY SEVENTH DAY, FEBRUARY 14, 2023

SGA 9290 ALEJANDRO B. CASTRO-WILSON, appointed on May 23, 2022, for the term ending September 30, 2025, as Member of the Professional Educator Standards Board. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune; Mullet and Pedersen.

Referred to Committee on Rules for second reading.

February 13, 2023

SGA 9302 HANNAH JOHNSON, appointed on April 4, 2022, for the term ending July 1, 2026, as Member of the Washington Center for Deaf and Hard of Hearing Youth. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune; Mullet and Pedersen.

Referred to Committee on Rules for second reading.

February 13, 2023

SGA 9310 KECIA RONGEN, appointed on April 18, 2022, for the term ending April 15, 2027, as Member of the Indeterminate Sentence Review Board. Reported by Committee on Human Services

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Boehnke, Ranking Member; Frame; Nguyen; Warnick and Wilson, J.

Referred to Committee on Rules for second reading.

February 13, 2023

SGA 9325 KERI J. CLARK, reappointed on January 9, 2023, for the term ending July 1, 2026, as Member of the Washington State School for the Blind Board of Trustees. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune; Mullet and Pedersen.

Referred to Committee on Rules for second reading.

February 13, 2023

SGA 9326 PAUL E. PITRE, appointed on January 19, 2023, for the term ending January 12, 2027, as Member of the State Board of Education. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune; Mullet and Pedersen.

Referred to Committee on Rules for second reading.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Standing Committee report were referred to the committees as designated.

On motion of Senator Pedersen, the Senate advanced to the fourth order of business.

MESSAGES FROM THE HOUSE

February 13, 2023

MR. PRESIDENT:

The House has passed:

SUBSTITUTE HOUSE BILL NO. 1043,
SUBSTITUTE HOUSE BILL NO. 1060,
HOUSE BILL NO. 1146,
HOUSE BILL NO. 1345,
HOUSE BILL NO. 1471,
HOUSE BILL NO. 1481,
HOUSE BILL NO. 1657,

and the same are herewith transmitted.

BERNARD DEAN, Chief Clerk

February 14, 2023

MR. PRESIDENT:

The Speaker has signed SENATE CONCURRENT RESOLUTION NO. 8403 and the same is herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

February 14, 2023

MR. PRESIDENT:

The Speaker has signed SUBSTITUTE HOUSE BILL NO. 1103 and the same is herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

MOTION

On motion of Senator Pedersen, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 5743 by Senators Liias and Billig

AN ACT Relating to making certain nonsubstantive, corrective changes resulting from enactment of chapter 182, Laws of 2022 (transportation resources); amending RCW 81.104.170, 81.104.175, 47.04.380, 47.04.390, 46.68.480, 43.84.092, and 43.84.092; reenacting and amending RCW 47.04.010; adding a new section to chapter 47.04 RCW; creating new sections; recodifying RCW 47.24.060; providing an effective date; and providing an expiration date.

Referred to Committee on Transportation.

MOTION

On motion of Senator Pedersen, the measure listed on the Introduction and First Reading report was referred to the committee as designated.

SIGNED BY THE PRESIDENT

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

SUBSTITUTE HOUSE BILL NO. 1103.

MOTION

At 12:33 p.m., on motion of Senator Pedersen, the Senate adjourned until 10:30 a.m. Wednesday, February 15, 2023.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

THIRTY EIGHTH DAY

MORNING SESSION

Senate Chamber, Olympia
Wednesday, February 15, 2023

The Senate was called to order at 10:30 a.m. by the President of the Senate, Lt. Governor Heck presiding. The Secretary called the roll and announced to the President that all senators were present.

The Sergeant at Arms Color Guard consisting of Pages Miss Sarah Towne and Miss Holly Hames, presented the Colors. Page Mr. Logan Sellers led the Senate in the Pledge of Allegiance.

The invocation was offered by Ms. Jennifer Chamberlain, Celebrant and Invocator with the American Humanist Society, Bremerton.

MOTIONS

On motion of Senator Pedersen, the reading of the Journal of the previous day was dispensed with and it was approved.

On motion of Senator Pedersen, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

February 14, 2023

SB 5015 Prime Sponsor, Senator Fortunato: Reestablishing the productivity board. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 14, 2023

SB 5052 Prime Sponsor, Senator Liias: Establishing leasehold excise tax parity and accountability for certain arenas and stadiums. Reported by Committee on Business, Financial Services, Gaming & Trade

MAJORITY recommendation: That Substitute Senate Bill No. 5052 be substituted therefor, and the substitute bill do pass. Signed by Senators Stanford, Chair; Frame, Vice Chair; Dozier, Ranking Member; Boehnke; Gildon; Lovick; MacEwen and Mullet.

MINORITY recommendation: Do not pass. Signed by Senator Hasegawa.

Referred to Committee on Ways & Means.

February 14, 2023

SB 5070 Prime Sponsor, Senator Nobles: Concerning victims of nonfatal strangulation. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 14, 2023

SB 5104 Prime Sponsor, Senator Salomon: Surveying Puget Sound marine shoreline habitat. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Nguyen; Pedersen; Saldaña; Wagoner and Wellman.

MINORITY recommendation: Do not pass. Signed by Senator Muzzall.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Boehnke; Braun and Torres.

Referred to Committee on Rules for second reading.

February 14, 2023

SB 5111 Prime Sponsor, Senator Keiser: Concerning payments for accrued and unused sick leave for certain construction workers. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 5111 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Robinson; Schoesler and Stanford.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun and MacEwen.

Referred to Committee on Rules for second reading.

February 14, 2023

SB 5186 Prime Sponsor, Senator Liias: Requiring antidiscrimination clauses in public contracting. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 5186 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Braun; MacEwen; Robinson and Stanford.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Schoesler.

Referred to Committee on Ways & Means.

February 14, 2023

SB 5267 Prime Sponsor, Senator Kuderer: Safeguarding the public safety by protecting railroad workers. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 5267 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; Robinson and Stanford.

MINORITY recommendation: Do not pass. Signed by Senators King, Ranking Member and Braun.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators MacEwen and Schoesler.

Referred to Committee on Rules for second reading.

February 14, 2023

SB 5291 Prime Sponsor, Senator Schoesler: Concerning liquor licenses. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 5291 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; King, Ranking Member; Braun; MacEwen; Robinson and Schoesler.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Conway, Vice Chair Saldaña, Vice Chair.

MINORITY recommendation: Do not pass. Signed by Senator Stanford.

Referred to Committee on Ways & Means.

February 14, 2023

SB 5304 Prime Sponsor, Senator Saldaña: Testing individuals who provide language access to state services. Reported by Committee on Human Services

MAJORITY recommendation: That Substitute Senate Bill No. 5304 be substituted therefor, and the substitute bill do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Frame and Nguyen.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Boehnke, Ranking Member; Warnick and Wilson, J.

Referred to Committee on Ways & Means.

February 14, 2023

SB 5341 Prime Sponsor, Senator Muzzall: Creating a location-based branding and promotion program for Washington food and agricultural products. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Wagoner and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Warnick, Assistant Ranking Member, Capital.

Referred to Committee on Rules for second reading.

February 14, 2023

SB 5348 Prime Sponsor, Senator Conway: Concerning warehouse distribution centers. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 5348 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; Robinson; Schoesler and Stanford.

MINORITY recommendation: Do not pass. Signed by Senators King, Ranking Member; Braun and MacEwen.

Referred to Committee on Rules for second reading.

February 14, 2023

SB 5365 Prime Sponsor, Senator Saldaña: Preventing use of vapor and tobacco products by minors. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 5365 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; Robinson and Stanford.

MINORITY recommendation: Do not pass. Signed by Senators King, Ranking Member; Braun; MacEwen and Schoesler.

Referred to Committee on Rules for second reading.

February 14, 2023

SB 5373 Prime Sponsor, Senator Randall: Requiring equal reimbursement for advanced registered nurse practitioners, physician assistants, and physicians. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Vice Chair; Cleveland, Chair; Conway; Dhingra; Holy; Randall and Van De Wege.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Muzzall, Assistant Ranking Member and Padden.

Referred to Committee on Ways & Means.

February 14, 2023

THIRTY EIGHTH DAY, FEBRUARY 15, 2023

SB 5377 Prime Sponsor, Senator Rivers: Concerning cannabis license ownership. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 5377 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Braun; MacEwen; Robinson; Schoesler and Stanford.

Referred to Committee on Ways & Means.

February 14, 2023

SB 5398 Prime Sponsor, Senator MacEwen: Concerning domestic violence funding allocation. Reported by Committee on Human Services

MAJORITY recommendation: That Substitute Senate Bill No. 5398 be substituted therefor, and the substitute bill do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Boehnke, Ranking Member; Frame; Nguyen; Warnick and Wilson, J.

Referred to Committee on Ways & Means.

February 14, 2023

SB 5438 Prime Sponsor, Senator Warnick: Facilitating supportive relationships with family and significant individuals within the behavioral health system. Reported by Committee on Human Services

MAJORITY recommendation: That Substitute Senate Bill No. 5438 be substituted therefor, and the substitute bill do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Boehnke, Ranking Member; Frame; Nguyen; Warnick and Wilson, J.

Referred to Committee on Ways & Means.

February 14, 2023

SB 5470 Prime Sponsor, Senator Trudeau: Creating a new health profession for lactation consultants. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5470 be substituted therefor, and the substitute bill do pass. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Ways & Means.

February 14, 2023

SB 5497 Prime Sponsor, Senator Wilson, L.: Concerning medicaid expenditures. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway;

Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Torres; Wagoner and Wellman.

MINORITY recommendation: Do not pass. Signed by Senator Dhingra.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Pedersen and Saldaña.

Referred to Committee on Rules for second reading.

February 14, 2023

SB 5518 Prime Sponsor, Senator Boehnke: Concerning the protection of critical constituent and state operational data against the financial and personal harm caused by ransomware and other malicious cyber activities. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: That Substitute Senate Bill No. 5518 be substituted therefor, and the substitute bill do pass. Signed by Senators Nguyen, Chair; Lovelett, Vice Chair; MacEwen, Ranking Member; Boehnke; Lovick; Short; Trudeau and Wellman.

Referred to Committee on Ways & Means.

February 14, 2023

SB 5526 Prime Sponsor, Senator Van De Wege: Concerning nursing facility rates. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5526 be substituted therefor, and the substitute bill do pass. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Ways & Means.

February 14, 2023

SB 5528 Prime Sponsor, Senator Stanford: Concerning the retainage percentage withheld by prime contractors. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 5528 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; MacEwen; Robinson; Schoesler and Stanford.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Braun.

Referred to Committee on Rules for second reading.

February 14, 2023

SB 5532 Prime Sponsor, Senator King: Providing enhanced payment to low volume, small rural hospitals. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5532 be substituted therefor, and the substitute bill do pass. Signed by Senators Robinson, Vice Chair; Rivers,

Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Reported by Committee on Local Government, Land Use & Tribal Affairs

Referred to Committee on Ways & Means.

MAJORITY recommendation: Do pass. Signed by Senators Lovelett, Chair; Salomon, Vice Chair; Torres, Ranking Member; Kauffman and Short.

Referred to Committee on Rules for second reading.

February 14, 2023

SB 5538 Prime Sponsor, Senator Cleveland: Concerning postretirement employment in nursing positions for a state agency. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5538 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Nguyen; Pedersen; Saldaña and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Boehnke; Braun and Torres.

MINORITY recommendation: Do not pass. Signed by Senators Muzzall and Wagoner.

Referred to Committee on Rules for second reading.

February 14, 2023

SB 5562 Prime Sponsor, Senator Nguyen: Supporting Washington's clean energy economy and transitioning to a clean, affordable, and reliable energy future. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: That Substitute Senate Bill No. 5562 be substituted therefor, and the substitute bill do pass. Signed by Senators Nguyen, Chair; Lovelett, Vice Chair; Lovick; Trudeau and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators MacEwen, Ranking Member; Boehnke and Short.

Referred to Committee on Ways & Means.

February 14, 2023

SB 5569 Prime Sponsor, Senator Rivers: Creating temporary exemptions from certificate of need requirements for kidney disease centers. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5569 be substituted therefor, and the substitute bill do pass. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Rules for second reading.

February 14, 2023

SB 5541 Prime Sponsor, Senator Dhingra: Providing transparency in supply chains. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 5541 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; Robinson and Stanford.

MINORITY recommendation: Do not pass. Signed by Senators King, Ranking Member; Braun; MacEwen and Schoesler.

Referred to Committee on Ways & Means.

February 14, 2023

SB 5580 Prime Sponsor, Senator Muzzall: Improving maternal health outcomes. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5580 be substituted therefor, and the substitute bill do pass. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Ways & Means.

February 14, 2023

SB 5546 Prime Sponsor, Senator Shewmake: Establishing a Washington state cannabis commission. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 5546 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Robinson; Schoesler and Stanford.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun and MacEwen.

Referred to Committee on Ways & Means.

February 14, 2023

SB 5591 Prime Sponsor, Senator Nobles: Providing dependent youth with financial education and support. Reported by Committee on Human Services

MAJORITY recommendation: That Substitute Senate Bill No. 5591 be substituted therefor, and the substitute bill do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Frame and Nguyen.

February 14, 2023

SB 5553 Prime Sponsor, Senator Lovelett: Authorizing standards for temporary emergency shelters for local adoption.

THIRTY EIGHTH DAY, FEBRUARY 15, 2023

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Boehnke, Ranking Member; Warnick and Wilson, J.

Referred to Committee on Ways & Means.

February 14, 2023

SB 5599 Prime Sponsor, Senator Liias: Supporting youth and young adults seeking protected health care services. Reported by Committee on Human Services

MAJORITY recommendation: That Substitute Senate Bill No. 5599 be substituted therefor, and the substitute bill do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Frame and Nguyen.

MINORITY recommendation: Do not pass. Signed by Senators Boehnke, Ranking Member; Warnick and Wilson, J.

Referred to Committee on Rules for second reading.

February 14, 2023

SB 5601 Prime Sponsor, Senator Wilson, C.: Creating a youth development office and grant program within the department of commerce. Reported by Committee on Human Services

MAJORITY recommendation: That Substitute Senate Bill No. 5601 be substituted therefor, and the substitute bill do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Frame; Nguyen and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Boehnke, Ranking Member and Wilson, J.

Referred to Committee on Ways & Means.

February 14, 2023

SB 5602 Prime Sponsor, Senator Torres: Concerning the use of hearing examiners by a county board of equalization. Reported by Committee on Local Government, Land Use & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Senators Lovelett, Chair; Salomon, Vice Chair; Torres, Ranking Member; Kauffman and Short.

Referred to Committee on Rules for second reading.

February 14, 2023

SB 5604 Prime Sponsor, Senator Robinson: Concerning county sales and use taxes for mental health and housing. Reported by Committee on Local Government, Land Use & Tribal Affairs

MAJORITY recommendation: That Substitute Senate Bill No. 5604 be substituted therefor, and the substitute bill do pass. Signed by Senators Lovelett, Chair; Salomon, Vice Chair; Kauffman and Short.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Torres, Ranking Member.

Referred to Committee on Rules for second reading.

February 14, 2023

SB 5613 Prime Sponsor, Senator Lovelett: Concerning rural public facilities sales and use tax. Reported by Committee on Local Government, Land Use & Tribal Affairs

MAJORITY recommendation: That Substitute Senate Bill No. 5613 be substituted therefor, and the substitute bill do pass. Signed by Senators Lovelett, Chair; Salomon, Vice Chair; Torres, Ranking Member; Kauffman and Short.

Referred to Committee on Ways & Means.

February 14, 2023

SB 5614 Prime Sponsor, Senator Saldaña: Concerning adult entertainment establishments. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 5614 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; MacEwen; Robinson; Schoesler and Stanford.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Braun.

Referred to Committee on Rules for second reading.

February 14, 2023

SB 5629 Prime Sponsor, Senator Conway: Concerning hepatitis B and hepatitis C screening and health care services. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Vice Chair; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden and Van De Wege.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Rivers, Ranking Member.

Referred to Committee on Rules for second reading.

February 14, 2023

SB 5683 Prime Sponsor, Senator Kauffman: Concerning child-specific foster care licenses for placement of Indian children. Reported by Committee on Human Services

MAJORITY recommendation: Do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Boehnke, Ranking Member; Frame; Nguyen; Warnick and Wilson, J.

Referred to Committee on Ways & Means.

February 14, 2023

SB 5690 Prime Sponsor, Senator Dhingra: Concerning conditional release transition teams. Reported by Committee on Human Services

MAJORITY recommendation: That Substitute Senate Bill No. 5690 be substituted therefor, and the substitute bill do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Boehnke, Ranking Member; Frame; Nguyen; Warnick and Wilson, J.

Referred to Committee on Ways & Means.

February 14, 2023

SB 5691 Prime Sponsor, Senator Warnick: Concerning resource and assessment centers. Reported by Committee on Human Services

MAJORITY recommendation: Do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Boehnke, Ranking Member; Frame; Nguyen; Warnick and Wilson, J.

Referred to Committee on Rules for second reading.

February 14, 2023

SB 5700 Prime Sponsor, Senator Van De Wege: Modernizing state health care authority related laws. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Randall and Van De Wege.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Padden.

Referred to Committee on Rules for second reading.

February 14, 2023

SB 5719 Prime Sponsor, Senator Hunt: Modifying and extending requirements of a work group convened to address the needs of students in foster care, experiencing homelessness, or both. Reported by Committee on Human Services

MAJORITY recommendation: Do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Boehnke, Ranking Member; Frame; Nguyen; Warnick and Wilson, J.

Referred to Committee on Ways & Means.

February 14, 2023

SGA 9056 TERIL L. FERREIRA, reappointed on January 20, 2020, for the term ending January 19, 2024, as Member of the Pharmacy Quality Assurance Commission. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Rules for second reading.

February 14, 2023

SGA 9057 PATRICK L. GALLAHER, appointed on January 20, 2020, for the term ending January 19, 2024, as Member of the Pharmacy Quality Assurance Commission. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Rules for second reading.

February 14, 2023

SGA 9183 ANN WOLKEN, appointed on October 12, 2021, for the term ending January 19, 2025, as Member of the Pharmacy Quality Assurance Commission. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Rules for second reading.

February 14, 2023

SGA 9211 MATTHEW W. RAY, appointed on January 20, 2022, for the term ending January 19, 2026, as Member of the Pharmacy Quality Assurance Commission. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Rules for second reading.

MOTIONS

On motion of Pedersen, all measures listed on the Standing Committee report were referred to the committees as designated with the exceptions of Senate Bill No. 5398 and Senate Bill No. 5470 which had been designated to the Committee on Rules and were referred to the Committee on Ways & Means.

On motion of Senator Pedersen, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 5744 by Senator Valdez

AN ACT Relating to plumbing supervision; amending RCW 18.106.070; and reenacting and amending RCW 18.106.010.

Referred to Committee on Labor & Commerce.

SB 5745 by Senators Rivers, Schoesler, Torres, Wilson, L., Gildon, Wilson, J., Short, Muzzall, McCune, Boehnke, Warnick, Braun, Holy, MacEwen, Wagoner, Dozier and Padden

AN ACT Relating to the use of a stolen firearm; amending RCW 9.94A.515; adding a new section to chapter 9.41 RCW; and prescribing penalties.

Referred to Committee on Law & Justice.

SHB 1043 by House Committee on Housing (originally sponsored by McEntire, Leavitt and Walsh)

AN ACT Relating to association records in common interest communities; and amending RCW 64.32.170, 64.34.372, 64.38.045, and 64.90.495.

THIRTY EIGHTH DAY, FEBRUARY 15, 2023

Referred to Committee on Law & Justice.

SHB 1060 by House Committee on Consumer Protection & Business (originally sponsored by Corry, Berry, Walen and Reeves)

AN ACT Relating to reorganization of domestic mutual insurers; amending RCW 48.09.350; and adding new sections to chapter 48.09 RCW.

Referred to Committee on Business, Financial Services, Gaming & Trade.

HB 1146 by Representatives Paul, Steele, Ramel, Taylor, Callan, Rude, Timmons, Chopp, Lekanoff, Duerr, Ramos, Shavers, Stonier, Pollet, Santos, Riccelli and Ormsby

AN ACT Relating to notifying high school students and their families about available dual credit programs and any available financial assistance; and adding a new section to chapter 28A.600 RCW.

Referred to Committee on Early Learning & K-12 Education.

HB 1345 by Representatives Farivar, Senn, Simmons, Bateman, Lekanoff, Pollet, Fosse and Davis

AN ACT Relating to contribution to costs of privileges by incarcerated individuals; and amending RCW 72.09.470.

Referred to Committee on Human Services.

HB 1471 by Representatives Stearns, Ramos, Gregerson and Ryu

AN ACT Relating to modifying state procurement procedures for competitive, sole source, convenience, and emergency goods and services contracts; amending RCW 39.26.010, 39.26.070, 39.26.130, 39.26.140, and 39.26.200; and repealing RCW 39.26.260, 39.26.270, and 39.26.271.

Referred to Committee on State Government & Elections.

HB 1481 by Representatives Cortes, Stearns, Chopp, Chapman, Peterson, Jacobsen, Ramel, Orwall, Ormsby, Reeves, Senn, Leavitt, Ortiz-Self, Taylor, Bergquist and Pollet

AN ACT Relating to permitting general authority peace officers certificated by the criminal justice training commission and employed on a full-time basis by the government of a federally recognized tribe to participate in the law enforcement officers' and firefighters' retirement system plan 2; amending RCW 41.26.030 and 41.26.450; adding new sections to chapter 41.26 RCW; and providing an effective date.

Referred to Committee on Ways & Means.

HB 1657 by Representatives Street, Cheney, Simmons, Taylor, Ormsby and Hutchins

AN ACT Relating to the authority of justices, judges, and judicial officers of federal courts to solemnize marriages; and amending RCW 26.04.050.

Referred to Committee on Law & Justice.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

On motion of Senator Pedersen, the Senate advanced to the sixth order of business.

SECOND READING

SENATE BILL NO. 5041, by Senators Lovick, King and Liias

Concerning compliance with federal motor carrier safety administration requirements for the drug and alcohol clearinghouse.

The measure was read the second time.

MOTION

On motion of Senator Lovick, the rules were suspended, Senate Bill No. 5041 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Lovick spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5041.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5041 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 1; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Absent: Senator Rivers

SENATE BILL NO. 5041, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Wagoner, Senator Rivers was excused.

SECOND READING

SENATE BILL NO. 5122, by Senators Cleveland, Muzzall, Van De Wege and Wellman

Extending the expiration date of the ambulance transport fund.

The measure was read the second time.

MOTION

On motion of Senator Cleveland, the rules were suspended, Senate Bill No. 5122 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Cleveland and Rivers spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5122.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5122 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senator Mullet

SENATE BILL NO. 5122, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5317, by Senators Nobles, Wilson, J., Frame, Liias, Lovick, Saldaña, Salomon, Shewmake, Wellman and Wilson, C.

Concerning the removal of vehicles by a regional transit authority when obstructing the operation of high capacity transportation vehicles or jeopardizing public safety.

MOTIONS

On motion of Senator Nobles, Substitute Senate Bill No. 5317 was substituted for Senate Bill No. 5317 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Nobles, the rules were suspended, Substitute Senate Bill No. 5317 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Nobles and King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5317.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5317 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SUBSTITUTE SENATE BILL NO. 5317, having received the constitutional majority, was declared passed. There being no

objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5381, by Senators Braun, Pedersen, Boehnke, Conway, Dhingra, Hunt, Keiser, King, Kuderer, Nguyen, Randall, Saldaña, Warnick, Wilson, C. and Wilson, J.

Concerning letters of recommendation or congratulations sent by legislators.

MOTIONS

On motion of Senator Braun, Substitute Senate Bill No. 5381 was substituted for Senate Bill No. 5381 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Braun, the rules were suspended, Substitute Senate Bill No. 5381 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Braun, Hunt and Wilson, J. spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5381.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5381 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SUBSTITUTE SENATE BILL NO. 5381, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5421, by Senators Conway and Van De Wege

Exempting benefit enrollment information collected and maintained by the health care authority from public inspection and copying under the public records act.

The measure was read the second time.

MOTION

On motion of Senator Conway, the rules were suspended, Senate Bill No. 5421 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Conway spoke in favor of passage of the bill.

THIRTY EIGHTH DAY, FEBRUARY 15, 2023

The President declared the question before the Senate to be the final passage of Senate Bill No. 5421.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5421 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SENATE BILL NO. 5421, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5342, by Senators Kauffman, King, Lias, Kuderer, Nobles and Wilson, C.

Concerning transit agencies' ability to enter into interlocal agreements for procurement.

The measure was read the second time.

MOTION

On motion of Senator Kauffman, the rules were suspended, Senate Bill No. 5342 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Kauffman and King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5342.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5342 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SENATE BILL NO. 5342, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

PERSONAL PRIVILEGE

Senator Kauffman: "Thank you Mr. President. I'd like to say that I am extremely happy and excited to be back in the State Senate. Although this is not my very first speech on the floor of

the State Senate, I recognize the importance of the tradition in honoring this occasion. I am thrilled to rejoin the State Senate and to be here with you today. In keeping with the traditions within the State Senate I have placed on your desk, or are being placed on your desks, a gift from a chocolatier that is located in the 47th Legislative District in which they create and package their chocolates. And it is an amazing family-owned small business. Thank you."

PERSONAL PRIVILEGE

Senator Keiser: "Thank you Mr. Speaker. Oops. So, I was recollecting back awhile when, Senator Kauffman and I are almost neighbors, 33rd District, 47th District. And when I came to the Senate, the Gosanko Chocolate factory was in my district. And I gave out candies from the same company when I came to this Chamber, I will say Chamber. It was wonderful to receive them again but now they are coming from Senator Kauffman's district and it's the growth and redistricting that's happened in south King County. Thank you so much."

REMARKS BY THE PRESIDENT

President Heck: "On behalf of the entire Chamber we thank Senator Kauffman for her gifts and acknowledgement of her second inaugural speech. Thank you Senator Kauffman."

[The Senate rose and welcomed Senator Kauffman upon her return to the Chamber.]

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced Congressman Derek Kilmer, U.S. Representative, 6th District, who was present in the wings.

MOTION

At 11:09 a.m., on motion of Senator Pedersen, the Senate was declared to be at ease subject to the call of the President for the purpose of caucus.

Senator Hasegawa announced a meeting of the Democratic Caucus.

Senator Warnick announced a meeting of the Republican Caucus.

The Senate was called to order at 11:54 a.m. by President Heck.

MOTION

On motion of Senator Pedersen, the Senate advanced to the seventh order of business.

THIRD READING CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Kuderer moved that Ken A. Larsen, Senate Gubernatorial Appointment No. 9020, be confirmed as a member of the Housing Finance Commission.

Senators Kuderer and Fortunato spoke in favor of passage of the motion.

APPOINTMENT OF KEN A. LARSEN

SECOND READING

The President declared the question before the Senate to be the confirmation of Ken A. Larsen, Senate Gubernatorial Appointment No. 9020, as a member of the Housing Finance Commission.

The Secretary called the roll on the confirmation of Ken A. Larsen, Senate Gubernatorial Appointment No. 9020, as a member of the Housing Finance Commission and the appointment was confirmed by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Ken A. Larsen, Senate Gubernatorial Appointment No. 9020, having received the constitutional majority was declared confirmed as a member of the Housing Finance Commission.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Trudeau moved that Guadalupe Gamboa, Senate Gubernatorial Appointment No. 9058, be confirmed as a member of the Human Rights Commission.

Senators Trudeau and Padden spoke in favor of passage of the motion.

APPOINTMENT OF GUADALUPE GAMBOA

The President declared the question before the Senate to be the confirmation of Guadalupe Gamboa, Senate Gubernatorial Appointment No. 9058, as a member of the Human Rights Commission.

The Secretary called the roll on the confirmation of Guadalupe Gamboa, Senate Gubernatorial Appointment No. 9058, as a member of the Human Rights Commission and the appointment was confirmed by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Guadalupe Gamboa, Senate Gubernatorial Appointment No. 9058, having received the constitutional majority was declared confirmed as a member of the Human Rights Commission.

MOTION

On motion of Senator Pedersen, the Senate reverted to the sixth order of business.

SENATE BILL NO. 5110, by Senators Keiser and Kuderer

Adding penalties for certain prohibited practices in chapter 49.44 RCW.

MOTIONS

On motion of Senator Keiser, Substitute Senate Bill No. 5110 was substituted for Senate Bill No. 5110 and the substitute bill was placed on the second reading and read the second time.

Senator King moved that the following amendment no. 0008 by Senator King be adopted:

On page 1, beginning on line 14, after "prevailing" strike all material through "applicant" on line 15 and insert "party"

Senators King and Braun spoke in favor of adoption of the amendment.

Senator Kuderer spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0008 by Senator King on page 1, line 14 to Substitute Senate Bill No. 5110.

The motion by Senator King did not carry and amendment no. 0008 was not adopted by voice vote.

MOTION

On motion of Senator Keiser, the rules were suspended, Substitute Senate Bill No. 5110 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Keiser and Kuderer spoke in favor of passage of the bill.

Senator King spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5110.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5110 and the bill passed the Senate by the following vote: Yeas, 28; Nays, 21; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Liias, Lovelett, Lovick, Nguyen, Nobles, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Mullet, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

SUBSTITUTE SENATE BILL NO. 5110, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5331, by Senators Conway, Saldaña, Keiser, Lovelett and Wilson, C.

THIRTY EIGHTH DAY, FEBRUARY 15, 2023

Concerning job search requirements for unemployment insurance benefits.

The measure was read the second time.

MOTION

On motion of Senator Conway, the rules were suspended, Senate Bill No. 5331 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Conway and King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5331.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5331 and the bill passed the Senate by the following vote: Yeas, 34; Nays, 15; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Fortunato, Frame, Hasegawa, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, Mullet, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Dozier, Gildon, Hawkins, McCune, Muzzall, Padden, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

SENATE BILL NO. 5331, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5079, by Senators Braun, Liias, Boehnke, Dozier, Holy, King, Mullet, Muzzall, Saldaña, Schoesler, Wagoner and Wellman

Concerning the date by which tuition operating fees are established.

The measure was read the second time.

MOTION

On motion of Senator Braun, the rules were suspended, Senate Bill No. 5079 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Braun and Randall spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5079.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5079 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias,

Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SENATE BILL NO. 5079, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5006, by Senators Pedersen, Rivers, Dhingra, Frame, Hasegawa, Hunt, Kuderer, Mullet, Nobles, Stanford and Valdez

Clarifying waiver of firearm rights.

MOTION

On motion of Senator Pedersen, Substitute Senate Bill No. 5006 was substituted for Senate Bill No. 5006 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Wagoner moved that the following amendment no. 0025 by Senator Wagoner be adopted:

On page 5, line 25, after "psychologist," strike "or"

On page 5, line 27, after "nurse," insert "or"

On page 5, beginning on line 27, after "worker," strike all material through "or" on line 28 and insert "and"

On page 5, line 29, after "defined" strike "in statute or"

Senator Wagoner spoke in favor of adoption of the amendment.

Senator Dhingra spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0025 by Senator Wagoner on page 5, line 25 to Substitute Senate Bill No. 5006.

The motion by Senator Wagoner did not carry and amendment no. 0025 was not adopted by voice vote.

MOTION

Senator Torres moved that the following amendment no. 0024 by Senator Torres be adopted:

On page 13, beginning on line 4, after "(7)" strike all material through "(8)" on line 14

On page 13, beginning on line 32, after "accepted," strike all material through "immediately," on line 35

On page 15, beginning on line 23, after "purchase" strike all material through "possess" on line 24 and insert "~~(or receive)~~"

Senators Torres, Wagoner, Wilson, L. and Fortunato spoke in favor of adoption of the amendment.

Senators Pedersen and Dhingra spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0024 by Senator Torres on page 13, line 4 to Substitute Senate Bill No. 5006.

The motion by Senator Torres did not carry and amendment no. 0024 was not adopted by voice vote.

MOTION

Senator Padden moved that the following amendment no. 0020 by Senator Padden be adopted:

On page 13, beginning on line 4, after "(7)" strike all material through "(8)" on line 14

On page 13, line 34, after "RCW 9.41.040" strike "(7)"

Senators Padden and Fortunato spoke in favor of adoption of the amendment.

Senator Pedersen spoke against adoption of the amendment.

MOTION

On motion of Senator Wagoner, Senator McCune was excused.

The President declared the question before the Senate to be the adoption of amendment no. 0020 by Senator Padden on page 13, line 4 to Substitute Senate Bill No. 5006.

The motion by Senator Padden did not carry and amendment no. 0020 was not adopted by voice vote.

MOTION

Senator Wilson, L. moved that the following amendment no. 0023 by Senator Wilson, L. be adopted:

On page 13, beginning on line 18, after "rights," strike all material through "electronically" on line 19 and insert "in writing"

Senator Wilson, L. spoke in favor of adoption of the amendment.

Senator Dhingra spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0023 by Senator Wilson, L. on page 13, line 18 to Substitute Senate Bill No. 5006.

The motion by Senator Wilson, L. did not carry, and amendment no. 0023 was not adopted by voice vote.

MOTION

On motion of Senator Pedersen, the rules were suspended, Substitute Senate Bill No. 5006 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Pedersen, Holy and Rivers spoke in favor of passage of the bill.

Senator Padden spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5006.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5006 and the bill passed the Senate by the following vote: Yeas, 36; Nays, 12; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Dozier, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers,

Robinson, Rolfes, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Fortunato, MacEwen, Padden, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

Excused: Senator McCune

SUBSTITUTE SENATE BILL NO. 5006, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5231, by Senators Salomon, Dhingra, Hasegawa, Hunt, Nobles, Pedersen, Valdez and Wilson, C.

Concerning the issuance of emergency domestic violence no contact orders.

MOTION

On motion of Senator Salomon, Substitute Senate Bill No. 5231 was substituted for Senate Bill No. 5231 and the substitute bill was placed on the second reading and read the second time.

SENATE BILL NO. 5231, by Senate Law & Justice (originally sponsored by Senators Salomon, Dhingra, Hasegawa, Hunt, Nobles, Pedersen, Valdez, and C. Wilson)

Revised for 1st Substitute: Concerning the issuance of emergency domestic violence no-contact orders.

MOTION

Senator Wagoner moved that the following amendment no. 0019 by Senator Wagoner be adopted:

On page 2, line 25, after "has access to," strike "and"

On page 2, line 26, after "license", insert ", and whether the victim has requested to retain possession of any firearm owned by the victim"

On page 5, line 23, after "(d)", insert "If the court, in issuing an emergency no-contact order, also issues an order to prohibit and surrender all firearms, dangerous weapons, and a concealed pistol license under RCW 9.41.800 or an extreme risk protection order under chapter 7.105 RCW, a law enforcement officer serving the orders may not take possession of any firearm or any concealed pistol license owned by the victim. The victim may retain possession of any firearm owned by the victim.

(e)"

Senators Wagoner, Fortunato and Wilson, L. spoke in favor of adoption of the amendment.

Senator Dhingra spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0019 by Senator Wagoner on page 2, line 25 to Substitute Senate Bill No. 5231.

The motion by Senator Wagoner did not carry and amendment no. 0019 was not adopted by voice vote.

MOTION

Senator Salomon moved that the following amendment no. 0030 by Senator Salomon be adopted:

THIRTY EIGHTH DAY, FEBRUARY 15, 2023

On page 5, line 2, after "shall" strike all material through "service" on line 4 and insert "take possession of all firearms, dangerous weapons, and any concealed pistol license belonging to the respondent that are surrendered, in plain sight, or discovered pursuant to a lawful search, as required by RCW 9.41.801"

Senator Salomon spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0030 by Senator Salomon on page 5, line 2 to Substitute Senate Bill No. 5231.

The motion by Senator Salomon carried and amendment no. 0030 was adopted by voice vote.

MOTION

On motion of Senator Salomon, the rules were suspended, Engrossed Substitute Senate Bill No. 5231 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Salomon spoke in favor of passage of the bill.

Senator Wagoner spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5231.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5231 and the bill passed the Senate by the following vote: Yeas, 36; Nays, 12; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Frame, Gildon, Hasegawa, Hawkins, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Dozier, Fortunato, Holy, MacEwen, Padden, Schoesler, Short, Wagoner, Warnick, Wilson, J. and Wilson, L.

Excused: Senator McCune

ENGROSSED SUBSTITUTE SENATE BILL NO. 5231, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5058, by Senators Padden, Pedersen, Billig, Fortunato, Holy, Short and Wilson, L.

Exempting buildings with 12 or fewer units that are no more than two stories from the definition of multiunit residential building.

The measure was read the second time.

MOTION

On motion of Senator Padden, the rules were suspended, Senate Bill No. 5058 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Padden and Dhingra spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5058.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5058 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator McCune

SENATE BILL NO. 5058, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5112, by Senators Hunt, Hasegawa, Kuderer, Valdez, Wilson, C. and Wilson, J

Updating processes related to voter registration.

MOTIONS

On motion of Senator Hunt, Second Substitute Senate Bill No. 5112 was substituted for Senate Bill No. 5112 and the substitute bill was placed on the second reading and read the second time.

Senator Hunt moved that the following amendment no. 0011 by Senator Hunt be adopted:

On page 4, line 35, after "licensing," insert "the date of the original transaction."

Senator Hunt spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0011 by Senator Hunt on page 4, line 35 to Second Substitute Senate Bill No. 5112.

The motion by Senator Hunt carried and amendment no. 0011 was adopted by voice vote.

MOTION

On motion of Senator Hunt, the rules were suspended, Engrossed Second Substitute Senate Bill No. 5112 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hunt and Wilson, J. spoke in favor of passage of the bill.

Senator Wagoner spoke against passage of the bill.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced Congressman Dan Newhouse, U.S. Representative, 4th District who was present in the wings.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 5112.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5112 and the bill passed the Senate by the following vote: Yeas, 38; Nays, 10; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Cleveland, Conway, Dhingra, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Warnick, Wellman, Wilson, C. and Wilson, J.

Voting nay: Senators Braun, Dozier, Fortunato, Padden, Rivers, Schoesler, Short, Torres, Wagoner and Wilson, L.

Excused: Senator McCune

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5112, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5207, by Senators Billig, Valdez, Hunt, Kuderer and Nguyen

Concerning campaign contributions by controlled entities.

MOTIONS

On motion of Senator Billig, Substitute Senate Bill No. 5207 was substituted for Senate Bill No. 5207 and the substitute bill was placed on the second reading and read the second time.

Senator Billig moved that the following amendment no. 0031 by Senator Billig be adopted:

On page 2, line 10, after "the" strike "same person or majority of persons" and insert "other"

Senator Billig spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0031 by Senator Billig on page 2, line 10 to Substitute Senate Bill No. 5207.

The motion by Senator Billig carried and amendment no. 0031 was adopted by voice vote.

MOTION

On motion of Senator Billig, the rules were suspended, Engrossed Substitute Senate Bill No. 5207 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Billig spoke in favor of passage of the bill.

Senator Wilson, J. spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5207.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5207 and the bill passed the Senate by the following vote: Yeas, 35; Nays, 13; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, MacEwen, Padden, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

Excused: Senator McCune

ENGROSSED SUBSTITUTE SENATE BILL NO. 5207, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5284, by Senators Nguyen, Billig, Frame, Hunt, Keiser, Kuderer, Shewmake and Wilson, C.

Concerning campaign finance disclosure.

MOTIONS

On motion of Senator Nguyen, Substitute Senate Bill No. 5284 was substituted for Senate Bill No. 5284 and the substitute bill was placed on the second reading and read the second time.

Senator Nguyen moved that the following striking amendment no. 0012 by Senator Nguyen be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 42.17A.005 and 2022 c 71 s 14 are each amended to read as follows:

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

(1) "Actual malice" means to act with knowledge of falsity or with reckless disregard as to truth or falsity.

(2) "Agency" includes all state agencies and all local agencies. "State agency" includes every state office, department, division, bureau, board, commission, or other state agency. "Local agency" includes every county, city, town, municipal corporation, quasi-municipal corporation, or special purpose district, or any office, department, division, bureau, board, commission, or agency thereof, or other local public agency. "Agency" does not include a comprehensive cancer center participating in a collaborative arrangement as defined in RCW 28B.10.930 that is operated in conformance with RCW 28B.10.930.

(3) "Authorized committee" means the political committee authorized by a candidate, or by the public official against whom recall charges have been filed, to accept contributions or make expenditures on behalf of the candidate or public official.

(4) "Ballot proposition" means any "measure" as defined by RCW 29A.04.091, or any initiative, recall, or referendum proposition proposed to be submitted to the voters of the state or any municipal corporation, political subdivision, or other voting constituency from and after the time when the proposition has been initially filed with the appropriate election officer of that constituency before its circulation for signatures.

(5) "Benefit" means a commercial, proprietary, financial, economic, or monetary advantage, or the avoidance of a

THIRTY EIGHTH DAY, FEBRUARY 15, 2023

commercial, proprietary, financial, economic, or monetary disadvantage.

(6) "Bona fide political party" means:

(a) An organization that has been recognized as a minor political party by the secretary of state;

(b) The governing body of the state organization of a major political party, as defined in RCW 29A.04.086, that is the body authorized by the charter or bylaws of the party to exercise authority on behalf of the state party; or

(c) The county central committee or legislative district committee of a major political party. There may be only one legislative district committee for each party in each legislative district.

(7) "Books of account" means:

(a) In the case of a campaign or political committee, a ledger or similar listing of contributions, expenditures, and debts, such as a campaign or committee is required to file regularly with the commission, current as of the most recent business day; or

(b) In the case of a commercial advertiser, details of political advertising or electioneering communications provided by the advertiser, including the names and addresses of persons from whom it accepted political advertising or electioneering communications, the exact nature and extent of the services rendered and the total cost and the manner of payment for the services.

(8) "Candidate" means any individual who seeks nomination for election or election to public office. An individual seeks nomination or election when the individual first:

(a) Receives contributions or makes expenditures or reserves space or facilities with intent to promote the individual's candidacy for office;

(b) Announces publicly or files for office;

(c) Purchases commercial advertising space or broadcast time to promote the individual's candidacy; or

(d) Gives consent to another person to take on behalf of the individual any of the actions in (a) or (c) of this subsection.

(9) "Caucus political committee" means a political committee organized and maintained by the members of a major political party in the state senate or state house of representatives.

(10) "Commercial advertiser" means any person that sells the service of communicating messages or producing material for broadcast or distribution to the general public or segments of the general public whether through brochures, fliers, newspapers, magazines, television, radio, billboards, direct mail advertising, printing, paid internet or digital communications, or any other means of mass communications used for the purpose of appealing, directly or indirectly, for votes or for financial or other support in any election campaign.

(11) "Commission" means the agency established under RCW 42.17A.100.

(12) "Committee" unless the context indicates otherwise, includes a political committee such as a candidate, ballot proposition, recall, political, or continuing political committee.

(13) "Compensation" unless the context requires a narrower meaning, includes payment in any form for real or personal property or services of any kind. For the purpose of compliance with RCW 42.17A.710, "compensation" does not include per diem allowances or other payments made by a governmental entity to reimburse a public official for expenses incurred while the official is engaged in the official business of the governmental entity.

(14) "Continuing political committee" means a political committee that is an organization of continuing existence not limited to participation in any particular election campaign or election cycle.

(15)(a) "Contribution" includes:

(i) A loan, gift, deposit, subscription, forgiveness of indebtedness, donation, advance, pledge, payment, transfer of funds, or anything of value, including personal and professional services for less than full consideration;

(ii) An expenditure made by a person in cooperation, consultation, or concert with, or at the request or suggestion of, a candidate, a political or incidental committee, the person or persons named on the candidate's or committee's registration form who direct expenditures on behalf of the candidate or committee, or their agents;

(iii) The financing by a person of the dissemination, distribution, or republication, in whole or in part, of broadcast, written, graphic, digital, or other form of political advertising or electioneering communication prepared by a candidate, a political or incidental committee, or its authorized agent;

(iv) Sums paid for tickets to fund-raising events such as dinners and parties, except for the actual cost of the consumables furnished at the event.

(b) "Contribution" does not include:

(i) Accrued interest on money deposited in a political or incidental committee's account;

(ii) Ordinary home hospitality;

(iii) A contribution received by a candidate or political or incidental committee that is returned to the contributor within ten business days of the date on which it is received by the candidate or political or incidental committee;

(iv) A news item, feature, commentary, or editorial in a regularly scheduled news medium that is of interest to the public, that is in a news medium controlled by a person whose business is that news medium, and that is not controlled by a candidate or a political or incidental committee;

(v) An internal political communication primarily limited to the members of or contributors to a political party organization or political or incidental committee, or to the officers, management staff, or stockholders of a corporation or similar enterprise, or to the members of a labor organization or other membership organization;

(vi) The rendering of personal services of the sort commonly performed by volunteer campaign workers, or incidental expenses personally incurred by volunteer campaign workers not in excess of fifty dollars personally paid for by the worker. "Volunteer services," for the purposes of this subsection, means services or labor for which the individual is not compensated by any person;

(vii) Messages in the form of reader boards, banners, or yard or window signs displayed on a person's own property or property occupied by a person. However, a facility used for such political advertising for which a rental charge is normally made must be reported as an in-kind contribution and counts toward any applicable contribution limit of the person providing the facility;

(viii) Legal or accounting services rendered to or on behalf of:

(A) A political party or caucus political committee if the person paying for the services is the regular employer of the person rendering such services; or

(B) A candidate or an authorized committee if the person paying for the services is the regular employer of the individual rendering the services and if the services are solely for the purpose of ensuring compliance with state election or public disclosure laws; or

(ix) The performance of ministerial functions by a person on behalf of two or more candidates or political or incidental committees either as volunteer services defined in (b)(vi) of this subsection or for payment by the candidate or political or

incidental committee for whom the services are performed as long as:

(A) The person performs solely ministerial functions;

(B) A person who is paid by two or more candidates or political or incidental committees is identified by the candidates and political committees on whose behalf services are performed as part of their respective statements of organization under RCW 42.17A.205; and

(C) The person does not disclose, except as required by law, any information regarding a candidate's or committee's plans, projects, activities, or needs, or regarding a candidate's or committee's contributions or expenditures that is not already publicly available from campaign reports filed with the commission, or otherwise engage in activity that constitutes a contribution under (a)(ii) of this subsection.

A person who performs ministerial functions under this subsection (15)(b)(ix) is not considered an agent of the candidate or committee as long as the person has no authority to authorize expenditures or make decisions on behalf of the candidate or committee.

(c) Contributions other than money or its equivalent are deemed to have a monetary value equivalent to the fair market value of the contribution. Services or property or rights furnished at less than their fair market value for the purpose of assisting any candidate or political committee are deemed a contribution. Such a contribution must be reported as an in-kind contribution at its fair market value and counts towards any applicable contribution limit of the provider.

(16) "Depository" means a bank, mutual savings bank, savings and loan association, or credit union doing business in this state.

(17) "Elected official" means any person elected at a general or special election to any public office, and any person appointed to fill a vacancy in any such office.

(18) "Election" includes any primary, general, or special election for public office and any election in which a ballot proposition is submitted to the voters. An election in which the qualifications for voting include other than those requirements set forth in Article VI, section 1 (Amendment 63) of the Constitution of the state of Washington shall not be considered an election for purposes of this chapter.

(19) "Election campaign" means any campaign in support of or in opposition to a candidate for election to public office and any campaign in support of, or in opposition to, a ballot proposition.

(20) "Election cycle" means the period beginning on the first day of January after the date of the last previous general election for the office that the candidate seeks and ending on December 31st after the next election for the office. In the case of a special election to fill a vacancy in an office, "election cycle" means the period beginning on the day the vacancy occurs and ending on December 31st after the special election.

(21)(a) "Electioneering communication" means any broadcast, cable, or satellite television, radio transmission, digital communication, United States postal service mailing, billboard, newspaper, or periodical that:

(i) Clearly identifies a candidate for a state, local, or judicial office either by specifically naming the candidate, or identifying the candidate without using the candidate's name;

(ii) Is broadcast, transmitted electronically or by other means, mailed, erected, distributed, or otherwise published within sixty days before any election for that office in the jurisdiction in which the candidate is seeking election; and

(iii) Either alone, or in combination with one or more communications identifying the candidate by the same sponsor during the sixty days before an election, has a fair market value or cost of one thousand dollars or more.

(b) "Electioneering communication" does not include:

(i) Usual and customary advertising of a business owned by a candidate, even if the candidate is mentioned in the advertising when the candidate has been regularly mentioned in that advertising appearing at least twelve months preceding the candidate becoming a candidate;

(ii) Advertising for candidate debates or forums when the advertising is paid for by or on behalf of the debate or forum sponsor, so long as two or more candidates for the same position have been invited to participate in the debate or forum;

(iii) A news item, feature, commentary, or editorial in a regularly scheduled news medium that is:

(A) Of interest to the public;

(B) In a news medium controlled by a person whose business is that news medium; and

(C) Not a medium controlled by a candidate or a political or incidental committee;

(iv) Slate cards and sample ballots;

(v) Advertising for books, films, dissertations, or similar works (A) written by a candidate when the candidate entered into a contract for such publications or media at least twelve months before becoming a candidate, or (B) written about a candidate;

(vi) Public service announcements;

(vii) An internal political communication primarily limited to the members of or contributors to a political party organization or political or incidental committee, or to the officers, management staff, or stockholders of a corporation or similar enterprise, or to the members of a labor organization or other membership organization;

(viii) An expenditure by or contribution to the authorized committee of a candidate for state, local, or judicial office; or

(ix) Any other communication exempted by the commission through rule consistent with the intent of this chapter.

(22) "Expenditure" includes a payment, contribution, subscription, distribution, loan, advance, deposit, or gift of money or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make an expenditure. "Expenditure" also includes a promise to pay, a payment, or a transfer of anything of value in exchange for goods, services, property, facilities, or anything of value for the purpose of assisting, benefiting, or honoring any public official or candidate, or assisting in furthering or opposing any election campaign. For the purposes of this chapter, agreements to make expenditures, contracts, and promises to pay may be reported as estimated obligations until actual payment is made. "Expenditure" shall not include the partial or complete repayment by a candidate or political or incidental committee of the principal of a loan, the receipt of which loan has been properly reported.

(23) "Final report" means the report described as a final report in RCW 42.17A.235(11)(a).

(24) (~~"Foreign national" means:~~

~~(a) An individual who is not a citizen of the United States and is not lawfully admitted for permanent residence;~~

~~(b) A government, or subdivision, of a foreign country;~~

~~(c) A foreign political party; and~~

~~(d) Any entity, such as a partnership, association, corporation, organization, or other combination of persons, that is organized under the laws of or has its principal place of business in a foreign country.~~

(25)) "Foreign-influenced corporation" means a corporation for which at least one of the following conditions is met:

(a) A single foreign owner holds, owns, controls, or otherwise has direct or indirect beneficial ownership of one percent or more of the total equity, outstanding voting shares, membership units, or other applicable ownership interests of the corporation;

THIRTY EIGHTH DAY, FEBRUARY 15, 2023

(b) Two or more foreign owners, in aggregate, hold, own, control, or otherwise have direct or indirect beneficial ownership of five percent or more of the total equity, outstanding voting shares, membership units, or other applicable ownership interests of the corporation; or

(c) A foreign owner participates directly or indirectly in the corporation's decision-making process with respect to the corporation's political activities in the United States.

(25) "Foreign investor" means a person or entity that:

(a) Holds, owns, controls, or otherwise has direct or indirect beneficial ownership of equity, outstanding voting shares, membership units, or other applicable ownership interests of a corporation; and

(b) Is:

(i) A government of a foreign country;

(ii) A foreign political party;

(iii) A partnership, association, corporation, organization, or other combination of persons organized under the laws of or having its principal place of business in a foreign country; or

(iv) An individual who is not a citizen of the United States and who is not lawfully admitted for permanent residence.

(26) "Foreign owner" means:

(a) A foreign investor; or

(b) A corporation where a foreign investor holds, owns, controls, or otherwise has directly or indirectly acquired beneficial ownership of equity or voting shares in an amount that is equal to or greater than 50 percent of the total equity or outstanding voting shares.

(27) "General election" for the purposes of RCW 42.17A.405 means the election that results in the election of a person to a state or local office. It does not include a primary.

~~((26))~~ (28) "Gift" has the definition in RCW 42.52.010.

~~((27))~~ (29) "Immediate family" includes the spouse or domestic partner, dependent children, and other dependent relatives, if living in the household. For the purposes of the definition of "intermediary" in this section, "immediate family" means an individual's spouse or domestic partner, and child, stepchild, grandchild, parent, stepparent, grandparent, brother, half brother, sister, or half sister of the individual and the spouse or the domestic partner of any such person and a child, stepchild, grandchild, parent, stepparent, grandparent, brother, half brother, sister, or half sister of the individual's spouse or domestic partner and the spouse or the domestic partner of any such person.

~~((28))~~ (30) "Incidental committee" means any nonprofit organization not otherwise defined as a political committee but that may incidentally make a contribution or an expenditure in excess of the reporting thresholds in RCW 42.17A.235, directly or through a political committee. Any nonprofit organization is not an incidental committee if it is only remitting payments through the nonprofit organization in an aggregated form and the nonprofit organization is not required to report those payments in accordance with this chapter.

~~((29))~~ (31) "Incumbent" means a person who is in present possession of an elected office.

~~((30))~~ (32)(a) "Independent expenditure" means an expenditure that has each of the following elements:

(i) It is made in support of or in opposition to a candidate for office by a person who is not:

(A) A candidate for that office;

(B) An authorized committee of that candidate for that office; and

(C) A person who has received the candidate's encouragement or approval to make the expenditure, if the expenditure pays in whole or in part for political advertising supporting that candidate

or promoting the defeat of any other candidate or candidates for that office;

(ii) It is made in support of or in opposition to a candidate for office by a person with whom the candidate has not collaborated for the purpose of making the expenditure, if the expenditure pays in whole or in part for political advertising supporting that candidate or promoting the defeat of any other candidate or candidates for that office;

(iii) The expenditure pays in whole or in part for political advertising that either specifically names the candidate supported or opposed, or clearly and beyond any doubt identifies the candidate without using the candidate's name; and

(iv) The expenditure, alone or in conjunction with another expenditure or other expenditures of the same person in support of or opposition to that candidate, has a value of one thousand dollars or more. A series of expenditures, each of which is under one thousand dollars, constitutes one independent expenditure if their cumulative value is one thousand dollars or more.

(b) "Independent expenditure" does not include: Ordinary home hospitality; communications with journalists or editorial staff designed to elicit a news item, feature, commentary, or editorial in a regularly scheduled news medium that is of primary interest to the general public, controlled by a person whose business is that news medium, and not controlled by a candidate or a political committee; participation in the creation of a publicly funded voters' pamphlet statement in written or video form; an internal political communication primarily limited to contributors to a political party organization or political action committee, the officers, management staff, and stockholders of a corporation or similar enterprise, or the members of a labor organization or other membership organization; or the rendering of personal services of the sort commonly performed by volunteer campaign workers or incidental expenses personally incurred by volunteer campaign workers not in excess of two hundred fifty dollars personally paid for by the worker.

~~((31))~~ (33)(a) "Intermediary" means an individual who transmits a contribution to a candidate or committee from another person unless the contribution is from the individual's employer, immediate family, or an association to which the individual belongs.

(b) A treasurer or a candidate is not an intermediary for purposes of the committee that the treasurer or candidate serves.

(c) A professional fund-raiser is not an intermediary if the fund-raiser is compensated for fund-raising services at the usual and customary rate.

(d) A volunteer hosting a fund-raising event at the individual's home is not an intermediary for purposes of that event.

~~((32))~~ (34) "Legislation" means bills, resolutions, motions, amendments, nominations, and other matters pending or proposed in either house of the state legislature, and includes any other matter that may be the subject of action by either house or any committee of the legislature and all bills and resolutions that, having passed both houses, are pending approval by the governor.

~~((33))~~ (35) "Legislative office" means the office of a member of the state house of representatives or the office of a member of the state senate.

~~((34))~~ (36) "Lobby" and "lobbying" each mean attempting to influence the passage or defeat of any legislation by the legislature of the state of Washington, or the adoption or rejection of any rule, standard, rate, or other legislative enactment of any state agency under the state administrative procedure act, chapter 34.05 RCW. Neither "lobby" nor "lobbying" includes an association's or other organization's act of communicating with the members of that association or organization.

~~((35))~~ (37) "Lobbyist" includes any person who lobbies either on the person's own or another's behalf.

~~((36))~~ (38) "Lobbyist's employer" means the person or persons by whom a lobbyist is employed and all persons by whom the lobbyist is compensated for acting as a lobbyist.

~~((37))~~ (39) "Ministerial functions" means an act or duty carried out as part of the duties of an administrative office without exercise of personal judgment or discretion.

~~((38))~~ (40) "Participate" means that, with respect to a particular election, an entity:

(a) Makes either a monetary or in-kind contribution to a candidate;

(b) Makes an independent expenditure or electioneering communication in support of or opposition to a candidate;

(c) Endorses a candidate before contributions are made by a subsidiary corporation or local unit with respect to that candidate or that candidate's opponent;

(d) Makes a recommendation regarding whether a candidate should be supported or opposed before a contribution is made by a subsidiary corporation or local unit with respect to that candidate or that candidate's opponent;

(e) Directly or indirectly collaborates or consults with a subsidiary corporation or local unit on matters relating to the support of or opposition to a candidate, including, but not limited to, the amount of a contribution, when a contribution should be given, and what assistance, services or independent expenditures, or electioneering communications, if any, will be made or should be made in support of or opposition to a candidate.

~~((39))~~ (41) "Person" includes an individual, partnership, joint venture, public or private corporation, association, federal, state, or local governmental entity or agency however constituted, candidate, committee, political committee, political party, executive committee thereof, or any other organization or group of persons, however organized.

~~((40))~~ (42) "Political advertising" includes any advertising displays, newspaper ads, billboards, signs, brochures, articles, tabloids, flyers, letters, radio or television presentations, digital communication, or other means of mass communication, used for the purpose of appealing, directly or indirectly, for votes or for financial or other support or opposition in any election campaign.

~~((41))~~ (43) "Political committee" means any person (except a candidate or an individual dealing with the candidate's or individual's own funds or property) having the expectation of receiving contributions or making expenditures in support of, or opposition to, any candidate or any ballot proposition.

~~((42))~~ (44) "Primary" for the purposes of RCW 42.17A.405 means the procedure for nominating a candidate to state or local office under chapter 29A.52 RCW or any other primary for an election that uses, in large measure, the procedures established in chapter 29A.52 RCW.

~~((43))~~ (45) "Public office" means any federal, state, judicial, county, city, town, school district, port district, special district, or other state political subdivision elective office.

~~((44))~~ (46) "Public record" has the definition in RCW 42.56.010.

~~((45))~~ (47) "Recall campaign" means the period of time beginning on the date of the filing of recall charges under RCW 29A.56.120 and ending thirty days after the recall election.

~~((46))~~ (48) "Remediable violation" means any violation of this chapter that:

(a) Involved expenditures or contributions totaling no more than the contribution limits set out under RCW 42.17A.405(2) per election, or one thousand dollars if there is no statutory limit;

(b) Occurred:

(i) More than thirty days before an election, where the commission entered into an agreement to resolve the matter; or

(ii) At any time where the violation did not constitute a material violation because it was inadvertent and minor or otherwise has been cured and, after consideration of all the circumstances, further proceedings would not serve the purposes of this chapter;

(c) Does not materially harm the public interest, beyond the harm to the policy of this chapter inherent in any violation; and

(d) Involved:

(i) A person who:

(A) Took corrective action within five business days after the commission first notified the person of noncompliance, or where the commission did not provide notice and filed a required report within twenty-one days after the report was due to be filed; and

(B) Substantially met the filing deadline for all other required reports within the immediately preceding twelve-month period; or

(ii) A candidate who:

(A) Lost the election in question; and

(B) Did not receive contributions over one hundred times the contribution limit in aggregate per election during the campaign in question.

~~((47))~~ (49)(a) "Sponsor" for purposes of an electioneering communications, independent expenditures, or political advertising means the person paying for the electioneering communication, independent expenditure, or political advertising. If a person acts as an agent for another or is reimbursed by another for the payment, the original source of the payment is the sponsor.

(b) "Sponsor," for purposes of a political or incidental committee, means any person, except an authorized committee, to whom any of the following applies:

(i) The committee receives eighty percent or more of its contributions either from the person or from the person's members, officers, employees, or shareholders;

(ii) The person collects contributions for the committee by use of payroll deductions or dues from its members, officers, or employees.

~~((48))~~ (50) "Sponsored committee" means a committee, other than an authorized committee, that has one or more sponsors.

~~((49))~~ (51) "State office" means state legislative office or the office of governor, lieutenant governor, secretary of state, attorney general, commissioner of public lands, insurance commissioner, superintendent of public instruction, state auditor, or state treasurer.

~~((50))~~ (52) "State official" means a person who holds a state office.

~~((51))~~ (53) "Surplus funds" mean, in the case of a political committee or candidate, the balance of contributions that remain in the possession or control of that committee or candidate subsequent to the election for which the contributions were received, and that are in excess of the amount necessary to pay remaining debts or expenses incurred by the committee or candidate with respect to that election. In the case of a continuing political committee, "surplus funds" mean those contributions remaining in the possession or control of the committee that are in excess of the amount necessary to pay all remaining debts or expenses when it makes its final report under RCW 42.17A.255.

~~((52))~~ (54) "Technical correction" means the correction of a minor or ministerial error in a required report that does not materially harm the public interest and needs to be corrected for the report to be in full compliance with the requirements of this chapter.

THIRTY EIGHTH DAY, FEBRUARY 15, 2023

~~((53))~~ (55) "Treasurer" and "deputy treasurer" mean the individuals appointed by a candidate or political or incidental committee, pursuant to RCW 42.17A.210, to perform the duties specified in that section.

~~((54))~~ (56) "Violation" means a violation of this chapter that is not a remediable violation, minor violation, or an error classified by the commission as appropriate to address by a technical correction.

Sec. 2. RCW 42.17A.205 and 2019 c 428 s 14 are each amended to read as follows:

(1) Every political committee shall file a statement of organization with the commission. The statement must be filed within two weeks after organization or within two weeks after the date the committee first has the expectation of receiving contributions or making expenditures in any election campaign, whichever is earlier. A political committee organized within ~~((the last three weeks))~~ the period beginning the first day of the last full month before an election and having the expectation of receiving contributions or making expenditures during and for that election campaign shall file a statement of organization within three business days after its organization or when it first has the expectation of receiving contributions or making expenditures in the election campaign.

(2) The statement of organization shall include but not be limited to:

(a) The name, address, and electronic contact information of the committee;

(b) The names, addresses, and electronic contact information of all related or affiliated committees or other persons, and the nature of the relationship or affiliation;

(c) The names, addresses, and titles of its officers; or if it has no officers, the names, addresses, and titles of its responsible leaders;

(d) The name, address, and electronic contact information of its treasurer and depository;

(e) A statement whether the committee is a continuing one;

(f) The name, office sought, and party affiliation of each candidate whom the committee is supporting or opposing, and, if the committee is supporting the entire ticket of any party, the name of the party;

(g) The ballot proposition concerned, if any, and whether the committee is in favor of or opposed to such proposition;

(h) What distribution of surplus funds will be made, in accordance with RCW 42.17A.430, in the event of dissolution;

(i) Such other information as the commission may by rule prescribe, in keeping with the policies and purposes of this chapter;

(j) The name, address, and title of any person who authorizes expenditures or makes decisions on behalf of the candidate or committee; and

(k) The name, address, and title of any person who is paid by or is a volunteer for a candidate or political committee to perform ministerial functions and who performs ministerial functions on behalf of two or more candidates or committees.

(3) No two political committees may have the same name.

(4) Any material change in information previously submitted in a statement of organization shall be reported to the commission within the ten days following the change.

(5) As used in this section, the "name" of a sponsored committee must include the name of the person who is the sponsor of the committee. If more than one person meets the definition of sponsor, the name of the committee must include the name of at least one sponsor, but may include the names of other sponsors. A person may sponsor only one political committee for

the same elected office or same ballot proposition per election cycle.

Sec. 3. RCW 42.17A.207 and 2019 c 428 s 15 are each amended to read as follows:

(1)(a) An incidental committee must file a statement of organization with the commission within two weeks after the date the committee first:

(i) Has the expectation of making any expenditures aggregating at least ~~((twenty five thousand dollars))~~ \$25,000 in a calendar year in any election campaign, or to a political committee; and

(ii) Is required to disclose a payment received under RCW 42.17A.240(2)(d).

(b) If an incidental committee first meets the criteria requiring filing a statement of organization as specified in (a) of this subsection ~~((in the last three weeks))~~ within the period beginning the first day of the last full month before an election, then it must file the statement of organization within three business days.

(2) The statement of organization must include but is not limited to:

(a) The name, address, and electronic contact information of the committee;

(b) The names and addresses of all related or affiliated political or incidental committees or other persons, and the nature of the relationship or affiliation;

(c) The names, addresses, and titles of its officers; or if it has no officers, the names, addresses, and titles of its responsible leaders and the name of the person designated as the treasurer of the incidental committee;

(d) The name, office sought, and party affiliation of each candidate whom the committee is supporting or opposing if the committee contributes directly to a candidate and, if donating to a political committee, the name and address of that political committee;

(e) The ballot proposition concerned, if any, and whether the committee is in favor of or opposed to such proposition; and

(f) Such other information as the commission may by rule prescribe, in keeping with the policies and purposes of this chapter.

(3) Any material change in information previously submitted in a statement of organization must be reported to the commission within the ten days following the change.

Sec. 4. RCW 42.17A.235 and 2019 c 428 s 20 are each amended to read as follows:

(1)(a) In addition to the information required under RCW 42.17A.205 and 42.17A.210, each candidate or political committee must file with the commission a report of all contributions received and expenditures made as a political committee on the next reporting date pursuant to the timeline established in this section.

(b) In addition to the information required under RCW 42.17A.207 and 42.17A.210, on the day an incidental committee files a statement of organization with the commission, each incidental committee must file with the commission a report of any election campaign expenditures under RCW 42.17A.240(6), as well as the source of the ~~((ten))~~ 10 largest cumulative payments of ~~((ten thousand dollars))~~ \$10,000 or greater it received in the current calendar year from a single person, including any persons tied as the ~~((tenth))~~ 10th largest source of payments it received, if any.

(2) Each treasurer of a candidate or political committee, or an incidental committee, required to file a statement of organization under this chapter, shall file with the commission a report, for each election in which a candidate, political committee, or

incidental committee is participating, containing the information required by RCW 42.17A.240 at the following intervals:

(a) On the ~~((twenty first day and the seventh))~~ 34th day, the 20th day, and the sixth day immediately preceding the date ~~((on which))~~ of the general election ~~((is held))~~; ~~((and))~~

(b) On the 20th day and the sixth day immediately preceding the date of the primary or special election; and

(c) On the ~~((tenth))~~ 10th day of the first full month after the election.

(3)(a) Each treasurer of a candidate or political committee shall file with the commission a report on the ~~((tenth))~~ 10th day of each month during which the candidate or political committee is not ~~((participating in an election campaign))~~ otherwise required to report under subsection (2) of this section, only if the committee has received a contribution or made an expenditure in the preceding calendar month and either the total contributions received or total expenditures made since the last such report exceed ~~((two hundred dollars))~~ \$200.

(b) Each incidental committee shall file with the commission a report on the ~~((tenth))~~ 10th day of each month during which the incidental committee is not otherwise required to report under this section only if the committee has:

(i) Received a payment that would change the information required under RCW 42.17A.240(2)(d) as included in its last report; or

(ii) Made any election campaign expenditure reportable under RCW 42.17A.240(6) since its last report, and the total election campaign expenditures made since the last report exceed ~~((two hundred dollars))~~ \$200.

(4) The ~~((report))~~ reports filed ~~((twenty one))~~ 34 days, 20 days, and six days before the general election and 20 days and 6 days before a primary or special election shall report all contributions received and expenditures made ~~((as of))~~ from the closing date of the last report filed through the end of ~~((one business day))~~ two calendar days before the date of ~~((the report))~~ each filing. ~~((The report filed seven days before the election shall report all contributions received and expenditures made as of the end of one business day before the date of the report.))~~ Reports filed on the ~~((tenth))~~ 10th day of the month shall report all contributions received and expenditures made from the closing date of the last report filed through the last day of the month preceding the date of the current report.

(5) For the period beginning the first day of the fourth month preceding the date of the special election, or for the period beginning the first day of the fifth month before the date of the general election, and ending on the date of that special or general election, each Monday the treasurer for a candidate or a political committee shall file with the commission a report of each bank deposit made during the previous seven calendar days. The report shall contain the name of each person contributing the funds and the amount contributed by each person. However, persons who contribute no more than ~~((twenty five dollars))~~ \$25 in the aggregate are not required to be identified in the report. A copy of the report shall be retained by the treasurer for the treasurer's records. In the event of deposits made by candidates, political committee members, or paid staff other than the treasurer, the copy shall be immediately provided to the treasurer for the treasurer's records. Each report shall be certified as correct by the treasurer.

(6)(a) The treasurer for a candidate or a political committee shall maintain books of account accurately reflecting all contributions and expenditures on a current basis within five business days of receipt or expenditure. During the ~~((ten))~~ 10 calendar days immediately preceding the date of the election the books of account shall be kept current within one business day.

As specified in the political committee's statement of organization filed under RCW 42.17A.205, the books of account must be open for public inspection by appointment at a place agreed upon by both the treasurer and the requestor, for inspections between 9:00 a.m. and 5:00 p.m. on any day from the ~~((tenth))~~ 10th calendar day immediately before the election through the day immediately before the election, other than Saturday, Sunday, or a legal holiday. It is a violation of this chapter for a candidate or political committee to refuse to allow and keep an appointment for an inspection to be conducted during these authorized times and days. The appointment must be allowed at an authorized time and day for such inspections that is within ~~((forty eight))~~ 48 hours of the time and day that is requested for the inspection. The treasurer may provide digital access or copies of the books of account in lieu of scheduling an appointment at a designated place for inspection. If the treasurer and requestor are unable to agree on a location and the treasurer has not provided digital access to the books of account, the default location for an appointment shall be a place of public accommodation selected by the treasurer within a reasonable distance from the treasurer's office.

(b) At the time of making the appointment, a person wishing to inspect the books of account must provide the treasurer the name and telephone number of the person wishing to inspect the books of account. The person inspecting the books of account must show photo identification before the inspection begins.

(c) A treasurer may refuse to show the books of account to any person who does not make an appointment or provide the required identification. The commission may issue limited rules to modify the requirements set forth in this section in consideration of other technology and best practices.

(7) Copies of all reports filed pursuant to this section shall be readily available for public inspection by appointment, pursuant to subsection (6) of this section.

(8) The treasurer or candidate shall preserve books of account, bills, receipts, and all other financial records of the campaign or political committee for not less than five calendar years following the year during which the transaction occurred or for any longer period as otherwise required by law.

(9) All reports filed pursuant to subsection (1) or (2) of this section shall be certified as correct by the candidate and the treasurer.

(10) Where there is not a pending complaint concerning a report, it is not evidence of a violation of this section to submit an amended report within ~~((twenty one))~~ 21 days of filing an initial report if:

(a) The report is accurately amended;

(b) The amended report is filed more than ~~((thirty))~~ 30 days before an election;

(c) The total aggregate dollar amount of the adjustment for the amended report is within three times the contribution limit per election or ~~((two hundred dollars))~~ \$200, whichever is greater; and

(d) The committee reported all information that was available to it at the time of filing, or made a good faith effort to do so, or if a refund of a contribution or expenditure is being reported.

(11)(a) When there is no outstanding debt or obligation, the campaign fund is closed, the campaign is concluded in all respects, and the political committee has ceased to function and intends to dissolve, the treasurer shall file a final report. Upon submitting a final report, the political committee so intending to dissolve must file notice of intent to dissolve with the commission and the commission must post the notice on its website.

THIRTY EIGHTH DAY, FEBRUARY 15, 2023

(b) Any political committee may dissolve (~~sixty~~) 60 days after it files its notice to dissolve, only if:

(i) The political committee does not make any expenditures other than those related to the dissolution process or engage in any political activity or any other activities that generate additional reporting requirements under this chapter after filing such notice;

(ii) No complaint or court action under this chapter is pending against the political committee; and

(iii) All penalties assessed by the commission or court order have been paid by the political committee.

(c) The political committee must continue to report regularly as required under this chapter until all the conditions under (b) of this subsection are resolved.

(d) Upon dissolution, the commission must issue an acknowledgment of dissolution, the duties of the treasurer shall cease, and there shall be no further obligations under this chapter. Dissolution does not absolve the candidate or board of the committee from responsibility for any future obligations resulting from the finding after dissolution of a violation committed prior to dissolution.

(12) The commission must adopt rules for the dissolution of incidental committees.

Sec. 5. RCW 42.17A.240 and 2020 c 152 s 3 are each amended to read as follows:

Each report required under RCW 42.17A.235 (1) through (4) must be certified as correct by the treasurer and the candidate and shall disclose the following, except an incidental committee only must disclose and certify as correct the information required under subsections (2)(d) and (~~(7)~~) (6) of this section:

(1) The funds on hand at the beginning of the period;

(2) The name and address of each person who has made one or more contributions during the period, together with the money value and date of each contribution and the aggregate value of all contributions received from each person during the campaign, or in the case of a continuing political committee, the current calendar year, with the following exceptions:

(a) Pledges in the aggregate of less than one hundred dollars from any one person need not be reported;

(b) Income that results from a fund-raising activity conducted in accordance with RCW 42.17A.230 may be reported as one lump sum, with the exception of that portion received from persons whose names and addresses are required to be included in the report required by RCW 42.17A.230;

(c) Contributions of no more than twenty-five dollars in the aggregate from any one person during the election campaign may be reported as one lump sum if the treasurer maintains a separate and private list of the name, address, and amount of each such contributor;

(d) Payments received by an incidental committee from any one person need not be reported unless the person is one of the committee's ten largest sources of payments received, including any persons tied as the tenth largest source of payments received, during the current calendar year, and the value of the cumulative payments received from that person during the current calendar year is ten thousand dollars or greater. For payments to incidental committees from multiple persons received in aggregated form, any payment of more than ten thousand dollars from any single person must be reported, but the aggregated payment itself may not be reported. The commission may suspend or modify reporting requirements for payments received by an incidental committee in cases of manifestly unreasonable hardship under this chapter;

(e) Payments from private foundations organized under section 501(c)(3) of the internal revenue code to an incidental committee do not have to be reported if:

(i) The private foundation is contracting with the incidental committee for a specific purpose other than election campaign purposes;

(ii) Use of the funds for election campaign purposes is explicitly prohibited by contract; and

(iii) Funding from the private foundation represents less than twenty-five percent of the incidental committee's total budget;

(f) Commentary or analysis on a ballot proposition by an incidental committee is not considered a contribution if it does not advocate specifically to vote for or against the ballot proposition; and

(g) The money value of contributions of postage is the face value of the postage;

(3) Each loan, promissory note, or security instrument to be used by or for the benefit of the candidate or political committee made by any person, including the names and addresses of the lender and each person liable directly, indirectly or contingently and the date and amount of each such loan, promissory note, or security instrument;

(4) All other contributions not otherwise listed or exempted;

(5) (~~A statement that the candidate or political committee has received a certification from any partnership, association, corporation, organization, or other combination of persons making a contribution to the candidate or political committee that:~~

~~(a) The contribution is not financed in any part by a foreign national; and~~

~~(b) Foreign nationals are not involved in making decisions regarding the contribution in any way;~~

~~(6))~~ The name and address of each candidate or political committee to which any transfer of funds was made, including the amounts and dates of the transfers;

~~(7))~~ (6) The name and address of each person to whom an expenditure was made in the aggregate amount of more than fifty dollars during the period covered by this report, the amount, date, and purpose of each expenditure, and the total sum of all expenditures. An incidental committee only must report on expenditures, made and reportable as contributions as defined in RCW 42.17A.005, to election campaigns. For purposes of this subsection, commentary or analysis on a ballot proposition by an incidental committee is not considered an expenditure if it does not advocate specifically to vote for or against the ballot proposition;

~~(8))~~ (7) The name, address, and electronic contact information of each person to whom an expenditure was made for soliciting or procuring signatures on an initiative or referendum petition, the amount of the compensation to each person, and the total expenditures made for this purpose. Such expenditures shall be reported under this subsection in addition to what is required to be reported under subsection (~~(7)~~) (6) of this section;

~~(9))~~ (8)(a) The name and address of any person and the amount owed for any debt with a value of more than seven hundred fifty dollars that has not been paid for any invoices submitted, goods received, or services performed, within five business days during the period within thirty days before an election, or within ten business days during any other period.

(b) For purposes of this subsection, debt does not include regularly recurring expenditures of the same amount that have already been reported at least once and that are not late or outstanding;

~~(10))~~ (9) The surplus or deficit of contributions over expenditures;

~~((41))~~ (10) The disposition made in accordance with RCW 42.17A.430 of any surplus funds; and

~~((42))~~ (11) Any other information required by the commission by rule in conformance with the policies and purposes of this chapter.

Sec. 6. RCW 42.17A.250 and 2020 c 152 s 4 are each amended to read as follows:

(1) An out-of-state political committee organized for the purpose of supporting or opposing candidates or ballot propositions in another state that is not otherwise required to report under RCW 42.17A.205 through 42.17A.240 shall report as required in this section when it makes an expenditure supporting or opposing a Washington state candidate or political committee. The committee shall file with the commission a statement disclosing:

(a) Its name and address;

(b) The purposes of the out-of-state committee;

(c) The names, addresses, and titles of its officers or, if it has no officers, the names, addresses, and the titles of its responsible leaders;

(d) The name, office sought, and party affiliation of each candidate in the state of Washington whom the out-of-state committee is supporting or opposing and, if the committee is supporting or opposing the entire ticket of any party, the name of the party;

(e) The ballot proposition supported or opposed in the state of Washington, if any, and whether the committee is in favor of or opposed to that proposition;

(f) The name and address of each person residing in the state of Washington or corporation that has a place of business in the state of Washington who has made one or more contributions in the aggregate of more than twenty-five dollars to the out-of-state committee during the current calendar year, together with the money value and date of the contributions;

(g) The name, address, and employer of each person or corporation residing outside the state of Washington who has made one or more contributions in the aggregate of more than two thousand five hundred fifty dollars to the out-of-state committee during the current calendar year, together with the money value and date of the contributions. Annually, the commission must modify the two thousand five hundred fifty dollar limit in this subsection based on percentage change in the implicit price deflator for personal consumption expenditures for the United States as published for the most recent twelve-month period by the bureau of economic analysis of the federal department of commerce;

(h) The name and address of each person in the state of Washington to whom an expenditure was made by the out-of-state committee with respect to a candidate or political committee in the aggregate amount of more than fifty dollars, the amount, date, and purpose of the expenditure, and the total sum of the expenditures; and

~~(i) (A statement that the out of state committee has received a certification from any partnership, association, corporation, organization, or other combination of persons making a contribution reportable under this section that:~~

~~(i) The contribution is not financed in any part by a foreign national; and~~

~~(ii) Foreign nationals are not involved in making decisions regarding the contribution in any way; and~~

~~(j)) Any other information as the commission may prescribe by rule in keeping with the policies and purposes of this chapter.~~

(2) Each statement shall be filed no later than the tenth day of the month following any month in which a contribution or other expenditure reportable under subsection (1) of this section is

made. An out-of-state committee incurring an obligation to file additional statements in a calendar year may satisfy the obligation by timely filing reports that supplement previously filed information.

Sec. 7. RCW 42.17A.255 and 2020 c 152 s 5 are each amended to read as follows:

(1) For the purposes of this section the term "independent expenditure" means any expenditure that is made in support of or in opposition to any candidate or ballot proposition and is not otherwise required to be reported pursuant to RCW 42.17A.225, 42.17A.235, and 42.17A.240. "Independent expenditure" does not include: An internal political communication primarily limited to the contributors to a political party organization or political action committee, or the officers, management staff, and stockholders of a corporation or similar enterprise, or the members of a labor organization or other membership organization; or the rendering of personal services of the sort commonly performed by volunteer campaign workers, or incidental expenses personally incurred by volunteer campaign workers not in excess of fifty dollars personally paid for by the worker. "Volunteer services," for the purposes of this section, means services or labor for which the individual is not compensated by any person.

(2) Within five days after the date of making an independent expenditure that by itself or when added to all other such independent expenditures made during the same election campaign by the same person equals ~~((one hundred dollars))~~ \$100 or more, or within five days after the date of making an independent expenditure for which no reasonable estimate of monetary value is practicable, whichever occurs first, the person who made the independent expenditure shall file with the commission an initial report of all independent expenditures made during the campaign prior to and including such date.

(3)~~(a)~~ At the following intervals each person who is required to file an initial report pursuant to subsection (2) of this section shall file with the commission a further report of the independent expenditures made since the date of the last report:

~~((a))~~ ~~(i) On the ((twenty first day and the seventh))~~ 34th day, the 20th day, and the sixth day preceding the date ~~((on which))~~ of the general election ~~((is held))~~; ~~(and~~

~~(b))~~ (ii) On the 20th day and the sixth day preceding a primary or special election;

(iii) On the ((tenth)) 10th day of the first month after the election; and

~~((c))~~ ~~(iv) On the ((tenth)) 10th day of each month in which no other reports are required to be filed pursuant to this section. ((However, the))~~

(b)(i) The further reports required by this subsection (3) shall only be filed if the reporting person has made an independent expenditure since the date of the last previous report filed.

~~((The report filed pursuant to (a) of this subsection (3)))~~ (ii) If no further reports are required to be filed, the last report required to be filed shall be the final report, and upon submitting such final report the duties of the reporting person shall cease, and there shall be no obligation to make any further reports.

(4) All reports filed pursuant to this section shall be certified as correct by the reporting person.

(5) Each report required by subsections (2) and (3) of this section shall disclose for the period beginning at the end of the period for the last previous report filed or, in the case of an initial report, beginning at the time of the first independent expenditure, and ending not more than ~~((one))~~ two business days before the date the report is due:

(a) The name, address, and electronic contact information of the person filing the report;

THIRTY EIGHTH DAY, FEBRUARY 15, 2023

(b) The name and address of each person to whom an independent expenditure was made in the aggregate amount of more than ~~((fifty dollars))~~ \$50, and the amount, date, and purpose of each such expenditure. If no reasonable estimate of the monetary value of a particular independent expenditure is practicable, it is sufficient to report instead a precise description of services, property, or rights furnished through the expenditure and where appropriate to attach a copy of the item produced or distributed by the expenditure;

(c) The total sum of all independent expenditures made during the campaign to date; and

~~(d) ((A statement from the person making an independent expenditure that:~~

~~(i) The expenditure is not financed in any part by a foreign national; and~~

~~(ii) Foreign nationals are not involved in making decisions regarding the expenditure in any way; and~~

~~(e))~~ Such other information as shall be required by the commission by rule in conformance with the policies and purposes of this chapter.

Sec. 8. RCW 42.17A.260 and 2020 c 152 s 6 are each amended to read as follows:

(1) The sponsor of political advertising shall file a special report to the commission within ~~((twenty-four))~~ 24 hours of, or on the first working day after, the date the political advertising is first published, mailed, or otherwise presented to the public, if the political advertising:

(a) Is published, mailed, or otherwise presented to the public within ~~((twenty-one))~~ 21 days of an election; and

(b) Either:

(i) Qualifies as an independent expenditure with a fair market value or actual cost of ~~((one thousand dollars))~~ \$1,000 or more, for political advertising supporting or opposing a candidate; or

(ii) Has a fair market value or actual cost of ~~((one thousand dollars))~~ \$1,000 or more, for political advertising supporting or opposing a ballot proposition, and is not otherwise required to be reported pursuant to RCW 42.17A.225, 42.17A.235, or 42.17A.240, supporting or opposing the same ballot proposition.

(2) If a sponsor is required to file a special report under this section, the sponsor shall also deliver to the commission within the delivery period established (1) of this section a special report for ~~((each))~~:

(a) Each subsequent independent expenditure of any size supporting or opposing the same candidate who was the subject of the previous independent expenditure, supporting or opposing that candidate's opponent~~((or, in the case of a))~~; or

(b) Each subsequent expenditure of any size made in support of or in opposition to ~~((a))~~ the same ballot proposition that was the subject of the previous expenditure, and is not otherwise required to be reported pursuant to RCW 42.17A.225, 42.17A.235, or 42.17A.240~~((supporting or opposing the same ballot proposition that was the subject of the previous expenditure))~~.

(3) The special report must include:

(a) The name and address of the person making the expenditure;

(b) The name and address of the person to whom the expenditure was made;

(c) A detailed description of the expenditure;

(d) The date the expenditure was made and the date the political advertising was first published or otherwise presented to the public;

(e) The amount of the expenditure;

(f) The name of the candidate supported or opposed by the expenditure, the office being sought by the candidate, and whether the expenditure supports or opposes the candidate; or the

name of the ballot proposition supported or opposed by the expenditure and whether the expenditure supports or opposes the ballot proposition; and

~~(g) ((A statement from the sponsor that:~~

~~(i) The political advertising is not financed in any part by a foreign national; and~~

~~(ii) Foreign nationals are not involved in making decisions regarding the political advertising in any way; and~~

~~(h))~~ Any other information the commission may require by rule.

(4) All persons required to report under RCW 42.17A.225, 42.17A.235, 42.17A.240, 42.17A.255, and 42.17A.305 are subject to the requirements of this section, except as otherwise provided in this section. The commission may determine that reports filed pursuant to this section also satisfy the requirements of RCW 42.17A.255.

(5) The sponsor of independent expenditures supporting a candidate or opposing that candidate's opponent required to report under this section shall file with each required report an affidavit or declaration of the person responsible for making the independent expenditure that the expenditure was not made in cooperation, consultation, or concert with, or at the request or suggestion of, the candidate, the candidate's authorized committee, or the candidate's agent, or with the encouragement or approval of the candidate, the candidate's authorized committee, or the candidate's agent.

Sec. 9. RCW 42.17A.265 and 2020 c 152 s 7 are each amended to read as follows:

(1) Treasurers shall prepare and deliver to the commission a special report when a contribution or aggregate of contributions totals ~~((one thousand dollars or more))~~ more than the contribution limit to a candidate for state officer other than legislative office, as provided in RCW 42.17A.405(2), is from a single person or entity, and is received during ~~((a special reporting period))~~ the period from the beginning of the last full month preceding an election in which the treasurer's committee is participating, and concluding the day before that election.

(2) A political committee shall prepare and deliver to the commission a special report when it makes a contribution or an aggregate of contributions to a single entity that totals ~~((one thousand dollars or more during a special reporting period))~~ more than the contribution limit to a candidate for state office other than legislative office, as provided in RCW 42.17A.405(2), during the same special reporting period as set forth in subsection (1) of this section.

(3) An aggregate of contributions includes only those contributions made to or received from a single entity during any one special reporting period. ~~((Any))~~ After a special report is filed as provided under subsection (1) or (2) of this section, an additional special report must be filed for any subsequent contribution of any size made to or received from the same person or entity during the special reporting period ~~((must also be reported))~~.

(4) ~~((Special reporting periods, for purposes of this section, include:~~

~~(a) The period beginning on the day after the last report required by RCW 42.17A.235 and 42.17A.240 to be filed before a primary and concluding on the end of the day before that primary;~~

~~(b) The period twenty one days preceding a general election; and~~

~~(c) An aggregate of contributions includes only those contributions received from a single entity during any one special reporting period or made by the contributing political committee to a single entity during any one special reporting period.~~

~~(5) If a campaign treasurer files a special report under this section for one or more contributions received from a single entity during a special reporting period, the treasurer shall also file a special report under this section for each subsequent contribution of any size which is received from that entity during the special reporting period. If a political committee files a special report under this section for a contribution or contributions made to a single entity during a special reporting period, the political committee shall also file a special report for each subsequent contribution of any size which is made to that entity during the special reporting period.~~

~~(6)) Special reports required by this section shall be delivered electronically, or in written form if an electronic alternative is not available.~~

~~(a) The special report required of a contribution recipient under subsection (1) of this section shall be delivered to the commission within ~~((forty eight))~~ 48 hours of the time, or on the first ~~((working))~~ business day after:~~

~~(i) The qualifying contribution ~~((of one thousand dollars or more))~~ is received by the candidate or treasurer; ~~((the))~~~~

~~(ii) The aggregate received by the candidate or treasurer first equals ~~((one thousand dollars or more))~~ the qualifying amount; or ~~((any))~~~~

~~(iii) Any subsequent contribution from the same source is received by the candidate or treasurer.~~

~~(b) The special report required of a contributor under subsection (2) of this section or RCW 42.17A.625 shall be delivered to the commission, and the candidate or political committee to whom the contribution or contributions are made, within ~~((twenty four))~~ 24 hours of the time, or on the first ~~((working))~~ business day after:~~

~~(i) The qualifying contribution is made; ~~((the))~~~~

~~(ii) The aggregate of contributions made first equals ~~((one thousand dollars or more))~~ the qualifying amount; or ~~((any))~~~~

~~(iii) Any subsequent contribution to the same person or entity is made.~~

~~((7))~~ (5) The special report shall include:

(a) The amount of the contribution or contributions;

(b) The date or dates of receipt;

(c) The name and address of the donor;

(d) The name and address of the recipient; and

~~(e) ~~((A statement that the candidate or political committee has received a certification from any partnership, association, corporation, organization, or other combination of persons making a contribution reportable under this section that:~~~~

~~(i) ~~The contribution is not financed in any part by a foreign national; and~~~~

~~(ii) ~~Foreign nationals are not involved in making decisions regarding the contribution in any way; and~~~~

~~(F)) Any other information the commission may by rule require.~~

~~((8))~~ (6) Contributions reported under this section shall also be reported as required by other provisions of this chapter.

~~((9))~~ (7) The commission shall prepare daily a summary of the special reports made under this section and RCW 42.17A.625.

~~((10))~~ (8) Contributions governed by this section include, but are not limited to, contributions made or received indirectly through a third party or entity whether the contributions are or are not reported to the commission as earmarked contributions under RCW 42.17A.270.

Sec. 10. RCW 42.17A.305 and 2020 c 152 s 8 are each amended to read as follows:

(1) A payment for or promise to pay for any electioneering communication shall be reported to the commission by the

sponsor on forms the commission shall develop by rule to include, at a minimum, the following information:

(a) Name and address of the sponsor;

(b) Source of funds for the communication, including:

(i) General treasury funds. The name and address of businesses, unions, groups, associations, or other organizations using general treasury funds for the communication, however, if a business, union, group, association, or other organization undertakes a special solicitation of its members or other persons for an electioneering communication, or it otherwise receives funds for an electioneering communication, that entity shall report pursuant to (b)(ii) of this subsection;

(ii) Special solicitations and other funds. The name, address, and, for individuals, occupation and employer, of a person whose funds were used to pay for the electioneering communication, along with the amount, if such funds from the person have exceeded two hundred fifty dollars in the aggregate for the electioneering communication; and

~~(iii) ~~((A statement from the sponsor that:~~~~

~~(A) ~~The electioneering communication is not financed in any part by a foreign national; and~~~~

~~(B) ~~Foreign nationals are not involved in making decisions regarding the electioneering communication in any way; and~~~~

~~(iv)) Any other source information required or exempted by the commission by rule;~~

(c) Name and address of the person to whom an electioneering communication related expenditure was made;

(d) A detailed description of each expenditure of more than one hundred dollars;

(e) The date the expenditure was made and the date the electioneering communication was first broadcast, transmitted, mailed, erected, distributed, or otherwise published;

(f) The amount of the expenditure;

(g) The name of each candidate clearly identified in the electioneering communication, the office being sought by each candidate, and the amount of the expenditure attributable to each candidate; and

(h) Any other information the commission may require or exempt by rule.

(2) Electioneering communications shall be reported as follows: The sponsor of an electioneering communication shall report to the commission within twenty-four hours of, or on the first working day after, the date the electioneering communication is broadcast, transmitted, mailed, erected, distributed, digitally or otherwise, or otherwise published.

(3) Electioneering communications shall be reported electronically by the sponsor using software provided or approved by the commission. The commission may make exceptions on a case-by-case basis for a sponsor who lacks the technological ability to file reports using the electronic means provided or approved by the commission.

(4) All persons required to report under RCW 42.17A.225, 42.17A.235, 42.17A.240, and 42.17A.255 are subject to the requirements of this section, although the commission may determine by rule that persons filing according to those sections may be exempt from reporting some of the information otherwise required by this section. The commission may determine that reports filed pursuant to this section also satisfy the requirements of RCW 42.17A.255 and 42.17A.260.

(5) Failure of any sponsor to report electronically under this section shall be a violation of this chapter.

Sec. 11. RCW 42.17A.345 and 2019 c 428 s 26 are each amended to read as follows:

(1) Each commercial advertiser who has accepted or provided political advertising or electioneering communications during the

THIRTY EIGHTH DAY, FEBRUARY 15, 2023

election campaign shall maintain current books of account and related materials as provided by rule that shall be open for public inspection during normal business hours during the campaign and for a period of no less than five years after the date of the applicable election. The documents and books of account shall specify:

(a) The names and addresses of persons from whom it accepted political advertising or electioneering communications;

(b) The exact nature and extent of the services rendered; and

(c) The total cost and the manner of payment for the services.

(2) At the request of the commission, each commercial advertiser required to comply with subsection (1) of this section shall provide to the commission copies of the information that must be maintained and be open for public inspection pursuant to subsection (1) of this section.

(3) Any person who purchases political advertising or electioneering communications from a commercial advertiser must disclose upon request from the commercial advertiser:

(a) That the purchase includes political advertising or electioneering communications;

(b) The name of the sponsor, if different than the person making the purchase; and

(c) Any other information the commercial advertiser is required to maintain, as provided by this section or rule.

(4) Any failure to provide the required information in subsection (3) of this section upon request is a violation under this chapter, but such failure shall not relieve a commercial advertiser of any of the requirements under this section.

NEW SECTION. Sec. 12. A new section is added to chapter 42.17A RCW to read as follows:

Any corporation making an independent expenditure or contributing to a political committee, incidental committee, or candidate shall, within seven business days after making the expenditure or contribution, file with the commission a statement of certification signed by its chief executive officer under penalty of perjury avowing that after due inquiry, the corporation was not a foreign-influenced corporation on the date the independent expenditure or contribution was made. The corporation shall also provide a copy of the statement of certification to any committee or candidate to which it makes a contribution.

NEW SECTION. Sec. 13. A new section is added to chapter 42.17A RCW to read as follows:

(1) No candidate may solicit or receive contributions from a foreign-influenced corporation.

(2) No foreign-influenced corporation may make an independent expenditure for or against a candidate, nor a contribution to a political or incidental committee that has conveyed, implicitly or explicitly, that contributions to the committee may be used in elections for or against a candidate.

(3) A political or incidental committee may dedicate any contributions that do not comply with the restrictions in this section for use in elections outside the state or for other lawful purposes.

NEW SECTION. Sec. 14. The following acts or parts of acts are each repealed:

(1) RCW 42.17A.417 (Foreign nationals—Contributions, expenditures, and electioneering prohibited) and 2020 c 152 s 9; and

(2) RCW 42.17A.418 (Foreign nationals—Contribution certification) and 2020 c 152 s 10.

NEW SECTION. Sec. 15. This act takes effect January 1, 2024."

On page 1, line 2 of the title, after "disclosure;" strike the remainder of the title and insert "amending RCW 42.17A.005, 42.17A.205, 42.17A.207, 42.17A.235, 42.17A.240, 42.17A.250,

42.17A.255, 42.17A.260, 42.17A.265, 42.17A.305, and 42.17A.345; adding new sections to chapter 42.17A RCW; repealing RCW 42.17A.417 and 42.17A.418; and providing an effective date."

WITHDRAWAL OF AMENDMENT

On motion of Senator Short and without objection, amendment no. 0034 by Senator Short on page 7, line 35 to the striking amendment was withdrawn.

MOTION

Senator Wilson, J. moved that the following amendment no. 0038 by Senator Wilson, J. be adopted:

On page 34, beginning on line 5, after "or" strike all material through "candidate" on line 6 and insert "contributions of at least \$2,500 in the aggregate to political committees, incidental committees, or candidates for a single election"

Senator Wilson, J. spoke in favor of adoption of the amendment to the striking amendment.

Senator Nguyen spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0038 by Senator Wilson, J. on page 34, line 5 to striking amendment no. 0012.

The motion by Senator Wilson, J. did not carry, and amendment no. 0038 was not adopted by voice vote.

The President declared the question before the Senate to be the adoption of striking amendment no. 0012 by Senator Nguyen to Substitute Senate Bill No. 5284.

The motion by Senator Nguyen carried and striking amendment no. 0012 was adopted by voice vote.

MOTION

On motion of Senator Nguyen, the rules were suspended, Engrossed Substitute Senate Bill No. 5284 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Nguyen spoke in favor of passage of the bill.

Senator Wilson, J. spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5284.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5284 and the bill passed the Senate by the following vote: Yeas, 29; Nays, 19; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Liias, Lovelett, Lovick, Mullet, Nguyen, Nobles, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

Excused: Senator McCune

ENGROSSED SUBSTITUTE SENATE BILL NO. 5284, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5152, by Senators Valdez, Hunt, Kuderer, Liias, Nguyen and Wilson, C.

Defining synthetic media in campaigns for elective office, and providing relief for candidates and campaigns.

MOTIONS

On motion of Senator Valdez, Substitute Senate Bill No. 5152 was substituted for Senate Bill No. 5152 and the substitute bill was placed on the second reading and read the second time.

Senator Short moved that the following amendment no. 0035 by Senator Short be adopted:

On page 2, line 2, after "media" insert "with actual malice"
On page 2, line 6, after "media" insert "with actual malice"

Senator Short spoke in favor of adoption of the amendment.
Senator Hunt spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0035 by Senator Short on page 2, line 2 to Substitute Senate Bill No. 5152.

The motion by Senator Short did not carry, and amendment no. 0035 was not adopted by voice vote.

MOTION

Senator Wilson, J. moved that the following amendment no. 0037 by Senator Wilson, J. be adopted:

On page 2, line 2, after "media" insert "with actual malice"
On page 2, line 6, after "media" insert "with actual malice"
On page 2, line 7, after "general" strike "or special damages" and insert "damages, not to exceed \$1,000"

Senator Wilson, J. spoke in favor of adoption of the amendment.

Senator Hunt spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0037 by Senator Wilson, J. on page 2, line 2 to Substitute Senate Bill No. 5152.

The motion by Senator Wilson, J. did not carry, and amendment no. 0037 was not adopted by voice vote.

MOTION

Senator Valdez moved that the following amendment no. 0027 by Senator Valdez be adopted:

Beginning on page 2, line 34, strike all of section 3 and insert the following:

"NEW SECTION. Sec. 3. (1) For an action brought under section 2 of this act, the sponsor of the electioneering communication may be held liable, and not the broadcasting station or other medium except as provided in subsection (2) of this section.

(2) A broadcasting station or other medium may be held liable in a cause of action brought under section 2 of this act if:

(a) The broadcasting station or other medium removes any disclosure described in section 2(4) of this act from the electioneering communication it broadcasts; or

(b) Subject to affirmative defenses described in section 2 of this act, the broadcasting station or other medium changes the content of an electioneering communication such that it qualifies as synthetic media, as defined in section 2 of this act.

(3)(a) No provider or user of an interactive computer service shall be treated as the publisher or speaker of any information provided by another information content provider. However, an interactive computer service may be held liable in accordance with subsection (2) of this section.

(b) "Interactive computer service" means any information service, system, or access software provider that provides or enables computer access by multiple users to a computer server, including specifically a service or system that provides access to the internet and such systems operated or services offered by libraries or educational institutions.

(c) "Information content provider" means any person or entity that is responsible, in whole or in part, for the creation or development of information provided through the internet or any other interactive computer service."

Senator Valdez spoke in favor of adoption of the amendment.

Senator Wilson, J. spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0027 by Senator Valdez on page 2, line 34 to Substitute Senate Bill No. 5152.

The motion by Senator Valdez carried and amendment no. 0027 was adopted by voice vote.

MOTION

On motion of Senator Valdez, the rules were suspended, Engrossed Substitute Senate Bill No. 5152 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Valdez spoke in favor of passage of the bill.

Senator Wilson, J. spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5152.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5152 and the bill passed the Senate by the following vote: Yeas, 35; Nays, 13; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Fortunato, Frame, Gildon, Hasegawa, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Dozier, Hawkins, Holy, MacEwen, Padden, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

Excused: Senator McCune

ENGROSSED SUBSTITUTE SENATE BILL NO. 5152, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5295, by Senators Wilson, L., Rolfes and Gildon

Eliminating accounts.

The measure was read the second time.

MOTION

On motion of Senator Wilson, L., the rules were suspended, Senate Bill No. 5295 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wilson, L. and Rolfes spoke in favor of passage of the bill.

MOTION

On motion of Senator Wagoner, Senators Dozier and Fortunato were excused.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5295.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5295 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Fortunato and McCune

SENATE BILL NO. 5295, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5192, by Senators Shewmake, Hunt, Nguyen and Wellman

Authorizing administrative law judges to substitute for pollution control hearings board members in deciding derelict vessel appeals.

The measure was read the second time.

MOTION

On motion of Senator Shewmake, the rules were suspended, Senate Bill No. 5192 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Shewmake and Muzzall spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5192.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5192 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Fortunato and McCune

SENATE BILL NO. 5192, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

PERSONAL PRIVILEGE

Senator Shewmake: "I just want to say what an honor, an incredible honor it is to be with you all today and to be able to represent my community here in the Washington State Senate. I wanted to bring a little bit of home here. And I was trying really hard to match it to a bill and y'all are just lucky the Cannabis Commission is still in Rules. Instead, I have some nice little treats from my district. So we have, you either got coffee or tea that either comes from a former student who is a member of Lummi Nation or the family of our county councilmember. We have some jam from a wonderful farmer in Custer who's been doing this work. And even my neighbor, some stickers from various artists from around the county. And my neighbor who bakes bread. And you can go and pick it up and buy it from his front porch. He baked you all bread today and it was driven down today by a wonderful PUD commissioner from Blaine who is here to visit all of us today. So, thank you so much and I just want to say thank you so much for this honor."

[The Senate rose and welcomed Senator Shewmake to the Senate.]

The President welcomed Senator Shewmake to the body and thanked the Senator for the gifts on behalf of the Senate.

SECOND READING

SENATE BILL NO. 5323, by Senators MacEwen, Conway, Lovick, Mullet and Randall

Concerning the department of veterans affairs.

The measure was read the second time.

MOTION

On motion of Senator MacEwen, the rules were suspended, Senate Bill No. 5323 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators MacEwen, Hunt and Wilson, J. spoke in favor of passage of the bill.

MOTION

On motion of Senator Wagoner, Senator Dozier was excused.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5323.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5323 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 1; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Fortunato, Frame, Gildon, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liiias, Lovelett, Lovick, MacEwen, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senator Hasegawa

Excused: Senators Dozier and McCune

SENATE BILL NO. 5323, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

PERSONAL PRIVILEGE

Senator MacEwen: “Thank you Mr. President. After ten years in the other Chamber, I am proud to say I am finally ‘House-broken.’ It is an honor and a pleasure to serve here with you and I look forward to continuing the tradition of my predecessors who have a long, storied tradition of serving the 35th. And today from my district – we have a large timber industry and also a large shellfish industry – and so on the desk here today are Doug Fir trees, because these are what are used to replant the forest after, after they are harvested. And that is a fifth-generation timber company that I got these from, Green Diamond, that started in 1890. And down in the cafeteria are oysters on the half shell from another fifth-generation company in my district, Taylor Shellfish. So, as the dean of the freshman class, I thought we had to raise the bar a little bit. So for those freshmen who still have to do this, maybe they can up it and make it three gifts. But, again, it is an honor to be here. Thank you Mr. President.”

[The Senate rose and welcomed Senator MacEwen to the Senate.]

The President welcomed Senator MacEwen to the body and thanked the Senator for the gifts on behalf of the Senate.

MOTION

At 2:15 p.m., on motion of Senator Pedersen, the Senate adjourned until 12:30 p.m. Thursday, February 16, 2023.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

THIRTY NINTH DAY

AFTERNOON SESSION

Senate Chamber, Olympia
Thursday, February 16, 2023

The Senate was called to order at 12:30 p.m. by the President of the Senate, Lt. Governor Heck presiding. No roll call was taken.

MOTIONS

On motion of Senator Pedersen, the reading of the Journal of the previous day was dispensed with and it was approved.

There being no objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

February 14, 2023

SB 5046 Prime Sponsor, Senator Saldaña: Concerning postconviction access to counsel. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5046 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Nguyen; Pedersen; Saldaña; Wagoner and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Boehnke and Muzzall.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Braun and Torres.

Referred to Committee on Rules for second reading.

February 15, 2023

SB 5198 Prime Sponsor, Senator Frame: Concerning the sale or lease of manufactured/mobile home communities and the property on which they sit. Reported by Committee on Housing

MAJORITY recommendation: That Substitute Senate Bill No. 5198 be substituted therefor, and the substitute bill do pass. Signed by Senators Kuderer, Chair; Frame, Vice Chair; Cleveland; Saldaña; Shewmake and Trudeau.

MINORITY recommendation: Do not pass. Signed by Senators Fortunato, Ranking Member; Braun; Gildon; Rivers and Wilson, J.

Referred to Committee on Ways & Means.

February 16, 2023

SB 5375 Prime Sponsor, Senator King: Concerning taxation of low-proof beverages. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 5375 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; King, Ranking Member; Braun; Robinson and Schoesler.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Conway, Vice Chair; Saldaña, Vice Chair; MacEwen and Stanford.

Referred to Committee on Ways & Means.

February 16, 2023

SB 5448 Prime Sponsor, Senator MacEwen: Concerning liquor licensee privileges for the delivery of alcohol. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 5448 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; King, Ranking Member; Braun; MacEwen; Robinson and Schoesler.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Conway, Vice Chair Saldaña, Vice Chair.

MINORITY recommendation: Do not pass. Signed by Senator Stanford.

Referred to Committee on Ways & Means.

February 15, 2023

SB 5496 Prime Sponsor, Senator Lovick: Creating the covenant homeownership account and program to address the history of housing discrimination due to racially restrictive real estate covenants in Washington state. Reported by Committee on Housing

MAJORITY recommendation: That Substitute Senate Bill No. 5496 be substituted therefor, and the substitute bill do pass. Signed by Senators Kuderer, Chair; Frame, Vice Chair; Cleveland; Saldaña; Shewmake and Trudeau.

MINORITY recommendation: Do not pass. Signed by Senators Fortunato, Ranking Member; Braun and Wilson, J.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Gildon and Rivers.

Referred to Committee on Ways & Means.

February 16, 2023

SB 5524 Prime Sponsor, Senator Van De Wege: Concerning the duties of industrial insurance self-insured employers and third-party administrators. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 5524 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; MacEwen; Robinson and Stanford.

MINORITY recommendation: Do not pass. Signed by Senators King, Ranking Member and Schoesler.

Referred to Committee on Ways & Means.

February 15, 2023

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Braun.

SB 5670 Prime Sponsor, Senator Hawkins: Permitting 10th grade students to participate in running start in online settings. Reported by Committee on Higher Education & Workforce Development

Referred to Committee on Rules for second reading.

February 15, 2023

SB 5534 Prime Sponsor, Senator Randall: Concerning workforce education investment accountability and oversight board staffing changes. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That Substitute Senate Bill No. 5670 be substituted therefor, and the substitute bill do pass. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

MAJORITY recommendation: Do pass. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Ways & Means.

February 15, 2023

Referred to Committee on Ways & Means.

SB 5674 Prime Sponsor, Senator Frame: Defining affordable housing for purposes of using surplus public property for public benefit. Reported by Committee on Housing

February 15, 2023

SB 5554 Prime Sponsor, Senator Nguyen: Concerning Washington college grant award amounts. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: Do pass. Signed by Senators Kuderer, Chair; Frame, Vice Chair; Fortunato, Ranking Member; Cleveland; Gildon; Rivers; Saldaña; Shewmake; Trudeau and Wilson, J.

MAJORITY recommendation: Do pass. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member and Liias.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Braun.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Hawkins.

Referred to Committee on Rules for second reading.

February 15, 2023

Referred to Committee on Ways & Means.

SB 5703 Prime Sponsor, Senator Randall: Modifying the Washington college grant and establishing bridge grants. Reported by Committee on Higher Education & Workforce Development

February 15, 2023

SB 5640 Prime Sponsor, Senator Hunt: Establishing an independent living residents' rights work group. Reported by Committee on Housing

MAJORITY recommendation: That Substitute Senate Bill No. 5703 be substituted therefor, and the substitute bill do pass. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

MAJORITY recommendation: That Substitute Senate Bill No. 5640 be substituted therefor, and the substitute bill do pass. Signed by Senators Kuderer, Chair; Frame, Vice Chair; Fortunato, Ranking Member; Braun; Cleveland; Gildon; Rivers; Saldaña; Shewmake; Trudeau and Wilson, J.

Referred to Committee on Ways & Means.

February 16, 2023

Referred to Committee on Rules for second reading.

SB 5725 Prime Sponsor, Senator Keiser: Clarifying the application of the industrial welfare act and minimum wage act to airline cabin crews. Reported by Committee on Labor & Commerce

February 15, 2023

SB 5668 Prime Sponsor, Senator Shewmake: Concerning small districts with less than 2,750 students and significant participation in skill centers. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Braun; MacEwen; Robinson; Schoesler and Stanford.

MAJORITY recommendation: That Substitute Senate Bill No. 5668 be substituted therefor, and the substitute bill do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Dozier; Mullet and Pedersen.

Referred to Committee on Rules for second reading.

February 16, 2023

MINORITY recommendation: Do not pass. Signed by Senator Hunt.

SB 5726 Prime Sponsor, Senator King: Concerning the prevailing wages and sick leave benefits for construction workers. Reported by Committee on Labor & Commerce

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Hawkins, Ranking Member.

MAJORITY recommendation: That Substitute Senate Bill No. 5726 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice

THIRTY NINTH DAY, FEBRUARY 16, 2023

Chair; Saldaña, Vice Chair; King, Ranking Member; Braun; MacEwen; Robinson and Schoesler.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Stanford.

Referred to Committee on Rules for second reading.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Standing Committee report were referred to the committees as designated.

On motion of Senator Pedersen, the Senate advanced to the third order of business.

MESSAGE FROM THE GOVERNOR GUBERNATORIAL APPOINTMENTS

February 1, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

OLLIE A. GARRETT, appointed February 1, 2023, for the term ending January 15, 2029, as Member of the Liquor and Cannabis Board.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Labor & Commerce as Senate Gubernatorial Appointment No. 9328.

February 2, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

DOUGLAS L. MOORE, appointed February 6, 2023, for the term ending January 17, 2029, as Member of the Horse Racing Commission.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Business, Financial Services, Gaming & Trade as Senate Gubernatorial Appointment No. 9329.

February 8, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

DAVID PUENTE JR., appointed February 1, 2023, for the term ending January 1, 2075, as a Director of the Department of Veterans Affairs - Agency Head.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on State Government & Elections as Senate Gubernatorial Appointment No. 9330.

February 13, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

WILLIAM S. KALLAPPA II, appointed February 13, 2023, for the term ending January 12, 2027, as Member of the State Board of Education.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Early Learning & K-12 Education as Senate Gubernatorial Appointment No. 9331.

February 13, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

MATTHEW V. RANDAZZO, appointed March 2, 2023, for the term ending March 1, 2029, as Member of the Board of Tax Appeals.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Ways & Means as Senate Gubernatorial Appointment No. 9332.

MOTIONS

On motion of Senator Pedersen, all appointees listed on the Gubernatorial Appointments report were referred to the committees as designated.

On motion of Senator Pedersen, the Senate advanced to the fourth order of business.

MESSAGES FROM THE HOUSE

February 15, 2023

MR. PRESIDENT:

The House has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1073, and the same is herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

February 16, 2023

MR. PRESIDENT:

The House has passed:

SUBSTITUTE HOUSE BILL NO. 1236,
SUBSTITUTE HOUSE BILL NO. 1346,
SUBSTITUTE HOUSE BILL NO. 1500,
and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

February 15, 2023

MR. PRESIDENT:

The House has passed:

SECOND SUBSTITUTE HOUSE BILL NO. 1009,
SUBSTITUTE HOUSE BILL NO. 1068,
and the same are herewith transmitted.

BERNARD DEAN, Chief Clerk

MOTION

On motion of Senator Pedersen, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 5746 by Senator Trudeau

AN ACT Relating to exempting the disclosure of certain information of agency employees or their dependents who are survivors of domestic violence, sexual assault, harassment, or stalking; amending RCW 42.56.250; and declaring an emergency.

Referred to Committee on State Government & Elections.

SB 5747 by Senators Lovick, Boehnke, Dhingra and Padden
AN ACT Relating to projectile stun guns; and reenacting RCW 9.41.010.

Referred to Committee on Law & Justice.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

At 12:33 p.m., on motion of Senator Pedersen, the Senate adjourned until 12:30 p.m. Friday, February 17, 2023.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

FORTIETH DAY

AFTERNOON SESSION

Senate Chamber, Olympia
Friday, February 17, 2023

The Senate was called to order at 12:30 p.m. by the President of the Senate, Lt. Governor Heck presiding. No roll call was taken.

MOTIONS

On motion of Senator Pedersen, the reading of the Journal of the previous day was dispensed with and it was approved.

There being no objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

February 16, 2023

SB 5045 Prime Sponsor, Senator Kuderer: Incentivizing rental of accessory dwelling units to low-income households. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5045 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Warnick, Assistant Ranking Member, Capital; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Schoesler, Ranking Member, Capital; Boehnke; Braun and Wagoner.

Referred to Committee on Rules for second reading.

February 17, 2023

SB 5057 Prime Sponsor, Senator Mullet: Creating a work group to evaluate the costs of the state energy performance standard for covered commercial buildings. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: That Substitute Senate Bill No. 5057 be substituted therefor, and the substitute bill do pass. Signed by Senators Nguyen, Chair; Lovelett, Vice Chair; MacEwen, Ranking Member; Lovick; Trudeau and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Boehnke and Short.

Referred to Committee on Ways & Means.

February 16, 2023

SB 5091 Prime Sponsor, Senator King: Creating and expanding tax incentives for the research, development, production, and sale of hydrogen fuel cells in Washington state. Reported by Committee on Business, Financial Services, Gaming & Trade

MAJORITY recommendation: That Substitute Senate Bill No. 5091 be substituted therefor, and the substitute bill do pass. Signed by Senators Stanford, Chair; Frame, Vice Chair; Dozier, Ranking Member; Boehnke; Gildon; Hasegawa; Lovick; MacEwen and Mullet.

Referred to Committee on Ways & Means.

February 16, 2023

SB 5096 Prime Sponsor, Senator Padden: Concerning employee ownership. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5096 as recommended by Committee on Business, Financial Services, Gaming & Trade be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 16, 2023

SB 5126 Prime Sponsor, Senator Pedersen: Providing common school trust revenue to small school districts. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5126 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Gildon, Assistant Ranking Member, Operating and Hunt.

MINORITY recommendation: Do not pass. Signed by Senator Schoesler, Ranking Member, Capital.

Referred to Committee on Rules for second reading.

February 16, 2023

SB 5145 Prime Sponsor, Senator Short: Clarifying existing law regarding liability protections associated with public recreational use of lands or waters under a hydroelectric license issued by the federal energy regulatory commission. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5145 be substituted therefor, and the substitute bill do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

February 16, 2023

SB 5166 Prime Sponsor, Senator Boehnke: Reauthorizing the business and occupation tax deduction for cooperative finance organizations. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: Do not pass. Signed by Senator Dhingra.

Referred to Committee on Rules for second reading.

February 16, 2023

SB 5169 Prime Sponsor, Senator Hunt: Concerning health care plans administered by the health care authority that are available to medicare eligible retirees. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5169 be substituted therefor, and the substitute bill do pass. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Ways & Means.

February 17, 2023

SB 5213 Prime Sponsor, Senator Kuderer: Concerning pharmacy benefit managers. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5213 be substituted therefor, and the substitute bill do pass. Signed by Senators Robinson, Vice Chair; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Randall and Van De Wege.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Rivers, Ranking Member; Holy and Padden.

Referred to Committee on Ways & Means.

February 16, 2023

SB 5221 Prime Sponsor, Senator Liias: Concerning program administration for the Washington state opportunity scholarship program. Reported by Committee on Ways & Means

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Warnick, Assistant Ranking

Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 16, 2023

SB 5232 Prime Sponsor, Senator Salomon: Enhancing requirements for the purchase or transfer of firearms. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Kuderer; Pedersen; Salomon and Valdez.

MINORITY recommendation: Do not pass. Signed by Senators Padden, Ranking Member; McCune; Torres; Wagoner and Wilson, L.

Referred to Committee on Ways & Means.

February 16, 2023

SB 5241 Prime Sponsor, Senator Randall: Concerning material changes to the operations and governance structure of participants in the health care marketplace. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Kuderer; Pedersen; Salomon and Valdez.

MINORITY recommendation: Do not pass. Signed by Senators Padden, Ranking Member; McCune; Torres; Wagoner and Wilson, L.

Referred to Committee on Ways & Means.

February 16, 2023

SB 5258 Prime Sponsor, Senator Shewmake: Increasing the supply and affordability of condominium units and townhouses as an option for homeownership. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5258 be substituted therefor, and the substitute bill do pass. Signed by Senators Dhingra, Chair; Padden, Ranking Member; McCune; Pedersen; Salomon; Torres; Valdez and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Trudeau, Vice Chair; Kuderer and Wagoner.

Referred to Committee on Ways & Means.

February 16, 2023

SB 5263 Prime Sponsor, Senator Salomon: Concerning access to psilocybin services by individuals 21 years of age and older. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 5263 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; MacEwen; Robinson; Schoesler and Stanford.

FORTIETH DAY, FEBRUARY 17, 2023

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Braun.

Referred to Committee on Ways & Means.

February 16, 2023

SB 5303 Prime Sponsor, Senator Mullet: Creating the public works assistance revolving account. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5303 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 16, 2023

SB 5309 Prime Sponsor, Senator Lovelett: Eliminating the state public utility tax deduction for the instate portion of interstate transport of petroleum products and crude oil. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Nguyen; Pedersen; Saldaña; Van De Wege and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Boehnke; Braun; Torres and Wagoner.

Referred to Committee on Rules for second reading.

February 16, 2023

SB 5371 Prime Sponsor, Senator Lovelett: Protecting southern resident orcas from vessels. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That Substitute Senate Bill No. 5371 be substituted therefor, and the substitute bill do pass. Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; Rolfes; Shewmake and Stanford.

MINORITY recommendation: Do not pass. Signed by Senators Muzzall, Ranking Member; Short; Wagoner and Warnick.

Referred to Committee on Rules for second reading.

February 17, 2023

SB 5389 Prime Sponsor, Senator Cleveland: Concerning the practice of optometry. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5389 be substituted therefor, and the substitute bill do pass. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Rules for second reading.

February 17, 2023

SB 5393 Prime Sponsor, Senator Robinson: Addressing affordability through health care provider contracting. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5393 be substituted therefor, and the substitute bill do pass. Signed by Senators Robinson, Vice Chair; Cleveland, Chair; Conway; Dhingra; Randall and Van De Wege.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Holy and Padden.

Referred to Committee on Ways & Means.

February 16, 2023

SB 5433 Prime Sponsor, Senator Muzzall: Concerning the removal of derelict aquatic structures and restoration of aquatic lands. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That Substitute Senate Bill No. 5433 be substituted therefor, and the substitute bill do pass. Signed by Senators Muzzall, Ranking Member; Van De Wege, Chair; Salomon, Vice Chair; Rolfes; Shewmake; Short; Stanford; Wagoner and Warnick.

Referred to Committee on Ways & Means.

February 16, 2023

SB 5436 Prime Sponsor, Senator Wilson, J.: Concerning transfers of firearms to museums and historical societies. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5436 be substituted therefor, and the substitute bill do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

February 16, 2023

SB 5440 Prime Sponsor, Senator Dhingra: Providing timely competency evaluations and restoration services to persons suffering from behavioral health disorders. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5440 be substituted therefor, and the substitute bill do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; Pedersen; Salomon; Valdez and Wagoner.

MINORITY recommendation: Do not pass. Signed by Senators McCune; Torres and Wilson, L.

pass. Signed by Senators Lovelett, Chair; Salomon, Vice Chair; Torres, Ranking Member; Kauffman and Short.

Referred to Committee on Ways & Means.

Referred to Committee on Rules for second reading.

February 16, 2023

SB 5452 Prime Sponsor, Senator Shewmake: Authorizing impact fee revenue to fund improvements to bicycle and pedestrian facilities. Reported by Committee on Transportation

February 16, 2023

SB 5499 Prime Sponsor, Senator Mullet: Concerning the multistate nurse licensure compact. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass. Signed by Senators Liias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; Cleveland; Hawkins; Kauffman; Lovelett; Nobles; Randall; Valdez and Wilson, C.

MAJORITY recommendation: That Substitute Senate Bill No. 5499 be substituted therefor, and the substitute bill do pass. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Holy; Padden and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senators King, Ranking Member; Fortunato; MacEwen and Padden.

MINORITY recommendation: Do not pass. Signed by Senators Conway; Dhingra and Randall.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Holy, Assistant Ranking Member and Wilson, J.

Referred to Committee on Rules for second reading.

Referred to Committee on Rules for second reading.

February 16, 2023

SB 5501 Prime Sponsor, Senator Keiser: Establishing a public education program to reduce the incidence of stillbirth using a platform for recording and tracking fetal movements. Reported by Committee on Health & Long-Term Care

February 17, 2023

SB 5481 Prime Sponsor, Senator Cleveland: Concerning the uniform telemedicine act. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

MAJORITY recommendation: That Substitute Senate Bill No. 5481 be substituted therefor, and the substitute bill do pass. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Randall and Van De Wege.

Referred to Committee on Ways & Means.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Padden.

February 16, 2023

SB 5503 Prime Sponsor, Senator Robinson: Establishing requirements for uniform clinical placement hours for nursing education programs. Reported by Committee on Health & Long-Term Care

Referred to Committee on Rules for second reading.

MAJORITY recommendation: That Substitute Senate Bill No. 5503 be substituted therefor, and the substitute bill do pass. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

February 16, 2023

SB 5483 Prime Sponsor, Senator Stanford: Concerning the classification of digital processing services. Reported by Committee on Business, Financial Services, Gaming & Trade

Referred to Committee on Rules for second reading.

MAJORITY recommendation: Do pass. Signed by Senators Stanford, Chair; Dozier, Ranking Member; Boehnke; Gildon; Lovick; MacEwen and Mullet.

February 16, 2023

SB 5516 Prime Sponsor, Senator Fortunato: Exempting clay targets from sales and use tax. Reported by Committee on Ways & Means

MINORITY recommendation: Do not pass. Signed by Senators Frame, Vice Chair and Hasegawa.

Referred to Committee on Ways & Means.

MAJORITY recommendation: That Substitute Senate Bill No. 5516 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Boehnke; Braun; Conway; Torres; Van De Wege; Wagoner and Wellman.

February 16, 2023

SB 5491 Prime Sponsor, Senator Salomon: Allowing for residential buildings of a certain height to be served by a single exit under certain conditions. Reported by Committee on Local Government, Land Use & Tribal Affairs

MINORITY recommendation: Do not pass. Signed by Senators Dhingra; Pedersen and Saldaña.

MAJORITY recommendation: That Substitute Senate Bill No. 5491 be substituted therefor, and the substitute bill do

FORTIETH DAY, FEBRUARY 17, 2023

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Robinson, Vice Chair, Operating & Revenue; Billig; Hasegawa; Hunt; Keiser and Nguyen.

Referred to Committee on Rules for second reading.

February 16, 2023

SB 5537 Prime Sponsor, Senator Cleveland: Establishing the Washington state hospital patient care unit staffing innovation collaborative. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Dhingra; Holy; Randall and Van De Wege.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Conway and Padden.

Referred to Committee on Ways & Means.

February 16, 2023

SB 5547 Prime Sponsor, Senator Robinson: Concerning nursing pool transparency. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5547 be substituted therefor, and the substitute bill do pass. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Rules for second reading.

February 16, 2023

SB 5550 Prime Sponsor, Senator Liias: Addressing workforce development issues, including cultural issues, at the Washington state ferries. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Liias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Holy, Assistant Ranking Member; Cleveland; Kauffman; Lovelett; MacEwen; Nobles; Randall; Valdez and Wilson, C.

MINORITY recommendation: Do not pass. Signed by Senators Fortunato and Padden.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Hawkins and Wilson, J.

Referred to Committee on Rules for second reading.

February 17, 2023

SB 5579 Prime Sponsor, Senator Braun: Expanding the department of ecology's authority to refrain from enforcing chapter 70A.60 RCW to mitigate the effects of supply chain problems or other similar disruptions. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: That Substitute Senate Bill No. 5579 be substituted therefor, and the substitute bill do pass. Signed by Senators Nguyen, Chair; Lovelett, Vice Chair; MacEwen, Ranking Member; Boehnke; Lovick; Short; Trudeau and Wellman.

Referred to Committee on Ways & Means.

February 16, 2023

SB 5588 Prime Sponsor, Senator Nobles: Concerning the mental health sentencing alternative. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5588 be substituted therefor, and the substitute bill do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Kuderer; Pedersen; Salomon; Valdez and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Padden, Ranking Member; McCune; Torres and Wilson, L.

Referred to Committee on Rules for second reading.

February 16, 2023

SB 5589 Prime Sponsor, Senator Stanford: Concerning probate. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5589 be substituted therefor, and the substitute bill do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; Pedersen; Salomon; Valdez and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators McCune; Torres and Wilson, L.

Referred to Committee on Rules for second reading.

February 16, 2023

SB 5592 Prime Sponsor, Senator Hunt: Requiring semiautomatic external defibrillator at fitness centers. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Randall and Van De Wege.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Padden.

Referred to Committee on Rules for second reading.

February 16, 2023

SB 5598 Prime Sponsor, Senator Mullet: Providing supplementary funding to legalized horse racing and the recreational use of horses in Washington state. Reported by Committee on Business, Financial Services, Gaming & Trade

MAJORITY recommendation: That Substitute Senate Bill No. 5598 be substituted therefor, and the substitute bill do pass. Signed by Senators Stanford, Chair; Frame, Vice

Chair; Dozier, Ranking Member; Boehnke; Gildon; Lovick; MacEwen and Mullet.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Hasegawa.

Referred to Committee on Ways & Means.

February 17, 2023

SB 5600 Prime Sponsor, Senator Wellman: Removing the expiration date for the state universal communications services program. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: That Substitute Senate Bill No. 5600 be substituted therefor, and the substitute bill do pass. Signed by Senators Nguyen, Chair; Lovelett, Vice Chair; MacEwen, Ranking Member; Boehnke; Lovick; Short; Trudeau and Wellman.

Referred to Committee on Ways & Means.

February 16, 2023

SB 5603 Prime Sponsor, Senator Valdez: Requiring driver training curriculum to include instruction on sharing the road with large vehicles, including commercial motor vehicles and buses. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Liias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Holy, Assistant Ranking Member; Cleveland; Fortunato; Hawkins; Kauffman; Lovelett; MacEwen; Nobles; Padden; Randall; Valdez; Wilson, C. and Wilson, J.

Referred to Committee on Rules for second reading.

February 16, 2023

SB 5606 Prime Sponsor, Senator Lovick: Deterring illegal racing. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

February 16, 2023

SB 5610 Prime Sponsor, Senator Keiser: Enacting the used motor vehicles express warranties act. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5610 be substituted therefor, and the substitute bill do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Kuderer; Pedersen; Salomon and Valdez.

MINORITY recommendation: Do not pass. Signed by Senators Padden, Ranking Member; McCune; Torres; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

February 16, 2023

SB 5627 Prime Sponsor, Senator Hunt: Concerning salaries for county commissioners and councilmembers. Reported by Committee on Local Government, Land Use & Tribal Affairs

MAJORITY recommendation: That Substitute Senate Bill No. 5627 be substituted therefor, and the substitute bill do pass. Signed by Senators Lovelett, Chair; Salomon, Vice Chair; Torres, Ranking Member; Kauffman and Short.

Referred to Committee on Rules for second reading.

February 16, 2023

SB 5635 Prime Sponsor, Senator Braun: Concerning victims' rights. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5635 be substituted therefor, and the substitute bill do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Ways & Means.

February 16, 2023

SB 5649 Prime Sponsor, Senator Braun: Concerning floodproofing improvements to residential structures undertaken in accordance with the Chehalis basin strategy. Reported by Committee on Local Government, Land Use & Tribal Affairs

MAJORITY recommendation: That Substitute Senate Bill No. 5649 be substituted therefor, and the substitute bill do pass. Signed by Senators Lovelett, Chair; Salomon, Vice Chair; Torres, Ranking Member; Kauffman and Short.

Referred to Committee on Rules for second reading.

February 16, 2023

SB 5660 Prime Sponsor, Senator Boehnke: Establishing a mental health advance directive effective implementation work group; creating a new section; and providing an expiration date. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5660 be substituted therefor, and the substitute bill do pass. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Randall and Van De Wege.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Padden.

Referred to Committee on Ways & Means.

February 17, 2023

SB 5688 Prime Sponsor, Senator Lovelett: Providing carbon sequestration and ecosystem services in the management of public lands. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass. Signed by Senators Nguyen, Chair; Lovelett, Vice Chair; Lovick; Trudeau and Wellman.

FORTIETH DAY, FEBRUARY 17, 2023

MINORITY recommendation: Do not pass. Signed by Senators MacEwen, Ranking Member; Boehnke and Short.

Referred to Committee on Ways & Means.

February 16, 2023

SB 5689 Prime Sponsor, Senator Stanford: Providing a sales and use tax exemption related to internet and telecommunications infrastructure projects involving a federally recognized Indian tribe. Reported by Committee on Business, Financial Services, Gaming & Trade

MAJORITY recommendation: That Substitute Senate Bill No. 5689 be substituted therefor, and the substitute bill do pass. Signed by Senators Stanford, Chair; Frame, Vice Chair; Hasegawa; Lovick and Mullet.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator MacEwen.

MINORITY recommendation: Do not pass. Signed by Senators Dozier, Ranking Member; Boehnke and Gildon.

Referred to Committee on Ways & Means.

February 16, 2023

SB 5709 Prime Sponsor, Senator Torres: Concerning irrigation district elections. Reported by Committee on Local Government, Land Use & Tribal Affairs

MAJORITY recommendation: That Substitute Senate Bill No. 5709 be substituted therefor, and the substitute bill do pass. Signed by Senators Lovelett, Chair; Salomon, Vice Chair; Torres, Ranking Member; Kauffman and Short.

Referred to Committee on Rules for second reading.

February 16, 2023

SB 5714 Prime Sponsor, Senator Wagoner: Concerning payments made for property taxes or special assessments by an automated check processing service. Reported by Committee on Local Government, Land Use & Tribal Affairs

MAJORITY recommendation: That Substitute Senate Bill No. 5714 be substituted therefor, and the substitute bill do pass. Signed by Senators Lovelett, Chair; Salomon, Vice Chair; Torres, Ranking Member and Short.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Kauffman.

Referred to Committee on Rules for second reading.

February 16, 2023

SB 5716 Prime Sponsor, Senator Rivers: Removing the department of health's authorization to perform certain validation surveys. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5716 be substituted therefor, and the substitute bill do pass. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Rules for second reading.

February 16, 2023

SB 5720 Prime Sponsor, Senator Stanford: Concerning risk mitigation in property insurance. Reported by Committee on Business, Financial Services, Gaming & Trade

MAJORITY recommendation: That Substitute Senate Bill No. 5720 be substituted therefor, and the substitute bill do pass. Signed by Senators Stanford, Chair; Frame, Vice Chair; Dozier, Ranking Member; Boehnke; Gildon; Hasegawa; Lovick; MacEwen and Mullet.

Referred to Committee on Rules for second reading.

February 16, 2023

SB 5722 Prime Sponsor, Senator Kuderer: Concerning photographs, microphotographs, and electronic images from traffic safety cameras and toll systems. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5722 be substituted therefor, and the substitute bill do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Kuderer; McCune; Pedersen; Valdez and Wagoner.

MINORITY recommendation: Do not pass. Signed by Senators Padden, Ranking Member and Salomon.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Torres and Wilson, L.

Referred to Committee on Rules for second reading.

February 16, 2023

SB 5729 Prime Sponsor, Senator Keiser: Extending the expiration date on the cost-sharing cap for insulin. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5729 be substituted therefor, and the substitute bill do pass. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Randall and Van De Wege.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Padden.

Referred to Committee on Rules for second reading.

February 16, 2023

SB 5733 Prime Sponsor, Senator Mullet: Creating a business and occupation tax deduction and increasing the tax rate for persons conducting payment card processing activities. Reported by Committee on Business, Financial Services, Gaming & Trade

MAJORITY recommendation: Do pass. Signed by Senators Dozier, Ranking Member; Boehnke; Gildon; Lovick; MacEwen and Mullet.

MINORITY recommendation: Do not pass. Signed by Senator Frame, Vice Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Stanford, Chair and Hasegawa.

Referred to Committee on Ways & Means.

February 16, 2023

SJM 8006 Prime Sponsor, Senator Hasegawa: Requesting that the federal government create a universal health care program. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Vice Chair; Cleveland, Chair; Conway; Dhingra; Randall and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senators Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Holy and Padden.

Referred to Committee on Rules for second reading.

February 16, 2023

SJR 8201 Prime Sponsor, Senator Mullet: Creating a public works assistance revolving account. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Joint Resolution No. 8201 be substituted therefor, and the substitute joint resolution do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: Do not pass. Signed by Senator Hasegawa.

Referred to Committee on Rules for second reading.

February 16, 2023

SGA 9055 JERRIE L. ALLARD, reappointed on January 20, 2020, for the term ending January 19, 2024, as Member of the Pharmacy Quality Assurance Commission. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Rules for second reading.

February 16, 2023

SGA 9075 HAWKINS B. DEFRANCE, appointed on August 28, 2020, for the term ending January 19, 2024, as Member of the Pharmacy Quality Assurance Commission. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Robinson, Vice Chair;

Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Rules for second reading.

February 16, 2023

SGA 9112 KENNETH W KENYON JR., reappointed on January 20, 2021, for the term ending January 19, 2025, as Member of the Pharmacy Quality Assurance Commission. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Rules for second reading.

February 16, 2023

SGA 9121 HOANG UYEN T. THORSTENSEN, appointed on January 26, 2021, for the term ending January 19, 2025, as Member of the Pharmacy Quality Assurance Commission. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Rules for second reading.

MOTIONS

On motion of Pedersen, all measures listed on the Standing Committee report were referred to the committees as designated with the exceptions of:

Senate Bill No. 5371 which had been designated to the Committee on Ways & Means and was referred to the Committee on Rules; and

Senate Bill No. 5635 which had been designated to the Committee on Rules and was referred to the Committee on Ways & Means.

On motion of Senator Pedersen, the Senate advanced to the fourth order of business.

MESSAGE FROM THE HOUSE

February 16, 2023

MR. PRESIDENT:

The House has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1361, and the same is herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

MOTION

On motion of Senator Pedersen, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 5748 by Senators Muzzall and Mullet

FORTIETH DAY, FEBRUARY 17, 2023

AN ACT Relating to clarifying the excise tax treatment of meals furnished to tenants of senior living communities as part of their rental agreement; amending RCW 82.04.040 and 82.04.040; adding a new section to chapter 82.04 RCW; adding a new section to chapter 82.12 RCW; creating new sections; providing an effective date; and providing an expiration date.

Referred to Committee on Ways & Means.

SB 5749 by Senators Liias and King

AN ACT Relating to enhancing rail safety governance by expanding the role of the utilities and transportation commission; amending RCW 81.04.540, 81.04.550, 81.104.115, 35.21.228, 35A.21.300, 36.01.210, 36.57.120, 36.57A.170, and 81.112.180; adding a new section to chapter 81.04 RCW; creating new sections; recodifying RCW 81.104.115; providing an effective date; and providing contingent effective dates.

Referred to Committee on Transportation.

2SHB 1009 by House Committee on Appropriations (originally sponsored by Leavitt, Barkis, Ryu, Paul, Donaghy, Slatter, Simmons, Low, Volz, Schmidt, Christian, Lekanoff, Griffey, Doglio, Robertson, Orwall, Caldier, Reeves, Bronoske, Bergquist, Shavers, Riccelli and Ormsby)

AN ACT Relating to military spouse employment; amending RCW 18.340.020 and 73.04.150; adding new sections to chapter 18.340 RCW; adding a new section to chapter 28A.410 RCW; adding a new section to chapter 43.60A RCW; adding a new section to chapter 38.42 RCW; creating new sections; and providing an effective date.

Referred to Committee on Labor & Commerce.

SHB 1068 by House Committee on Labor & Workplace Standards (originally sponsored by Bronoske, Simmons, Ryu, Goodman, Berry, Bateman, Peterson, Taylor, Doglio, Gregerson, Wylie, Pollet, Davis, Santos, Ormsby and Fosse)

AN ACT Relating to injured workers' rights during compelled medical examinations; and amending RCW 51.36.070.

Referred to Committee on Labor & Commerce.

ESHB 1073 by House Committee on Health Care & Wellness (originally sponsored by Harris, Tharinger, Ryu, Leavitt, Macri, Caldier, Santos and Ormsby)

AN ACT Relating to medical assistants; and amending RCW 18.360.040 and 18.360.050.

Referred to Committee on Health & Long-Term Care.

SHB 1236 by House Committee on Environment & Energy (originally sponsored by Hackney, Abbarno, Senn, Reed, Doglio, Ramel and Lekanoff)

AN ACT Relating to enhancing access to clean fuel for agencies providing public transportation; adding a new section to chapter 36.57A RCW; adding a new section to chapter 36.56 RCW; adding a new section to chapter 35.92 RCW; adding a new section to chapter 36.57 RCW; adding a

new section to chapter 81.112 RCW; and adding a new section to chapter 81.104 RCW.

Referred to Committee on Environment, Energy & Technology.

SHB 1346 by House Committee on Education (originally sponsored by Shavers, Berry, Couture, Leavitt, Morgan, Simmons, Timmons, Lekanoff, Paul and Donaghy)

AN ACT Relating to creating the purple star award; adding a new section to chapter 28A.625 RCW; and creating a new section.

Referred to Committee on Early Learning & K-12 Education.

SHB 1500 by House Committee on Agriculture and Natural Resources (originally sponsored by Eslick, Chapman, Jacobsen, Ramel, Leavitt, Walen, Peterson, Couture, Paul, Doglio and Macri)

AN ACT Relating to increasing the cap on gross sales for cottage food operations; amending RCW 69.22.050 and 69.22.030; and adding a new section to chapter 69.22 RCW.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

At 12:33 p.m., on motion of Senator Pedersen, the Senate was declared to be at ease subject to the call of the President for the purpose of receiving reports from the standing committees later in the day.

The Senate was called to order at 4:28 p.m. by the President of the Senate, Lt. Governor Heck presiding.

MOTION

On motion of Senator Pedersen, the Senate reverted to the first order of business.

SUPPLEMENTAL REPORTS OF STANDING COMMITTEES

February 17, 2023

SB 5027 Prime Sponsor, Senator Fortunato: Promoting housing affordability by incentivizing the construction of American dream homes. Reported by Committee on Housing

MAJORITY recommendation: Do pass. Signed by Senators Kuderer, Chair; Frame, Vice Chair; Fortunato, Ranking Member; Gildon; Rivers; Shewmake; Trudeau and Wilson, J.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Cleveland and Saldaña.

Referred to Committee on Ways & Means.

February 17, 2023

SB 5520 Prime Sponsor, Senator Liias: Establishing the fire service policy board and improving fire service training and mobilization. Reported by Committee on State Government & Elections

MAJORITY recommendation: Do pass. Signed by Senators Valdez, Vice Chair; Wilson, J., Ranking Member; Hunt, Chair; Dozier; Fortunato and Kuderer.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Hasegawa.

Referred to Committee on Ways & Means.

February 17, 2023

SB 5555 Prime Sponsor, Senator Randall: Creating the profession of certified peer specialists. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That Substitute Senate Bill No. 5555 be substituted therefor, and the substitute bill do pass. Signed by Senators Randall, Chair; Nobles, Vice Chair Holy, Ranking Member.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Hawkins.

Referred to Committee on Ways & Means.

February 17, 2023

SB 5557 Prime Sponsor, Senator Liias: Providing pay equity for part-time faculty. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That Substitute Senate Bill No. 5557 be substituted therefor, and the substitute bill do pass. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member and Hawkins.

Referred to Committee on Ways & Means.

February 17, 2023

SB 5566 Prime Sponsor, Senator Shewmake: Establishing the student basic needs at public postsecondary institutions act. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: Do pass. Signed by Senators Randall, Chair; Nobles, Vice Chair Holy, Ranking Member.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Hawkins.

Referred to Committee on Ways & Means.

February 17, 2023

SB 5631 Prime Sponsor, Senator Torres: Requiring state agencies to clearly identify programs and services which accept applicants with deferred action for childhood arrival status. Reported by Committee on State Government & Elections

MAJORITY recommendation: Do pass. Signed by Senators Valdez, Vice Chair; Wilson, J., Ranking Member; Hunt, Chair; Dozier; Fortunato; Hasegawa and Kuderer.

Referred to Committee on Rules for second reading.

February 16, 2023

SB 5651 Prime Sponsor, Senator Lovelett: Concerning equity and environmental justice in the growth management act. Reported by Committee on Local Government, Land Use & Tribal Affairs

MAJORITY recommendation: That Substitute Senate Bill No. 5651 be substituted therefor, and the substitute bill do pass. Signed by Senators Lovelett, Chair; Salomon, Vice Chair and Kauffman.

MINORITY recommendation: Do not pass. Signed by Senators Torres, Ranking Member and Short.

Referred to Committee on Ways & Means.

February 17, 2023

SB 5655 Prime Sponsor, Senator Torres: Creating the Washington achievers grant program. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: Do pass. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member and Hawkins.

Referred to Committee on Ways & Means.

February 17, 2023

SB 5657 Prime Sponsor, Senator Wilson, J.: Concerning city and town permitting of kit homes. Reported by Committee on State Government & Elections

MAJORITY recommendation: That Substitute Senate Bill No. 5657 be substituted therefor, and the substitute bill do pass. Signed by Senators Valdez, Vice Chair; Wilson, J., Ranking Member; Hunt, Chair; Dozier; Fortunato and Kuderer.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Hasegawa.

Referred to Committee on Rules for second reading.

February 17, 2023

SB 5666 Prime Sponsor, Senator Randall: Establishing a community or technical college student housing pilot program. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: Do pass. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member and Hawkins.

Referred to Committee on Ways & Means.

February 17, 2023

SB 5677 Prime Sponsor, Senator Dozier: Recognizing Walla Walla sweet onion day. Reported by Committee on State Government & Elections

FORTIETH DAY, FEBRUARY 17, 2023

MAJORITY recommendation: Do pass. Signed by Senators Valdez, Vice Chair; Wilson, J., Ranking Member; Hunt, Chair; Dozier; Fortunato; Hasegawa and Kuderer.

Referred to Committee on Rules for second reading.

February 17, 2023

SB 5687 Prime Sponsor, Senator Van De Wege: Creating postsecondary wrestling grant programs. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: Do pass. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member and Hawkins.

Referred to Committee on Ways & Means.

February 17, 2023

SB 5694 Prime Sponsor, Senator Hunt: Concerning public employee salary surveys. Reported by Committee on State Government & Elections

MAJORITY recommendation: Do pass. Signed by Senators Valdez, Vice Chair; Hunt, Chair; Hasegawa and Kuderer.

MINORITY recommendation: Do not pass. Signed by Senators Wilson, J., Ranking Member; Dozier and Fortunato.

Referred to Committee on Ways & Means.

February 17, 2023

SB 5697 Prime Sponsor, Senator Van De Wege: Authorizing the utilities and transportation commission to regulate the rates and services of all persons engaging in the business of acting as a landlord for a mobile home park, manufactured housing community, or manufactured/mobile home community. Reported by Committee on Housing

MAJORITY recommendation: That Substitute Senate Bill No. 5697 be substituted therefor, and the substitute bill do pass. Signed by Senators Kuderer, Chair; Frame, Vice Chair; Cleveland; Saldaña; Shewmake and Trudeau.

MINORITY recommendation: Do not pass. Signed by Senators Fortunato, Ranking Member; Braun; Gildon; Rivers and Wilson, J.

Referred to Committee on Ways & Means.

February 17, 2023

SB 5702 Prime Sponsor, Senator Trudeau: Expanding the students experiencing homelessness and foster youth pilot program. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That Substitute Senate Bill No. 5702 be substituted therefor, and the substitute bill do pass. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member and Hawkins.

Referred to Committee on Ways & Means.

SB 5711 Prime Sponsor, Senator Nobles: Extending the terms of eligibility for the Washington college grant program. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: Do pass. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member and Hawkins.

Referred to Committee on Ways & Means.

February 17, 2023

SB 5721 Prime Sponsor, Senator Boehnke: Authorizing a business and occupation tax credit to incentivize private sector investment in advanced aerospace manufacturing training and education. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: Do pass. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member and Hawkins.

Referred to Committee on Ways & Means.

February 17, 2023

SB 5723 Prime Sponsor, Senator Valdez: Giving cities and towns the freedom to switch their general elections to even-numbered years. Reported by Committee on State Government & Elections

MAJORITY recommendation: That Substitute Senate Bill No. 5723 be substituted therefor, and the substitute bill do pass. Signed by Senators Valdez, Vice Chair; Hunt, Chair; Hasegawa and Kuderer.

MINORITY recommendation: Do not pass. Signed by Senators Wilson, J., Ranking Member; Dozier and Fortunato.

Referred to Committee on Rules for second reading.

February 17, 2023

SB 5730 Prime Sponsor, Senator Fortunato: Concerning impounds of vehicles used as residences. Reported by Committee on Housing

MAJORITY recommendation: That Substitute Senate Bill No. 5730 be substituted therefor, and the substitute bill do pass. Signed by Senators Kuderer, Chair; Frame, Vice Chair; Fortunato, Ranking Member; Braun; Cleveland; Gildon; Rivers; Saldaña; Shewmake; Trudeau and Wilson, J.

Referred to Committee on Transportation.

February 17, 2023

SB 5736 Prime Sponsor, Senator Nobles: Addressing high demand workforce shortages. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That Substitute Senate Bill No. 5736 be substituted therefor, and the substitute bill do pass. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member and Hawkins.

Referred to Committee on Ways & Means.

February 17, 2023

MOTIONS

On motion of Senator Pedersen, all measures listed on the Supplemental Standing Committee report were referred to the committees as designated.

At 4:28 p.m., on motion of Senator Pedersen, the Senate adjourned until 12:30 p.m. Monday, February 20, 2023.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

FORTY THIRD DAY

AFTERNOON SESSION

Senate Chamber, Olympia
Monday, February 20, 2023

The Senate was called to order at 12:30 p.m. by the President of the Senate, Lt. Governor Heck presiding. The Secretary called the roll and announced to the President that all Senators were present.

REMARKS BY THE PRESIDENT

President Heck: "The President would like to observe that you all have never looked this good before."

EDITOR'S NOTE: As part of the Children's Day celebration, the rules were suspended and the children and friends of senators were allowed to be present at the members' desks.

The Sergeant at Arms Color Guard consisting of Pages Mr. Trygve Pedersen and Mr. Jacoby Corwin, presented the Colors.

The Senate was led in the Pledge of Allegiance by Page Miss Christine Zhang.

The prayer was offered by Rabbi Seth Goldstein of Temple Beth Hatfiloh, Olympia, guest of Lt. Governor Heck.

REMARKS BY THE PRESIDENT

President Heck: "The President indeed would like to welcome all the families and children here today. It makes it a very special day for all of us. However, there is one visitor for whom it is a special day in and of itself, the granddaughter of State Senator Steve Conway, Anna Conway, happens to be celebrating her 11th birthday. Happy Birthday Anna."

MOTIONS

On motion of Senator Pedersen the reading of the Journal of the previous day was dispensed with and it was approved.

On motion of Senator Pedersen, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 5750 by Senator Wilson, J.

AN ACT Relating to the operating and maintenance deficit of the Wahkiakum county ferry; and amending RCW 47.56.720.

Referred to Committee on Transportation.

SB 5751 by Senators Lovick and Warnick

AN ACT Relating to modifying the definition of nonhighway vehicle for the purposes of chapter 46.09 RCW; and reenacting and amending RCW 46.09.310.

Referred to Committee on Transportation.

SB 5752 by Senator Boehnke

AN ACT Relating to procurement requirements for joint operating agencies and their member districts; and amending RCW 43.52.560, 43.52.300, and 54.04.070.

Referred to Committee on Environment, Energy & Technology.

SCR 8404 by Senators Pedersen and Short

Convening a joint session for the purpose of receiving the address of H.E. Sauli Niinistö, President of the Republic of Finland.

ESHB 1361 by House Committee on Appropriations (originally sponsored by Abbarno, Rule, Reeves and Gregerson)

AN ACT Relating to updating statutes related to state employment by removing obsolete language, eliminating unnecessary reports, conforming a reporting period to fiscal year, and modernizing employee pay procedures; amending RCW 42.16.010, 41.06.070, and 43.41.275; and reenacting and amending RCW 41.06.133.

Referred to Committee on State Government & Elections.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Introduction and First Reading report were referred to the committees as designated with the exception of Senate Concurrent Resolution No. 8404 which was placed on the day's Second Reading Calendar.

On motion of Senator Pedersen, the Senate advanced to the eighth order of business.

On motion of Senator Pedersen, Senate Rule 20 was suspended for the remainder of the day to allow consideration of additional floor resolutions.

MOTION

Senator Hasegawa moved adoption of the following resolution:

**SENATE RESOLUTION
8618**

By Senators Hasegawa, Conway, Kuderer, Saldaña, Salomon, Short, Torres and Wagoner

WHEREAS, On February 19, 1942, President Franklin D. Roosevelt issued Executive Order 9066, which authorized the United States military to forcibly remove and incarcerate more than 120,000 persons of Japanese ancestry from the West Coast, including 12,000 Japanese American residents of Washington State; and

WHEREAS, The first civilian evacuation order gave Japanese Americans from Bainbridge Island, Washington less than one week to leave behind homes, personal belongings, farms, businesses, friends, and family and report to detention centers like Camp Harmony on the grounds of the Washington State Fair in Puyallup, where hastily converted horse stables housed the evacuated families; and

WHEREAS, These detention centers were temporary quarters for the evacuees while the United States military department constructed 10 mass incarceration sites for Japanese Americans located in remote inland areas of the United States; and

WHEREAS, This drastic policy of removal and relocation allegedly aimed to prevent acts of espionage and sabotage by Japanese Americans who were deemed untrustworthy and disloyal to the United States; and

WHEREAS, On March 23, 1943, the War Department organized a segregated unit of Japanese Americans, many of whom reported for military duty from the concentration camps surrounded by barbed wire in which they and their families were detained; and

WHEREAS, More than 12,000 volunteers responded to questions about their loyalty and patriotism by amassing a battle record unparalleled in United States military history with a casualty rate of 314% and earning a collective 7 Presidential Unit Citations, 21 Medals of Honor, 29 Distinguished Service Crosses, 1 Distinguished Service Medal, 588 Silver Stars, more than 4,000 Bronze Stars, 22 Legion of Merit Medals, 145 Soldier's Medals, 9,486 Purple Hearts, 16 decorations from France and Italy, and, in 2010, the Congressional Gold Medal; and

WHEREAS, Equally loyal and patriotic Japanese Americans fought to protect our constitutional rights and liberties through dissent, like University of Washington student and Auburn native Gordon Hirabayashi who was arrested, convicted, and imprisoned for defying the military curfew on select civilians and refusing to evacuate when ordered; and

WHEREAS, In 1982, the Congressional commission on wartime relocation and internment of civilians found "no military or security reason for the internment" of persons of Japanese ancestry, but determined the cause of the incarceration as "racial prejudice, war hysteria, and a failure of political leadership"; and

WHEREAS, Through this travesty of justice, Japanese Americans suffered immense economic loss of property and assets; experienced immeasurable physical and psychological harm as individuals and collectively as a community; and were deprived of their constitutional liberties without due process of law; and

WHEREAS, In 1979, Washington State Congressman Mike Lowry introduced H.R. 5977 to provide reparations and an apology to the Japanese American incarcerated, thus initiating a 10-year legislative quest that ended when President Ronald Reagan signed the Civil Liberties Act of 1988; and

WHEREAS, Throughout Washington State, the last remaining survivors of the European and Asian Pacific battlefields of World War II and of American incarceration camps live their golden years in quiet contrast to their extraordinary acts of conscience and valor while all of America continues to benefit from their heroic patriotism;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate pause to acknowledge the 81st anniversary of the signing of Executive Order 9066; to recognize and remember Japanese American veterans, incarcerated, and civil rights activists from the State of Washington; and to reflect on, and honor, the lessons, blessings, and responsibilities of the phrase ". . .with liberty and justice for all"; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to the Nisei Veterans Committee, Densho, the Japanese American Citizens League, the Japanese Cultural and Community Center of Washington State, and the Wing Luke Museum of the Asian Pacific American Experience.

Senators Hasegawa, Fortunato and Rolfes spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8618.

The motion by Senator Hasegawa carried and the resolution was adopted by voice vote.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced Ms. Toshiko Hasegawa, Commission on Asian Pacific American Affairs Executive Director, a Seattle Port Commissioner, and the daughter of Senator Hasegawa. Commissioner Hasegawa was accompanied in the wings by her husband, Mr. Michael Charles.

MOTION

Senator Nobles moved adoption of the following resolution:

SENATE RESOLUTION 8619

By Senators Nobles, Conway, Kuderer, Saldaña, Salomon, Short, Torres and Wagoner

WHEREAS, Black History Month was established in February 1926 by Carter G. Woodson as Negro History Week and was later expanded to Afro-American History Month in 1976 in honor of the nation's bicentennial; and

WHEREAS, It was Carter G. Woodson's hope that, through this special observance, all Americans would be reminded of their own roots and develop a mutual respect for the contributions of all racial groups in America; and

WHEREAS, For more than 300 years as part of an established system of slavery and human bondage, Black Americans toiled and survived, and then overcame the degradation and shame of this system to become contributors at every level of our public and private endeavors; and

WHEREAS, We honor the accomplishments and bravery of the first Black Washingtonians who braved the treacherous journey along the Oregon Trail to escape slave laws in the southern United States; among them George Washington Bush, a free born slave, continued to the territory north of the Columbia River that was free from the Oregon laws that banned Black Americans from settling in the territory south of the Columbia River; and

WHEREAS, George Washington Bush ended his journey in Tumwater to establish a farm; his son William Owen Bush in 1889 became the first Black American to serve in the Washington Territorial Legislature representing Thurston County; William Owen Bush helped write the first state law to establish the Washington State College in Pullman, now Washington State University; and

WHEREAS, Representatives Charles Stokes and Marjorie Pitter King were the first Black American man and woman to serve in the legislature following the proclamation of Washington statehood; and

WHEREAS, In the early 1900s, Jim Crow laws forced the first wave migration of Black Americans to Washington state with the majority of the population settling in the Central District neighborhood of Seattle, which contains one of the most diverse populations in the Pacific Northwest to the present day; and

WHEREAS, The second migration of 1940-1970 resulted in the largest migration of Black Americans fleeing the south to the Pacific Northwest for economic and social opportunities during the rapid industrialization of the American West, with many working for the war industries that led to the Allied Powers victory in World War II; and

FORTY THIRD DAY, FEBRUARY 20, 2023

WHEREAS, After World War II, Black Americans continued to struggle for upward class mobility such as decent housing, well-paying jobs, and quality education; returning military service members were denied their VA benefits once again after another major world conflict; these benefits could have potentially propelled millions of Black Americans out of poverty, but were instead shut out during one of the greatest economic expansions in United States history; and

WHEREAS, The desire to enjoy a life of freedom and liberty caused Black Americans to defy racial hostility, Jim Crow laws, and economic and social injustices; and

WHEREAS, That desire resulted in a decade of social and political unrest that is known as the Civil Rights Movement, whose tactics and rhetoric inspired countless other liberation and rights movements for marginalized and impoverished communities; and

WHEREAS, Resistance and struggle has inspired Black Americans to succeed and the idea of a more perfect union has left a positive legacy in American culture and society in education, medicine, industry, the military, religion, social sciences, philosophy, agriculture, engineering, and the arts; and

WHEREAS, Black Americans continue to contribute widely to the attainment of peace, equality, and justice, and all Americans deserve to know of the great moments and accomplishments of Black Americans; and

WHEREAS, Washington is a beautiful state, and America is a proud nation due to our recognition of the contributions made by many diverse populations and because of our ability to work together as a state dependent upon international peace, harmony, and cooperation;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate recognize and honor the African American citizens of this great country and their innumerable contributions and support the observance of the month of February as African American history month.

Senator Nobles spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8619.

The motion by Senator Nobles carried and the resolution was adopted by voice vote.

MOTION

On motion of Senator Pedersen, the Senate reverted to the sixth order of business.

SECOND READING

SENATE CONCURRENT RESOLUTION NO. 8404, by Senators Pedersen and Short

Convening a joint session for the purpose of receiving the address of H.E. Sauli Niinistö, President of the Republic of Finland.

The measure was read the second time.

MOTION

On motion of Senator Nobles, the rules were suspended, Senate Concurrent Resolution No. 8404 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

The President declared the question before the Senate to be the final passage of Senate Concurrent Resolution No. 8404.

Senators Pedersen and Lias spoke in favor of adoption of the resolution.

SENATE CONCURRENT RESOLUTION NO. 8404 having received a majority was adopted by voice vote.

MOTION

On motion of Senator Pedersen, and without objection, Senate Bill No. 5142 was referred from the day's Consent calendar and placed on the day's Second Reading Calendar.

SECOND READING

SENATE BILL NO. 5257, by Senators Nobles, Wilson, C., Billig, Cleveland, Dozier, Frame, Hasegawa, Hunt, Lias, Lovelett, Lovick, Nguyen, Saldaña, Valdez and Wellman

Ensuring elementary school students receive sufficient daily recess.

MOTION

On motion of Senator Nobles, Substitute Senate Bill No. 5257 was substituted for Senate Bill No. 5257 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Hawkins moved that the following amendment no. 0039 by Senator Hawkins be adopted:

On page 1, line 17, after "to" strike "set" and insert "encourage"

On page 2, at the beginning of line 7, strike "must provide daily recess" and insert "are encouraged to provide 30 minutes of daily recess within the school day"

On page 2, beginning on line 9, after "school." strike all material through "day." on line 10

On page 2, beginning on line 12, after "day" strike all material through "section" on line 13

On page 2, line 19, after "(b)" strike "Recess must be held" and insert "Public schools are encouraged to hold recess"

On page 2, line 22, after "recess" strike "required" and insert "provided"

On page 2, line 36, after "(iv)" strike "Require" and insert "Encourage"

On page 3, line 5, after "recess;" insert "and"

On page 3, beginning on line 6, after "(vi)" strike all material through "Prohibit" on line 8 and insert "Discourage"

On page 3, at the beginning of line 11, strike "must" and insert "are encouraged to"

On page 1, line 1 of the title, after "to" strike "ensuring" and insert "encouraging"

Senators Hawkins and Dozier spoke in favor of adoption of the amendment.

Senator Nobles spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0039 by Senator Hawkins on page 1, line 17 to Substitute Senate Bill No. 5257.

The motion by Senator Hawkins did not carry and amendment no. 0039 was not adopted by voice vote.

MOTION

Senator Mullet moved that the following amendment no. 0046 by Senator Mullet be adopted:

On page 2, line 9, after "school." strike "Public" and insert "Except as provided in (b) of this subsection, public"

On page 2, line 11, after "(b)" insert "For the 2024-25 school year, the office of the superintendent of public instruction may waive the requirement in (a) of this subsection if a public school demonstrates that it is unable to comply with the requirement during that school year.

(c)"

Senators Mullet, Nobles and Hawkins spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0046 by Senator Mullet on page 2, line 9 to Substitute Senate Bill No. 5257.

The motion by Senator Mullet carried and amendment no. 0046 was adopted by voice vote.

MOTION

Senator Mullet moved that the following amendment no. 0045 by Senator Mullet be adopted:

On page 2, line 10, after "day" insert "unless the school day is shorter than the regular school day as established by the school calendar"

On page 3, line 13, after "section" strike all material through "students" on line 15

Senators Mullet, Hawkins and Nobles spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0045 by Senator Mullet on page 2, line 10 to Substitute Senate Bill No. 5257.

The motion by Senator Mullet carried and amendment no. 0045 was adopted by voice vote.

MOTION

Senator Schoesler moved that the following amendment no. 0044 by Senator Schoesler be adopted:

On page 3, beginning on line 1, after "(v)" strike all material through "(vi)" on line 6

On page 3, at the beginning of line 8, strike "(vii)" and insert "(vi)"

Senators Schoesler and Hawkins spoke in favor of adoption of the amendment.

Senator Nobles spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0044 by Senator Schoesler on page 3, line 1 to Substitute Senate Bill No. 5257.

The motion by Senator Schoesler did not carry and amendment no. 0044 was not adopted by voice vote.

MOTION

On motion of Senator Nobles, the rules were suspended, Engrossed Substitute Senate Bill No. 5257 was advanced to third

reading, the second reading considered the third and the bill was placed on final passage.

Senators Nobles and Wilson, C. spoke in favor of passage of the bill.

Senators Hawkins, Muzzall and Fortunato spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5257.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5257 and the bill passed the Senate by the following vote: Yeas, 28; Nays, 21; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Lias, Lovelett, Lovick, Mullet, Nguyen, Nobles, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Van De Wege, Wagoner, Warnick, Wilson, J. and Wilson, L.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5257, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5595, by Senators Wilson, J., Rolfes, Holy, Wilson, L., Lovick, Nguyen, Randall, Wilson, C., Valdez, Kuderer, Torres, Pedersen, Dhingra, Lovelett, Padden, Keiser, Muzzall, Short, Robinson, Schoesler, Dozier, Wagoner, Billig, Van De Wege, Warnick, Fortunato, Rivers, Braun, King, Gildon, Boehnke, McCune, Shewmake, Saldaña, Cleveland, Trudeau, Frame, Conway, Hasegawa and Hunt

Adopting the evergreen state as the state nickname.

The measure was read the second time.

MOTION

On motion of Senator Wilson, J., the rules were suspended, Senate Bill No. 5595 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wilson, J., Rolfes and Lovelett spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5595.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5595 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen,

FORTY THIRD DAY, FEBRUARY 20, 2023

Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SENATE BILL NO. 5595, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 1:43 p.m., on motion of Senator Pedersen, the Senate adjourned until 12:30 p.m. Tuesday, February 21, 2023.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

FORTY FOURTH DAY

AFTERNOON SESSION

Senate Chamber, Olympia
Tuesday, February 21, 2023

The Senate was called to order at 12:30 p.m. by the President of the Senate, Lt. Governor Heck presiding. No roll call was taken.

MOTIONS

On motion of Senator Pedersen, the reading of the Journal of the previous day was dispensed with and it was approved.

There being no objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

February 20, 2023

SB 5001 Prime Sponsor, Senator Hawkins: Concerning public facility districts created by at least two city or county legislative authorities. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5001 as recommended by Committee on Transportation be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Gildon, Assistant Ranking Member, Operating; Warnick, Assistant Ranking Member, Capital; Billig; Braun; Conway; Dhingra; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Boehnke and Hasegawa.

Referred to Committee on Rules for second reading.

February 20, 2023

SB 5032 Prime Sponsor, Senator Padden: Extending the felony driving under the influence lookback to 15 years while providing additional treatment options through the creation of a drug offender sentencing alternative for driving under the influence. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital.

Referred to Committee on Rules for second reading.

February 20, 2023

SB 5051 Prime Sponsor, Senator Wellman: Concerning language understanding of documents used in dissolution proceedings. Reported by Committee on Ways & Means

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 20, 2023

SB 5093 Prime Sponsor, Senator Rolfes: Improving climate resilience through updates to the state's integrated climate response strategy. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5093 as recommended by Committee on Environment, Energy & Technology be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Nguyen; Pedersen; Saldaña; Van De Wege and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Boehnke; Braun; Muzzall and Torres.

MINORITY recommendation: Do not pass. Signed by Senator Wagoner.

Referred to Committee on Rules for second reading.

February 20, 2023

SB 5114 Prime Sponsor, Senator Wilson, C.: Supporting adults with lived experience of sex trafficking. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5114 as recommended by Committee on Human Services be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

FORTY FOURTH DAY, FEBRUARY 21, 2023

Referred to Committee on Rules for second reading.

February 20, 2023

SB 5199 Prime Sponsor, Senator Mullet: Providing tax relief for newspaper publishers. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5199 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Hunt; Keiser; Nguyen; Saldaña; Torres; Wagoner and Wellman.

MINORITY recommendation: Do not pass. Signed by Senator Schoesler, Ranking Member, Capital.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Rivers, Assistant Ranking Member, Capital; Dhingra; Hasegawa; Muzzall; Pedersen and Van De Wege.

Referred to Committee on Rules for second reading.

February 20, 2023

SB 5242 Prime Sponsor, Senator Cleveland: Prohibiting cost sharing for abortion. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Nguyen; Pedersen; Saldaña; Van De Wege and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Boehnke; Braun; Muzzall; Torres and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Rivers, Assistant Ranking Member, Capital.

Referred to Committee on Rules for second reading.

February 20, 2023

SB 5256 Prime Sponsor, Senator Saldaña: Making permanent and expanding the child welfare housing assistance program. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5256 as recommended by Committee on Human Services be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall;

Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Braun.

Referred to Committee on Rules for second reading.

February 20, 2023

SB 5294 Prime Sponsor, Senator Rolfes: Concerning actuarial funding of state retirement systems. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5294 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Boehnke and Braun.

Referred to Committee on Rules for second reading.

February 20, 2023

SB 5301 Prime Sponsor, Senator Mullet: Concerning housing programs administered by the department of commerce. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5301 as recommended by Committee on Housing be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Hasegawa.

Referred to Committee on Rules for second reading.

February 20, 2023

SB 5350 Prime Sponsor, Senator Conway: Providing a benefit increase to certain retirees of the public employees' retirement system plan 1 and the teachers' retirement system plan 1. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Conway;

Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Braun.

Referred to Committee on Rules for second reading.

February 20, 2023

SB 5376 Prime Sponsor, Senator Stanford: Allowing the sale of cannabis waste. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5376 as recommended by Committee on Labor & Commerce be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 20, 2023

SB 5379 Prime Sponsor, Senator Frame: Supporting innovation at associate development organizations. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Conway; Dhingra; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun and Hasegawa.

Referred to Committee on Rules for second reading.

February 20, 2023

SB 5399 Prime Sponsor, Senator Mullet: Providing for future listing right purchase contracts. Reported by Committee on Ways & Means

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 20, 2023

SB 5453 Prime Sponsor, Senator Keiser: Concerning female genital mutilation. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5453 as recommended by Committee on Law & Justice be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 20, 2023

SB 5471 Prime Sponsor, Senator Cleveland: Addressing the use of electric-assisted bicycles on certain trails and roads by persons with disabilities. Reported by Committee on Ways & Means

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 20, 2023

SB 5490 Prime Sponsor, Senator Rolfes: Concerning health care coverage for retired or disabled employees denied coverage for failure to timely notify the authority of their intent to defer coverage. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5490 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 20, 2023

SB 5617 Prime Sponsor, Senator Wellman: Facilitating course equivalency agreements between skill centers and school districts. Reported by Committee on Ways & Means

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Rolfes, Chair;

FORTY FOURTH DAY, FEBRUARY 21, 2023

Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 20, 2023

SB 5672 Prime Sponsor, Senator Wilson, L.: Concerning the Washington auto theft prevention authority account. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5672 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Standing Committee report were referred to the committees as designated.

On motion of Senator Pedersen, the Senate advanced to the fourth order of business.

MESSAGE FROM THE HOUSE

February 20, 2023

MR. PRESIDENT:

The House has passed:

HOUSE BILL NO. 1020,

and the same is herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

MOTION

On motion of Senator Pedersen, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 5753 by Senators Shewmake and Lovelett

AN ACT Relating to a cooperative agreement between the department of transportation and the Lummi Tribe of the Lummi Reservation, Washington concerning construction of a highway; and adding new sections to chapter 47.20 RCW.

Referred to Committee on Transportation.

HB 1020 by Representatives Morgan, Callan, Ryu, Simmons, Reed, Gregerson, Thai and Ormsby

AN ACT Relating to the state dinosaur; adding a new section to chapter 1.20 RCW; and creating a new section.

Referred to Committee on State Government & Elections.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

At 12:32 p.m., on motion of Senator Pedersen, the Senate adjourned until 10:30 a.m. Wednesday, February 22, 2023.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

FORTY FIFTH DAY

MORNING SESSION

Senate Chamber, Olympia
Wednesday, February 22, 2023

The Senate was called to order at 10:30 a.m. by the President of the Senate, Lt. Governor Heck presiding. The Secretary called the roll and announced to the President that all senators were present.

The Sergeant at Arms Color Guard consisting of Pages Mr. Morgan Palumbo and Mr. Grayson Goodman, presented the Colors. Page Miss Julia Peterson led the Senate in the Pledge of Allegiance.

The prayer was offered by Cantor Geoffrey Fine of Temple Beth El, a Union for Reform Judaism congregation, Tacoma.

MOTIONS

On motion of Senator Pedersen, the reading of the Journal of the previous day was dispensed with and it was approved.

On motion of Senator Pedersen, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

February 20, 2023

SB 5080 Prime Sponsor, Senator Saldaña: Expanding and improving the social equity in cannabis program. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5080 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Nguyen; Pedersen; Saldaña; Van De Wege and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Mullet, Vice Chair, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Boehnke; Braun; Muzzall and Torres.

Referred to Committee on Rules for second reading.

February 20, 2023

SB 5243 Prime Sponsor, Senator Wellman: Concerning high school and beyond planning. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5243 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Schoesler, Ranking Member, Capital; Boehnke and Braun.

Referred to Committee on Rules for second reading.

February 20, 2023

SB 5268 Prime Sponsor, Senator Hasegawa: Addressing equity and efficiencies in public works procurement including modifying small works roster requirements. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5268 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Braun.

Referred to Committee on Rules for second reading.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Standing Committee report were referred to the committees as designated.

On motion of Senator Pedersen, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 5754 by Senator Boehnke
AN ACT Relating to ownership of agricultural real estate; and amending RCW 64.16.005.

Referred to Committee on Law & Justice.

SB 5755 by Senators Boehnke and Lovick
AN ACT Relating to unmanned aircraft or unmanned aircraft system use by state and local agencies; adding a new section to chapter 43.17 RCW; and providing an effective date.

Referred to Committee on Law & Justice.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

On motion of Senator Pedersen, the Senate advanced to the seventh order of business.

THIRD READING

FORTY FIFTH DAY, FEBRUARY 22, 2023

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Stanford moved that Lekha Fernandes, Senate Gubernatorial Appointment No. 9246, be confirmed as a Director of the Office of Minority and Women's Business Enterprises.

Senators Stanford and Hasegawa spoke in favor of passage of the motion.

APPOINTMENT OF LEKHA FERNANDES

The President declared the question before the Senate to be the confirmation of Lekha Fernandes, Senate Gubernatorial Appointment No. 9246, as a Director of the Office of Minority and Women's Business Enterprises.

The Secretary called the roll on the confirmation of Lekha Fernandes, Senate Gubernatorial Appointment No. 9246, as a Director of the Office of Minority and Women's Business Enterprises and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 1; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Absent: Senator Salomon

Lekha Fernandes, Senate Gubernatorial Appointment No. 9246, having received the constitutional majority was declared confirmed as a Director of the Office of Minority and Women's Business Enterprises.

MOTION

On motion of Senator Nobles, Senator Salomon was excused.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator MacEwen moved that Milton Doumit, Senate Gubernatorial Appointment No. 9320, be confirmed as a member of the Utilities and Transportation Commission.

Senators MacEwen, Nguyen, Lias and Short spoke in favor of passage of the motion.

APPOINTMENT OF MILTON H. DOUMIT

The President declared the question before the Senate to be the confirmation of Milton Doumit, Senate Gubernatorial Appointment No. 9320, as a member of the Utilities and Transportation Commission.

The Secretary called the roll on the confirmation of Milton H. Doumit, Senate Gubernatorial Appointment No. 9320, as a member of the Utilities and Transportation Commission and the appointment was confirmed by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Mr. Milton H. Doumit, Senate Gubernatorial Appointment No. 9320, having received the constitutional majority was declared confirmed as a member of the Utilities and Transportation Commission.

MOTION

On motion of Senator Pedersen, the Senate reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 5077, by Senators Pedersen and Wagoner

Concerning the uniform commercial code.

MOTIONS

On motion of Senator Pedersen, Substitute Senate Bill No. 5077 was substituted for Senate Bill No. 5077 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Pedersen, the rules were suspended, Substitute Senate Bill No. 5077 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Pedersen and Padden spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5077.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5077 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SUBSTITUTE SENATE BILL NO. 5077, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5170, by Senators Hunt, Kuderer, Wilson, J., Hasegawa and Wilson, C.

Concerning funding and expenditures for legislative organizations by legislators who serve as elected leaders of those organizations.

MOTIONS

On motion of Senator Hunt, Substitute Senate Bill No. 5170 was substituted for Senate Bill No. 5170 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Hunt, the rules were suspended, Substitute Senate Bill No. 5170 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hunt and Wilson, J. spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5170.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5170 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senator Schoesler

SUBSTITUTE SENATE BILL NO. 5170, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5292, by Senators Randall, Rolfes, MacEwen, Lias, Lovick, Nguyen and Nobles

Addressing the access of certain aquatic lands by a public transportation benefit area.

The measure was read the second time.

MOTION

On motion of Senator Randall, the rules were suspended, Senate Bill No. 5292 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Randall and Muzzall spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5292.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5292 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SENATE BILL NO. 5292, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5306, by Senators Short, Van De Wege, Nobles and Stanford

Authorizing the department of fish and wildlife to establish disease interdiction and control check stations.

MOTIONS

On motion of Senator Short, Substitute Senate Bill No. 5306 was substituted for Senate Bill No. 5306 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Short, the rules were suspended, Substitute Senate Bill No. 5306 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Short spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5306.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5306 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SUBSTITUTE SENATE BILL NO. 5306, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5296, by Senators Nobles, Van De Wege, Billig, Boehnke, Braun, Cleveland, Conway, Fortunato, Holy, Hunt, Lovick, Rivers, Robinson, Stanford, Wagoner, Wellman and Wilson, C.

FORTY FIFTH DAY, FEBRUARY 22, 2023

Concerning interruptive military service credit for members of the state retirement systems.

The measure was read the second time.

MOTION

On motion of Senator Nobles, the rules were suspended, Senate Bill No. 5296 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Nobles spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5296.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5296 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SENATE BILL NO. 5296, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5347, by Senators Wagoner, Pedersen, Dhingra, Kuderer and Wilson, C.

Concerning access to abstract driving records.

The measure was read the second time.

MOTION

On motion of Senator Wagoner, the rules were suspended, Senate Bill No. 5347 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Wagoner spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5347.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5347 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford,

Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SENATE BILL NO. 5347, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5392, by Senators Schoesler and Pedersen

Concerning overpayments for certain matters.

The measure was read the second time.

MOTION

On motion of Senator Schoesler, the rules were suspended, Senate Bill No. 5392 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Schoesler and Dhingra spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5392.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5392 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SENATE BILL NO. 5392, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5705, by Senators Stanford, Dozier and Hasegawa

Concerning the administration of the legislative committee on economic development and international relations.

The measure was read the second time.

MOTION

On motion of Senator Stanford, the rules were suspended, Senate Bill No. 5705 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Stanford spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5705.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5705 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SENATE BILL NO. 5705, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5272, by Senators Liias, King, Kuderer, Nguyen, Nobles, Saldaña and Wilson, C.

Concerning speed safety camera systems on state highways.

MOTIONS

On motion of Senator Liias, Substitute Senate Bill No. 5272 was substituted for Senate Bill No. 5272 and the substitute bill was placed on the second reading and read the second time.

Senator Liias moved that the following amendment no. 0050 by Senators King and Liias be adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 46.63.030 and 2013 2nd sp.s. c 23 s 23 are each amended to read as follows:

(1) A law enforcement officer has the authority to issue a notice of traffic infraction:

(a) When the infraction is committed in the officer's presence, except as provided in RCW 46.09.485;

(b) When the officer is acting upon the request of a law enforcement officer in whose presence the traffic infraction was committed;

(c) If an officer investigating at the scene of a motor vehicle accident has reasonable cause to believe that the driver of a motor vehicle involved in the accident has committed a traffic infraction;

(d) When the infraction is detected through the use of an automated traffic safety camera under RCW 46.63.170; ~~((or))~~

(e) When the infraction is detected through the use of an automated school bus safety camera under RCW 46.63.180; or

(f) When the infraction is detected through the use of a speed safety camera system under section 3 of this act.

(2) A court may issue a notice of traffic infraction upon receipt of a written statement of the officer that there is reasonable cause to believe that an infraction was committed.

(3) If any motor vehicle without a driver is found parked, standing, or stopped in violation of this title or an equivalent administrative regulation or local law, ordinance, regulation, or resolution, the officer finding the vehicle shall take its registration number and may take any other information displayed on the vehicle which may identify its user, and shall conspicuously affix to the vehicle a notice of traffic infraction.

(4) In the case of failure to redeem an abandoned vehicle under RCW 46.55.120, upon receiving a complaint by a registered tow truck operator that has incurred costs in removing, storing, and disposing of an abandoned vehicle, an officer of the law enforcement agency responsible for directing the removal of the vehicle shall send a notice of infraction by certified mail to the last known address of the person responsible under RCW 46.55.105. The notice must be entitled "Littering—Abandoned Vehicle" and give notice of the monetary penalty. The officer shall append to the notice of infraction, on a form prescribed by the department of licensing, a notice indicating the amount of costs incurred as a result of removing, storing, and disposing of the abandoned vehicle, less any amount realized at auction, and a statement that monetary penalties for the infraction will not be considered as having been paid until the monetary penalty payable under this chapter has been paid and the court is satisfied that the person has made restitution in the amount of the deficiency remaining after disposal of the vehicle.

Sec. 2. RCW 46.63.075 and 2012 c 83 s 6 are each amended to read as follows:

(1) In a traffic infraction case involving an infraction detected through the use of an automated traffic safety camera under RCW 46.63.170 ~~((or))~~, detected through the use of a speed safety camera system under section 3 of this act, or detected through the use of an automated school bus safety camera under RCW 46.63.180, proof that the particular vehicle described in the notice of traffic infraction was in violation of any such provision of RCW 46.63.170, section 3 of this act, and 46.63.180, together with proof that the person named in the notice of traffic infraction was at the time of the violation the registered owner of the vehicle, constitutes in evidence a prima facie presumption that the registered owner of the vehicle was the person in control of the vehicle at the point where, and for the time during which, the violation occurred.

(2) This presumption may be overcome only if the registered owner states, under oath, in a written statement to the court or in testimony before the court that the vehicle involved was, at the time, stolen or in the care, custody, or control of some person other than the registered owner.

NEW SECTION. Sec. 3. A new section is added to chapter 46.63 RCW to read as follows:

(1) This section applies to the use of speed safety camera systems in state highway work zones.

(2) Nothing in this section prohibits a law enforcement officer from issuing a notice of infraction to a person in control of a vehicle at the time a violation occurs under RCW 46.63.030(1)(a), (b), or (c).

(3)(a) The department of transportation is responsible for all actions related to the operation and administration of speed safety camera systems in state highway work zones including, but not limited to, the procurement and administration of contracts necessary for the implementation of speed safety camera systems and the mailing of notices of infraction. By July 1, 2024, the department of transportation, in consultation with the Washington state patrol, department of licensing, office of administrative hearings, Washington traffic safety commission, and other organizations committed to protecting civil rights must adopt rules addressing such actions and take all necessary steps to implement this section.

(b) The Washington state patrol is responsible for all actions related to the enforcement and adjudication of speed violations under this section including, but not limited to, notice of infraction verification and issuance authorization, and determining which types of emergency vehicles are exempt from being issued notices of infraction under this section. By July 1,

FORTY FIFTH DAY, FEBRUARY 22, 2023

2024, the Washington state patrol, in consultation with the department of transportation, department of licensing, office of administrative hearings, Washington traffic safety commission, and other organizations committed to protecting civil rights must adopt rules addressing such actions and take all necessary steps to implement this section.

(c) When establishing rules under this subsection (3), the department of transportation and the Washington state patrol may also consult with other public and private agencies that have an interest in the use of speed safety camera systems in state highway work zones.

(4) Beginning July 1, 2024:

(a) A notice of infraction may only be issued under this section if a speed safety camera system captures a speed violation in a state highway work zone when workers are present. A notice of infraction under this section may be mailed to the registered owner of the vehicle within 30 days of the violation, or to the renter of a vehicle within 30 days of establishing the renter's name and address. The law enforcement officer issuing the notice of infraction shall include with it a certificate or facsimile thereof, based upon inspection of photographs, microphotographs, or electronic images produced by a speed safety camera stating the facts supporting the notice of infraction. This certificate or facsimile is prima facie evidence of the facts contained in it and is admissible in a proceeding charging a violation under this section. The photographs, microphotographs, or electronic images evidencing the violation must be available for inspection and admission into evidence in a proceeding to adjudicate the liability for the violation. A person receiving a notice of infraction based on evidence detected by a speed safety camera system may, within 30 days of receiving the notice of infraction, remit payment in the amount of the penalty assessed for the violation. If a person receiving a notice of infraction fails to remit payment in the amount of the penalty assessed within 30 days of receiving the notice of infraction, or if such person wishes to dispute the violation, it must be adjudicated in accordance with (b) of this subsection.

(b) A notice of infraction that has not been timely paid or a disputed notice of infraction shall be referred to the office of administrative hearings for adjudication consistent with chapter 34.05 RCW.

(c) Speed safety camera systems may only take photographs, microphotographs, or electronic images of the vehicle and vehicle license plate and only while a speed violation is occurring. The photograph, microphotograph, or electronic image must not reveal the face of the driver or any passengers in the vehicle. The department of transportation shall consider installing speed safety camera systems in a manner that minimizes the impact of camera flash on drivers.

(d) The registered owner of a vehicle is responsible for a traffic infraction under RCW 46.63.030 unless the registered owner overcomes the presumption in RCW 46.63.075 or, in the case of a rental car business, satisfies the conditions under (h) of this subsection. If appropriate under the circumstances, a renter identified under (h)(i) of this subsection is responsible for the traffic infraction.

(e) Notwithstanding any other provision of law, all photographs, microphotographs, or electronic images, or any other personally identifying data prepared under this section are for the exclusive use of the Washington state patrol and department of transportation in the discharge of duties under this section and are not open to the public and may not be used in court in a pending action or proceeding unless the action or proceeding relates to a speed violation under this section. This

data may be used in administrative appeal proceedings relative to a violation under this section.

(f) All locations where speed safety camera systems are used must be clearly marked before activation of the camera system by placing signs in locations that clearly indicate to a driver that they are entering a state highway work zone where posted speed limits are monitored by a speed safety camera system. Signs placed in these locations must follow the specifications and guidelines under the manual of uniform traffic control devices for streets and highways as adopted by the department of transportation under chapter 47.36 RCW.

(g) Speed violations detected through the use of speed safety camera systems are not part of the registered owner's driving record under RCW 46.52.101 and 46.52.120.

(h) If the registered owner of the vehicle is a rental car business, the department of transportation shall, before a notice of infraction may be issued under this section, provide a written notice to the rental car business that a notice of infraction may be issued to the rental car business if the rental car business does not, within 30 days of receiving the written notice, provide to the issuing agency by return mail:

(i)(A) A statement under oath stating the name and known mailing address of the individual driving or renting the vehicle when the speed violation occurred;

(B) A statement under oath that the business is unable to determine who was driving or renting the vehicle at the time the speed violation occurred because the vehicle was stolen at the time of the violation. A statement provided under this subsection (4)(h)(i)(B) must be accompanied by a copy of a filed police report regarding the vehicle theft; or

(C) In lieu of identifying the vehicle operator, payment of the applicable penalty.

(ii) Timely mailing of a statement to the department of transportation relieves a rental car business of any liability under this chapter for the notice of infraction.

(5) Revenue generated from the deployment of speed safety camera systems must be deposited into the highway safety fund and first used exclusively for the operating and administrative costs under this section. The operation of speed safety camera systems is intended to increase safety in state highway work zones by changing driver behavior. Consequently, any revenue generated that exceeds the operating and administrative costs under this section must be distributed for the purpose of traffic safety including, but not limited to, driver training education and local DUI emphasis patrols.

(6) The Washington state patrol and department of transportation, in collaboration with the Washington traffic safety commission, must report to the transportation committees of the legislature by July 1, 2025, and biennially thereafter, on the data and efficacy of speed safety camera system use in state highway work zones. The final report due on July 1, 2029, must include a recommendation on whether or not to continue such speed safety camera system use beyond June 30, 2030.

(7) For the purposes of this section:

(a) "Speed safety camera system" means employing the use of speed measuring devices and cameras synchronized to automatically record one or more sequenced photographs, microphotographs, or other electronic images of a motor vehicle that exceeds a posted state highway work zone speed limit as detected by the speed measuring devices.

(b) "State highway work zone" means an area of any highway with construction, maintenance, utility work, or incident response activities authorized by the department of transportation. A state highway work zone is identified by the placement of temporary traffic control devices that may include signs, channelizing

devices, barriers, pavement markings, and/or work vehicles with warning lights. It extends from the first warning sign or high intensity rotating, flashing, oscillating, or strobe lights on a vehicle to the end road work sign or the last temporary traffic control device or vehicle.

(8) This section expires June 30, 2030."

On page 1, line 1 of the title, after "highways;" strike the remainder of the title and insert "amending RCW 46.63.030 and 46.63.075; adding a new section to chapter 46.63 RCW; and providing an expiration date."

Senator Lias spoke in favor of adoption of the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0050 by Senators Lias and King to Substitute Senate Bill No. 5272.

The motion by Senator Lias carried and amendment no. 0050 was adopted by voice vote.

MOTION

On motion of Senator Lias, the rules were suspended, Engrossed Substitute Senate Bill No. 5272 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Lias and King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5272.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5272 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 2; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senators Schoesler and Van De Wege

ENGROSSED SUBSTITUTE SENATE BILL NO. 5272, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5623, by Senators Dhingra, Conway, Hasegawa, Kuderer, Lias, Lovelett, Nobles, Pedersen, Stanford and Wilson, C.

Modifying an element of the offense of hate crime and classifying a hate crime as crimes against persons.

The measure was read the second time.

MOTION

Senator Dhingra moved that the following amendment no. 0029 by Senator Dhingra be adopted:

On page 2, at the beginning of line 22, strike "swastika" and insert "~~(swastika)~~ Nazi emblem, symbol, or hakenkreuz"

Senators Dhingra and Salomon spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0029 by Senator Dhingra on page 2, line 22 to Senate Bill No. 5623.

The motion by Senator Dhingra carried and amendment no. 0029 was adopted by voice vote.

MOTION

On motion of Senator Dhingra, the rules were suspended, Engrossed Senate Bill No. 5623 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Dhingra spoke in favor of passage of the bill.

Senator Padden spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5623.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5623 and the bill passed the Senate by the following vote: Yeas, 33; Nays, 16; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Gildon, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Lias, Lovelett, Lovick, MacEwen, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Hawkins, Holy, King, McCune, Padden, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

ENGROSSED SENATE BILL NO. 5623, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5088, by Senators Keiser and King

Adding references to contractor registration and licensing laws in workers' compensation, public works, and prevailing wage statutes.

The measure was read the second time.

MOTION

On motion of Senator Keiser, the rules were suspended, Senate Bill No. 5088 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Keiser and King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5088.

ROLL CALL

MOTIONS

The Secretary called the roll on the final passage of Senate Bill No. 5088 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SENATE BILL NO. 5088, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5113, by Senators Warnick, Randall, Holy and Nguyen

Concerning faculty in dental schools.

The measure was read the second time.

MOTION

On motion of Senator Warnick, the rules were suspended, Senate Bill No. 5113 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Warnick and Cleveland spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5113.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5113 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SENATE BILL NO. 5113, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5142, by Senators Liias, Rivers, Dhingra, Kauffman, Nobles, Trudeau, Valdez, Wilson, C. and Wilson, J.

Creating an account for the pharmaceutical rebate revenue generated by the purchase of medications for people living with HIV who are enrolled in the early intervention program.

On motion of Senator Liias, Substitute Senate Bill No. 5142 was substituted for Senate Bill No. 5142 and the substitute bill was placed on the second reading and read the second time.

Senator Liias moved that the following amendment no. 0049 by Senators Liias and Rivers be adopted:

On page 4, after line 21, insert the following:

"NEW SECTION. **Sec. 3.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect July 1, 2023."

On page 1, line 4 of the title, after "43.79A.040;" strike "and"

On page 1, line 5 of the title, after "RCW" insert "; providing an effective date; and declaring an emergency"

Senators Liias and Rivers spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0049 by Senators Liias and Rivers on page 4, after line 21 to Substitute Senate Bill No. 5142.

The motion by Senator Liias carried and amendment no. 0049 was adopted by voice vote.

MOTION

On motion of Senator Liias, the rules were suspended, Engrossed Substitute Senate Bill No. 5142 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Liias and Rivers spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5142.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5142 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5142, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5123, by Senators Keiser, Frame, Hunt, Kuderer, Mullet, Nguyen, Randall, Stanford, Van De Wege and Wellman

Concerning the employment of individuals who lawfully consume cannabis.

MOTION

On motion of Senator Keiser, Substitute Senate Bill No. 5123 was substituted for Senate Bill No. 5123 and the substitute bill was placed on the second reading and read the second time.

WITHDRAWAL OF AMENDMENT

On motion of Senator King and without objection, amendment no. 0053 by Senator King on page 2, line 22 to Substitute Senate Bill No. 5123 was withdrawn.

MOTION

Senator King moved that the following amendment no. 0055 by Senator King be adopted:

On page 2, line 22, after "industries" insert ", or any other safety sensitive position for which impairment while working presents a substantial risk of death. Such safety sensitive positions must be identified by the employer prior to the applicant's application for employment"

Senators King and Keiser spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0055 by Senator King on page 2, line 22 to Substitute Senate Bill No. 5123.

The motion by Senator King carried and amendment no. 0055 was adopted by voice vote.

MOTION

On motion of Senator Keiser, the rules were suspended, Engrossed Substitute Senate Bill No. 5123 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Keiser and King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5123.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5123 and the bill passed the Senate by the following vote: Yeas, 28; Nays, 21; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hasegawa, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, Mullet, Nguyen, Nobles, Pedersen, Randall, Robinson, Saldaña, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, MacEwen, McCune, Muzzall, Padden, Rivers, Rolfes, Salomon, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5123, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5019, by Senators Wellman, Braun, Dhingra, Hunt, Keiser, Randall, Saldaña, Trudeau, Valdez and Wilson, C.

Concerning classified staff providing student and staff safety.

The measure was read the second time.

MOTION

On motion of Senator Wellman, the rules were suspended, Senate Bill No. 5019 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Wellman spoke in favor of passage of the bill.

Senator Hawkins spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5019.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5019 and the bill passed the Senate by the following vote: Yeas, 29; Nays, 20; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Liias, Lovelett, Lovick, Mullet, Nguyen, Nobles, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

SENATE BILL NO. 5019, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5023, by Senators Wilson, J., Lovick, Kuderer, Liias and Wellman

Concerning roadside safety measures.

The measure was read the second time.

MOTION

On motion of Senator Wilson, J., the rules were suspended, Senate Bill No. 5023 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wilson, J., Liias and King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5023.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5023 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

FORTY FIFTH DAY, FEBRUARY 22, 2023

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SENATE BILL NO. 5023, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 12:24 p.m., on motion of Senator Pedersen, the Senate adjourned until 12:30 p.m. Thursday, February 23, 2023.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

FORTY SIXTH DAY

AFTERNOON SESSION

Senate Chamber, Olympia
Thursday, February 23, 2023

The Senate was called to order at 12:30 p.m. by the President of the Senate, Lt. Governor Heck presiding. No roll call was taken.

MOTIONS

On motion of Senator Pedersen, the reading of the Journal of the previous day was dispensed with and it was approved.

There being no objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

February 22, 2023

SB 5102 Prime Sponsor, Senator Wellman: Concerning school library information and technology programs. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5102 as recommended by Committee on Early Learning & K-12 Education be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Rivers, Assistant Ranking Member, Capital; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Braun and Torres.

Referred to Committee on Rules for second reading.

February 22, 2023

SB 5124 Prime Sponsor, Senator Trudeau: Supporting guardianships and voluntary placement with nonrelative kin. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5124 as recommended by Committee on Human Services be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 22, 2023

SB 5174 Prime Sponsor, Senator Wellman: Providing adequate and predictable student transportation. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5174 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Braun; Dhingra; Hunt; Muzzall; Nguyen; Pedersen; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Schoesler, Ranking Member, Capital; Conway; Hasegawa; Keiser and Saldaña.

Referred to Committee on Rules for second reading.

February 22, 2023

SB 5186 Prime Sponsor, Senator Liias: Requiring antidiscrimination clauses in public contracting. Reported by Committee on Ways & Means

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 22, 2023

SB 5225 Prime Sponsor, Senator Wilson, C.: Increasing access to the working connections child care program. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5225 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Rivers, Assistant Ranking Member, Capital; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege and Wellman.

MINORITY recommendation: Do not pass. Signed by Senator Braun.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital and Wagoner.

Referred to Committee on Rules for second reading.

FORTY SIXTH DAY, FEBRUARY 23, 2023

February 22, 2023

SB 5311 Prime Sponsor, Senator Wellman: Concerning special education funding formula. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5311 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 22, 2023

SB 5315 Prime Sponsor, Senator Wilson, C.: Concerning nonpublic agencies operating special education programs for students with disabilities. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5315 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Van De Wege and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Braun; Torres and Wagoner.

Referred to Committee on Rules for second reading.

February 22, 2023

SB 5316 Prime Sponsor, Senator Wilson, C.: Concerning background check and licensing fees for programs administered by the department of children, youth, and families. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Nguyen; Pedersen; Saldaña; Van De Wege and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Torres and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun and Muzzall.

Referred to Committee on Rules for second reading.

February 22, 2023

SB 5626 Prime Sponsor, Senator Liias: Expanding and enhancing media literacy and digital citizenship in K-12 education. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5626 as recommended by Committee on Early Learning & K-12 Education be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Nguyen; Pedersen; Saldaña; Van De Wege and Wellman.

MINORITY recommendation: Do not pass. Signed by Senator Schoesler, Ranking Member, Capital.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Braun; Muzzall; Torres and Wagoner.

Referred to Committee on Rules for second reading.

February 22, 2023

SB 5650 Prime Sponsor, Senator Rolfes: Concerning salary inflationary increases for K-12 employees. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Van De Wege and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun and Torres.

Referred to Committee on Rules for second reading.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Standing Committee report were referred to the committees as designated.

On motion of Senator Pedersen, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 5756 by Senator Muzzall

AN ACT Relating to a temporary suspension of the state motor vehicle fuel tax; amending RCW 82.38.030; adding a new section to chapter 82.32 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Transportation.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

At 12:31 p.m., on motion of Senator Pedersen, the Senate adjourned until 12:30 p.m. Friday, February 24, 2023.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

FORTY SEVENTH DAY

AFTERNOON SESSION

Senate Chamber, Olympia
Friday, February 24, 2023

The Senate was called to order at 12:30 p.m. by the President of the Senate, Lt. Governor Heck presiding. No roll call was taken.

MOTIONS

On motion of Senator Pedersen, the reading of the Journal of the previous day was dispensed with and it was approved.

There being no objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

February 23, 2023

SB 5048 Prime Sponsor, Senator Mullet: Eliminating college in the high school fees. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5048 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 23, 2023

SB 5103 Prime Sponsor, Senator Muzzall: Concerning payment to acute care hospitals for difficult to discharge medicaid patients. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5103 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 23, 2023

SB 5120 Prime Sponsor, Senator Dhingra: Establishing 23-hour crisis relief centers in Washington state. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5120 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair;

Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Schoesler, Ranking Member, Capital and Braun.

Referred to Committee on Rules for second reading.

February 23, 2023

SB 5180 Prime Sponsor, Senator Hunt: Adopting the interstate teacher mobility compact. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 23, 2023

SB 5189 Prime Sponsor, Senator Trudeau: Establishing behavioral health support specialists. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5189 as recommended by Committee on Health & Long-Term Care be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 23, 2023

SB 5213 Prime Sponsor, Senator Kuderer: Concerning pharmacy benefit managers. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5213 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler,

Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Conway; Dhingra; Hasegawa; Hunt; Keiser; Nguyen; Pedersen; Saldaña; Torres; Van De Wege and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun; Muzzall and Wagoner.

Referred to Committee on Rules for second reading.

February 23, 2023

SB 5241 Prime Sponsor, Senator Randall: Concerning material changes to the operations and governance structure of participants in the health care marketplace. Reported by Committee on Ways & Means

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Nguyen; Pedersen; Saldaña; Van De Wege and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Boehnke; Braun; Muzzall; Torres and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Rivers, Assistant Ranking Member, Capital.

Referred to Committee on Rules for second reading.

February 23, 2023

SB 5263 Prime Sponsor, Senator Salomon: Concerning access to psilocybin services by individuals 21 years of age and older. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5263 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Conway; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Gildon, Assistant Ranking Member, Operating and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun and Dhingra.

Referred to Committee on Rules for second reading.

February 23, 2023

SB 5269 Prime Sponsor, Senator Shewmake: Concerning Washington state manufacturing. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5269 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Nguyen; Pedersen; Saldaña; Van De Wege and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Boehnke; Muzzall and Torres.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Rivers, Assistant Ranking Member, Capital; Braun and Wagoner.

Referred to Committee on Rules for second reading.

February 23, 2023

SB 5271 Prime Sponsor, Senator Cleveland: Protecting patients in facilities regulated by the department of health by establishing uniform enforcement tools. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5271 as recommended by Committee on Health & Long-Term Care be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Nguyen; Pedersen; Saldaña; Van De Wege and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Muzzall and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Boehnke; Braun and Torres.

Referred to Committee on Rules for second reading.

February 23, 2023

SB 5291 Prime Sponsor, Senator Schoesler: Concerning liquor licenses. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5291 as recommended by Committee on Labor & Commerce be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Torres; Wagoner and Wellman.

FORTY SEVENTH DAY, FEBRUARY 24, 2023

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Hasegawa; Saldaña and Van De Wege.

Referred to Committee on Rules for second reading.

February 23, 2023

SB 5304 Prime Sponsor, Senator Saldaña: Testing individuals who provide language access to state services. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5304 as recommended by Committee on Human Services be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Nguyen; Pedersen; Saldaña and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Boehnke; Muzzall and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Wilson, L., Ranking Member, Operating; Rivers, Assistant Ranking Member, Capital; Braun; Torres and Van De Wege.

Referred to Committee on Rules for second reading.

February 23, 2023

SB 5334 Prime Sponsor, Senator Lovelett: Providing a local government option for the funding of essential affordable housing programs. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5334 as recommended by Committee on Local Government, Land Use & Tribal Affairs be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Rivers, Assistant Ranking Member, Capital; Billig; Boehnke; Conway; Dhingra; Hasegawa; Hunt; Keiser; Nguyen; Pedersen; Saldaña; Torres; Van De Wege and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Braun; Muzzall and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Warnick, Assistant Ranking Member, Capital.

Referred to Committee on Rules for second reading.

February 23, 2023

SB 5367 Prime Sponsor, Senator Robinson: Concerning the regulation of products containing THC. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5367 be substituted therefor, and the second

substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Schoesler, Ranking Member, Capital; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Van De Wege and Wellman.

MINORITY recommendation: Do not pass. Signed by Senator Warnick, Assistant Ranking Member, Capital.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Rivers, Assistant Ranking Member, Capital; Boehnke; Braun; Torres and Wagoner.

Referred to Committee on Rules for second reading.

February 23, 2023

SB 5377 Prime Sponsor, Senator Rivers: Concerning cannabis license ownership. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5377 as recommended by Committee on Labor & Commerce be substituted therefor, and the substitute bill do pass. Signed by Senators Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Hunt; Keiser; Muzzall; Nguyen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Dhingra; Hasegawa and Pedersen.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Rolfes, Chair.

Referred to Committee on Rules for second reading.

February 23, 2023

SB 5383 Prime Sponsor, Senator Saldaña: Concerning pedestrians crossing and moving along roadways. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5383 be substituted therefor, and the substitute bill do pass. Signed by Senators Liias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; Cleveland; Kauffman; Lovelett; Nobles; Randall; Valdez and Wilson, C.

MINORITY recommendation: Do not pass. Signed by Senators King, Ranking Member; Holy, Assistant Ranking Member; MacEwen; Padden and Wilson, J.

Referred to Committee on Rules for second reading.

February 23, 2023

SB 5386 Prime Sponsor, Senator Robinson: Reducing administrative complexity by increasing transparency of revenue flows for activities funded by document recording fees. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5386 as recommended by Committee on Housing be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Gildon, Assistant Ranking Member, Operating; Rivers, Assistant Ranking Member, Capital; Billig; Boehnke; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Schoesler, Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital and Braun.

Referred to Committee on Rules for second reading.

February 23, 2023

SB 5388 Prime Sponsor, Senator Rivers: Concerning improving diversity in clinical trials. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5388 as recommended by Committee on Health & Long-Term Care be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Wagoner and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Mullet, Vice Chair, Capital and Van De Wege.

Referred to Committee on Rules for second reading.

February 23, 2023

SB 5393 Prime Sponsor, Senator Robinson: Addressing affordability through health care provider contracting. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5393 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Nguyen; Pedersen; Saldaña; Van De Wege and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Boehnke; Braun; Muzzall; Torres and Wagoner.

Referred to Committee on Rules for second reading.

February 23, 2023

SB 5398 Prime Sponsor, Senator MacEwen: Concerning domestic violence funding allocation. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5398 as recommended by Committee on Human Services be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 23, 2023

SB 5412 Prime Sponsor, Senator Salomon: Reducing local governments' land use permitting workloads. Reported by Committee on Transportation

MAJORITY recommendation: That Second Substitute Senate Bill No. 5412 be substituted therefor, and the second substitute bill do pass. Signed by Senators Liias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Holy, Assistant Ranking Member; Cleveland; Kauffman; Lovelett; Nobles; Randall; Valdez and Wilson, C.

MINORITY recommendation: Do not pass. Signed by Senator Padden.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators MacEwen and Wilson, J.

Referred to Committee on Rules for second reading.

February 23, 2023

SB 5438 Prime Sponsor, Senator Warnick: Facilitating supportive relationships with family and significant individuals within the behavioral health system. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5438 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: Do not pass. Signed by Senator Rivers, Assistant Ranking Member, Capital.

Referred to Committee on Rules for second reading.

February 23, 2023

SB 5440 Prime Sponsor, Senator Dhingra: Providing timely competency evaluations and restoration services to persons

FORTY SEVENTH DAY, FEBRUARY 24, 2023

suffering from behavioral health disorders. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5440 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Rivers, Assistant Ranking Member, Capital; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Wagoner and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Boehnke; Braun; Torres and Van De Wege.

Referred to Committee on Rules for second reading.

February 23, 2023

SB 5466 Prime Sponsor, Senator Liias: Promoting transit-oriented development. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5466 be substituted therefor, and the substitute bill do pass. Signed by Senators Liias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Holy, Assistant Ranking Member; Cleveland; Kauffman; Lovelett; MacEwen; Nobles; Randall; Valdez; Wilson, C. and Wilson, J.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Padden.

Referred to Committee on Rules for second reading.

February 23, 2023

SB 5477 Prime Sponsor, Senator Torres: Implementing the recommendations of the Washington state missing and murdered indigenous women and people task force. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5477 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 23, 2023

SB 5504 Prime Sponsor, Senator Saldaña: Addressing open motor vehicle safety recalls. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5504 be substituted therefor, and the substitute bill do

pass. Signed by Senators Liias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Holy, Assistant Ranking Member; Cleveland; Kauffman; Lovelett; MacEwen; Nobles; Padden; Randall; Valdez; Wilson, C. and Wilson, J.

Referred to Committee on Rules for second reading.

February 23, 2023

SB 5515 Prime Sponsor, Senator Dhingra: Protecting children from child abuse and neglect. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5515 as recommended by Committee on Human Services be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 23, 2023

SB 5523 Prime Sponsor, Senator Dhingra: Addressing the forensic pathologist shortage. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5523 as recommended by Committee on Higher Education & Workforce Development be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 23, 2023

SB 5532 Prime Sponsor, Senator King: Providing enhanced payment to low volume, small rural hospitals. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5532 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 23, 2023

SB 5534 Prime Sponsor, Senator Randall: Concerning workforce education investment accountability and oversight board staffing changes. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Schoesler, Ranking Member, Capital and Muzzall.

Referred to Committee on Rules for second reading.

February 23, 2023

SB 5536 Prime Sponsor, Senator Robinson: Concerning controlled substances, counterfeit substances, and legend drug possession and treatment. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5536 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Billig; Braun; Conway; Hunt; Keiser; Van De Wege and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Dhingra; Hasegawa and Saldaña.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Boehnke; Muzzall; Nguyen; Pedersen; Torres and Wagoner.

Referred to Committee on Rules for second reading.

February 23, 2023

SB 5546 Prime Sponsor, Senator Shewmake: Establishing a Washington state cannabis commission. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5546 as recommended by Committee on Labor & Commerce be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Schoesler, Ranking Member, Capital; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Pedersen; Saldaña; Van De Wege and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Mullet, Vice Chair, Capital; Wilson, L., Ranking

Member, Operating; Gildon, Assistant Ranking Member, Operating; Warnick, Assistant Ranking Member, Capital; Boehnke; Muzzall and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Rivers, Assistant Ranking Member, Capital; Braun; Nguyen and Torres.

Referred to Committee on Rules for second reading.

February 23, 2023

SB 5555 Prime Sponsor, Senator Randall: Creating the profession of certified peer specialists. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5555 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Nguyen; Pedersen; Saldaña and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Wilson, L., Ranking Member, Operating; Warnick, Assistant Ranking Member, Capital; Boehnke; Braun; Muzzall; Torres and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital and Van De Wege.

Referred to Committee on Rules for second reading.

February 23, 2023

SB 5561 Prime Sponsor, Senator Conway: Extending the expiration date of the law enforcement community engagement grant project. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5561 as recommended by Committee on Law & Justice be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Braun.

Referred to Committee on Rules for second reading.

February 23, 2023

SB 5580 Prime Sponsor, Senator Muzzall: Improving maternal health outcomes. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5580 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair;

FORTY SEVENTH DAY, FEBRUARY 24, 2023

Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 23, 2023

SB 5582 Prime Sponsor, Senator Holy: Reducing barriers and expanding educational opportunities to increase the supply of nurses in Washington. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5582 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 23, 2023

SB 5593 Prime Sponsor, Senator Liias: Improving equity in the transfer of student data between K-12 schools and institutions of higher education. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5593 be substituted therefor, and the second substitute bill do pass. Signed by Senators Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Rolfes, Chair; Gildon, Assistant Ranking Member, Operating.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Schoesler, Ranking Member, Capital.

Referred to Committee on Rules for second reading.

February 23, 2023

SB 5632 Prime Sponsor, Senator Keiser: Protecting the health care of workers participating in a labor dispute. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Billig; Conway;

Dhingra; Hasegawa; Hunt; Keiser; Nguyen; Pedersen; Saldaña; Van De Wege and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Boehnke; Muzzall; Torres and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Rivers, Assistant Ranking Member, Capital; and Braun.

Referred to Committee on Rules for second reading.

February 23, 2023

SB 5634 Prime Sponsor, Senator Conway: Concerning problem gambling. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5634 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Gildon, Assistant Ranking Member, Operating; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Nguyen; Pedersen; Saldaña; Van De Wege and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Schoesler, Ranking Member, Capital; Muzzall and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Wilson, L., Ranking Member, Operating; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Boehnke; Braun and Torres.

Referred to Committee on Rules for second reading.

February 23, 2023

SB 5635 Prime Sponsor, Senator Braun: Concerning victims' rights. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5635 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 23, 2023

SB 5652 Prime Sponsor, Senator Lovick: Addressing compensation for tow truck operators for keeping the public roadways clear. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5652 be substituted therefor, and the substitute bill do pass. Signed by Senators Liias, Chair; Lovick, Vice Chair;

Shewmake, Vice Chair; King, Ranking Member; Holy, Assistant Ranking Member; Cleveland; Kauffman; Lovelett; MacEwen; Nobles; Padden; Randall; Valdez; Wilson, C. and Wilson, J.

Referred to Committee on Rules for second reading.

February 23, 2023

SB 5655 Prime Sponsor, Senator Torres: Creating the Washington achievers grant program. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5655 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 23, 2023

SB 5683 Prime Sponsor, Senator Kauffman: Concerning child-specific foster care licenses for placement of Indian children. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 23, 2023

SB 5687 Prime Sponsor, Senator Van De Wege: Creating postsecondary wrestling grant programs. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5687 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 23, 2023

SB 5702 Prime Sponsor, Senator Trudeau: Expanding the students experiencing homelessness and foster youth pilot program. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5702 as recommended by Committee on Higher Education & Workforce Development be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Schoesler, Ranking Member, Capital; Braun and Wagoner.

Referred to Committee on Rules for second reading.

February 23, 2023

SB 5711 Prime Sponsor, Senator Nobles: Extending the terms of eligibility for the Washington college grant program. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Nguyen; Pedersen; Saldaña and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senators Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Braun; Muzzall and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Boehnke; Torres and Wellman.

Referred to Committee on Rules for second reading.

February 23, 2023

SB 5730 Prime Sponsor, Senator Fortunato: Concerning impounds of vehicles used as residences. Reported by Committee on Transportation

MAJORITY recommendation: That Second Substitute Senate Bill No. 5730 be substituted therefor, and the second substitute bill do pass. Signed by Senators Liias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Holy, Assistant Ranking Member; Cleveland; Kauffman; Lovelett; MacEwen; Nobles; Padden; Randall; Valdez; Wilson, C. and Wilson, J.

Referred to Committee on Rules for second reading.

February 23, 2023

FORTY SEVENTH DAY, FEBRUARY 24, 2023

SB 5732 Prime Sponsor, Senator Randall: Protecting senior citizens' and disabled veterans' property tax exemption eligibility. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Wagoner and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun and Van De Wege.

Referred to Committee on Rules for second reading.

February 23, 2023

SB 5736 Prime Sponsor, Senator Nobles: Addressing high demand workforce shortages. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5736 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Rivers, Assistant Ranking Member, Capital; Billig; Boehnke; Conway; Dhingra; Hasegawa; Hunt; Keiser; Nguyen; Pedersen; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Braun; Muzzall and Saldaña.

Referred to Committee on Rules for second reading.

February 23, 2023

SB 5743 Prime Sponsor, Senator Liias: Making certain nonsubstantive, corrective changes resulting from enactment of chapter 182, Laws of 2022 (transportation resources). Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5743 be substituted therefor, and the substitute bill do pass. Signed by Senators Liias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Holy, Assistant Ranking Member; Cleveland; Kauffman; Lovelett; MacEwen; Nobles; Randall; Valdez; Wilson, C. and Wilson, J.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Padden.

Referred to Committee on Rules for second reading.

February 23, 2023

SB 5750 Prime Sponsor, Senator Wilson, J.: Addressing the operating and maintenance deficit of the Wahkiakum county ferry. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5750 be substituted therefor, and the substitute bill do pass. Signed by Senators Liias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Holy, Assistant Ranking Member; Cleveland; Kauffman; Lovelett; MacEwen; Nobles; Padden; Randall; Valdez; Wilson, C. and Wilson, J.

Referred to Committee on Rules for second reading.

February 23, 2023

SB 5751 Prime Sponsor, Senator Lovick: Modifying the definition of nonhighway vehicle for the purposes of chapter 46.09 RCW. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Liias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; Cleveland; Kauffman; Lovelett; MacEwen; Nobles; Randall; Valdez; Wilson, C. and Wilson, J.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators King, Ranking Member; Holy, Assistant Ranking Member and Padden.

Referred to Committee on Rules for second reading.

February 23, 2023

SB 5753 Prime Sponsor, Senator Shewmake: Concerning a cooperative agreement between the department of transportation and the Lummi Tribe of the Lummi Reservation, Washington concerning construction of a highway. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5753 be substituted therefor, and the substitute bill do pass. Signed by Senators Liias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Holy, Assistant Ranking Member; Cleveland; Kauffman; Lovelett; MacEwen; Nobles; Padden; Randall; Valdez; Wilson, C. and Wilson, J.

Referred to Committee on Rules for second reading.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Standing Committee report were referred to the committees as designated.

On motion of Senator Pedersen, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 5757 by Senator Shewmake

AN ACT Relating to transferring the responsibilities for the transportation revenue forecast for the transportation budget to the economic and revenue forecast council; amending RCW 82.33.010 and 82.33.040; reenacting and amending RCW 82.33.020; and repealing RCW 43.88.125.

Referred to Committee on Transportation.

MOTIONS

On motion of Senator Pedersen, the measure listed on the Introduction and First Reading report was referred to the committee as designated.

On motion of Senator Pedersen, the Senate advanced to the eighth order of business.

MOTION

Senator Salomon moved adoption of the following resolution:

SENATE RESOLUTION
8620

By Senators Salomon, Padden, Pedersen, Braun, Lovick, King, Liias, Rivers, Warnick, L. Wilson, Billig, Dhingra, Shewmake, Kuderer, Conway, Nobles, Hasegawa, Hunt, Gildon, Boehnke, Wagoner, Valdez, Van De Wege, Stanford, C. Wilson, Cleveland, Wellman, Mullet, Trudeau, Randall, Saldaña, Lovelett, Kauffman, Torres, and Hawkins

WHEREAS, The people of Washington State and the people of Ukraine share a commitment to democracy, human rights, and the rule of law; and

WHEREAS, Washington State is home to over 80,000 people with Ukrainian heritage and one of the largest populations of Ukrainian immigrants among the 50 states; and

WHEREAS, Many Ukrainians immigrated to Washington State fleeing Soviet persecution for their beliefs and seeking personal and religious freedoms in the United States; and

WHEREAS, In 2022, Washington residents submitted the fourth highest number of applications to support temporarily displaced Ukrainian people, with Seattle being the 3rd ranking metropolitan area; and

WHEREAS, The state of Washington has welcomed over 12,000 Ukrainians since February of 2022 and continues to be a welcoming state; and

WHEREAS, Ukrainians and Ukrainian Americans in Washington State have enriched our communities through their leadership and contributions in agriculture, business, academia, government, and the arts; and

WHEREAS, On February 24, 2022, Russian President Vladimir Putin abandoned diplomacy and international pleas for peace and launched an unprovoked, full scale military invasion of Ukraine; and

WHEREAS, This attack on Ukraine has already killed tens of thousands of Ukrainian servicemembers and civilians, displaced millions of Ukrainians, and has caused an urgent international humanitarian crisis; and

WHEREAS, President Putin has denied the existence of Ukraine and apparently seeks to overthrow the democratically elected government of Ukraine; and

WHEREAS, The people of Ukraine are now engaged in war to defend their independence and democratic path of development and lives;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate recognize the democratic values shared by the people of Washington State and the people of Ukraine; and

BE IT FURTHER RESOLVED, That the Washington State Senate express its deepest sympathies for all Ukrainian Americans, especially those with loved ones in harm's way; and

BE IT FURTHER RESOLVED, That the Washington State Senate condemn the unprovoked Russian invasion of Ukraine and

reiterate its support for peace, diplomacy, and an immediate end to the invasion; and

BE IT FURTHER RESOLVED, That the Washington State Senate encourage the people of Washington State to support Ukrainian Americans and the people of Ukraine in their urgent time of need.

Senators Salomon, Padden, Braun and Pedersen spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8620.

The motion by Senator Salomon carried and the resolution was adopted by voice vote.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced Mr. Brian Smith, Interim CEO of Volunteers of America Western Washington (VOAWW) and Ms. Galina Volchkova, Senior Director of Housing Services, VOAWW, who were seated in the gallery.

The President also welcomed and introduced members and representatives of the Ukrainian community in Washington led by Valeriy Goloborodko, Honorary Consul of Ukraine in Seattle.

REMARKS BY THE PRESIDENT

President Heck: "Lastly it was noted in the resolution that there are 12,000 temporary displaced Ukrainians in America. I believe that since maybe that resolution was being drafted that that number has grown. There are in fact estimated to be about 15,000 temporary displaced Ukrainians in Washington State. That is out of eight million in Ukraine who are displaced by this horrific invasion by Russia. They have a lot of stories about their journeys. One of whom involved a very successful TV producer and film maker and reporter of his city government in Mariupol, who found his home destroyed in April of last year. He was relocated to Russia and then made his way to Belarus and Poland and finally to Estonia last May. Not speaking a word of English, he decided to learn it. Having been to America on several occasions for business, he thought it might be a good place for him to be temporarily displaced. And so, he is relocated to Washington State where he is rendering outstanding service to the Washington State Legislature. For the last 47 days, he has been the [video-]recorder on the floor of our deliberations and his name is Ivan Zavrazhnov. And I would ask the members of the Senate to please acknowledge the presence of Ivan. Welcome to America Ivan."

[The Senate rose in recognition of Mr. Ivan Zavrazhnov, videographer with Legislative Support Services.]

MOTION

At 12:51 p.m., on motion of Senator Pedersen, the Senate was declared to be at ease subject to the call of the President for the purposes of receiving additional committee reports later in the evening.

 EVENING SESSION

The Senate was called to order at 8:19 p.m. by the President of the Senate, Lt. Governor Heck presiding.

MOTION

FORTY SEVENTH DAY, FEBRUARY 24, 2023

On motion of Senator Pedersen, the Senate reverted to the first order of business.

SUPPLEMENTAL REPORTS OF STANDING COMMITTEES

February 24, 2023

SB 5025 Prime Sponsor, Senator Dozier: Concerning implementation of technology systems at the department of corrections. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5025 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: Do not pass. Signed by Senator Pedersen.

Referred to Committee on Rules for second reading.

February 24, 2023

SB 5057 Prime Sponsor, Senator Mullet: Creating a work group to evaluate the costs of the state energy performance standard for covered commercial buildings. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5057 as recommended by Committee on Environment, Energy & Technology be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Dhingra and Saldaña.

MINORITY recommendation: Do not pass. Signed by Senator Pedersen.

Referred to Committee on Rules for second reading.

February 24, 2023

SB 5078 Prime Sponsor, Senator Pedersen: Protecting public safety by establishing duties of firearm industry members. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5078 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Nguyen; Pedersen; Saldaña and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Boehnke; Braun; Muzzall; Torres; Van De Wege and Wagoner.

Referred to Committee on Rules for second reading.

February 24, 2023

SB 5094 Prime Sponsor, Senator Rolfes: Adding a climate resilience element to water system plans. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5094 as recommended by Committee on Agriculture, Water, Natural Resources & Parks be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Nguyen; Pedersen; Saldaña; Van De Wege and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Schoesler, Ranking Member, Capital; Muzzall; Torres and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Boehnke and Braun.

Referred to Committee on Rules for second reading.

February 24, 2023

SB 5095 Prime Sponsor, Senator Nobles: Creating the "parks Rx" health and wellness pilot programs. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Nguyen; Pedersen; Saldaña; Torres; Van De Wege and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Schoesler, Ranking Member, Capital; and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Boehnke; Braun and Muzzall.

Referred to Committee on Rules for second reading.

February 24, 2023

SB 5128 Prime Sponsor, Senator Trudeau: Concerning jury diversity. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5128 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Gildon, Assistant Ranking Member, Operating; Rivers, Assistant Ranking Member, Capital; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Wilson, L., Ranking Member, Operating; Schoesler, Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Boehnke; Braun; Torres; Van De Wege and Wagoner.

Referred to Committee on Rules for second reading.

February 24, 2023

SB 5131 Prime Sponsor, Senator Wilson, C.: Concerning money received by the department of corrections on behalf of inmates from family or other outside sources for the purchase of commissary items. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Schoesler, Ranking Member, Capital.

Referred to Committee on Rules for second reading.

February 24, 2023

SB 5134 Prime Sponsor, Senator Wilson, C.: Concerning reentry services and supports. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5134 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Gildon, Assistant Ranking Member, Operating; Rivers, Assistant Ranking Member, Capital; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Nguyen; Pedersen; Saldaña; Van De Wege and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Wilson, L., Ranking Member, Operating; Schoesler, Ranking Member, Capital and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Warnick, Assistant Ranking Member, Capital; Boehnke; Braun; Muzzall and Torres.

Referred to Committee on Rules for second reading.

February 24, 2023

SB 5144 Prime Sponsor, Senator Stanford: Providing for responsible environmental management of batteries. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5144 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Gildon, Assistant Ranking Member, Operating; Rivers, Assistant Ranking Member, Capital; Billig; Boehnke; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Wilson, L., Ranking Member, Operating; Schoesler, Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Braun; Torres; Van De Wege and Wagoner.

Referred to Committee on Rules for second reading.

February 24, 2023

SB 5165 Prime Sponsor, Senator Nguyen: Concerning electric power system transmission planning. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5165 as recommended by Committee on Environment, Energy & Technology be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Schoesler, Ranking Member, Capital; Braun and Wagoner.

Referred to Committee on Rules for second reading.

February 24, 2023

SB 5171 Prime Sponsor, Senator Dhingra: Addressing consumer gender discrimination. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5171 as recommended by Committee on Law & Justice be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Nguyen; Pedersen; Saldaña; Van De Wege and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Boehnke; Braun; Muzzall; Torres and Wagoner.

Referred to Committee on Rules for second reading.

FORTY SEVENTH DAY, FEBRUARY 24, 2023

February 24, 2023

SB 5198 Prime Sponsor, Senator Frame: Concerning the sale or lease of manufactured/mobile home communities and the property on which they sit. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5198 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Rivers, Assistant Ranking Member, Capital; Conway; Dhingra; Hasegawa; Hunt; Keiser; Nguyen; Pedersen; Saldaña; Van De Wege and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Muzzall and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Boehnke; Braun and Torres.

Referred to Committee on Rules for second reading.

February 24, 2023

SB 5228 Prime Sponsor, Senator Dhingra: Providing occupational therapy services for persons with behavioral health disorders. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 24, 2023

SB 5236 Prime Sponsor, Senator Robinson: Concerning hospital staffing standards. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5236 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Nguyen; Pedersen; Saldaña and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Boehnke; Braun; Muzzall; Torres; Van De Wege and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Rivers, Assistant Ranking Member, Capital.

Referred to Committee on Rules for second reading.

February 24, 2023

SB 5238 Prime Sponsor, Senator Saldaña: Expanding collective bargaining for employees who are enrolled in academic programs at public institutions of higher education. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5238 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Nguyen; Pedersen; Saldaña; Van De Wege and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Boehnke; Braun; Muzzall and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Schoesler, Ranking Member, Capital and Torres.

Referred to Committee on Rules for second reading.

February 24, 2023

SB 5254 Prime Sponsor, Senator Van De Wege: Concerning the leasing of state lands. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5254 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Rivers, Assistant Ranking Member, Capital; Billig; Braun; Conway; Dhingra; Hasegawa; Keiser; Van De Wege and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Schoesler, Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Boehnke; Hunt; Muzzall; Nguyen; Pedersen; Saldaña; Torres and Wagoner.

Referred to Committee on Rules for second reading.

February 24, 2023

SB 5278 Prime Sponsor, Senator Wilson, L.: Implementing audit recommendations to reduce barriers to home care aide certification. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5278 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking

Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Capital; Warnick, Assistant Ranking Member, Capital; Boehnke; Braun; Torres and Wagoner.

Referred to Committee on Rules for second reading.

Referred to Committee on Rules for second reading.

February 24, 2023

SB 5290 Prime Sponsor, Senator Mullet: Concerning consolidating local permit review processes. Reported by Committee on Ways & Means

SB 5324 Prime Sponsor, Senator Conway: Concerning the defense community compatibility account. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5290 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

Referred to Committee on Rules for second reading.

February 24, 2023

SB 5302 Prime Sponsor, Senator Mullet: Establishing a property tax exemption for adult family homes that serve people with intellectual or developmental disabilities and are owned by a nonprofit. Reported by Committee on Ways & Means

SB 5344 Prime Sponsor, Senator Schoesler: Establishing a public school revolving fund. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Hasegawa.

February 24, 2023

Referred to Committee on Rules for second reading.

SB 5318 Prime Sponsor, Senator Nobles: Limiting estate recovery. Reported by Committee on Ways & Means

SB 5353 Prime Sponsor, Senator Wagoner: Concerning the voluntary stewardship program. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5318 as recommended by Committee on Human Services be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Van De Wege and Wellman.

MAJORITY recommendation: That Substitute Senate Bill No. 5353 as recommended by Committee on Agriculture, Water, Natural Resources & Parks be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member,

February 24, 2023

SB 5358 Prime Sponsor, Senator Gildon: Expanding veterans' services and programs. Reported by Committee on Ways & Means

FORTY SEVENTH DAY, FEBRUARY 24, 2023

MAJORITY recommendation: That Substitute Senate Bill No. 5358 as recommended by Committee on State Government & Elections be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 24, 2023

SB 5369 Prime Sponsor, Senator Billig: Reassessing standards for polychlorinated biphenyls in consumer products. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 24, 2023

SB 5390 Prime Sponsor, Senator Shewmake: Establishing a programmatic safe harbor agreement on forestlands. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 24, 2023

SB 5415 Prime Sponsor, Senator Trudeau: Concerning public defense services for persons committed as not guilty by reason of insanity. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5415 as recommended by Committee on Law & Justice be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen;

Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Boehnke.

Referred to Committee on Rules for second reading.

February 24, 2023

SB 5424 Prime Sponsor, Senator Lovick: Concerning flexible work for general and limited authority Washington peace officers. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5424 as recommended by Committee on Labor & Commerce be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Rivers, Assistant Ranking Member, Capital and Braun.

Referred to Committee on Rules for second reading.

February 24, 2023

SB 5425 Prime Sponsor, Senator Salomon: Concerning fire protection sprinkler system contractors. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5425 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: Do not pass. Signed by Senator Schoesler, Ranking Member, Capital.

Referred to Committee on Rules for second reading.

February 24, 2023

SB 5433 Prime Sponsor, Senator Muzzall: Concerning the removal of derelict aquatic structures and restoration of aquatic lands. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5433 as recommended by Committee on Agriculture, Water, Natural Resources & Parks be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating;

Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 24, 2023

SB 5447 Prime Sponsor, Senator Billig: Promoting the alternative jet fuel industry in Washington. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5447 as recommended by Committee on Environment, Energy & Technology be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: Do not pass. Signed by Senator Schoesler, Ranking Member, Capital.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Hasegawa and Saldaña.

Referred to Committee on Rules for second reading.

February 24, 2023

SB 5448 Prime Sponsor, Senator MacEwen: Concerning liquor licensee privileges for the delivery of alcohol. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5448 as recommended by Committee on Labor & Commerce be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Dhingra; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Torres and Wagoner.

MINORITY recommendation: Do not pass. Signed by Senators Rivers, Assistant Ranking Member, Capital; Conway; Hasegawa and Van De Wege.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Saldaña and Wellman.

Referred to Committee on Rules for second reading.

February 24, 2023

SB 5454 Prime Sponsor, Senator Cleveland: Concerning industrial insurance coverage for posttraumatic stress disorders affecting registered nurses. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5454 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Rivers, Assistant Ranking Member, Capital; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Nguyen; Pedersen; Saldaña; Van De Wege and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Boehnke; Braun; Muzzall; Torres and Wagoner.

Referred to Committee on Rules for second reading.

February 24, 2023

SB 5468 Prime Sponsor, Senator Van De Wege: Ensuring that firefighters who accept promotional firefighter positions within a fire department remain members of the law enforcement officers' and firefighters' retirement system. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 24, 2023

SB 5502 Prime Sponsor, Senator Gildon: Ensuring access to substance use disorder treatment. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5502 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 24, 2023

SB 5512 Prime Sponsor, Senator Holy: Adding financial transparency reporting requirements to the public four-year dashboard. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5512 as recommended by Committee on Higher Education & Workforce Development be substituted

FORTY SEVENTH DAY, FEBRUARY 24, 2023

therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 24, 2023

SB 5518 Prime Sponsor, Senator Boehnke: Concerning the protection of critical constituent and state operational data against the financial and personal harm caused by ransomware and other malicious cyber activities. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5518 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

February 24, 2023

SB 5600 Prime Sponsor, Senator Wellman: Removing the expiration date for the state universal communications services program. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5600 as recommended by Committee on Environment, Energy & Technology be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Boehnke; Braun; Conway; Hunt; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Robinson, Vice Chair, Operating & Revenue; Billig; Dhingra; Hasegawa and Keiser.

Referred to Committee on Rules for second reading.

February 24, 2023

SB 5670 Prime Sponsor, Senator Hawkins: Permitting 10th grade students to participate in running start in online settings. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5670 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice

Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Muzzall; Nguyen; Pedersen; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Billig; Keiser and Saldaña.

Referred to Committee on Rules for second reading.

February 24, 2023

SB 5684 Prime Sponsor, Senator Hasegawa: Concerning small works rosters. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5684 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Rivers, Assistant Ranking Member, Capital; Billig; Boehnke; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Gildon, Assistant Ranking Member, Operating and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Wilson, L., Ranking Member, Operating; Schoesler, Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital and Braun.

Referred to Committee on Rules for second reading.

February 24, 2023

SB 5696 Prime Sponsor, Senator Robinson: Concerning eligibility for participation in the public employees' benefits board for retired or disabled employees of counties, municipalities, and other political subdivisions. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5696 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Schoesler, Ranking Member, Capital and Braun.

Referred to Committee on Rules for second reading.

February 24, 2023

SJR 8203 Prime Sponsor, Senator Schoesler:
Establishing a public school revolving fund. Reported by
Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by
Senators Rolfes, Chair; Robinson, Vice Chair, Operating &
Revenue; Wilson, L., Ranking Member, Operating; Gildon,
Assistant Ranking Member, Operating; Schoesler, Ranking
Member, Capital; Rivers, Assistant Ranking Member,
Capital; Warnick, Assistant Ranking Member, Capital;
Billig; Boehnke; Braun; Conway; Dhingra; Hunt; Keiser;
Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege;
Wagoner and Wellman.

MINORITY recommendation: Do not pass. Signed by
Senator Hasegawa.

Referred to Committee on Rules for second reading.

MOTIONS

On motion of Senator Pedersen, all measures listed on the
Supplemental Committee report were referred to the committees
as designated.

At 8:20 p.m., on motion of Senator Pedersen, the Senate
adjourned until 10:30 a.m. Monday, February 27, 2023.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

FIFTIETH DAY

MORNING SESSION

Senate Chamber, Olympia
Monday, February 27, 2023

The Senate was called to order at 10:30 a.m. by the President of the Senate, Lt. Governor Heck presiding. The Secretary called the roll and announced to the President that all Senators were present with the exception of Senator Kuderer.

The Sergeant at Arms Color Guard consisting of Pages Ms. Holden Vanquickenborne and Mr. Ryan Iwaszuk, presented the Colors. Page Ms. Skylee Lujan led the Senate in the Pledge of Allegiance.

The prayer was offered by Imam Dr. Abdulhakim Mohamed, Islamic Center of Tacoma and Chief Executive Officer of the North American Imams Federation.

MOTIONS

On motion of Senator Pedersen, the reading of the Journal of the previous day was dispensed with and it was approved.

At 10:36 a.m., on motion of Senator Pedersen, the Senate was declared to be at ease subject to the call of the President.

Senator Hasegawa announced a meeting of the Democratic Caucus immediately.

Senator Warnick announced a meeting of the Republican Caucus immediately.

AFTERNOON SESSION

The Senate was called to order at 1:05 p.m. by President Heck.

MOTION

On motion of Senator Pedersen, the Senate advanced to the seventh order of business.

THIRD READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Wilson, C. moved that Michael Mackillop, Senate Gubernatorial Appointment No. 9304, be confirmed as Director, Department of Services for the Blind.

Senators Wilson, C. and Boehnke spoke in favor of the motion.

MOTION

On motion of Senator Nobles, Senator Kuderer was excused.

APPOINTMENT OF MICHAEL MACKILLOP

The President declared the question before the Senate to be the confirmation of Michael Mackillop, Senate Gubernatorial Appointment No. 9304, as Director, Department of Services for the Blind.

The Secretary called the roll on the confirmation of Michael Mackillop, Senate Gubernatorial Appointment No. 9304, as Director, Department of Services for the Blind and the

appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Kuderer

Michael Mackillop, Senate Gubernatorial Appointment No. 9304, having received the constitutional majority was declared confirmed as Director, Department of Services for the Blind.

THIRD READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Wilson, C. moved that Lori M. Ramsdell, Senate Gubernatorial Appointment No. 9066, be confirmed as a member of the Indeterminate Sentence Review Board.

Senators Wilson, C. and Boehnke spoke in favor of passage of the motion.

APPOINTMENT OF LORI M. RAMSDELL

The President declared the question before the Senate to be the confirmation of Lori M. Ramsdell, Senate Gubernatorial Appointment No. 9066, as a member of the Indeterminate Sentence Review Board.

The Secretary called the roll on the confirmation of Lori M. Ramsdell, Senate Gubernatorial Appointment No. 9066, as a member of the Indeterminate Sentence Review Board and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Kuderer

Lori M. Ramsdell, Senate Gubernatorial Appointment No. 9066, having received the constitutional majority was declared confirmed as a member of the Indeterminate Sentence Review Board.

THIRD READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Shewmake moved that Christina Kobdish, Senate Gubernatorial Appointment No. 9146, be confirmed as a member of the Washington State Women's Commission.

Senators Shewmake and Wilson, J. spoke in favor of passage of the motion.

APPOINTMENT OF CHRISTINA (CHRIS) KOBDISH

The President declared the question before the Senate to be the confirmation of Christina Kobdish, Senate Gubernatorial Appointment No. 9146, as a member of the Washington State Women's Commission.

The Secretary called the roll on the confirmation of Christina Kobdish, Senate Gubernatorial Appointment No. 9146, as a member of the Washington State Women's Commission and the appointment was confirmed by the following vote: Yeas, 41; Nays, 7; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Lias, Lovelett, Lovick, MacEwen, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Wellman, Wilson, C. and Wilson, L.

Voting nay: Senators Boehnke, Dozier, Fortunato, McCune, Padden, Warnick and Wilson, J.

Excused: Senator Kuderer

Christina Kobdish, Senate Gubernatorial Appointment No. 9146, having received the constitutional majority was declared confirmed as a member of the Washington State Women's Commission.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Nobles moved that Nicole R. Bascomb, Senate Gubernatorial Appointment No. 9150, be confirmed as a member of the Housing Finance Commission.

Senator Nobles spoke in favor of the motion.

APPOINTMENT OF NICOLE R. BASCOMB

The President declared the question before the Senate to be the confirmation of Nicole R. Bascomb, Senate Gubernatorial Appointment No. 9150, as a member of the Housing Finance Commission.

The Secretary called the roll on the confirmation of Nicole R. Bascomb, Senate Gubernatorial Appointment No. 9150, as a member of the Housing Finance Commission and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Kuderer

Nicole R. Bascomb, Senate Gubernatorial Appointment No. 9150, having received the constitutional majority was declared confirmed as a member of the Housing Finance Commission.

MOTION

On motion of Senator Pedersen, the Senate reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 5070, by Senators Nobles, Dhingra, Frame, Hasegawa, Nguyen and Wilson, C.

Concerning victims of nonfatal strangulation.

The measure was read the second time.

MOTION

On motion of Senator Nobles, the rules were suspended, Senate Bill No. 5070 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Nobles and Boehnke spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5070.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5070 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Kuderer

SENATE BILL NO. 5070, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5252, by Senators Valdez, Padden, Kuderer, Nobles and Wilson, C.

Making modifications necessary to comply with federal regulations regarding dissemination of federal bureau of investigation criminal history record information.

The measure was read the second time.

MOTION

On motion of Senator Valdez, the rules were suspended, Senate Bill No. 5252 was advanced to third reading, the second

FIFTIETH DAY, FEBRUARY 27, 2023

reading considered the third and the bill was placed on final passage.

Senators Valdez and Padden spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5252.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5252 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Kuderer

SENATE BILL NO. 5252, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5275, by Senators Robinson, Hunt, Keiser, Lovick, Nobles, Randall, Wellman and Wilson, C.

Expanding access to benefits provided by the school employees' benefits board.

MOTIONS

On motion of Senator Robinson, Substitute Senate Bill No. 5275 was substituted for Senate Bill No. 5275 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Robinson, the rules were suspended, Substitute Senate Bill No. 5275 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Robinson and Wilson, L. spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5275.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5275 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Kuderer

SUBSTITUTE SENATE BILL NO. 5275, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5542, by Senators Wilson, J., Rolfes, Fortunato, Shewmake, Hunt, Wilson, C., Cleveland, Lovick, Valdez, Padden, Gildon, Braun, Lovelett, Nguyen, Salomon and Wilson, L.

Preventing the destruction of electric vehicle charging equipment. Revised for 1st Substitute: Preventing the destruction of electric vehicle supply equipment.

MOTIONS

On motion of Senator Wilson, J., Substitute Senate Bill No. 5542 was substituted for Senate Bill No. 5542 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Wilson, J., the rules were suspended, Substitute Senate Bill No. 5542 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wilson, J. and Trudeau spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5542.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5542 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Kuderer

SUBSTITUTE SENATE BILL NO. 5542, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5553, by Senators Lovelett, Robinson, Conway, Nguyen, Nobles, Wellman and Wilson, C.

Authorizing standards for temporary emergency shelters for local adoption.

The measure was read the second time.

MOTION

On motion of Senator Lovelett, the rules were suspended, Senate Bill No. 5553 was advanced to third reading, the second

reading considered the third and the bill was placed on final passage.

Senators Lovelett and Torres spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5553.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5553 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Kuderer

SENATE BILL NO. 5553, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

REMARKS BY THE PRESIDENT

President Heck: "The President confesses confusion. Is not sure on whether to call on Senator Billig or Padden or Wilson or Holy rather for a very brief point of personal privilege. One of you is going to get it here pretty quick. Senator Padden!"

PERSONAL PRIVILEGE

Senator Padden: "Well, I don't know if anybody here saw the game between St. Mary's and Gonzaga here on Saturday night, but it was a great victory for our school from the Spokane area and allowed them to be co-champions again of the West Coast Conference. So, hats off to the Zags."

President Heck: "Your point is very well taken, now that you finally have it. Senator Billig."

PERSONAL PRIVILEGE

Senator Billig: "Thank you Mr. President. I felt I needed to rise after I heard the remarks from Senator Padden who, I really appreciate it, but he neglected to mention that the Gonzaga University Bulldogs are in the Third Legislative District. And, Mr. President, I actually wanted to invite you to make a remark as well as, I think, our leader in this area of the state."

REPLY BY THE PRESIDENT

President Heck: "The President will be withholding his remarks until after we win the tournament."

SECOND READING

SENATE BILL NO. 5319, by Senators Stanford, Dozier, Mullet and Wilson, C.

Concerning pet insurance.

The measure was read the second time.

MOTION

On motion of Senator Stanford, the rules were suspended, Senate Bill No. 5319 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Stanford and Dozier spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5319.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5319 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Kuderer

SENATE BILL NO. 5319, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5235, by Senators Shewmake, Frame, Lovelett, Nguyen, Pedersen and Salomon

Concerning accessory dwelling units.

MOTIONS

On motion of Senator Shewmake, Substitute Senate Bill No. 5235 was substituted for Senate Bill No. 5235 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Shewmake, the rules were suspended, Substitute Senate Bill No. 5235 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Shewmake, Torres and Short spoke in favor of passage of the bill.

Senators Rivers and Wagoner spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5235.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5235 and the bill passed the Senate by the following vote: Yeas, 42; Nays, 6; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Fortunato, Frame, Gildon, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Lias, Lovelett, Lovick, MacEwen,

FIFTIETH DAY, FEBRUARY 27, 2023

McCune, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senators Boehnke, Dozier, Hasegawa, Padden, Rivers and Wagoner

Excused: Senator Kuderer

SUBSTITUTE SENATE BILL NO. 5235, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5045, by Senators Kuderer, Dhingra, Holy, Hunt, Liias, Nguyen, Nobles, Randall, Rolfes, Shewmake, Wellman and Wilson, C.

Incentivizing rental of accessory dwelling units to low-income households.

MOTION

On motion of Senator Frame, Second Substitute Senate Bill No. 5045 was substituted for Senate Bill No. 5045 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Hasegawa moved that the following amendment no. 0064 by Senator Hasegawa be adopted:

On page 2, line 24, after "family", strike all material through "RCW 59.18.030" and insert:

"means any person under age sixty that is a state registered domestic partner, spouse, parents, grandparents, children, including foster children, siblings, and in-laws"

Senators Hasegawa, Fortunato, and Frame spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0064 by Senator Hasegawa on page 2, line 24 to Second Substitute Senate Bill No. 5045.

The motion by Senator Hasegawa carried and amendment no. 0064 was adopted by voice vote.

MOTION

On motion of Senator Frame, the rules were suspended, Engrossed Second Substitute Senate Bill No. 5045 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Frame and Fortunato spoke in favor of passage of the bill.

Senator Rivers spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 5045.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5045 and the bill passed the Senate by the following vote: Yeas, 43; Nays, 5; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senators Boehnke, Dozier, Rivers, Schoesler and Short

Excused: Senator Kuderer

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5045, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5163, by Senators Rivers, Dhingra, Hasegawa, Keiser, Kuderer, Mullet and Muzzall

Removing the sunset provisions on the medicaid fraud false claims act.

The measure was read the second time.

MOTION

On motion of Senator Rivers, the rules were suspended, Senate Bill No. 5163 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Rivers, Mullet, Dhingra and Keiser spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5163.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5163 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Kuderer

SENATE BILL NO. 5163, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5320, by Senators Saldaña, Keiser, King, Randall and Wilson, C.

Concerning journey level electrician certifications of competency.

Senators Saldaña, King and Keiser spoke in favor of passage of the bill.

Senator Short spoke against passage of the bill.

MOTIONS

On motion of Senator Saldaña, Substitute Senate Bill No. 5320 was substituted for Senate Bill No. 5320 and the substitute bill was placed on the second reading and read the second time.

Senator Saldaña moved that the following amendment no. 0063 by Senators Saldaña and King be adopted:

On page 6, after line 21, insert the following:

"Sec. 2. RCW 19.28.195 and 2018 c 249 s 4 are each amended to read as follows:

(1) ~~((The))~~ Until July 1, 2026, notwithstanding RCW 19.28.161(2)(a)(i) and 19.28.191(1)(c)(i), the department ~~((may))~~ shall permit ~~((an applicant who obtained experience and training equivalent to a journey level apprenticeship program to take the examination if the applicant establishes that the applicant has the equivalent training and experience and demonstrates good cause for not completing the required minimum hours of work under standards applicable on July 1, 2023))~~:

(a) A person issued an electrical training certificate to work to gain the experience required to qualify for the journey level electrician certification examination without registering in an apprenticeship program approved under chapter 49.04 RCW or equivalent out-of-state apprenticeship program if before July 1, 2023, the trainee has:

(i) 3,000 hours of lawful experience worked in the electrical construction trade regulated under this chapter; or

(ii) Completed a two-year training school program pursuant to RCW 19.28.191(1)(e).

(b) Electrical trainees described in (a) of this subsection to qualify for the journey level electrician certification examination without completing the work and education requirements of an apprenticeship approved under chapter 49.04 RCW or completing an equivalent out-of-state apprenticeship program. To be eligible to take the examination for a journey level certificate of competency, the applicant must demonstrate 8,000 hours of lawful experience working in the electrical construction trade regulated under this chapter. Four thousand of the hours must be new industrial or commercial electrical installations.

(2) This section expires July 1, ~~((2025))~~ 2026."

Re-number the remaining section consecutively and correct any internal references accordingly.

On page 1, line 2 of the title, after "19.28.191" insert "and 19.28.195; providing an effective date; providing an expiration date"

Senators Saldaña and King spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0063 by Senators Saldaña and King on page 6, after line 21 to Substitute Senate Bill No. 5320.

The motion by Senator Saldaña carried and amendment no. 0063 was adopted by voice vote.

MOTION

On motion of Senator Saldaña, the rules were suspended, Engrossed Substitute Senate Bill No. 5320 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5320.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5320 and the bill passed the Senate by the following vote: Yeas, 41; Nays, 7; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Cleveland, Conway, Dhingra, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Rolfe, Saldaña, Salomon, Shewmake, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senators Braun, Dozier, Padden, Schoesler, Short, Wagoner and Warnick

Excused: Senator Kuderer

ENGROSSED SUBSTITUTE SENATE BILL NO. 5320, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5111, by Senators Keiser, Conway, Kuderer, Randall and Robinson

Concerning payments for accrued and unused sick leave for certain construction workers.

MOTIONS

On motion of Senator Keiser, Substitute Senate Bill No. 5111 was substituted for Senate Bill No. 5111 and the substitute bill was placed on the second reading and read the second time.

Senator Keiser moved that the following amendment no. 0065 by Senator Keiser be adopted:

On page 3, beginning on line 19, after "~~(1)~~" strike all material through "WAC 192-210-110" and insert "For workers covered under the North American industry classification system industry code 23, except for North American industry classification system code 236100, residential building construction."

Senators Keiser and King spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0065 by Senator Keiser on page 3, line 19 to Substitute Senate Bill No. 5111.

The motion by Senator Keiser carried and amendment no. 0065 was adopted by voice vote.

MOTION

On motion of Senator Keiser, the rules were suspended, Engrossed Substitute Senate Bill No. 5111 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Keiser and King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5111.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5111 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Kuderer

ENGROSSED SUBSTITUTE SENATE BILL NO. 5111, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5031, by Senators Wellman, Braun, Dhingra, Hunt, Kuderer, Nguyen, Nobles and Wilson, C.

Concerning safety net award distributions.

The measure was read the second time.

MOTION

On motion of Senator Wellman, the rules were suspended, Senate Bill No. 5031 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wellman and Hawkins spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5031.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5031 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Kuderer

SENATE BILL NO. 5031, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5385, by Senators Liias, Holy, Saldaña, Shewmake and Wilson, C.

Concerning work performed by institutions of higher education.

The measure was read the second time.

MOTION

On motion of Senator Liias, the rules were suspended, Senate Bill No. 5385 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Liias and Holy spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5385.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5385 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Kuderer

SENATE BILL NO. 5385, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5179, by Senators Pedersen, King, Cleveland, Dhingra, Frame, Hunt, Keiser, Kuderer, Liias, Lovelett, Lovick, Mullet, Nobles, Robinson, Saldaña, Stanford, Valdez, Van De Wege, Wellman and Wilson, C.

Increasing access to the provisions of the Washington death with dignity act.

MOTION

On motion of Senator Pedersen, Substitute Senate Bill No. 5179 was substituted for Senate Bill No. 5179 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator King moved that the following amendment no. 0047 by Senator King be adopted:

On page 2, beginning on line 34, after "(8)" strike all material through "(9)" on line 37

Re-number the remaining subsections consecutively and correct any internal references accordingly.

On page 7, beginning on line 27, after "(2)" strike all material through "days." on line 33

On page 8, beginning on line 17, after "~~chapter~~")" strike all material through "days" on line 18

Senators King and Pedersen spoke in favor of adoption of the amendment.

Senator Padden spoke on adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0047 by Senator King on page 2, line 34 to Substitute Senate Bill No. 5179.

The motion by Senator King carried and amendment no. 0047 was adopted by voice vote.

MOTION

Senator Padden moved that the following amendment no. 0060 by Senator Padden be adopted:

On page 6, after line 20, insert the following:

"(4) The department of health shall contract with an independent organization specializing in the protection of the rights of people with disabilities, which organization shall confirm, before a patient is qualified under this chapter, that the patient is not a person with disabilities who is being coerced into providing their assent to ingesting medication to end his or her life and that all required information is provided in compliance with the department of health's reporting requirements. The independent organization shall be provided with access to the relevant records in the possession of the department of health, subject to a requirement that the independent organization shall certify that it will not disclose potentially identifying information for any case complying with the provisions of this chapter."

Senator Padden spoke in favor of adoption of the amendment.

Senators Pedersen and Wellman spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0060 by Senator Padden on page 6, after line 20 to Substitute Senate Bill No. 5179.

The motion by Senator Padden did not carry and amendment no. 0060 was not adopted by voice vote.

MOTION

On motion of Senator Pedersen, the rules were suspended, Engrossed Substitute Senate Bill No. 5179 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Pedersen, Cleveland, King and Lias spoke in favor of passage of the bill.

Senators Muzzall, Padden and Braun spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5179.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5179 and the bill passed the Senate by the following vote: Yeas, 28; Nays, 20; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hasegawa, Hunt, Keiser, King, Lias, Lovelett, Lovick, Mullet, Nguyen, Nobles, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, Kauffman, MacEwen, McCune, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

Excused: Senator Kuderer

ENGROSSED SUBSTITUTE SENATE BILL NO. 5179, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5033, by Senators Padden, Van De Wege, Dhingra, Hasegawa, Kuderer and Wellman

Reclassifying the sentence for the crime of custodial sexual misconduct.

MOTIONS

On motion of Senator Padden, Substitute Senate Bill No. 5033 was substituted for Senate Bill No. 5033 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Padden, the rules were suspended, Substitute Senate Bill No. 5033 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Padden and Dhingra spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5033.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5033 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Kuderer

SUBSTITUTE SENATE BILL NO. 5033, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5287, by Senators Wilson, J., Nguyen, Hasegawa, Lovelett, Lovick, Nobles, Schoesler and Wellman

Concerning a study on the recycling of wind turbine blades.

The measure was read the second time.

MOTION

FIFTIETH DAY, FEBRUARY 27, 2023

On motion of Senator Wilson, J., the rules were suspended, Senate Bill No. 5287 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wilson, J. and Nguyen spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5287.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5287 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Kuderer

SENATE BILL NO. 5287, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5294, by Senators Rolfes and Van De Wege

Concerning actuarial funding of state retirement systems.

MOTIONS

On motion of Senator Rolfes, Substitute Senate Bill No. 5294 was substituted for Senate Bill No. 5294 and the substitute bill was placed on the second reading and read the second time.

Senator Rolfes moved that the following amendment no. 0061 by Senator Rolfes be adopted:

On page 3, line 37, after "2009." insert "This minimum contribution rate shall be in effect when the actuarial value of assets in plan 1 of the public employees' retirement system is less than 100 percent of the actuarial accrued liability."

On page 4, line 17, after "2009." insert "This minimum contribution rate shall be in effect when the actuarial value of assets in plan 1 of the public employees' retirement system is less than 100 percent of the actuarial accrued liability."

On page 4, line 18, after "September 1," strike "2024" and insert "2023"

On page 4, line 32, after "the" strike "public employees" and insert "teachers"

On page 4, line 34, after "2009." insert "This minimum contribution rate shall be in effect when the actuarial value of assets in plan 1 of the teachers' retirement system is less than 100 percent of the actuarial accrued liability."

Senators Rolfes and Wilson, L. spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0061 by Senator Rolfes on page 3, line 37 to Substitute Senate Bill No. 5294.

The motion by Senator Rolfes carried and amendment no. 0061 was adopted by voice vote.

MOTION

On motion of Senator Rolfes, the rules were suspended, Engrossed Substitute Senate Bill No. 5294 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Rolfes, Wilson, L. and Conway spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5294.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5294 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Kuderer

ENGROSSED SUBSTITUTE SENATE BILL NO. 5294, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5350, by Senators Conway, Hasegawa, Lovick, Robinson, Wagoner, Pedersen, Keiser, Randall, Van De Wege, Liias, Cleveland, Frame, Hawkins, Holy, Hunt, Kuderer, Lovelett, Mullet, Muzzall, Nguyen, Nobles, Saldaña, Shewmake, Stanford, Trudeau, Valdez, Warnick, Wilson, C. and Wilson, L.

Providing a benefit increase to certain retirees of the public employees' retirement system plan 1 and the teachers' retirement system plan 1.

The measure was read the second time.

MOTION

On motion of Senator Conway, the rules were suspended, Senate Bill No. 5350 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Conway and Wilson, L. spoke in favor of passage of the bill.

Senator Schoesler spoke on passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5350.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5350 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Kuderer

SENATE BILL NO. 5350, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE JOINT MEMORIAL NO. 8005, by Senators Hasegawa and Wilson, C.

Addressing "de-risking" by financial institutions.

The measure was read the second time.

MOTION

On motion of Senator Hasegawa, the rules were suspended, Senate Joint Memorial No. 8005 was advanced to third reading, the second reading considered the third and the memorial was placed on final passage.

Senator Hasegawa spoke in favor of passage of the bill.

MOTION

On motion of Senator Wagoner, Senator Rivers was excused.

The President declared the question before the Senate to be the final passage of Senate Joint Memorial No. 8005.

ROLL CALL

The Secretary called the roll on the final passage of Senate Joint Memorial No. 8005 and the memorial passed the Senate by the following vote: Yeas, 39; Nays, 8; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Lias, Lovelett, Lovick, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, MacEwen, McCune, Short, Torres, Wilson, J. and Wilson, L.

Excused: Senators Kuderer and Rivers

SENATE JOINT MEMORIAL NO. 8005, having received the constitutional majority, was declared passed. There being no objection, the title of the memorial was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5341, by Senators Muzzall, Shewmake, Van De Wege, Torres, Warnick, Kuderer, Lias, Stanford and Wilson, C.

Creating a location-based branding and promotion program for Washington food and agricultural products.

The measure was read the second time.

MOTION

Senator Van De Wege moved that the following striking amendment no. 0036 by Senator Van De Wege be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) The legislature finds that Washington is one of only five states in the nation without a state program to help food and agricultural producers promote their products based on where the product is grown, raised, or caught. The legislature further finds that a location-based promotion program will help consumers support Washington producers and the state's agricultural economy by building upon Washington's strong reputation for characteristics like food quality and food safety, which are key factors in consumer purchasing decisions.

(2) The legislature recognizes that recent food policy forum reports to the legislature recommend creation of a program to promote Washington food and agricultural products, and that such a location-based brand recognition program would help identify Washington products for procurement by schools and other public institutions and would provide strong marketing tools to help differentiate Washington products, making them more visible to consumers and more competitive in the local, state, regional, national, and international marketplace. The legislature further recognizes that a new program is needed because a previous promotion program, which was formally dissolved in 2008 and was based primarily on one-time federal funding, did not provide a sustainable structure or a statutory framework that was suitable for most Washington food and agricultural producers.

(3) The legislature therefore intends that the Washington department of agriculture gather advisory committee input and submit recommendations to the legislature prior to developing a location-based promotion program that is voluntary, sustainable, and suitable for Washington food and agricultural producers. The legislature further intends that this program provide support for food producers across the state in a manner that is equitable and inclusive of all scales of Washington agriculture including, but not limited to, serving historically underrepresented producers, producers from less resourced geographies, and producers with less access to support systems and funding.

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

(1) "Agricultural product" has the same meaning as the term "agricultural commodities" in RCW 15.66.010, and is broadly construed to include, but is not limited to, all agricultural products or commodities grown or raised on Washington lands or caught in Washington waters, or foods, including processed or manufactured foods, containing such agricultural products.

(2) "Department" means the Washington department of agriculture.

(3) "Director" means the director of the department or the director's designee.

FIFTIETH DAY, FEBRUARY 27, 2023

(4) "Food" has the same meaning as the term "food" in RCW 15.130.110.

(5) "Program" means the location-based promotion program created in this chapter to promote local food and agricultural products and make them more visible to consumers.

NEW SECTION. Sec. 3. (1) The director must establish an advisory committee with representatives from interested agricultural and food production organizations for the purpose of identifying the appropriate scope and nature of a voluntary location-based program to brand and promote local food and agricultural products. During the fiscal year ending June 30, 2024, the director must submit a report containing recommendations for program development and implementation to the appropriate committees of the legislature.

(2) The report submitted under subsection (1) of this section must include, but is not limited to, department and advisory committee recommendations on how best to proceed or not proceed with developing and implementing the following program elements:

(a) Eligibility criteria for: (i) The use of location-based branding sanctioned by the program to identify where an agricultural product was grown, raised, or caught; (ii) the use of location-based branding sanctioned by the program for processed or manufactured food products containing such agricultural products; and (iii) participating in program-sanctioned promotional activities for the agricultural products or foods containing the agricultural products. The criteria must include, but are not limited to, identifying thresholds for the necessary amount of time a product has been located within a specific geographical area in Washington, within lands or waters of Washington, or within lands or waters of other Pacific Northwest states or provinces neighboring Washington, and thresholds for the necessary amount of such food products in a processed or manufactured food product, to be eligible;

(b) Application, approval, certification, verification, renewal, audit, enforcement, or cancellation procedures for using product identification, branding, logos, or labels sanctioned by the program, or for participating in program-sanctioned promotional activities;

(c) Licensing fees, fee waivers, cost recovery mechanisms, or fee structures for membership, for using product identification, branding, logos, or labels sanctioned by the program, or for participating in program-sanctioned promotional activities;

(d) Creation, purchase, acquisition, protection, and blending of brand, logo, and trademark ownership or licensing rights;

(e) Cooperative agreements to jointly carry out program or program-sanctioned activities and administration; and

(f) Any other action designed to help Washington food and agricultural producers promote their products and make them more visible and appealing to consumers and more competitive in the local, regional, national, and international marketplace of their choice including, but not limited to, retail stores, farmers markets, schools, restaurants, institutions, and other market channels.

(3) Following submission of the report required in subsection (1) of this section, the director may adopt rules as necessary to implement the program. These rules may include any recommended fees or structures for determining fees, fee waivers, cost recovery mechanisms, or other elements listed in subsection (2) of this section. Rules consistent with the recommendations submitted in the report qualify for expedited rule making under RCW 34.05.353. Prior to creating criteria related to particular agricultural products under the jurisdiction of an agricultural board or commission organized under state law, the director must consult with representatives of the appropriate

board or commission. If the rules include a structure for determining fees, the director may subsequently amend the rules and increase or decrease fees consistent with the structure for determining fees.

(4) Nothing in this chapter precludes or prohibits the department or others, including but not limited to other agencies, boards, commissions, and associations, from separately promoting the origin of food and agricultural products grown, raised, or caught in Washington. Such promotional activities must be consistent with pertinent legal authorities including, but not limited to, RCW 15.130.210, which prohibits misbranding of food origins as part of Washington's food safety and security act, chapter 15.130 RCW, and RCW 15.04.410, which relies on Washington's consumer protection act, chapter 19.86 RCW, and prohibits false retail sale declarations related to agricultural products held out as Washington agricultural products that are not in fact Washington agricultural products.

(5) Funds received for the purposes of this chapter must be deposited in the agricultural local fund created in RCW 43.23.230 to carry out the purposes of this chapter.

(6) The department must actively seek nonstate funding sources to support program operation and may receive gifts, grants, or endowments from private or public sources, made in trust or otherwise, for the use and benefit of the program, consistent with the provisions of this chapter and any terms of the gift, grant, or endowment. Expenditures may be used only for those purposes identified in this chapter. Only the director of agriculture or the director's designee may authorize expenditures of the gifts, grants, or endowments.

NEW SECTION. Sec. 4. This chapter may be known and cited as the Washington food and agricultural product promotion act.

NEW SECTION. Sec. 5. Sections 1 through 4 of this act constitute a new chapter in Title 15 RCW.

NEW SECTION. Sec. 6. The following acts or parts of acts are each repealed:

- (1) RCW 15.105.005 (Findings) and 2004 c 26 s 1;
- (2) RCW 15.105.010 (Definitions) and 2004 c 26 s 2;
- (3) RCW 15.105.020 (Establishing a private, nonprofit corporation—Duties of successor organization—Debts and other liabilities) and 2021 c 176 s 5203 & 2004 c 26 s 3;
- (4) RCW 15.105.030 (Actions by department to establish a successor organization) and 2004 c 26 s 4;
- (5) RCW 15.105.040 (Board of directors of the successor organization—State membership) and 2004 c 26 s 5;
- (6) RCW 15.105.050 (Program logo) and 2004 c 26 s 6;
- (7) RCW 15.105.060 (Gifts, grants, or endowments) and 2004 c 26 s 7; and
- (8) RCW 15.105.901 (Effective date—2004 c 26) and 2004 c 26 s 10."

On page 1, line 1 of the title, after "Relating to" strike the remainder of the title and insert "creating a location-based promotion program for Washington food and agricultural products; adding a new chapter to Title 15 RCW; and repealing RCW 15.105.005, 15.105.010, 15.105.020, 15.105.030, 15.105.040, 15.105.050, 15.105.060, and 15.105.901."

Senators Van De Wege and Muzzall spoke in favor of adoption of the striking amendment.

The President declared the question before the Senate to be the adoption of striking amendment no. 0036 by Senator Van De Wege to Senate Bill No. 5341.

The motion by Senator Van De Wege carried and striking amendment no. 0036 was adopted by voice vote.

MOTION

On motion of Senator Muzzall, the rules were suspended, Engrossed Senate Bill No. 5341 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Muzzall spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5341.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5341 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Kuderer and Rivers

ENGROSSED SENATE BILL NO. 5341, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5229, by Senators Frame, Warnick, Kuderer, Lovelett, Nobles, Randall, Salomon, Shewmake and Torres

Accelerating rural job growth and promoting economic recovery across Washington through site readiness grants.

MOTIONS

On motion of Senator Frame, Substitute Senate Bill No. 5229 was substituted for Senate Bill No. 5229 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Frame, the rules were suspended, Substitute Senate Bill No. 5229 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Frame, Dozier, Wagoner, King and Wellman spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5229.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5229 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon,

Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Kuderer and Rivers

SUBSTITUTE SENATE BILL NO. 5229, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

PERSONAL PRIVILEGE

Senator Frame: “Thank you Mr. President. I rise as this is the first bill I have passed in the Senate that is my own. I rise to acknowledge the tradition here in the Senate of offering all members a first gift. Mr. President, in my remarks I mentioned so many iconic things about my district but the thing that is most iconic about my district are the thousands of small businesses peppered throughout all of our neighborhood business districts. And so the gifts before you Mr. President were procured from small businesses throughout my district. Every gift is individual. Some of them specific to the human being that received it. I will take no offense if anybody wants to exchange their gift. There is a guide inside that bag that tells you what you got and what your colleagues got. I will note Mr. President yours was much funnier before you shaved, so you might talk to Senator Muzzall about exchanging gifts. Just a suggestion. If you want to regift it I will not be offended. But with every bag not only is the gift but the gift card or information about the small business from which it was procured. So, shop local. Enjoy your gift. And if you have any questions, come ask me. Thank you Mr. President.”

The President welcomed Senator Frame to the Senate and thanked her for the gifts.

PERSONAL PRIVILEGE

Senator Liias: “Well Mr. President, I just wanted to say that the gifts that Senator Frame gave us are indicative of her. Incredibly thoughtful, super detail oriented, and way over the top Mr. President. But I do just want to give her kudos for giving thoughtful individualized gifts to the folks at the rostrum. We are heading into two weeks of maelstrom like activity and so I think that our Secretary, our Deputy Secretary, our readers, and our counsel, they deserve these gifts and more. So kudos to Senator Frame for thinking of all of you up there. Thank you Mr. President.”

REMARKS BY THE PRESIDENT

President Heck: “The President would like to encourage each and every member to go back in the rules and read the definition of a point of personal privilege. Senator Hawkins state, what I am certain is not going to be, a point of personal privilege.”

PERSONAL PRIVILEGE

Senator Hawkins: “Thank you Mr. President. You are too kind. So, I too, would like to congratulate Senator Frame on the passage of her first bill. And I too, would like to thank her for her thoughtfulness of her gifts. You were probably too busy up there to recognize when you were asking about the other gift, but I took a chance to look over the list and I will point out for example, Mr. President, you have received the *Philosophy of Beards* book. And I remember when you had the beard and everything years ago.

FIFTIETH DAY, FEBRUARY 27, 2023

That was before we met but I remember. And Senator Liias who just spoke kindly, received the Finland hat. And Senator Cleveland, being close to Oregon, the Oregon Trail mug. Senator Dhingra, the rebel rose candle, how appropriate. But I do question..."

President Heck: "Senator Hawkins. The rules require that you seek permission to read from a document."

Senator Hawkins: "Actually, I was just looking at it. I had it memorized. May I read from the document Mr. President?"

President Heck: "Please proceed."

Senator Hawkins: "So, you know, so thoughtful. But then Senator Hasegawa, when we get to the 'H's, a lump of coal soap. And Senator Hawkins, the eco-towel and red panda plant art which I didn't realize but you can actually decorate your plants. And I am really excited about this. Um, so I just wanted to welcome Senator Frame to the Senate and thank her for her generosity and her individual-ness. And the only thing that bums me out about having Senator Frame in the Senate is I can no longer rely on her in the House to help pass my bills which she has been so helpful with in past years. So, anyway, congratulations and thank you."

PERSONAL PRIVILEGE

Senator Hasegawa: "Thank you Mr. President. Well, Senator Frame is obviously a great Padawan because I told her a story of when I first did my first floor speech and Renton is a coal mining town. So, what I did was I had our pages hand out a lump of coal to everybody. Of course, I handed out more later on but the point is an I don't think she is actually telling the truth when she says lump of coal so may I read what she actually gave me?"

President Heck: "Please proceed."

Senator Hasegawa: "With your indulgence Mr. President. It's a Big A-- Lump of Coal soap. Not exactly what I expect from my Padawan."

President Heck: "You impugn her motives, and you did not maintain the decorum of the Senate by that reference and so, with your indulgence, we are going to move on."

SECOND READING

SENATE BILL NO. 5166, by Senators Boehnke, Mullet, Conway, Short and Warnick

Reauthorizing the business and occupation tax deduction for cooperative finance organizations.

The measure was read the second time.

MOTION

On motion of Senator Boehnke, the rules were suspended, Senate Bill No. 5166 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Boehnke and Lovelett spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5166.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5166 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Kuderer and Rivers

SENATE BILL NO. 5166, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

PERSONAL PRIVILEGE

Senator Boehnke: "Thank you Mr. President. When getting the opportunity to come over to the Senate from the House, it's truly and honor and a privilege to be here. Knowing there's friends on all sides of this rotunda and then having to pick out one of the biggest decisions is what to give the gifts from the 8th District that I get the opportunity to represent. And like others throughout this phase there are so many of the diversity, the area, small business, and even the beauty of the 8th District, you want to showcase that it is out there. This one comes to me from the heart because it's one of those that I guess represents a lot of things in my life. One of the things I like about it is, it's named after the state of Washington, where President George Washington had a little incident with a cherry tree on his watch when he was a kid back in the day. There was an opportunity, same kid in Kennewick who was dating a young lady who is supposed to be watching, I don't know if she is or not, um, but she said she was, anyways, that for some reason that during the dating process her parents allowed me to go ahead and pick some cherries off their cherry trees when we were younger. Those same cherry trees still are in existence at the house that we reside in and just continues that symbolism, that love I guess between what we've seen over the years. I offer this to you because we could also be the fry capital of the world because we have a lot of French fries and potatoes coming out of the 8th District, but the cherry always seemed to come back into my world no matter where I was in the country, overseas and other places. And it means a lot to give that to you."

The Senate rose in recognition of Senator Boehnke's inaugural speech and appreciation of his gift to the Senate.

MOTION

At 4:23 p.m., on motion of Senator Pedersen, the Senate adjourned until 10 o'clock a.m. Tuesday, February 28, 2023.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

FIFTY FIRST DAY

MORNING SESSION

Senate Chamber, Olympia
Tuesday, February 28, 2023

The Senate was called to order at 10 o'clock a.m. by the President of the Senate, Lt. Governor Heck presiding. The Secretary called the roll and announced to the President that all Senators were present with the exception of Senator Boehnke.

The Sergeant at Arms Color Guard consisting of Pages Miss Yma Lovelett and Miss Anike Sharp, presented the Colors. Miss Kinsley Murray sang the National Anthem. Miss Murray was a guest of Senator Warnick.

The prayer was offered by Reverend Corey Passons of Interfaith Program Coordinator for Interfaith Works and Interfaith Minister for Community Interfaith Celebration Church, Olympia.

MOTIONS

On motion of Senator Pedersen, the reading of the Journal of the previous day was dispensed with and it was approved.

On motion of Senator Pedersen, the Senate advanced to the third order of business.

MESSAGE FROM THE GOVERNOR
GUBERNATORIAL APPOINTMENTS

February 17, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

JILL K. MINSHALL, appointed March 1, 2023, for the term ending April 15, 2026, as Member of the Indeterminate Sentence Review Board.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Human Services as Senate Gubernatorial Appointment No. 9333.

February 24, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

JESUS A. VILLEGAS RIVERA, appointed February 24, 2023, for the term ending September 30, 2027, as Member of the Clover Park Technical College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9334.

MOTIONS

On motion of Senator Pedersen, all appointees listed on the Gubernatorial Appointments report were referred to the committees as designated.

On motion of Senator Pedersen, the Senate advanced to the fourth order of business.

MESSAGES FROM THE HOUSE

February 27, 2023

MR. PRESIDENT:

The House has adopted:

SENATE CONCURRENT RESOLUTION NO. 8404,
and the same is herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

February 27, 2023

MR. PRESIDENT:

The House has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1051,
ENGROSSED SECOND SUBSTITUTE
HOUSE BILL NO. 1170,
and the same is herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

February 27, 2023

MR. PRESIDENT:

The House has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1037,
SECOND SUBSTITUTE HOUSE BILL NO. 1039,
HOUSE BILL NO. 1061,
SUBSTITUTE HOUSE BILL NO. 1079,
SUBSTITUTE HOUSE BILL NO. 1088,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1173,
SECOND SUBSTITUTE HOUSE BILL NO. 1204,
SUBSTITUTE HOUSE BILL NO. 1207,
HOUSE BILL NO. 1232,
SUBSTITUTE HOUSE BILL NO. 1247,
SUBSTITUTE HOUSE BILL NO. 1267,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1277,
HOUSE BILL NO. 1319,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1329,
HOUSE BILL NO. 1330,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1335,
SUBSTITUTE HOUSE BILL NO. 1460,
HOUSE BILL NO. 1536,
HOUSE BILL NO. 1543,
HOUSE BILL NO. 1564,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1600,
SUBSTITUTE HOUSE BILL NO. 1638,
HOUSE BILL NO. 1696,
SUBSTITUTE HOUSE BILL NO. 1701,
SUBSTITUTE HOUSE BILL NO. 1753,
SUBSTITUTE HOUSE BILL NO. 1784,
ENGROSSED HOUSE BILL NO. 1797,

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

MOTION

On motion of Senator Pedersen, the Senate advanced to the seventh order of business.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Hunt moved that Kasi M. Farrar, Senate Gubernatorial Appointment No. 9152, be confirmed as a member of the Housing Finance Commission.

FIFTY FIRST DAY, FEBRUARY 28, 2023

Senator Hunt spoke in favor of the motion.

Senator Wilson, J. spoke on the motion.

MOTIONS

On motion of Senator Wagoner, Senator Boehnke was excused.

On motion of Senator Nobles, Senator Kuderer was excused.

APPOINTMENT OF KASI M. FARRAR

The President declared the question before the Senate to be the confirmation of Kasi M. Farrar, Senate gubernatorial appointment No. 9152, as a member of the Housing Finance Commission.

The Secretary called the roll on the confirmation of Kasi M. Farrar, Senate gubernatorial appointment No. 9152, as a member of the Housing Finance Commission and the appointment was confirmed by the following vote: Yeas, 39; Nays, 8; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Lias, Lovelett, Lovick, MacEwen, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wellman, Wilson, C. and Wilson, L.

Voting nay: Senators Dozier, Fortunato, McCune, Padden, Schoesler, Wagoner, Warnick and Wilson, J.

Excused: Senators Boehnke and Kuderer

Kasi M. Farrar, Senate gubernatorial appointment No. 9152, having received the constitutional majority was declared confirmed as a member of the Housing Finance Commission.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Frame moved that Brian Surratt, Senate gubernatorial appointment No. 9153, be confirmed as a member of the Housing Finance Commission.

Senators Frame, Fortunato and Valdez spoke in favor of passage of the motion.

APPOINTMENT OF BRIAN SURRATT

The President declared the question before the Senate to be the confirmation of Brian Surratt, Senate gubernatorial appointment No. 9153, as a member of the Housing Finance Commission.

The Secretary called the roll on the confirmation of Brian Surratt, Senate gubernatorial appointment No. 9153, as a member of the Housing Finance Commission and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Boehnke and Kuderer

Brian Surratt, Senate gubernatorial appointment No. 9153, having received the constitutional majority was declared confirmed as a member of the Housing Finance Commission.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Trudeau moved that Sharonda Amamilo, Senate gubernatorial appointment No. 9156, be confirmed as a member of the Sentencing Guidelines Commission.

Senators Trudeau and Padden spoke in favor of passage of the motion.

APPOINTMENT OF SHARONDA AMAMILO

The President declared the question before the Senate to be the confirmation of Sharonda Amamilo, Senate gubernatorial appointment No. 9156, as a member of the Sentencing Guidelines Commission.

The Secretary called the roll on the confirmation of Sharonda Amamilo, Senate gubernatorial appointment No. 9156, as a member of the Sentencing Guidelines Commission and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Boehnke and Kuderer

Sharonda Amamilo, Senate gubernatorial appointment No. 9156, having received the constitutional majority was declared confirmed as a member of the Sentencing Guidelines Commission.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Trudeau moved that Josephine Wiggs, Senate gubernatorial appointment No. 9174, be confirmed as a member of the Sentencing Guidelines Commission.

Senators Trudeau and Padden spoke in favor of passage of the motion.

APPOINTMENT OF JOSEPHINE WIGGS

The President declared the question before the Senate to be the confirmation of Josephine Wiggs, Senate gubernatorial appointment No. 9174, as a member of the Sentencing Guidelines Commission.

The Secretary called the roll on the confirmation of Josephine Wiggs, Senate gubernatorial appointment No. 9174, as a member of the Sentencing Guidelines Commission and the

appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Boehnke and Kuderer

Josephine Wiggs, Senate gubernatorial appointment No. 9174, having received the constitutional majority was declared confirmed as a member of the Sentencing Guidelines Commission.

MOTION

On motion of Senator Pedersen, the Senate reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 5606, by Senators Lovick, Conway, Keiser, Valdez and Wilson, C.

Detering illegal racing.

The measure was read the second time.

MOTION

On motion of Senator Lovick, the rules were suspended, Senate Bill No. 5606 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Lovick, McCune, Padden and Kauffman spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5606.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5606 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 1; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Lias, Lovelett, Lovick, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senator MacEwen

Excused: Senators Boehnke and Kuderer

SENATE BILL NO. 5606, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5565, by Senators Schoesler, Rolfes, Dozier, Nobles and Wellman

Modifying tax and revenue laws by making technical corrections, clarifying ambiguities, easing compliance burdens for taxpayers, and providing administrative efficiencies.

MOTIONS

On motion of Senator Schoesler, Substitute Senate Bill No. 5565 was substituted for Senate Bill No. 5565 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Schoesler, the rules were suspended, Substitute Senate Bill No. 5565 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Schoesler and Robinson spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5565.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5565 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Boehnke and Kuderer

SUBSTITUTE SENATE BILL NO. 5565, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5709, by Senators Torres, Hunt, Schoesler and Dozier

Concerning irrigation district elections.

MOTIONS

On motion of Senator Torres, Substitute Senate Bill No. 5709 was substituted for Senate Bill No. 5709 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Torres, the rules were suspended, Substitute Senate Bill No. 5709 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Torres and Lovelett spoke in favor of passage of the bill.

Senator Valdez spoke on passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5709.

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5709 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Boehnke and Kuderer

SUBSTITUTE SENATE BILL NO. 5709, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5720, by Senator Stanford

Concerning risk mitigation in property insurance.

MOTIONS

On motion of Senator Stanford, Substitute Senate Bill No. 5720 was substituted for Senate Bill No. 5720 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Stanford, the rules were suspended, Substitute Senate Bill No. 5720 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Stanford and Dozier spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5720.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5720 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 1; Excused, 2.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Absent: Senator Salomon

Excused: Senators Boehnke and Kuderer

SUBSTITUTE SENATE BILL NO. 5720, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 10:55 a.m., on motion of Senator Pedersen, the Senate was declared to be at ease subject to the call of the President.

AFTERNOON SESSION

The Senate was called to order at 1:03 p.m. by President Heck.

SECOND READING

SENATE BILL NO. 5280, by Senators Frame, Boehnke, Hunt, Kuderer, Lovelett, Lovick, Nguyen, Nobles, Saldaña, Wellman and Wilson, C.

Concerning the duty of clergy to report child abuse or neglect.

The measure was read the second time.

MOTION

On motion of Senator Pedersen, the rules were suspended, Senate Bill No. 5280 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wilson, C., Frame and Warnick spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5280.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5280 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Boehnke

SENATE BILL NO. 5280, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5126, by Senators Pedersen, Hawkins, Wellman and Wilson, C.

Providing common school trust revenue to small school districts.

MOTIONS

On motion of Senator Pedersen, Substitute Senate Bill No. 5126 was substituted for Senate Bill No. 5126 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Pedersen, the rules were suspended, Substitute Senate Bill No. 5126 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Pedersen, Hasegawa and Mullet spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5126.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5126 and the bill passed the Senate by the following vote: Yeas, 43; Nays, 5; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Rivers, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senators Dozier, Liias, Padden, Randall and Schoesler

Excused: Senator Boehnke

SUBSTITUTE SENATE BILL NO. 5126, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5617, by Senators Wellman, Nguyen, Hasegawa, Liias, Lovelett, Nobles and Wilson, C.

Facilitating course equivalency agreements between skill centers and school districts.

MOTIONS

On motion of Senator Wellman, Substitute Senate Bill No. 5617 was substituted for Senate Bill No. 5617 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5617, by Committee on Early Learning & K-12 Education (originally sponsored by Senators Wellman, Nguyen, Hasegawa, Liias, Lovelett, Nobles, and Wilson, C.)

Revised for first Substitute: Concerning career and technical education course equivalencies.

On motion of Senator Wellman, the rules were suspended, Substitute Senate Bill No. 5617 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wellman and Hawkins spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5617.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5617 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Boehnke

SUBSTITUTE SENATE BILL NO. 5617, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5054, by Senators Wellman, Dhingra, Nobles, Saldaña, Valdez and Wilson, C.

Promoting and facilitating the use of professional learning communities.

MOTION

On motion of Senator Wellman, Substitute Senate Bill No. 5054 was substituted for Senate Bill No. 5054 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Hawkins moved that the following amendment no. 0052 by Senator Hawkins be adopted:

On page 5, beginning on line 4, after "section." strike all material through "bargaining." on line 9

Senator Hawkins spoke in favor of adoption of the amendment.

Senator Wellman spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0052 by Senator Hawkins on page 5, line 4 to Substitute Senate Bill No. 5054.

The motion by Senator Hawkins did not carry and amendment no. 0052 was not adopted by voice vote.

MOTION

On motion of Senator Wellman, the rules were suspended, Substitute Senate Bill No. 5054 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wellman and Wilson, C. spoke in favor of passage of the bill.

Senators Hawkins, King, Schoesler and Muzzall spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5054.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5054 and the bill passed the Senate by the following vote: Yeas, 27; Nays, 21; Absent, 0; Excused, 1.

FIFTY FIRST DAY, FEBRUARY 28, 2023

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Lias, Lovelett, Lovick, Nguyen, Nobles, Pedersen, Randall, Robinson, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Mullet, Muzzall, Padden, Rivers, Rolfes, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

Excused: Senator Boehnke

SUBSTITUTE SENATE BILL NO. 5054, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5462, by Senators Lias, Wilson, C., Kuderer, Lovelett, Nguyen, Pedersen, Randall, Saldaña and Valdez

Promoting inclusive learning standards and instructional materials in public schools.

The measure was read the second time.

MOTION

Senator Hawkins moved that the following amendment no. 0040 by Senator Hawkins be adopted:

On page 1, beginning on line 14, after "to" strike "expand these requirements by requiring" and insert "allow"

On page 2, line 1, after "by" strike "directing" and insert "allowing"

On page 2, line 14, after "instruction," strike "must" and insert "may"

On page 2, beginning on line 17, after "procedure" strike "must require that the school board of directors will" and insert "may allow the school board of directors to"

On page 2, line 35, after "districts" strike "must" and insert "may"

Beginning on page 3, line 4, strike all of section 3

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

On page 4, line 24, after "(b)" strike "Include all" and insert "Permit"

On page 5, beginning on line 34, after "directors." strike all material through "recommendation." on line 37

On page 10, line 13, after "commission." strike "must" and insert "may"

Beginning on page 10, line 18, strike all of sections 6 and 7

On page 1, line 1 of the title, after "to" strike the remainder of the title and insert "considering inclusive learning standards and instructional materials in public schools; amending RCW 28A.320.230 and 28A.655.070; adding a new section to chapter 28A.345 RCW; and creating a new section."

Senators Hawkins and Wagoner spoke in favor of adoption of the amendment.

Senator Wellman spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0040 by Senator Hawkins on page 1, line 14 to Senate Bill No. 5462.

The motion by Senator Hawkins did not carry and amendment no. 0040 was not adopted by voice vote.

MOTION

Senator Wilson, C. moved that the following amendment no. 0057 by Senator Wilson, C. be adopted:

On page 1, line 16, after "incorporate" insert "adopting inclusive curricula and"

On page 1, line 18, after "groups." insert "The legislature recognizes that inclusive curricula have been shown to often improve the mental health, academic performance, attendance rates, and graduation rates of marginalized communities. For example, a 2017 study showed a 38 percent to 306 percent increase in the fluency rates of African American second grade children when they read culturally relevant stories. Children felt more motivated and interested when reading stories that reflected them. Additionally, students in schools with inclusive curricula have also reported hearing fewer homophobic remarks and, in schools with inclusive curricula, less than half of students felt unsafe at school due to their sexual orientation compared to the two-thirds of students who attended schools without inclusive curricula."

On page 2, line 6, after "(4)" insert "The legislature further intends to promote and support the development and adoption of inclusive curricula through regional inclusive curricula coordinators, youth advisory councils, and an open educational resource database.

(5)"

On page 2, line 7, after "standards" insert ", curricula,"

On page 2, at the beginning of line 19, insert "diverse, equitable,"

Beginning on page 2, line 38, after "(4)" strike all material through "opportunities." on page 3, line 3 and insert "For the purposes of this section, "diversity," "equity," and "inclusion" have the same meanings as in RCW 28A.415.443."

On page 4, after line 14, insert the following:

NEW SECTION. Sec. 4. A new section is added to chapter 28A.310 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, each educational service district must designate a regional inclusive curricula coordinator with the following duties:

(a) Help school districts implement section 2 of this act and ensure that diversity, equity, and inclusion are interwoven throughout curricula and not treated as stand-alone topics;

(b) Facilitate school district use of a bias screening tool to review instructional materials;

(c) Serve as a resource to the instructional materials committee established under RCW 28A.320.230 for school districts within the educational service district;

(d) Coordinate with and assist any school districts that are leading efforts on diversity, equity, or inclusion, the office of the superintendent of public instruction, and the Washington state office of equity established in RCW 43.06D.020;

(e) Support professional development efforts regarding diversity, equity, and inclusion including the professional learning days required by RCW 28A.415.445; and

(f) Help school districts improve school and classroom culture and climate using inclusive instructional materials.

(2) Subject to the availability of amounts appropriated for this specific purpose, each educational service district must establish a regional youth advisory council for inclusive curricula and equity.

(a)(i) The purpose of the council is to advise and inform the work of school districts and the office of the superintendent of public instruction.

(ii) The council must distribute an annual survey to students to assess student access to inclusive instructional materials.

(iii) The council must coordinate with the legislative youth advisory council established under RCW 43.15.095, the Washington state leadership board established under RCW 43.388.010, student representatives on school boards, and any other relevant student or youth councils or groups that include student representation.

(b)(i) The council must consist of at least one student representative from each school district within the educational service district.

(ii) Students may be selected to serve on the council by staff recommendation, application, or interview.

(iii) The council must consist of students with diverse backgrounds including backgrounds that include diversity as it relates to sex, race, religion, national origin, connection with the military, sexual orientation, gender expression or identity, disability, socioeconomic status, and involvement in the community.

(3) Nothing in this section prevents any school district from establishing its own youth advisory council for inclusive curricula and equity.

(4) For the purposes of this section, "diversity," "equity," and "inclusion" have the same meanings as in RCW 28A.415.443."

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

On page 5, at the beginning of line 19, insert "to the extent the person is available, the regional inclusive curricula coordinator established under section 4 of this act."

On page 10, after line 17, insert the following:

"NEW SECTION. Sec. 6. A new section is added to chapter 28A.300 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the office of the superintendent of public instruction, in collaboration with the statewide association of educational service districts, the regional youth advisory councils for inclusive curricula and equity established under section 4 of this act, the legislative youth advisory council established under RCW 43.15.095, and the Washington state school directors' association, must create an open educational resource database for developing inclusive curricula. The office of the superintendent of public instruction must consult with the Washington state office of equity established in RCW 43.06D.020 and any other relevant state agencies when creating the database.

(2) The open educational resource database must include resources that include the histories, contributions, and perspectives of historically marginalized and underrepresented groups.

(3) The open educational resource database must facilitate the free use, adaptation, and sharing of these resources among school districts and certificated staff."

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

On page 1, line 4 of the title, after "RCW;" insert "adding a new section to chapter 28A.310 RCW; adding a new section to chapter 28A.300 RCW;"

MOTION

Senator Hawkins moved that the following amendment no. 0067 by Senator Hawkins be adopted:

On page 1, line 17, after "to" strike "promote and support" and insert "allow"

On page 2, line 4, after "district" strike "must" and insert "may"

On page 2, line 24, after "district" strike "must" and insert "may"

On page 2, line 29, after "council" strike "must" and insert "may"

On page 2, line 31, after "council" strike "must" and insert "may"

On page 2, line 36, after "council" strike "must" and insert "may"

On page 3, line 1, after "council" strike "must" and insert "may"

On page 3, beginning on line 6, after "(3)" strike all material through "(4)" on line 9

On page 3, at the beginning of line 13, strike all material through "act." on line 15 and insert the following:

"On page 5, line 26, after "committee." insert "The committee may include the regional inclusive curricula coordinator established under section 4 of this act."

On page 3, line 26, after "association," strike "must" and insert "may"

On page 3, line 28, after "instruction" strike "must" and insert "may"

On page 3, line 31, after "database" strike "must" and insert "may"

On page 3, line 34, after "database" strike "must" and insert "may"

Senators Hawkins and McCune spoke in favor of adoption of the amendment to the amendment.

Senators Wellman and Wilson, C. spoke against adoption of the amendment to the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0067 by Senator Hawkins on page 1, line 17 to amendment no. 0057.

The motion by Senator Hawkins did not carry and amendment no. 0067 was not adopted by voice vote.

Senator Wilson, C. spoke in favor of adoption of the amendment.

Senator Hawkins spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0057 by Senator Wilson, C. on page 1, line 16 to Senate Bill No. 5462.

The motion by Senator Wilson, C. carried and amendment no. 0057 was adopted by voice vote.

MOTION

Senator McCune moved that the following amendment no. 0075 by Senator McCune be adopted:

On page 10, line 16, after "(b)" insert "The office of the superintendent of public instruction must forward the updated state learning standards under (a) of this subsection to the education and fiscal committees of the legislature for review by December 15, 2024. The legislature must approve the updated state learning standards during a regular legislative session before the updated state learning standards are adopted by the office of the superintendent of public instruction and implemented by school districts.

(c)"

FIFTY FIRST DAY, FEBRUARY 28, 2023

Senators McCune and Hawkins spoke in favor of adoption of the amendment.

Senator Wellman spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0075 by Senator McCune on page 10, line 16 to Senate Bill No. 5462.

The motion by Senator McCune did not carry and amendment no. 0075 was not adopted by voice vote.

MOTION

On motion of Senator Liias, the rules were suspended, Engrossed Senate Bill No. 5462 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Liias, Wellman, Randall, Kauffman and Pedersen spoke in favor of passage of the bill.

Senators Hawkins, McCune, Short, Fortunato, Dozier and Wilson, J. spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5462.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5462 and the bill passed the Senate by the following vote: Yeas, 29; Nays, 19; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Liias, Lovelett, Lovick, Mullet, Nguyen, Nobles, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

Excused: Senator Boehnke

ENGROSSED SENATE BILL NO. 5462, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5581, by Senators Muzzall, Robinson, Braun, Rivers, Warnick, Cleveland, Hasegawa, Kuderer, Lovelett, Shewmake, Wilson, C., Wilson, J. and Wilson, L.

Developing strategies to reduce or eliminate deductibles for maternal support services and postpartum care.

MOTIONS

On motion of Senator Muzzall, Substitute Senate Bill No. 5581 was substituted for Senate Bill No. 5581 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Muzzall, the rules were suspended, Substitute Senate Bill No. 5581 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Muzzall spoke in favor of passage of the bill.

REMARKS BY THE PRESIDENT

President Heck: "Congratulations on the two grandchildren born in the last year Senator Muzzall. Not quite as good as a grandchild born in the last week, which the President is pleased to announce -- on Children's Day no less. Cameron Grace Heck, 8lbs. 4 oz. Welcome to the world granddaughter."

Senator Cleveland spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5581.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5581 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Boehnke

SUBSTITUTE SENATE BILL NO. 5581, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5242, by Senators Cleveland, Robinson, Dhingra, Frame, Hasegawa, Hunt, Keiser, Lovelett, Nobles, Pedersen, Randall, Saldaña, Salomon, Stanford, Valdez, Wellman and Wilson, C.

Prohibiting cost sharing for abortion.

The measure was read the second time.

MOTION

On motion of Senator Cleveland, the rules were suspended, Senate Bill No. 5242 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Cleveland spoke in favor of passage of the bill.

Senator Padden spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5242.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5242 and the bill passed the Senate by the following vote: Yeas, 29; Nays, 19; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Liias, Lovelett, Lovick, Mullet, Nguyen, Nobles, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

Excused: Senator Boehnke

SENATE BILL NO. 5242, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5370, by Senators Wagoner, Dhingra, Van De Wege and Wilson, C.

Concerning adult protective services.

The measure was read the second time.

MOTION

On motion of Senator Wagoner, the rules were suspended, Senate Bill No. 5370 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wagoner and Wilson, C. spoke in favor of passage of the bill.

MOTION

On motion of Senator Nobles, Senator Liias was excused.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5370.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5370 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Boehnke and Liias

SENATE BILL NO. 5370, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5729, by Senators Keiser, Cleveland, Hasegawa, Hunt, Kuderer, Nguyen, Shewmake, Stanford, Valdez and Wilson, C.

Extending the expiration date on the cost-sharing cap for insulin.

MOTIONS

On motion of Senator Keiser, Substitute Senate Bill No. 5729 was substituted for Senate Bill No. 5729 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5729, by Committee on Health & Long-Term Care (originally sponsored by Senators Keiser, Cleveland, Hasegawa, Hunt, Kuderer, Nguyen, Shewmake, Stanford, Valdez, and C. Wilson)

Revised for first Substitute: Removing the expiration date on the cost-sharing cap for insulin.

On motion of Senator Keiser, the rules were suspended, Substitute Senate Bill No. 5729 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Keiser and Rivers spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5729.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5729 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Boehnke and Liias

SUBSTITUTE SENATE BILL NO. 5729, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5365, by Senators Saldaña, Liias, Billig, Dhingra, Hunt, Lovelett, Nguyen, Pedersen, Randall, Robinson, Stanford, Valdez, Wellman and Wilson, C.

Preventing use of vapor and tobacco products by minors.

MOTION

On motion of Senator Saldaña, Substitute Senate Bill No. 5365 was substituted for Senate Bill No. 5365 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Liias moved that the following amendment no. 0081 by Senators Liias and Saldaña be adopted:

On page 2, after line 15, insert the following:

"**Sec. 2.** RCW 70.155.080 and 2002 c 175 s 47 are each amended to read as follows:

FIFTY FIRST DAY, FEBRUARY 28, 2023

(1) A person under the age of eighteen who purchases or attempts to purchase, possesses, or obtains or attempts to obtain cigarettes or tobacco products commits a class 3 civil infraction under chapter 7.80 RCW and is subject to ~~((a fine as set out in chapter 7.80 RCW or))~~ participation in up to four hours of community ~~((restitution, or both. The court may also require participation in))~~ service and referral to a smoking cessation program at no cost. This provision does not apply if a person under the age of eighteen, with parental authorization, is participating in a controlled purchase as part of a liquor ~~((control))~~ and cannabis board, law enforcement, or local health department activity.

(2) Municipal and district courts within the state have jurisdiction for enforcement of this section.

(3) Any officers issuing citations under this section must collect demographic data, which must be provided to the liquor and cannabis board. The liquor and cannabis board must compile this information into a statewide report and provide the report annually to the legislature.

Sec. 3. RCW 70.345.140 and 2016 sp.s. c 38 s 14 are each amended to read as follows:

(1) A person under the age of eighteen who purchases or attempts to purchase, possesses, or obtains or attempts to obtain vapor products commits a class 3 civil infraction under chapter 7.80 RCW and is subject to ~~((a fine as set out in chapter 7.80 RCW or))~~ participation in up to four hours of community ~~((restitution, or both. The court may also require participation in))~~ service and referral to a smoking cessation program at no cost. This provision does not apply if a person under the age of eighteen, with parental authorization, is participating in a controlled purchase as part of a board, law enforcement, or local health department activity.

(2) Municipal and district courts within the state have jurisdiction for enforcement of this section.

(3) Any officers issuing citations under this section must collect demographic data, which must be provided to the liquor and cannabis board. The liquor and cannabis board must compile this information into a statewide report and provide the report annually to the legislature."

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

On page 8, after line 17, strike all of section 7

On page 1, line 2 of the title, after "RCW" insert "70.155.080, 70.345.140,"

On page 1, line 3 of the title, after "70.155.120;" insert "and"

On page 1, line 4 of the title, after "sections" strike all material through "70.345.140"

Senators Liias and King spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0081 by Senators Liias and Saldaña on page 2, after line 15 to Substitute Senate Bill No. 5365.

The motion by Senator Liias carried and amendment no. 0081 was adopted by voice vote.

On motion of Senator Saldaña, the rules were suspended, Engrossed Substitute Senate Bill No. 5365 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Saldaña spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5365.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5365 and the bill passed the Senate by the following vote: Yeas, 29; Nays, 19; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hasegawa, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, Nguyen, Nobles, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, MacEwen, McCune, Mullet, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

Excused: Senator Boehnke

ENGROSSED SUBSTITUTE SENATE BILL NO. 5365, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5394, by Senators Randall, Dhingra, Keiser, Nguyen, Stanford, Valdez and Wilson, C.

Concerning malpractice insurance for international medical graduate supervisors.

The measure was read the second time.

MOTION

On motion of Senator Randall, the rules were suspended, Senate Bill No. 5394 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Randall and Rivers spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5394.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5394 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Boehnke

SENATE BILL NO. 5394, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5066, by Senators Short, Rolfes, Cleveland and Conway

Concerning health care benefit managers.

The measure was read the second time.

MOTION

On motion of Senator Short, the rules were suspended, Senate Bill No. 5066 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Short and Cleveland spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5066.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5066 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Boehnke

SENATE BILL NO. 5066, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5648, by Senators Wellman, Randall, Nguyen, Nobles and Wilson, C.

Including state-tribal education compact schools and charter schools as entities able to receive waivers from the state board of education.

MOTIONS

On motion of Senator Wellman, Substitute Senate Bill No. 5648 was substituted for Senate Bill No. 5648 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Wellman, the rules were suspended, Substitute Senate Bill No. 5648 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wellman and Hawkins spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5648.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5648 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Boehnke

SUBSTITUTE SENATE BILL NO. 5648, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 3:41 p.m., on motion of Senator Pedersen, the Senate was declared to be at ease subject to the call of the President.

Senator Warnick announced a meeting of the Republican Caucus.

The Senate was called to order at 4:11 p.m. by President Heck.

SECOND READING

SENATE BILL NO. 5256, by Senators Saldaña, Wilson, C., Frame, Hasegawa, Hunt, Kuderer, Lovelett, Lovick, Nguyen, Nobles, Robinson, Valdez and Wellman

Making permanent and expanding the child welfare housing assistance program.

MOTIONS

On motion of Senator Saldaña, Substitute Senate Bill No. 5256 was substituted for Senate Bill No. 5256 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Saldaña, the rules were suspended, Substitute Senate Bill No. 5256 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Saldaña and Warnick spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5256.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5256 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Boehnke

FIFTY FIRST DAY, FEBRUARY 28, 2023

SUBSTITUTE SENATE BILL NO. 5256, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5452, by Senators Shewmake, Billig, Hasegawa, Kuderer, Liias, Nguyen, Pedersen, Saldaña and Valdez

Authorizing impact fee revenue to fund improvements to bicycle and pedestrian facilities.

The measure was read the second time.

MOTION

On motion of Senator Pedersen, further consideration of Senate Bill No. 5452 was deferred, and the bill held its place on the second reading calendar.

SECOND READING

SENATE BILL NO. 5182, by Senators Nguyen, Hunt, Boehnke, Keiser, MacEwen, Nobles, Shewmake, Trudeau, Wilson, C. and Wilson, J.

Concerning procedures and deadlines for candidate filing.

MOTIONS

On motion of Senator Nguyen, Substitute Senate Bill No. 5182 was substituted for Senate Bill No. 5182 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Nguyen, the rules were suspended, Substitute Senate Bill No. 5182 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Nguyen and Wilson, J. spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5182.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5182 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Boehnke

SUBSTITUTE SENATE BILL NO. 5182, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The senate resumed consideration of Senate Bill No. 5452 which had been deferred earlier in the day.

SECOND READING

SENATE BILL NO. 5452, by Senators Shewmake, Billig, Hasegawa, Kuderer, Liias, Nguyen, Pedersen, Saldaña and Valdez

Authorizing impact fee revenue to fund improvements to bicycle and pedestrian facilities.

The measure was read the second time.

MOTION

Senator King moved that the following amendment no. 0084 by Senator King be adopted:

On page 3, line 6, after "(7)" insert "(a)"

Reletter the remaining subsections consecutively.

On page 3, line 7, after "streets" strike "~~(and)~~" and insert "and"

On page 3, beginning on line 8, after "roads" strike all material through "use" on line 9

On page 3, after line 11, insert the following:

"(b) "Public facilities" includes bicycle and pedestrian facilities that were designed with multimodal commuting as an intended use for cities that meet at least one of the following criteria: (i) Has a population of at least 70,000, but no more than 80,000 and located within a county with a population of at least 2,000,000; or (ii) can demonstrate that paying for such a facility with fees collected under this chapter is less costly than using other funding sources to complete the project."

Senator King spoke in favor of adoption of the amendment.

Senator Lovelett spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0084 by Senator King on page 3, line 6 to Senate Bill No. 5452.

The motion by Senator King did not carry and amendment no. 0084 was not adopted by voice vote.

MOTION

On motion of Senator Shewmake, the rules were suspended, Senate Bill No. 5452 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Shewmake and Torres spoke in favor of passage of the bill.

Senator King spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5452.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5452 and the bill passed the Senate by the following vote: Yeas, 34; Nays, 14; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hasegawa, Hawkins, Hunt, Kauffman, Keiser, Kuderer, Liias, Lovelett, Lovick, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon,

Shewmake, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wellman, Wilson, C. and Wilson, J.

Voting nay: Senators Braun, Dozier, Fortunato, Gildon, Holy, King, MacEwen, McCune, Padden, Schoesler, Short, Wagoner, Warnick and Wilson, L.

Excused: Senator Boehnke

SENATE BILL NO. 5452, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5627, by Senator Hunt

Concerning salaries for county commissioners and councilmembers.

MOTIONS

On motion of Senator Hunt, Substitute Senate Bill No. 5627 was substituted for Senate Bill No. 5627 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Hunt, the rules were suspended, Substitute Senate Bill No. 5627 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hunt and Torres spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5627.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5627 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Boehnke

SUBSTITUTE SENATE BILL NO. 5627, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5050, by Senators Wellman, Hunt, Keiser, Kuderer, McCune, Nobles, Rolfes, Wagoner and Wilson, C.

Concerning informed consent for breast implant surgery.

MOTIONS

On motion of Senator Wellman, Substitute Senate Bill No. 5050 was substituted for Senate Bill No. 5050 and the substitute bill was placed on the second reading and read the second time.

Senator Wellman moved that the following striking amendment no. 0033 by Senator Wellman be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) The legislature finds that every person undergoing breast implant surgery should be provided complete information about potential risks, symptoms, and complications involved before the surgery.

(2) A survey of over 5,000 individuals who received breast implants found that 84 percent believed they were not given enough time and information to make an informed decision about the breast implant surgery.

(3) In October 2019, the food and drug administration recommended a warning label on all breast implants.

(4) Therefore, the legislature intends to require physicians to provide patients with a checklist of information and receive informed consent to empower patients to make their own choices when it comes to any risks involved in a breast implant surgery.

NEW SECTION. Sec. 2. A new section is added to chapter 18.130 RCW to read as follows:

(1) Beginning January 1, 2024, during the first consultation before breast implant surgery is performed, a physician licensed under chapter 18.71 RCW or an osteopathic physician licensed under chapter 18.57 RCW must provide the patient with the following information in writing or in electronic format:

(a) A description of the risks of breast implants and a description of the surgical procedures used in breast implant surgery;

(b) Notice that breast implants are not considered lifetime devices, the chance of developing complications increases over time, and some complications will require more surgery;

(c) Manufacturer patient information materials on the implants that are to be used in the surgery, including warning requirements prescribed by the United States food and drug administration;

(d) Information on any surgical mesh used during breast implant surgery including, but not limited to, mesh made of nondegradable synthetic materials, biodegradable synthetic materials, or animal or human derived tissues. This information must include a warning that no surgical mesh has been approved by the food and drug administration for use with breast implants;

(e) Information on breast implant-associated anaplastic large cell lymphoma, including notice that breast implant-associated anaplastic large cell lymphoma occurs more commonly in patients with textured breast implants than smooth implants, and deaths have occurred;

(f) Information on breast implant illness;

(g) Information on the systemic symptoms association with breast implants;

(h) Information on the national breast implant registry; and

(i) Information on how a patient can report adverse events associated with breast implants through the United States food and drug administration's medwatch program or any similar program.

(2) The information provided must be based on the information that is generally available to physicians who specialize in breast implant surgery.

(3) After providing the information required by subsection (1) of this section, a physician or osteopathic physician must obtain written informed consent for the procedure from the patient before performing the breast implant surgery.

(4) A violation of this section constitutes unprofessional conduct under this chapter."

FIFTY FIRST DAY, FEBRUARY 28, 2023

On page 1, line 1 of the title, after "surgery;" strike the remainder of the title and insert "adding a new section to chapter 18.130 RCW; and creating a new section."

Senators Wellman and Wilson, L. spoke in favor of adoption of the striking amendment.

The President declared the question before the Senate to be the adoption of striking amendment no. 0033 by Senator Wellman to Substitute Senate Bill No. 5050.

The motion by Senator Wellman carried and striking amendment no. 0033 was adopted by voice vote.

MOTION

On motion of Senator Wellman, the rules were suspended, Engrossed Substitute Senate Bill No. 5050 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wellman and Fortunato spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5050.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5050 and the bill passed the Senate by the following vote: Yeas, 43; Nays, 5; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, King, Kuderer, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senators Cleveland, Keiser, Lias, Randall and Robinson

Excused: Senator Boehnke

ENGROSSED SUBSTITUTE SENATE BILL NO. 5050, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5396, by Senators Wilson, L., Boehnke, Frame, Hunt, Kauffman, Kuderer, Rivers, Rolfes, Shewmake, Valdez and Warnick

Concerning cost sharing for diagnostic and supplemental breast examinations.

MOTIONS

On motion of Senator Wilson, L., Substitute Senate Bill No. 5396 was substituted for Senate Bill No. 5396 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Wilson, L., the rules were suspended, Substitute Senate Bill No. 5396 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wilson, L. and Cleveland spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5396.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5396 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Boehnke

SUBSTITUTE SENATE BILL NO. 5396, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5459, by Senators Hunt, Kuderer, Valdez and Wilson, C.

Concerning requests for records containing election information.

The measure was read the second time.

MOTION

On motion of Senator Nguyen, the rules were suspended, Senate Bill No. 5459 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hunt and Wilson, J. spoke in favor of passage of the bill.

Senator Wagoner spoke against passage of the bill.

MOTION

On motion of Senator Nobles, Senator Kuderer was excused.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5459.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5459 and the bill passed the Senate by the following vote: Yeas, 43; Nays, 4; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Stanford, Torres, Trudeau, Valdez, Van De Wege, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senators Gildon, Padden, Short and Wagoner
Excused: Senators Boehnke and Kuderer

SENATE BILL NO. 5459, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5080, by Senators Saldaña, Conway, Frame, Hasegawa, Kuderer, Lovelett, Nguyen, Nobles and Stanford

Expanding and improving the social equity in cannabis program.

MOTIONS

On motion of Senator Saldaña, Second Substitute Senate Bill No. 5080 was substituted for Senate Bill No. 5080 and the substitute bill was placed on the second reading and read the second time.

Senator Saldaña moved that the following amendment no. 0083 by Senators Saldaña and Rivers be adopted:

On page 8, line 10, after "(11)" insert "The board may not issue a cannabis retail license for any premises not currently licensed if:

(a) The board receives a written objection from an official representative or representatives of an incorporated city or town, or county legislative authority, relating to the physical location of the proposed premises;

(b) The objection to the location from the incorporated city or town, or county legislative authority, is received by the board within 20 days of the board notifying the incorporated city or town, or county legislative authority, of the proposed cannabis retail location; and

(c) The objection to the issuance of a cannabis retail license at the specified location is based on a preexisting local ordinance limiting outlet density in a specific geographic area.

(12)"

On page 8, beginning on line 35, after "chapter." strike all material through "subsection." on line 37

On page 8, line 38, after "(b)" insert "In accordance with (a) of this subsection, the board may issue or reissue:

(i) Up to 100 cannabis processor licenses immediately; and

(ii) Beginning January 1, 2025, up to 10 cannabis producer licenses, which must be issued in conjunction with a cannabis processor license.

(c)"

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

On page 8, line 38, after "licenses" insert "and cannabis producer licenses"

On page 8, line 39, after "(a)" insert "and (b)"

On page 9, line 3, after "licenses" insert "and cannabis producer licenses"

On page 19, after line 27, insert the following:

NEW SECTION. Sec. 6. (1) The joint legislative audit and review committee must review prior canopy studies completed by the liquor and cannabis board and examine whether current levels of cannabis production align with market demand and capacity, including the impact of any additional cannabis producer licenses granted under this act.

(2) The joint legislative audit and review committee must report results of their review to the governor and appropriate committees of the legislature by June 30, 2025."

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

On page 1, line 3, after "and 69.50.345;" insert "creating a new section;"

Senators Saldaña and Rivers spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0083 by Senators Saldaña and Rivers on page 8, line 10 to Second Substitute Senate Bill No. 5080.

The motion by Senator Saldaña carried and amendment no. 0083 was adopted by voice vote.

MOTION

Senator Mullet moved that the following amendment no. 0077 by Senator Mullet be adopted:

On page 9, beginning on line 13, after "(d)" strike all material through "69.50.345" on line 21 and insert: "(i) At the time of licensure, all licenses issued under the social equity program under this section may be located in any city, town, or county in the state that allows cannabis retail or cannabis processing business activity at the proposed location, regardless of:

(A) Whether a cannabis retailer license or cannabis processor license was originally allocated to or issued in another city, town, or county; and

(B) The maximum number of retail cannabis licenses established by the board for each county under RCW 69.50.345.

(ii) The board must adopt rules establishing a threshold of the number of licenses created by this section that can be located in each county"

Senators Mullet and Rivers spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0077 by Senator Mullet on page 9, line 13 to Second Substitute Senate Bill No. 5080.

The motion by Senator Mullet carried and amendment no. 0077 was adopted by voice vote.

MOTION

On motion of Senator Saldaña, the rules were suspended, Engrossed Second Substitute Senate Bill No. 5080 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Saldaña, Rivers, Keiser, Mullet and King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 5080.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5080 and the bill passed the Senate by the following vote: Yeas, 32; Nays, 15; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hasegawa, Holy, Hunt, Kauffman, Keiser, King, Liias, Lovelett, Lovick, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon,

FIFTY FIRST DAY, FEBRUARY 28, 2023

Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Braun, Dozier, Fortunato, Gildon, Hawkins, MacEwen, McCune, Padden, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

Excused: Senators Boehnke and Kuderer

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5080, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5405, by Senators King, Keiser and Wilson, C.

Modifying the liquor and cannabis board's subpoena authority.

MOTIONS

On motion of Senator King, Substitute Senate Bill No. 5405 was substituted for Senate Bill No. 5405 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator King, the rules were suspended, Substitute Senate Bill No. 5405 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators King and Keiser spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5405.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5405 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Boehnke and Kuderer

SUBSTITUTE SENATE BILL NO. 5405, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5576, by Senators Dhingra, Kuderer, Lovelett, Nobles, Saldaña, Trudeau, Valdez and Wilson, C.

Concerning sexual assault procedures.

MOTIONS

On motion of Senator Dhingra, Substitute Senate Bill No. 5576 was substituted for Senate Bill No. 5576 and the substitute bill was placed on the second reading and read the second time.

Senator Dhingra moved that the following striking amendment no. 0070 by Senator Dhingra be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 43.43.754 and 2021 c 215 s 149 are each amended to read as follows:

(1) A biological sample must be collected for purposes of DNA identification analysis from:

(a) Every adult or juvenile individual convicted of a felony, or any of the following crimes (or equivalent juvenile offenses):

(i) Assault in the fourth degree where domestic violence as defined in RCW 9.94A.030 was pleaded and proven (RCW 9A.36.041, 9.94A.030);

(ii) Assault in the fourth degree with sexual motivation (RCW 9A.36.041, 9.94A.835);

(iii) Communication with a minor for immoral purposes (RCW 9.68A.090);

(iv) Custodial sexual misconduct in the second degree (RCW 9A.44.170);

(v) Failure to register (chapter 9A.44 RCW);

(vi) Harassment (RCW 9A.46.020);

(vii) Patronizing a prostitute (RCW 9A.88.110);

(viii) Sexual misconduct with a minor in the second degree (RCW 9A.44.096);

(ix) Stalking (RCW 9A.46.110);

(x) Indecent exposure (RCW 9A.88.010);

(xi) Violation of a sexual assault protection order granted under chapter 7.105 RCW or former chapter 7.90 RCW; and

(b) Every adult or juvenile individual who is required to register under RCW 9A.44.130.

(2)(a) A municipal jurisdiction may also submit any biological sample to the laboratory services bureau of the Washington state patrol for purposes of DNA identification analysis when:

(i) The sample was collected from a defendant upon conviction for a municipal offense where the underlying ordinance does not adopt the relevant state statute by reference but the offense is otherwise equivalent to an offense in subsection (1)(a) of this section;

(ii) The equivalent offense in subsection (1)(a) of this section was an offense for which collection of a biological sample was required under this section at the time of the conviction; and

(iii) The sample was collected on or after June 12, 2008, and before January 1, 2020.

(b) When submitting a biological sample under this subsection, the municipal jurisdiction must include a signed affidavit from the municipal prosecuting authority of the jurisdiction in which the conviction occurred specifying the state crime to which the municipal offense is equivalent.

(3) Law enforcement may submit to the forensic laboratory services bureau of the Washington state patrol, for purposes of DNA identification analysis, any lawfully obtained biological sample within its control from a deceased offender who was previously convicted of an offense under subsection (1)(a) of this section, regardless of the date of conviction.

(4) If the Washington state patrol crime laboratory already has a DNA sample from an individual for a qualifying offense, a subsequent submission is not required to be submitted.

(5) Biological samples shall be collected in the following manner:

(a)(i) For persons convicted of any offense listed in subsection (1)(a) of this section or adjudicated guilty of an equivalent juvenile offense, who do not serve a term of confinement in a department of corrections facility or a department of children, youth, and families facility, and are serving a term of confinement

in a city or county jail facility, the city or county jail facility shall be responsible for obtaining the biological samples prior to the person's release from confinement.

(ii) If the biological sample is not collected prior to the person's release from confinement, the responsible city or county jail facility will notify the sentencing court within three business days of the person's release that it has released the person without collecting the person's biological sample. Within 10 days of receiving notice of the person's release, the sentencing court shall schedule a compliance hearing. The local police department or sheriff's office shall serve the person with notice of the compliance hearing and shall file proof of service with the sentencing court. A representative of the local police department or sheriff's office shall attend the compliance hearing and obtain the person's biological sample at the hearing. All attorneys' fees and court costs associated with scheduling and attending the compliance hearing shall be paid for by the city or county jail facility that failed to collect the person's biological sample at the time of the person's confinement.

(b) The local police department or sheriff's office shall be responsible for obtaining the biological samples for:

(i) Persons convicted of any offense listed in subsection (1)(a) of this section or adjudicated guilty of an equivalent juvenile offense, who do not serve a term of confinement in a department of corrections facility, department of children, youth, and families facility, or a city or county jail facility; and

(ii) Persons who are required to register under RCW 9A.44.130.

(c)(i) For persons convicted of any offense listed in subsection (1)(a) of this section or adjudicated guilty of an equivalent juvenile offense, who are serving or who are to serve a term of confinement in a department of corrections facility or a department of children, youth, and families facility, the facility holding the person shall be responsible for obtaining the biological samples as part of the intake process. If the facility did not collect the biological sample during the intake process, then the facility shall collect the biological sample as soon as is practicable prior to the person's release from confinement. For those persons incarcerated before June 12, 2008, who have not yet had a biological sample collected, priority shall be given to those persons who will be released the soonest.

(ii) If the biological sample is not collected prior to the person's release from confinement, the responsible department of corrections facility or department of children, youth, and families facility will notify the sentencing court within three business days of the person's release that it has released the person without collecting the person's biological sample. Within 10 days of receiving notice of the person's release, the sentencing court shall schedule a compliance hearing. The local police department or sheriff's office shall serve the person with notice of the compliance hearing and shall file proof of service with the sentencing court. A representative of the local police department or sheriff's office shall attend the compliance hearing and obtain the person's biological sample at the hearing. All attorneys' fees and court costs associated with scheduling and attending the compliance hearing shall be paid for by the department of corrections facility or department of children, youth, and families facility that failed to collect the person's biological sample at the time of the person's confinement.

(d) For persons convicted of any offense listed in subsection (1)(a) of this section or adjudicated guilty of an equivalent juvenile offense, who will not serve a term of confinement, the court shall: ~~Order the person to ((report to the local police department or sheriff's office as provided under subsection (5)(b)(i) of this section within a reasonable period of time~~

~~established by the court in order to provide a biological sample)) be administratively booked at a city or county jail facility for the sole purpose of providing a biological sample; or if the local police department or sheriff's office has a protocol for collecting the biological sample in the courtroom, order the person to immediately provide the biological sample to the local police department or sheriff's office before leaving the presence of the court. The court must further inform the person that refusal to provide a biological sample is a gross misdemeanor under this section.~~

(e) For persons convicted of any offense listed in subsection (1)(a) of this section or adjudicated guilty of an equivalent juvenile offense, the court must create and implement a biological sample collection protocol. The court shall order the biological samples at the time of sentencing. The court must inform the person that refusal to provide a biological sample is a gross misdemeanor under this section. If the biological sample is not collected at the time of sentencing, then the biological sample shall be collected pursuant to (a) through (d) of this subsection, and the court shall schedule a compliance hearing within 10 days of the sentencing to ensure that the biological sample has been collected.

(6) Any biological sample taken pursuant to RCW 43.43.752 through 43.43.758 may be retained by the forensic laboratory services bureau, and shall be used solely for the purpose of providing DNA or other tests for identification analysis and prosecution of a criminal offense or for the identification of human remains or missing persons. Nothing in this section prohibits the submission of results derived from the biological samples to the federal bureau of investigation combined DNA index system.

(7) The forensic laboratory services bureau of the Washington state patrol is responsible for testing performed on all biological samples that are collected under this section, to the extent allowed by funding available for this purpose. Known duplicate samples may be excluded from testing unless testing is deemed necessary or advisable by the director.

(8) This section applies to:

(a) All adults and juveniles to whom this section applied prior to June 12, 2008;

(b) All adults and juveniles to whom this section did not apply prior to June 12, 2008, who:

(i) Are convicted on or after June 12, 2008, of an offense listed in subsection (1)(a) of this section on the date of conviction; or

(ii) Were convicted prior to June 12, 2008, of an offense listed in subsection (1)(a) of this section and are still incarcerated on or after June 12, 2008;

(c) All adults and juveniles who are required to register under RCW 9A.44.130 on or after June 12, 2008, whether convicted before, on, or after June 12, 2008; and

(d) All samples submitted under subsections (2) and (3) of this section.

(9) This section creates no rights in a third person. No cause of action may be brought based upon the noncollection or nonanalysis or the delayed collection or analysis of a biological sample authorized to be taken under RCW 43.43.752 through 43.43.758.

(10) The detention, arrest, or conviction of a person based upon a database match or database information is not invalidated if it is determined that the sample was obtained or placed in the database by mistake, or if the conviction or juvenile adjudication that resulted in the collection of the biological sample was subsequently vacated or otherwise altered in any future proceeding including but not limited to posttrial or postfact-finding motions, appeals, or collateral attacks. No cause

FIFTY FIRST DAY, FEBRUARY 28, 2023

of action may be brought against the state based upon the analysis of a biological sample authorized to be taken pursuant to a municipal ordinance if the conviction or adjudication that resulted in the collection of the biological sample was subsequently vacated or otherwise altered in any future proceeding including, but not limited to, posttrial or postfact-finding motions, appeals, or collateral attacks.

(11) A person commits the crime of refusal to provide DNA if the person willfully refuses to comply with a legal request for a DNA sample as required under this section. The refusal to provide DNA is a gross misdemeanor.

Sec. 2. RCW 9A.44.020 and 2013 c 302 s 7 are each amended to read as follows:

(1) In order to convict a person of any crime defined in this chapter it shall not be necessary that the testimony of the alleged victim be corroborated.

(2) Evidence of the victim's past sexual behavior including but not limited to the victim's marital history((~~§~~); divorce history((~~§~~); ((~~§~~)) general reputation for promiscuity, nonchastity, or sexual mores contrary to community standards; or social media account, including any text, image, video, or picture, which depict sexual content, sexual history, nudity or partial nudity, intimate sexual activity, communications about sexual activity, communications about sex, sexual fantasies, and other information that appeals to a prurient interest is inadmissible on the issue of credibility and is inadmissible to prove the victim's consent except as provided in subsection (3) of this section, but when the perpetrator and the victim have engaged in sexual intercourse with each other in the past, and when the past behavior is material to the issue of consent, evidence concerning the past behavior between the perpetrator and the victim may be admissible on the issue of consent to the offense.

(3) In any prosecution for the crime of rape, trafficking pursuant to RCW 9A.40.100, or any of the offenses in chapter 9.68A RCW, or for an attempt to commit, or an assault with an intent to commit any such crime evidence of the victim's past sexual behavior including but not limited to the victim's marital behavior((~~§~~); divorce history((~~§~~); ((~~§~~)) general reputation for promiscuity, nonchastity, or sexual mores contrary to community standards; or social media account, including any text, image, video, or picture, which depict sexual content, sexual history, nudity or partial nudity, intimate sexual activity, communications about sexual activity, communications about sex, sexual fantasies, and other information that appeals to a prurient interest is not admissible if offered to attack the credibility of the victim and is admissible on the issue of consent, except where prohibited in the underlying criminal offense, only pursuant to the following procedure:

(a) A written pretrial motion shall be made by the defendant to the court and prosecutor stating that the defense has an offer of proof of the relevancy of evidence of the past sexual behavior of the victim proposed to be presented and its relevancy on the issue of the consent of the victim.

(b) The written motion shall be accompanied by an affidavit or affidavits in which the offer of proof shall be stated.

(c) If the court finds that the offer of proof is sufficient, the court shall order a hearing out of the presence of the jury, if any, and the hearing shall be closed except to the necessary witnesses, the defendant, counsel, and those who have a direct interest in the case or in the work of the court.

(d) At the conclusion of the hearing, if the court finds that the evidence proposed to be offered by the defendant regarding the past sexual behavior of the victim is relevant to the issue of the victim's consent; is not inadmissible because its probative value is substantially outweighed by the probability that its admission will

create a substantial danger of undue prejudice; and that its exclusion would result in denial of substantial justice to the defendant; the court shall make an order stating what evidence may be introduced by the defendant, which order may include the nature of the questions to be permitted. The defendant may then offer evidence pursuant to the order of the court.

(4) Nothing in this section shall be construed to prohibit cross-examination of the victim on the issue of past sexual behavior when the prosecution presents evidence in its case in chief tending to prove the nature of the victim's past sexual behavior, but the court may require a hearing pursuant to subsection (3) of this section concerning such evidence."

On page 1, line 1 of the title, after "procedures;" strike the remainder of the title and insert "and amending RCW 43.43.754 and 9A.44.020."

Senators Dhingra and Padden spoke in favor of adoption of the striking amendment.

The President declared the question before the Senate to be the adoption of striking amendment no. 0070 by Senator Dhingra to Substitute Senate Bill No. 5576.

The motion by Senator Dhingra carried and striking amendment no. 0070 was adopted by voice vote.

MOTION

On motion of Senator Dhingra, the rules were suspended, Engrossed Substitute Senate Bill No. 5576 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Dhingra and Padden spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5576.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5576 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Boehnke and Kuderer

ENGROSSED SUBSTITUTE SENATE BILL NO. 5576, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5371, by Senators Lovelett, Shewmake, Hasegawa, Hunt, Keiser, Kuderer, Nguyen, Pedersen, Randall, Robinson, Rolfes, Saldaña, Valdez, Wellman and Wilson, C.

Protecting southern resident orcas from vessels.

MOTIONS

On motion of Senator Lovelett, Substitute Senate Bill No. 5371 was substituted for Senate Bill No. 5371 and the substitute bill was placed on the second reading and read the second time.

Senator Lovelett moved that the following amendment no. 0080 by Senator Lovelett be adopted:

On page 3, after line 28, insert the following:

"NEW SECTION. Sec. 2. (1) The department of fish and wildlife must convene a diverse work group including, but not limited to, representatives from nongovernmental organizations, recreational boaters, the commercial whale watching industry, commercial fishers, ports and marinas, relevant government entities, tribes, and the southern resident orca research community to inform the development of outreach and education strategies to implement RCW 77.15.740(6). A report summarizing the work of the work group and the department of fish and wildlife's outreach strategies must be included in the 2024 adaptive management report identified in RCW 77.65.620(5). The department of fish and wildlife must conduct intensive outreach and education in fiscal year 2024 and the first half of 2025 to implement the work group outreach recommendations.

(2) This section expires June 30, 2025."

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

On page 3, line 36, after "annual" strike "fees" and insert "~~(fees)~~ application"

On page 8, line 14, after "1," strike "2024" and insert "2025"

On page 1, line 2 of the title, after "77.15.815;" insert "creating a new section;" and on line 3, after "penalties;" strike the remainder of the title and insert "providing an effective date; and providing an expiration date."

Senator Lovelett spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0080 by Senator Lovelett on page 3, after line 10 to Substitute Senate Bill No. 5371.

The motion by Senator Lovelett carried and amendment no. 0080 was adopted by voice vote.

MOTION

On motion of Senator Lovelett, the rules were suspended, Engrossed Substitute Senate Bill No. 5371 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Lovelett spoke in favor of passage of the bill.

Senator Muzzall spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5371.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5371 and the bill passed the Senate by the following vote: Yeas, 29; Nays, 18; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hasegawa, Hawkins, Hunt, Kauffman, Keiser, Lias, Lovelett, Lovick, Mullet, Nguyen, Nobles, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Braun, Dozier, Fortunato, Gildon, Holy, King, MacEwen, McCune, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

Excused: Senators Boehnke and Kuderer

ENGROSSED SUBSTITUTE SENATE BILL NO. 5371, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5240, by Senators Braun, Keiser and Mullet

Concerning unemployment insurance benefits appeal procedures.

The measure was read the second time.

MOTION

On motion of Senator Braun, the rules were suspended, Senate Bill No. 5240 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Braun and Conway spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5240.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5240 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Boehnke and Kuderer

SENATE BILL NO. 5240, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 6:13 p.m., on motion of Senator Pedersen, the Senate adjourned until 9 o'clock a.m. Wednesday, March 1, 2023.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

FIFTY SECOND DAY

MORNING SESSION

Senate Chamber, Olympia
Wednesday, March 1, 2023

The Senate was called to order at 9 o'clock a.m. by the President of the Senate, Lt. Governor Heck presiding. The Secretary called the roll and announced to the President that all Senators were present with the exception of Senator Boehnke.

The Sergeant at Arms Color Guard consisting of Pages Miss Vivian Basinski and Mr. Judson Knoll, presented the Colors. Page Mr. Josh Miovic led the Senate in the Pledge of Allegiance.

The prayer was offered by Reverend Pam Brokaw, Montesano and Elma United Methodist Churches.

MOTIONS

On motion of Senator Pedersen, the reading of the Journal of the previous day was dispensed with and it was approved.

On motion of Senator Pedersen, the Senate advanced to the fourth order of business.

MESSAGES FROM THE HOUSE

February 28, 2023

MR. PRESIDENT:

The House has passed:

- SUBSTITUTE HOUSE BILL NO. 1012,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1033,
- SUBSTITUTE HOUSE BILL NO. 1077,
- SUBSTITUTE HOUSE BILL NO. 1085,
- SUBSTITUTE HOUSE BILL NO. 1138,
- SUBSTITUTE HOUSE BILL NO. 1177,
- ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1188,
- HOUSE BILL NO. 1221,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1222,
- HOUSE BILL NO. 1230,
- SUBSTITUTE HOUSE BILL NO. 1250,
- HOUSE BILL NO. 1257,
- SUBSTITUTE HOUSE BILL NO. 1266,
- SUBSTITUTE HOUSE BILL NO. 1288,
- SUBSTITUTE HOUSE BILL NO. 1289,
- HOUSE BILL NO. 1290,
- SUBSTITUTE HOUSE BILL NO. 1323,
- HOUSE BILL NO. 1334,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1340,
- HOUSE BILL NO. 1349,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1377,
- SECOND SUBSTITUTE HOUSE BILL NO. 1391,
- HOUSE BILL NO. 1407,
- HOUSE BILL NO. 1419,
- HOUSE BILL NO. 1420,
- SUBSTITUTE HOUSE BILL NO. 1458,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1469,
- SECOND SUBSTITUTE HOUSE BILL NO. 1470,
- SUBSTITUTE HOUSE BILL NO. 1499,
- SUBSTITUTE HOUSE BILL NO. 1501,
- SUBSTITUTE HOUSE BILL NO. 1504,
- HOUSE BILL NO. 1507,
- HOUSE BILL NO. 1540,
- HOUSE BILL NO. 1552,
- HOUSE BILL NO. 1624,

- HOUSE BILL NO. 1695,
- HOUSE BILL NO. 1737,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1758,
- HOUSE BILL NO. 1771,
- HOUSE BILL NO. 1772,
- HOUSE BILL NO. 1775,
- HOUSE BILL NO. 1792,

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

February 28, 2023

MR. PRESIDENT:

The Speaker has signed

SENATE CONCURRENT RESOLUTION NO. 8404.

and the same is herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

MOTION

On motion of Senator Pedersen, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

ESHB 1037 by House Committee on Civil Rights & Judiciary (originally sponsored by Walsh)

AN ACT Relating to family burial grounds on privately owned property; amending RCW 68.05.400, 68.20.010, 68.20.140, and 68.50.130; adding a new section to chapter 68.04 RCW; and adding a new chapter to Title 68 RCW.

Referred to Committee on Law & Justice.

2SHB 1039 by House Committee on Appropriations (originally sponsored by Macri, Harris, Corry, Duerr, Riccelli, Chambers, Goodman, Reed, Fitzgibbon, Pollet, Ryu, Paul, Thai, Springer, Stonier, Kloba, Santos and Ormsby)

AN ACT Relating to physical therapists performing intramuscular needling; amending RCW 18.74.010; and adding a new section to chapter 18.74 RCW.

Referred to Committee on Health & Long-Term Care.

ESHB 1051 by House Committee on Consumer Protection & Business (originally sponsored by Leavitt, Walen, Simmons, Ryu, Goodman, Fitzgibbon, Pollet, Doglio, Orwall, Macri, Timmons, Wylie, Bronoske, Ramos, Thai and Kloba)

AN ACT Relating to robocalling and telephone scams; amending RCW 80.36.400, 80.36.390, and 19.158.020; creating a new section; and prescribing penalties.

Referred to Committee on Law & Justice.

HB 1061 by Representatives Ryu, Corry and Reeves
AN ACT Relating to the elimination of preclicensing education requirements for licensed insurance producers; and amending RCW 48.17.090.

Referred to Committee on Business, Financial Services, Gaming & Trade.

SHB 1079 by House Committee on Health Care & Wellness (originally sponsored by Thai, Slatter and Ryu)

AN ACT Relating to rapid whole genome sequencing; amending RCW 74.09.520; creating a new section; and providing an expiration date.

Referred to Committee on Health & Long-Term Care.

SHB 1088 by House Committee on Civil Rights & Judiciary (originally sponsored by Walen and Reeves)

AN ACT Relating to the uniform family law arbitration act; adding a new chapter to Title 26 RCW; and providing an effective date.

Referred to Committee on Law & Justice.

E2SHB 1170 by House Committee on Appropriations (originally sponsored by Street, Couture, Berry, Ramel, Fitzgibbon, Lekanoff, Duerr, Thai and Pollet)

AN ACT Relating to improving climate resilience through updates to the state's integrated climate response strategy; amending RCW 70A.05.010, 70A.05.020, 70A.05.030, and 70A.05.040; adding new sections to chapter 70A.05 RCW; and creating a new section.

Referred to Committee on Environment, Energy & Technology.

ESHB 1173 by House Committee on Environment & Energy (originally sponsored by Connors, Klicker and Rude)

AN ACT Relating to reducing light pollution associated with certain energy infrastructure; amending RCW 43.21B.110; adding a new section to chapter 43.21C RCW; adding a new chapter to Title 70A RCW; prescribing penalties; and declaring an emergency.

Referred to Committee on Environment, Energy & Technology.

2SHB 1204 by House Committee on Appropriations (originally sponsored by Callan, Eslick, Leavitt, Bateman, Kloba, Reed, Simmons, Doglio, Goodman, Ortiz-Self, McEntire, Davis and Pollet)

AN ACT Relating to implementing the family connections program; amending RCW 74.13.715; creating a new section; providing an effective date; and declaring an emergency.

Referred to Committee on Human Services.

SHB 1207 by House Committee on Education (originally sponsored by Senn, Rude, Fey, Reed, Bergquist, Ramel, Doglio, Callan, Thai and Pollet)

AN ACT Relating to preventing and responding to harassment, intimidation, bullying, and discrimination in schools by requiring distribution of related policies and complaint procedures, designation of a primary contact for compliance with nondiscrimination laws, and changing a prejudicial student discipline term; amending RCW 28A.300.042 and 28A.600.015; adding a new section to chapter 28A.300 RCW; adding a new section to chapter 28A.642 RCW; and adding a new section to chapter 28A.600 RCW.

Referred to Committee on Early Learning & K-12 Education.

HB 1232 by Representatives Bergquist, Chambers, Entenman, Slatter, Paul, Ramos, Mena, Street, Riccelli, Pollet, Callan, Hackney, Thai, Reeves, Reed, Ortiz-Self, Kloba, Duerr, Doglio, Morgan, Ramel, Goodman, Tharinger, Lekanoff, Gregerson and Santos

AN ACT Relating to enhancing the college bound scholarship program by increasing opportunities for students to attend community and technical colleges; amending RCW 28B.118.010 and 28B.118.090; and creating a new section.

Referred to Committee on Higher Education & Workforce Development.

SHB 1247 by House Committee on Health Care & Wellness (originally sponsored by Reed, Harris, Mena, Berry, Simmons, Morgan, Slatter, Ryu, Goodman, Donaghy, Reeves, Sandlin, Stearns and Fosse)

AN ACT Relating to licensure for music therapists; amending RCW 18.120.020, 18.130.040, and 18.130.040; adding a new chapter to Title 18 RCW; providing an effective date; and providing an expiration date.

Referred to Committee on Health & Long-Term Care.

SHB 1267 by House Committee on Local Government (originally sponsored by Tharinger, Steele and Ramel)

AN ACT Relating to rural public facilities sales and use tax; and amending RCW 82.14.370.

Referred to Committee on Local Government, Land Use & Tribal Affairs.

ESHB 1277 by House Committee on Education (originally sponsored by Donaghy, Harris, Slatter, Kloba, Reeves, Reed, Ormsby and Pollet)

AN ACT Relating to improving the consistency and quality of the implementation of the fundamental course of study for paraeducators; amending RCW 28A.413.060; adding a new section to chapter 28A.413 RCW; and creating a new section.

Referred to Committee on Early Learning & K-12 Education.

HB 1319 by Representatives Reed, Cortes, Berry, Ramel, Cheney, Waters and Kloba

AN ACT Relating to collision reporting criteria triggering driver's license reexamination; and amending RCW 46.52.070.

Referred to Committee on Transportation.

ESHB 1329 by House Committee on Environment & Energy (originally sponsored by Mena, Alvarado, Berry, Duerr, Leavitt, Morgan, Ramel, Ryu, Senn, Simmons, Timmons, Kloba, Bateman, Slatter, Orwall, Reed, Lekanoff, Gregerson, Doglio, Tharinger, Cortes, Donaghy, Pollet, Callan, Fosse, Macri, Davis and Stonier)

FIFTY SECOND DAY, MARCH 1, 2023

AN ACT Relating to preventing utility shutoffs for nonpayment during extreme heat; amending RCW 54.16.285, 57.08.081, 80.28.010, 87.03.015, 59.18.060, and 59.20.070; adding a new section to chapter 23.86 RCW; adding a new section to chapter 24.06 RCW; and adding a new section to chapter 35.21 RCW.

Referred to Committee on Environment, Energy & Technology.

HB 1330 by Representatives Christian, Pollet, Schmidt, Couture, Low and Doglio

AN ACT Relating to adjusting the threshold for requiring candidate contribution certifications relating to foreign nationals; and amending RCW 42.17A.418, 42.17A.240, 42.17A.250, and 42.17A.265.

Referred to Committee on State Government & Elections.

ESHB 1335 by House Committee on Civil Rights & Judiciary (originally sponsored by Hansen, Berry, Farivar, Taylor, Ramel, Simmons, Kloba, Bateman, Reed and Lekanoff)

AN ACT Relating to the unauthorized publication of personal identifying information; adding a new section to chapter 4.24 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Law & Justice.

SHB 1460 by House Committee on Capital Budget (originally sponsored by Hackney, Waters, Simmons, Kloba, Pollet, Davis and Macri)

AN ACT Relating to the department of natural resources trust land management; amending RCW 79.17.020, 79.17.210, 79.22.060, 43.30.385, 79.19.020, 79.19.030, 79.11.340, 79.22.140, and 79.19.050; reenacting and amending RCW 79.64.110; adding a new section to chapter 79.19 RCW; adding new sections to chapter 79.17 RCW; and creating a new section.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

HB 1536 by Representatives Timmons, Harris, Bergquist, Ortiz-Self, Walen, Ramel, Morgan, Stonier, Gregerson, Ormsby and Paul

AN ACT Relating to requirements governing the withholding of high school diplomas; and amending RCW 28A.635.060.

Referred to Committee on Early Learning & K-12 Education.

HB 1543 by Representatives Dye, Kretz, Springer, Graham, Eslick, Mosbrucker, Chapman, Ryu, Wylie, Klicker, Couture and Davis

AN ACT Relating to establishing a wild horse holding and training program at Coyote Ridge corrections center; and creating new sections.

Referred to Committee on Human Services.

HB 1564 by Representatives Mosbrucker, Orwall, Chambers, Graham, Rude and Rule

AN ACT Relating to prohibiting the sale of over-the-counter sexual assault kits; adding a new section to chapter 5.70 RCW; and creating a new section.

Referred to Committee on Law & Justice.

ESHB 1600 by House Committee on Civil Rights & Judiciary (originally sponsored by Goodman, Berry, Ramel and Pollet)

AN ACT Relating to providing access to sealed juvenile records for firearm purposes; and amending RCW 13.50.260.

Referred to Committee on Law & Justice.

SHB 1638 by House Committee on Transportation (originally sponsored by Fey, Barkis, Robertson, Lekanoff, Schmidt, Ramel, Duerr, Timmons, Eslick and Jacobsen)

AN ACT Relating to the creation of a state trooper expedited recruitment incentive program; adding a new section to chapter 43.43 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Transportation.

HB 1696 by Representatives Davis, Mosbrucker, Orwall, Griffey, Duerr, Reed, Leavitt, Barnard, Walen, Eslick, Ramel and Pollet

AN ACT Relating to stalking-related offenses; amending RCW 9A.46.110; and repealing RCW 9A.90.130.

Referred to Committee on Law & Justice.

SHB 1701 by House Committee on Education (originally sponsored by Callan, Stonier, Simmons, Senn, Reed, Kloba, Pollet, Santos, Ortiz-Self, Ormsby, Macri and Bergquist)

AN ACT Relating to assigning the superintendent of public instruction the responsibility for the delivery and oversight of basic education services to justice-involved youth served through institutional education programs in facilities that are not under the jurisdiction of the department of social and health services; amending RCW 28A.300.040; adding a new section to chapter 28A.300 RCW; adding a new section to chapter 28A.190 RCW; creating new sections; and providing expiration dates.

Referred to Committee on Early Learning & K-12 Education.

SHB 1753 by House Committee on Agriculture and Natural Resources (originally sponsored by Bronoske, Leavitt and Reed)

AN ACT Relating to changing certain notice provisions in the derelict vessel removal program; and amending RCW 79.100.040.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SHB 1784 by House Committee on Appropriations (originally sponsored by Gregerson, Ormsby, Duerr, Alvarado, Berry, Ryu, Bergquist, Peterson, Berg, Chapman, Mena, Lekanoff, Senn, Thai, Leavitt,

Santos, Callan, Macri, Fosse, Riccelli, Doglio, Kloba, Timmons, Ramel, Bateman and Pollet)
 AN ACT Relating to addressing hunger relief; creating new sections; making appropriations; and declaring an emergency.

Referred to Committee on Ways & Means.

EHB 1797 by Representatives Cheney, Goodman, Hutchins and Graham

AN ACT Relating to residential real estate appraisers being allowed to complete real property evaluations; amending RCW 18.140.030; and adding a new section to chapter 18.140 RCW.

Referred to Committee on Business, Financial Services, Gaming & Trade.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

On motion of Senator Pedersen, the Senate advanced to the eighth order of business.

MOTION

Senator Wilson, L. moved adoption of the following resolution:

SENATE RESOLUTION
 8617

By Senator L. Wilson

WHEREAS, Breast cancer is among the most commonly diagnosed cancers, and its many forms comprise the second leading cause of cancer deaths among women in the United States; and

WHEREAS, From 2016 through 2020, on average, breast cancer caused the deaths of nineteen out of every one hundred thousand people in Washington; and

WHEREAS, It is estimated that in 2023, approximately two hundred ninety-seven thousand seven hundred ninety women will be diagnosed with breast cancer and over forty-three thousand will die from it; and

WHEREAS, The form of breast cancer known as Triple Negative Breast Cancer accounts for about fifteen to twenty percent of all diagnosed, invasive breast cancer cases in the United States; and

WHEREAS, More than fifty-three thousand seven hundred new breast cancer cases in 2019 in the United States were Triple Negative Breast Cancer with higher prevalence among younger women, Black and Hispanic women, women with type 2 diabetes or carrying excess weight in the abdomen area, and those with BRCA1 mutations; and

WHEREAS, Due to its aggressive behavior, Triple Negative Breast Cancer grows quickly and is not only more likely to have spread by the time it is discovered, it also is more likely than other types of breast cancer to come back after treatment; and

WHEREAS, People diagnosed with metastatic Triple Negative Breast Cancer have less than a thirty percent chance of surviving past five years; and

WHEREAS, Triple Negative Breast Cancer cells do not contain three key receptors that medicines typically target in

other types of breast cancers, meaning there are limited treatment options, although patients with an early diagnosis can often be treated with chemotherapy, radiation, and surgery; and

WHEREAS, Recent innovation in targeted therapies have fueled advances in the fight against Triple Negative Breast Cancer, although limits on available therapies continue to make treating this disease a challenge; and

WHEREAS, Advances in breast cancer screening and treatment over the past few decades have reduced the overall breast cancer mortality rate, yet the disproportionate impact of Triple Negative Breast Cancer on racial and ethnic minority communities raises questions about what drives the disparities; and

WHEREAS, Only seventy-five percent of women in Washington have had a mammogram screening in the past two years; and

WHEREAS, It is necessary to promote Triple Negative Breast Cancer education, raise awareness about the disease-related disparities, and tackle inequities within the health care delivery system such as inadequate access to screening, diagnostic testing, and care, to improve early detection and survival; and

WHEREAS, Governor Jay Inslee is issuing a proclamation today celebrating the month of March as Triple Negative Breast Cancer Awareness Month;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate recognize the Governor's proclamation, and together, honor the month of March as Triple Negative Breast Cancer Awareness Month; and

BE IT FURTHER RESOLVED, That the Senate encourage awareness and education about Triple Negative Breast Cancer and patient access to care, services, and medicines along the entire continuum of care.

Senators Wilson, L. and Saldaña spoke in favor of adoption of the resolution.

MOTIONS

On motion of Senator Wagoner, Senators Boehnke and Hawkins were excused.

On motion of Senator Nobles, Senator Van De Wege was excused.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8617.

The motion by Senator Wilson, L. carried, and the resolution was adopted by voice vote.

MOTION

On motion of Senator Pedersen, the Senate reverted to the seventh order of business.

THIRD READING
 CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Kauffman moved that Sarah R. Lawson, Senate Gubernatorial Appointment No. 9186, be confirmed as a member of the Gambling Commission.

Senator Kauffman spoke in favor of the motion.

APPOINTMENT OF SARAH R. LAWSON

FIFTY SECOND DAY, MARCH 1, 2023

The President declared the question before the Senate to be the confirmation of Sarah R. Lawson, Senate Gubernatorial Appointment No. 9186, as a member of the Gambling Commission.

The Secretary called the roll on the confirmation of Sarah R. Lawson, Senate Gubernatorial Appointment No. 9186, as a member of the Gambling Commission and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Boehnke

Sarah R. Lawson, Senate Gubernatorial Appointment No. 9186, having received the constitutional majority was declared confirmed as a member of the Gambling Commission.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Frame moved that Lowel J. Krueger, Senate Gubernatorial Appointment No. 9205, be confirmed as a member of the Housing Finance Commission.

Senators Frame, Fortunato and King spoke in favor of passage of the motion.

APPOINTMENT OF LOWEL J. KRUEGER

The President declared the question before the Senate to be the confirmation of Lowel J. Krueger, Senate Gubernatorial Appointment No. 9205, as a member of the Housing Finance Commission.

The Secretary called the roll on the confirmation of Lowel J. Krueger, Senate Gubernatorial Appointment No. 9205, as a member of the Housing Finance Commission and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Boehnke

Lowel J. Krueger, Senate Gubernatorial Appointment No. 9205, having received the constitutional majority was declared confirmed as a member of the Housing Finance Commission.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Cleveland moved that Alishia F. Topper, Senate Gubernatorial Appointment No. 9206, be confirmed as a member of the Housing Finance Commission.

Senators Cleveland, Fortunato and Rivers spoke in favor of passage of the motion.

APPOINTMENT OF ALISHIA F. TOPPER

The President declared the question before the Senate to be the confirmation of Alishia F. Topper, Senate Gubernatorial Appointment No. 9206, as a member of the Housing Finance Commission.

The Secretary called the roll on the confirmation of Alishia F. Topper, Senate Gubernatorial Appointment No. 9206, as a member of the Housing Finance Commission and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Boehnke

Alishia F. Topper, Senate Gubernatorial Appointment No. 9206, having received the constitutional majority was declared confirmed as a member of the Housing Finance Commission.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Hunt moved that Ann E. Simons, Senate Gubernatorial Appointment No. 9265, be confirmed as a member of the Washington State Women's Commission.

Senators Hunt, Rivers and Wellman spoke in favor of passage of the motion.

Senators Wilson, J., Fortunato and Dozier spoke against passage of the motion.

APPOINTMENT OF ANN E. SIMONS

The President declared the question before the Senate to be the confirmation of Ann E. Simons, Senate Gubernatorial Appointment No. 9265, as a member of the Washington State Women's Commission.

The Secretary called the roll on the confirmation of Ann E. Simons, Senate Gubernatorial Appointment No. 9265, as a member of the Washington State Women's Commission and the appointment was confirmed by the following vote: Yeas, 36; Nays, 12; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Gildon, Hasegawa, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Wellman and Wilson, C.

Voting nay: Senators Braun, Dozier, Fortunato, Hawkins, Holy, MacEwen, McCune, Padden, Schoesler, Warnick, Wilson, J. and Wilson, L.

Excused: Senator Boehnke

Ann E. Simons, Senate Gubernatorial Appointment No. 9265, having received the constitutional majority was declared confirmed as a member of the Washington State Women's Commission.

MOTION

On motion of Senator Pedersen, the Senate advanced to the sixth order of business.

SECOND READING

SENATE BILL NO. 5114, by Senators Wilson, C., Trudeau, Frame, Hasegawa, Kuderer, Liias, Lovelett, Nguyen, Nobles, Pedersen, Randall, Saldaña, Stanford, Valdez, Warnick and Wellman

Supporting adults with lived experience of sex trafficking.

MOTIONS

On motion of Senator Wilson, C., Substitute Senate Bill No. 5114 was substituted for Senate Bill No. 5114 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Wilson, C., the rules were suspended, Substitute Senate Bill No. 5114 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wilson, C. and McCune spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5114.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5114 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Boehnke

SUBSTITUTE SENATE BILL NO. 5114, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5453, by Senators Keiser, Dhingra, Cleveland, Nguyen, Saldaña and Valdez

Concerning female genital mutilation.

MOTIONS

On motion of Senator Keiser, Substitute Senate Bill No. 5453 was substituted for Senate Bill No. 5453 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Keiser, the rules were suspended, Substitute Senate Bill No. 5453 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Keiser, Padden, King, Rivers, Torres and McCune spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5453.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5453 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Boehnke

SUBSTITUTE SENATE BILL NO. 5453, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5457, by Senators Short, Lovelett, Kuderer and Shewmake

Implementing growth management task force legislative recommendations regarding small cities.

The measure was read the second time.

MOTION

On motion of Senator Short, the rules were suspended, Senate Bill No. 5457 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Short and Lovelett spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5457.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5457 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres,

FIFTY SECOND DAY, MARCH 1, 2023

Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Boehnke

SENATE BILL NO. 5457, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5490, by Senators Rolfes, Conway, Hunt, Lovick, Saldaña and Wilson, C.

Concerning health care coverage for retired or disabled employees denied coverage for failure to timely notify the authority of their intent to defer coverage.

MOTIONS

On motion of Senator Cleveland, Substitute Senate Bill No. 5490 was substituted for Senate Bill No. 5490 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Pedersen, the rules were suspended, Substitute Senate Bill No. 5490 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Rolfes and Rivers spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5490.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5490 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Boehnke

SUBSTITUTE SENATE BILL NO. 5490, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 10:16 a.m., on motion of Senator Pedersen, the Senate was declared to be at ease subject to the call of the President.

Senator Warnick announced a meeting of the Republican Caucus.

Senator Hasegawa announced a meeting of the Democratic Caucus.

The Senate was called to order at 11:15 a.m. by the President of the Senate, Lt. Governor Heck presiding.

SECOND READING

SENATE BILL NO. 5355, by Senators Wilson, C., Kuderer, Lovelett, Nguyen, Randall, Valdez and Wellman

Mandating instruction on sex trafficking prevention and identification for students in grades seven through 12.

The measure was read the second time.

MOTION

Senator Wilson, C. moved that the following amendment no. 0058 by Senator Wilson, C. be adopted:

On page 3, line 3, after "the" strike "2024-25" and insert "2025-26"

On page 3, line 6, after "be" strike "a stand-alone course or"

On page 3, after line 23, insert the following:

"NEW SECTION. Sec. 3. A new section is added to chapter 28A.300 RCW to read as follows:

The child sexual abuse and sex trafficking prevention and identification public-private partnership account is created in the custody of the state treasurer. All receipts from gifts, grants, or endowments from public or private sources, federal funds, and any appropriations made by the legislature or other sources must be deposited into the account. Expenditures from the account may be used only for curriculum and professional development to support instruction on child sexual abuse and sex trafficking prevention and identification. Only the superintendent of public instruction or the superintendent's designee may authorize expenditures from the account. The account is subject to allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures."

On page 1, line 3 of the title, after "RCW;" insert "adding a new section to chapter 28A.300 RCW;"

Senator Wilson, C. spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0058 by Senator Wilson, C. on page 3, line 3 to Senate Bill No. 5355.

The motion by Senator Wilson, C. carried and amendment no. 0058 was adopted by voice vote.

MOTION

Senator MacEwen moved that the following amendment no. 0085 by Senator MacEwen be adopted:

On page 3, line 3, after "year" insert "and subject to the availability of amounts appropriated for this specific purpose"

Senator MacEwen spoke in favor of adoption of the amendment.

Senator Wilson, C. spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0085 by Senator MacEwen on page 3, line 3 to Senate Bill No. 5355.

The motion by Senator MacEwen did not carry and amendment no. 0085 was not adopted by voice vote.

MOTION

Senator Wagoner moved that the following amendment no. 0082 by Senator Wagoner be adopted:

On page 3, line 4, after "districts" strike "must" and insert "may"

On page 3, line 10, after "instruction" strike "required"

On page 3, line 10, after "section" strike "must" and insert "may"

On page 1, line 1 of the title, after "to" strike "mandating" and insert "allowing"

Senators Wagoner and Padden spoke in favor of adoption of the amendment.

Senator Wilson, C. spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0082 by Senator Wagoner on page 3, line 4 to Senate Bill No. 5355.

The motion by Senator Wagoner did not carry and amendment no. 0082 was not adopted by voice vote.

MOTION

On motion of Senator Wilson, C., the rules were suspended, Engrossed Senate Bill No. 5355 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wilson, C., Hawkins, Wagoner and McCune spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5355.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5355 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Boehnke

ENGROSSED SENATE BILL NO. 5355, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

INTRODUCTION OF SPECIAL GUEST

The President welcomed and introduced Miss Ria Bahadur, an advocate for Senate Bill No. 5355, who was seated in the gallery.

SECOND READING

SENATE BILL NO. 5550, by Senators Liias, Randall, Valdez, Lovick, Wilson, C., Lovelett, Kauffman, Shewmake, Hasegawa, Hunt, Keiser, Nguyen, Nobles, Robinson and Van De Wege

Addressing workforce development issues, including cultural issues, at the Washington state ferries.

The measure was read the second time.

MOTION

On motion of Senator Liias, the rules were suspended, Senate Bill No. 5550 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Liias and King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5550.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5550 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 3; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Dozier, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senators Fortunato, McCune and Padden

Excused: Senator Boehnke

SENATE BILL NO. 5550, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5743, by Senators Liias and Billig

Making certain nonsubstantive, corrective changes resulting from enactment of chapter 182, Laws of 2022 (transportation resources).

MOTIONS

On motion of Senator Liias, Substitute Senate Bill No. 5743 was substituted for Senate Bill No. 5743 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Liias, the rules were suspended, Substitute Senate Bill No. 5743 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Liias, King, Billig and Padden spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5743.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5743 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña,

FIFTY SECOND DAY, MARCH 1, 2023

Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Boehnke

SUBSTITUTE SENATE BILL NO. 5743, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5531, by Senators King, Shewmake and Nobles

Concerning special use permits for milk product haulers.

The measure was read the second time.

MOTION

On motion of Senator King, the rules were suspended, Senate Bill No. 5531 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators King, Lias and Muzzall spoke in favor of passage of the bill.

Senator Schoesler spoke on passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5531.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5531 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Boehnke

SENATE BILL NO. 5531, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5419, by Senators Gildon, Billig, Lias, Mullet and Wilson, C.

Removing a Washington state institute of public policy outcome evaluation requirement.

The measure was read the second time.

MOTION

On motion of Senator Gildon, the rules were suspended, Senate Bill No. 5419 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Gildon and Wilson, C. spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5419.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5419 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Boehnke

SENATE BILL NO. 5419, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 11:59 a.m., on motion of Senator Pedersen, the Senate was declared to be at ease subject to the call of the President.

Senator Hasegawa announced a meeting of the Democratic Caucus.

Senator Warnick announced a meeting of the Republican Caucus.

AFTERNOON SESSION

The Senate was called to order at 3:00 p.m. by President Heck.

SECOND READING

SENATE BILL NO. 5614, by Senators Saldaña, Nguyen and Wilson, C.

Concerning adult entertainment establishments.

MOTION

On motion of Senator Pedersen, Substitute Senate Bill No. 5614 was substituted for Senate Bill No. 5614 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Saldaña moved that the following amendment no. 0092 by Senator Saldaña be adopted:

On page 4, line 9, after "one" insert "dedicated"

On page 4, line 9, after "hours." insert "Between the hours of 9:00 a.m. and 9:00 p.m., the dedicated security person's primary duty is security, between the hours of 9:00 p.m. and 9:00 a.m. the dedicated security person must have no other duties."

On page 6, line 33, after "any" strike "fee that is" and insert "fees or other charges that, separately or when combined, are"

On page 7, line 15, after "charge" insert ", subject to the limitations of (a)(i) of this subsection"

On page 9, line 7, after "(10)" insert "WAC 314-11-050 does not apply to an adult entertainment nightclub licensed under this section.

(11)"

On page 9, beginning on line 13, strike all of section 7

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

Senators Saldaña and King spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0092 by Senator Saldaña on page 4, line 9 to Substitute Senate Bill No. 5614.

The motion by Senator Saldaña carried and amendment no. 0092 was adopted by voice vote.

MOTION

Senator Stanford moved that the following amendment no. 0116 by Senator Stanford be adopted:

On page 7, line 39, after "(4)" insert "No adult entertainment establishment may allow any person under the age of 18 on the premises of the establishment.

(5)"

Senator Stanford spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0116 by Senator Stanford on page 7, line 39 to Substitute Senate Bill No. 5614.

The motion by Senator Stanford carried and amendment no. 0116 was adopted by voice vote.

MOTION

Senator Rolfes moved that the following amendment no. 0095 by Senator Rolfes be adopted:

On page 8, beginning on line 17, after "(3)" strike all material through "(b)" on line 19

Senator Rolfes spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0095 by Senator Rolfes on page 8, line 17 to Substitute Senate Bill No. 5614.

The motion by Senator Rolfes carried and amendment no. 0095 was adopted by voice vote.

MOTION

On motion of Senator Saldaña, the rules were suspended, Engrossed Substitute Senate Bill No. 5614 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Saldaña and King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5614.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5614 and the bill passed the Senate by the following vote: Yeas, 40; Nays, 8; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Dozier, Frame, Gildon, Hasegawa, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Wellman and Wilson, C.

Voting nay: Senators Fortunato, Hawkins, McCune, Padden, Short, Warnick, Wilson, J. and Wilson, L.

Excused: Senator Boehnke

ENGROSSED SUBSTITUTE SENATE BILL NO. 5614, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5447, by Senators Billig, King, Nguyen, MacEwen, Mullet, Wellman, Gildon, Keiser, Shewmake, Lovick, Boehnke, Warnick, Randall, Conway, Dhingra, Dozier, Lias, Lovelett, Saldaña, Stanford, Van De Wege and Wagoner

Promoting the alternative jet fuel industry in Washington.

MOTION

On motion of Senator Billig, Substitute Senate Bill No. 5447 was substituted for Senate Bill No. 5447 and the substitute bill was placed on the second reading and read the second time.

WITHDRAWAL OF AMENDMENT

On motion of Senator Hasegawa and without objection, striking amendment no. 0115 by Senator Hasegawa to Substitute Senate Bill No. 5447 was withdrawn.

MOTION

On motion of Senator Pedersen, further consideration of Substitute Senate Bill No. 5447 was deferred, and the bill held its place on the second reading calendar.

SECOND READING

SENATE BILL NO. 5466, by Senators Lias, Gildon, Kuderer, Lovelett, MacEwen, Mullet, Braun, Billig, Dhingra, Frame, Hunt, Kauffman, Nguyen, Nobles, Pedersen, Saldaña, Salomon, Shewmake, Stanford, Valdez, Van De Wege and Wilson, C.

Promoting transit-oriented development.

MOTION

On motion of Senator Lias, Substitute Senate Bill No. 5466 was substituted for Senate Bill No. 5466 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Lovelett moved that the following amendment no. 0113 by Senators Rolfes and Lovelett be adopted:

On page 1, line 14, after "development." insert "The legislature also intends new development to reflect the state's commitment to vibrant, walkable, accessible urban environments that improve

FIFTY SECOND DAY, MARCH 1, 2023

health, expand multimodal transportation options, and include varied community facilities, parks, and green spaces that are open to people of all income levels.”

Senator Rolfes spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0113 by Senators Rolfes and Lovelett on page 1, line 14 to Substitute Senate Bill No. 5466.

The motion by Senator Lovelett carried and amendment no. 0113 was adopted by voice vote.

MOTION

Senator Short moved that the following amendment no. 0098 by Senators Short and Liias be adopted:

On page 6, line 19, after "(15)" insert "\"Frequent bus stop\" means a fixed route transit stop providing frequent transit service that operates seven days per week with a minimum of three buses per hour for a span of at least 10 hours per day during weekdays.
(16)\"

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

On page 7, line 8, after "rail," insert "or"

On page 7, beginning on line 10, after "lanes" strike all material through "weekdays" on line 13

Correct any internal references accordingly.

On page 9, line 12, after "stop" insert ", or fully or partially within a half-mile walking distance of a frequent bus stop"

Senators Short and Lovelett spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0098 by Senators Short and Liias on page 6, line 19 to Substitute Senate Bill No. 5466.

The motion by Senator Short carried and amendment no. 0098 was adopted by voice vote.

MOTION

Senator Padden moved that the following amendment no. 0091 by Senator Padden be adopted:

On page 7, line 8, after "rail," insert "or"

On page 7, beginning on line 10, after "lanes" strike all material through "weekdays" on line 13

Correct any internal references accordingly.

Senator Padden spoke in favor of adoption of the amendment.

WITHDRAWAL OF AMENDMENT

On motion of Senator Padden and without objection, amendment no. 0091 by Senator Padden on page 6, line 19 to Substitute Senate Bill No. 5466 was withdrawn.

MOTION

Senator Kauffman moved that the following amendment no. 0114 by Senators Kauffman and Liias be adopted:

On page 17, line 12, after "unit-))" insert "(1)"

On page 17, at the beginning of line 18, insert "(2)"

On page 17, after line 22, insert the following:

"(3) The parking provisions of this section do not apply if the city or county consults with the department of transportation and the city or county and the department of transportation determine that the lack of minimum parking requirements in a defined area would make on-street parking infeasible or unsafe for the authorized units."

Senators Kauffman and Wagoner spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0114 by Senators Kauffman and Liias on page 17, line 12 to Substitute Senate Bill No. 5466.

The motion by Senator Kauffman carried and amendment no. 0114 was adopted by voice vote.

MOTION

On motion of Senator Liias, the rules were suspended, Engrossed Substitute Senate Bill No. 5466 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Liias, Fortunato, Torres, Mullet, King, Trudeau, Rolfes, Rivers and Gildon spoke in favor of passage of the bill.

Senator Wagoner spoke against passage of the bill.

Senators Conway and Hasegawa spoke on passage of the bill.

POINT OF INQUIRY

Senator Rolfes: “Senator Liias, is it the intention of this bill to require high density transit-oriented development at bus stops with more than three buses an hour?”

Senator Liias: “Thank you for that very thoughtful question, Senator Rolfes. It, as we worked with Senator Short, the intention is where there are fixed routes, for example route number 101, where there are busses that come more than three times an hour, so are high-capacity bus service at the local level, that that’s where we would be, in that half mile zone that Senator Short’s amendment proposes. I read the language and realize that it could be read multiple different ways and I know that Senator Short and I will work diligently to make sure that this get clarified as the bill continues on its course to the Governor’s desk.”

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5466.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5466 and the bill passed the Senate by the following vote: Yeas, 40; Nays, 8; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Cleveland, Dhingra, Fortunato, Frame, Gildon, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wellman, Wilson, C. and Wilson, L.

Voting nay: Senators Conway, Dozier, Hasegawa, McCune, Schoesler, Wagoner, Warnick and Wilson, J.

Excused: Senator Boehnke

ENGROSSED SUBSTITUTE SENATE BILL NO. 5466, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The Senate resumed consideration of Substitute Senate Bill No. 5447 which had been deferred earlier in the day.

SECOND READING

SUBSTITUTE SENATE BILL NO. 5447, by Senate Committee on Environment, Energy & Technology (originally sponsored by Billig, King, Nguyen, MacEwen, Mullet, Wellman, Gildon, Keiser, Shewmake, Lovick, Boehnke, Warnick, Randall, Conway, Dhingra, Dozier, Liias, Lovelett, Saldaña, Stanford, Van De Wege and Wagoner)

Promoting the alternative jet fuel industry in Washington.

MOTION

Senator Hasegawa moved that the following striking amendment no. 0120 by Senator Hasegawa be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature intends to use funds from the climate commitment act to promote the production and use of sustainable aviation fuels, thereby growing the clean energy sector, addressing greenhouse gas emissions, and creating family wage manufacturing jobs in Washington. Sustainable aviation fuels represent the most significant near and midterm opportunity for aviation to reduce its greenhouse gas emissions. The use of sustainable aviation fuels will also improve air quality for airport workers and communities surrounding airports. While many efforts are underway to advance the use of sustainable aviation fuels, this act is intended to assist and accelerate those efforts.

PART I

TREATMENT OF ALTERNATIVE JET FUELS

Sec. 2. RCW 70A.535.010 and 2022 c 182 s 409 are each amended to read as follows:

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

(1) "Carbon dioxide equivalents" has the same meaning as defined in RCW 70A.45.010.

(2) "Carbon intensity" means the quantity of life-cycle greenhouse gas emissions, per unit of fuel energy, expressed in grams of carbon dioxide equivalent per megajoule (gCO₂e/MJ).

(3) "Clean fuels program" means the requirements established under this chapter.

(4) "Cost" means an expense connected to the manufacture, distribution, or other aspects of the provision of a transportation fuel product.

(5) "Credit" means a unit of measure generated when a transportation fuel with a carbon intensity that is less than the applicable standard adopted by the department under RCW 70A.535.025 is produced, imported, or dispensed for use in Washington, such that one credit is equal to one metric ton of carbon dioxide equivalents. A credit may also be generated through other activities consistent with this chapter.

(6) "Deficit" means a unit of measure generated when a transportation fuel with a carbon intensity that is greater than the applicable standard adopted by the department under RCW 70A.535.025 is produced, imported, or dispensed for use in Washington, such that one deficit is equal to one metric ton of carbon dioxide equivalents.

(7) "Department" means the department of ecology.

(8) "Electric utility" means a consumer-owned utility or investor-owned utility, as those terms are defined in RCW 19.29A.010.

(9) "Greenhouse gas" has the same meaning as defined in RCW 70A.45.010.

(10) "Military tactical vehicle" means a motor vehicle owned by the United States department of defense or the United States military services and that is used in combat, combat support, combat service support, tactical or relief operations, or training for such operations.

(11) "Motor vehicle" has the same meaning as defined in RCW 46.04.320.

(12) "Price" means the amount of payment or compensation provided as consideration for a specified quantity of transportation fuel by a consumer or end user of the transportation fuel.

(13) "Regulated party" means a producer or importer of any amount of a transportation fuel that is ineligible to generate credits under this chapter.

(14)(a) "Tactical support equipment" means equipment using a portable engine, including turbines, that meets military specifications, owned by the United States military services or its allies, and that is used in combat, combat support, combat service support, tactical or relief operations, or training for such operations.

(b) "Tactical support equipment" includes, but is not limited to, engines associated with portable generators, aircraft start carts, heaters, and lighting carts.

(15) "Transportation fuel" means electricity and any liquid or gaseous fuel sold, supplied, offered for sale, or used for the propulsion of a motor vehicle or that is intended for use for transportation purposes.

(16) "Alternative jet fuel" means a fuel made from petroleum or nonpetroleum sources that can be blended and used with conventional petroleum jet fuels without the need to modify aircraft engines and existing fuel distribution infrastructure, and that have a lower carbon intensity than the applicable annual carbon intensity standard in Table 2 of WAC 173-424-900, as it existed on the effective date of this section. Alternative jet fuel includes jet fuels derived from coprocessed feedstocks at a conventional petroleum refinery.

NEW SECTION. Sec. 3. A new section is added to chapter 70A.535 RCW to read as follows:

(1) By no later than December 31, 2023, the department must allow one or more carbon intensity pathways for alternative jet fuel.

(2) The department must allow biomethane to be claimed as the feedstock for renewable diesel and alternative jet fuel consistent with that allowable for compressed natural gas, liquified natural gas, liquified compressed natural gas, or hydrogen production.

(3) The department must notify the department of revenue within 30 days when one or more facilities capable of producing a cumulative production capacity of at least 20,000,000 gallons of alternative jet fuel each year are operating in this state.

NEW SECTION. Sec. 4. A new section is added to chapter 28B.30 RCW to read as follows:

(1) Washington State University must convene an alternative jet fuels work group to further the development of alternative jet fuel as a productive industry in Washington. The work group must include members from the legislature and sectors involved in alternative jet fuel research, development, production, and utilization. The work group must provide a report including any pertinent recommendations to the governor and appropriate committees of the legislature by December 1, 2024, and

FIFTY SECOND DAY, MARCH 1, 2023

December 1st of every even-numbered year until December 1, 2028.

(2) This section expires January 1, 2029.

Sec. 5. RCW 43.330.565 and 2022 c 292 s 102 are each amended to read as follows:

(1) The statewide office of renewable fuels is established within the department. The office shall report to the director of the department. The office may employ staff as necessary to carry out the office's duties as prescribed by chapter 292, Laws of 2022, subject to the availability of amounts appropriated for this specific purpose.

(2) The purpose of the office is to leverage, support, and integrate with other state agencies to:

(a) Accelerate comprehensive market development with assistance along the entire life cycle of renewable fuel projects;

(b) Support research into and development and deployment of renewable fuel and the production, distribution, and use of renewable and green electrolytic hydrogen and their derivatives, as well as product engineering and manufacturing relating to the production and use of such hydrogen and its derivatives;

(c) Drive job creation, improve economic vitality, and support the transition to clean energy;

(d) Further the development and use of alternative jet fuels as a productive industry in Washington;

(e) Enhance resiliency by using renewable fuels, alternative jet fuels, and green electrolytic hydrogen to support climate change mitigation and adaptations; and

~~((e))~~ (f) Partner with overburdened communities to ensure communities equitably benefit from renewable and clean fuels efforts.

Sec. 6. RCW 43.330.570 and 2022 c 292 s 103 are each amended to read as follows:

(1) The office shall:

(a) Coordinate with federally recognized tribes, local government, state agencies, federal agencies, private entities, the state's public four-year institutions of higher education, labor unions, and others to facilitate and promote multi-institution collaborations to drive research, development, and deployment efforts in the production, distribution, and use of alternative jet fuels and renewable fuels including, but not limited to, green electrolytic hydrogen;

(b) Review existing renewable fuels, alternative jet fuels, and green electrolytic hydrogen initiatives, policies, and public and private investments, and tax and regulatory incentives, including assessment of adequacy of feedstock supply and in-state feedstock, renewable fuels, and alternative jet fuels production;

(c) Consider funding opportunities that provide for the coordination of public and private funds for the purposes of developing and deploying renewable fuels, alternative jet fuels, and green electrolytic hydrogen;

(d) Assess opportunities for and barriers to deployment of renewable fuels, alternative jet fuels, and green electrolytic hydrogen in hard to decarbonize sectors of the state economy;

(e) Request recommendations from the Washington state association of fire marshals regarding fire and other safety standards adopted by the United States department of energy and recognized national and international fire and safety code development authorities regarding renewable fuels, alternative jet fuels, and green electrolytic hydrogen;

(f) By December 1, 2023, develop a plan and recommendations for consideration by the legislature and governor on renewable fuels and green electrolytic hydrogen policy and public funding including, but not limited to, project permitting, state procurement, and pilot projects; and

(g) Encourage new and support existing public-private partnerships to increase coordinated planning and deployment of renewable fuels, alternative jet fuels, and green electrolytic hydrogen.

(2) The office may take all appropriate steps to seek and apply for federal funds for which the office is eligible, and other grants, and accept donations, and must deposit these funds in the renewable fuels accelerator account created in RCW 43.330.575.

(3) In carrying out its duties, the office must collaborate with the department, the department of ecology, the department of transportation, the utilities and transportation commission, electric utilities in Washington state, the Washington State University extension energy program, the alternative jet fuel work group established in section 4 of this act, and all other relevant state agencies. The office must also consult with and seek to involve federally recognized tribes, project developers, labor and industry trade groups, and other interested parties, in the development of policy analysis and recommended programs or projects.

(4) The office may cooperate with other state agencies in compiling data regarding the use of renewable fuels and green electrolytic hydrogen in state operations, including motor vehicle fleets, the state ferry system, and nonroad equipment.

NEW SECTION. Sec. 7. A new section is added to chapter 28B.30 RCW to read as follows:

(1) Washington State University, in collaboration with the University of Washington's department of environmental and occupational health, must calculate emissions of ultrafine and fine particulate matter and sulfur oxides in communities surrounding an international airport owned by a port district in a county with a population greater than 1,500,000 and report that information to the joint legislative audit and review committee by December 1, 2024, and December 1st of each year until such time as the joint legislative audit and review committee has completed its final report on the tax preferences contained in sections 9 through 12 of this act. The report must include emissions data for areas near airport runways and under flight paths up to 3,000 feet in elevation. The report must also include an analysis of any reduction in emissions relative to the amount of alternative jet fuel used for flights departing the airport. Washington State University may access and use any data necessary to complete the reporting requirements of this section.

(2) To facilitate the calculation required in subsection (1) of this section, an international airport owned by a port district in a county with a population greater than 1,500,000 must report to Washington State University the total annual volume of alternative jet fuel used for flights departing the airport by October 1, 2024, and October 1st of each year until such time as the joint legislative audit and review committee has completed its final report on the tax preferences contained in sections 9 through 12 of this act.

PART II

ALTERNATIVE JET FUEL TAX INCENTIVES

NEW SECTION. Sec. 8. (1) This section is the tax preference performance statement for the tax preferences contained in sections 9 through 12, chapter . . . , Laws of 2023 (sections 9 through 12 of this act). This performance statement is only intended to be used for subsequent evaluation of the tax preferences. It is not intended to create a private right of action by any party or to be used to determine eligibility for preferential tax treatment.

(2) The legislature categorizes these tax preferences as ones intended to improve industry competitiveness as indicated in RCW 82.32.808(2)(b).

(3) It is the legislature's specific public policy objective to encourage the production and use of alternative jet fuels. It is also the legislature's intent to support the development of the alternative jet fuels industry in Washington by providing targeted tax relief for such businesses.

(4) The legislature intends to extend the expiration date of the tax preferences contained in this act if a review finds:

(a) An increase in the production and use of alternative jet fuels in Washington by persons claiming the tax preferences in this act;

(b) That the production and use of alternative jet fuels in this state does not result in additional pollution including, but not limited to, pollution from per-and polyfluoroalkyl substances, noxious gases, ultrafine particles, lead, or other metals; and

(c) That the alternative jet fuel industry has created measurable economic growth in Washington.

(5) The review conducted by the joint legislative audit and review committee must include a racial equity analysis on air travel-related pollution in communities near an international airport owned by a port district in a county with a population greater than 1,500,000.

(6) In order to obtain the data necessary to perform the review in subsection (4) of this section, the joint legislative audit and review committee may access and use data from an international airport owned by a port district in a county with a population greater than 1,500,000, the University of Washington, reports compiled by the Washington State University pursuant to section 7 of this act, and any other data collected by the state as it deems necessary.

(7) The joint legislative audit and review committee must complete a preliminary report by December 1, 2032.

NEW SECTION. Sec. 9. A new section is added to chapter 82.04 RCW to read as follows:

(1) Upon every person engaging within the state in the business of manufacturing alternative jet fuel; as to such persons, the amount of the tax with respect to such business is, in the case of manufacturers, equal to the value of the product manufactured, or in the case of processors for hire, equal to the gross income of the business, multiplied by the rate of 0.275 percent.

(2) Upon every person engaging in making sales, at retail or wholesale, of manufactured alternative jet fuel; as to such persons, the amount of the tax with respect to such business is equal to the gross proceeds of sales of the alternative jet fuel, multiplied by the rate of 0.275 percent.

(3) For the purposes of this section, "alternative jet fuel" has the same meaning as in RCW 70A.535.010.

(4) A person reporting under the tax rate provided in this section must file a complete annual tax performance report with the department under RCW 82.32.534.

(5)(a) The tax rate under subsections (1) and (2) of this section takes effect on the first day of the first calendar quarter following the month in which the department receives notice from the department of ecology that there are one or more facilities operating in this state with a cumulative production capacity of at least 20,000,000 gallons of alternative jet fuel each year, as required in section 3 of this act.

(b) The tax rate expires nine calendar years after the close of the calendar year in which the tax rate under subsections (1) and (2) of this section takes effect.

NEW SECTION. Sec. 10. A new section is added to chapter 82.04 RCW to read as follows:

(1)(a) Subject to the limits and provisions of this section, a credit is allowed against the tax otherwise due under this chapter for persons engaged in the manufacturing of alternative jet fuel.

(b) Except as provided in (c) of this subsection, the credit under this section is equal to \$1 for each gallon of alternative jet fuel

that has at least 50 percent less carbon dioxide equivalent emissions than conventional jet fuel and is sold during the prior calendar year by:

(i) A business that produces alternative jet fuel and is located in a qualifying county; or

(ii) A business's designated alternative jet fuel blender that is located in this state.

(c) The credit amount under (b) of this subsection must increase by 2 cents for each additional one percent reduction in carbon dioxide equivalent emissions beyond 50 percent, not to exceed \$2 for each gallon of alternative jet fuel.

(d) A person may not receive credit under both (b)(i) and (ii) of this subsection.

(e) The credit under this section is calculated only on the portion of jet fuel that is considered alternative jet fuel and does not include conventional jet fuel when such fuels are blended or otherwise used in a jet fuel mixture.

(f) A credit under this section may not be claimed until the department of ecology verifies that there are one or more facilities operating in this state with cumulative production capacity of at least 20,000,000 gallons of alternative jet fuel each year and has provided such notice to the department.

(g) Contract pricing for sales of alternative jet fuel between a person claiming the credit under this section and the final consumer must reflect the per gallon credit under (b) and (c) of this subsection.

(2) A person may not receive credit under this section for amounts claimed as credits under section 11 of this act or chapter 82.16 RCW.

(3) To claim a credit under this section a person must electronically file with the department all returns, forms, and any other information required by the department, in an electronic format as provided or approved by the department.

(4) To claim a credit under this section, the person applying must:

(a) Complete an application for the credit which must include:

(i) The name, business address, and tax identification number of the applicant;

(ii) Documentation of the total amount of alternative jet fuel manufactured and sold in the prior calendar year;

(iii) Documentation sufficient for the department to verify that the alternative jet fuel for which the credit is being claimed meets the carbon intensity reduction benchmarks under subsection (1)(b) and (c) of this section, as certified by the department of ecology under section 3 of this act;

(iv) Documentation sufficient to verify compliance with subsection (1)(g) of this section; and

(v) Any other information deemed necessary by the department to support administration or reporting of the program.

(b) Obtain a carbon intensity score from the department of ecology prior to submitting an application to the department.

(5) The department must notify applicants of credit approval or denial within 60 days of receipt of a final application and documentation.

(6) If a person fails to supply the information as required in subsection (4) of this section, the department must deny the application.

(7)(a) The credit under this section may only be claimed against taxes due under section 9 of this act, less any taxable amount for which a credit is allowed under RCW 82.04.440.

(b) A credit earned during one calendar year may be carried over and claimed against taxes incurred for the next subsequent calendar year but may not be carried over for any calendar year thereafter.

(c) No refunds may be granted for credits under this section.

FIFTY SECOND DAY, MARCH 1, 2023

(8) For the purposes of this section:

(a) "Alternative jet fuel" has the same meaning as in RCW 70A.535.010.

(b) "Carbon dioxide equivalent" has the same meaning as in RCW 70A.45.010.

(c) "Qualifying county" means a county that has a population less than 650,000 at the time an application for a credit under this section is received by the department.

(9)(a) Credits may be earned beginning on the first day of the first calendar quarter following the month in which notice under subsection (1)(f) of this section was received by the department.

(b) Credits may not be earned beginning nine calendar years after the close of the calendar year in which the credit may be earned, as provided in (a) of this subsection.

(10) A person claiming the credit provided in this section must file a complete annual tax performance report with the department under RCW 82.32.534.

NEW SECTION. Sec. 11. A new section is added to chapter 82.04 RCW to read as follows:

(1)(a) Subject to the limits and provisions of this section, a credit is allowed against the tax otherwise due under this chapter for persons engaged in the use of alternative jet fuel.

(b) Except as provided in (c) of this subsection, the credit under this section is equal to \$1 for each gallon of alternative jet fuel that has at least 50 percent less carbon dioxide equivalent emissions than conventional jet fuel and is purchased during the prior calendar year by a business for use as alternative jet fuel for flights departing in this state.

(c) The credit amount under (b) of this subsection must increase by 2 cents for each additional one percent reduction in carbon dioxide equivalent emissions beyond 50 percent, not to exceed \$2 for each gallon of alternative jet fuel.

(d) The credit under this section is calculated only on the portion of jet fuel that is considered alternative jet fuel and does not include conventional jet fuel when such fuels are blended or otherwise used in a jet fuel mixture.

(e) A credit under this section may not be claimed until the department of ecology verifies that there are one or more facilities operating in this state with cumulative production capacity of at least 20,000,000 gallons of alternative jet fuel each year and has provided such notice to the department.

(2) A person may not receive credit under this section for amounts claimed as credits under section 10 of this act or chapter 82.16 RCW.

(3) To claim a credit under this section a person must electronically file with the department all returns, forms, and any other information required by the department, in an electronic format as provided or approved by the department.

(4) To claim a credit under this section, the person applying must:

(a) Complete an application for the credit which must include:

(i) The name, business address, and tax identification number of the applicant;

(ii) Documentation of the amount of alternative jet fuel purchased by the business in the prior calendar year;

(iii) Documentation sufficient for the department to verify that the alternative jet fuel for which the credit is being claimed meets the carbon intensity reduction benchmarks under subsection (1)(b) and (c) of this section, as certified by the department of ecology under section 3 of this act; and

(iv) Any other information deemed necessary by the department to support administration or reporting of the program.

(b) Obtain a carbon intensity score from the department of ecology prior to submitting an application to the department.

(5) The department must notify applicants of credit approval or denial within 60 days of receipt of a final application and documentation.

(6) If a person fails to supply the information as required in subsection (4) of this section, the department must deny the application.

(7)(a) The credit under this section may be used against any tax due under this chapter.

(b) A credit earned during one calendar year may be carried over and claimed against taxes incurred for the next subsequent calendar year but may not be carried over for any calendar year thereafter.

(c) No refunds may be granted for credits under this section.

(8) For the purposes of this section:

(a) "Alternative jet fuel" has the same meaning as in RCW 70A.535.010.

(b) "Carbon dioxide equivalent" has the same meaning as in RCW 70A.45.010.

(9)(a) Credits may be earned beginning on the first day of the first calendar quarter following the month in which notice under subsection (1)(e) of this section was received by the department.

(b) Credits may not be earned beginning nine calendar years after the close of the calendar year in which the credit may be earned, as provided in (a) of this subsection.

(10) A person claiming the credit provided in this section must file a complete annual tax performance report with the department under RCW 82.32.534.

NEW SECTION. Sec. 12. A new section is added to chapter 82.16 RCW to read as follows:

(1)(a) Subject to the limits and provisions of this section, a credit is allowed against the tax otherwise due under this chapter for persons engaged in the use of alternative jet fuel.

(b) Except as provided in (c) of this subsection, the credit under this section is equal to \$1 for each gallon of alternative jet fuel that has at least 50 percent less carbon dioxide equivalent emissions than conventional jet fuel and is purchased during the prior calendar year by a business for use as alternative jet fuel for flights departing in this state.

(c) The credit amount under (b) of this subsection must increase by 2 cents for each additional one percent reduction in carbon dioxide equivalent emissions beyond 50 percent, not to exceed \$2 for each gallon of alternative jet fuel.

(d) The credit under this section is calculated only on the portion of jet fuel that is considered alternative jet fuel and does not include conventional jet fuel when such fuels are blended or otherwise used in a jet fuel mixture.

(e) A credit under this section may not be claimed until the department of ecology verifies that there are one or more facilities operating in this state with cumulative production capacity of at least 20,000,000 gallons of alternative jet fuel each year and has provided such notice to the department.

(2) A person may not receive credit under this section for amounts claimed as credits under chapter 82.04 RCW.

(3) To claim a credit under this section a person must electronically file with the department all returns, forms, and any other information required by the department, in an electronic format as provided or approved by the department.

(4) To claim a credit under this section, the person applying must:

(a) Complete an application for the credit which must include:

(i) The name, business address, and tax identification number of the applicant;

(ii) Documentation of the amount of alternative jet fuel purchased by the business in the prior calendar year;

(iii) Documentation sufficient for the department to verify that the alternative jet fuel for which the credit is being claimed meets the carbon intensity reduction benchmarks under subsection (1)(b) and (c) of this section, as certified by the department of ecology under section 3 of this act; and

(iv) Any other information deemed necessary by the department to support administration or reporting of the program.

(b) Obtain a carbon intensity score from the department of ecology prior to submitting an application to the department.

(5) The department must notify applicants of credit approval or denial within 60 days of receipt of a final application and documentation.

(6) If a person fails to supply the information as required in subsection (4) of this section, the department must deny the application.

(7)(a) The credit under this section may be used against any tax due under this chapter.

(b) A credit earned during one calendar year may be carried over and claimed against taxes incurred for the next subsequent calendar year but may not be carried over for any calendar year thereafter.

(c) No refunds may be granted for credits under this section.

(8) The definitions in section 11 of this act apply to this section.

(9)(a) Credits may be earned beginning on the first day of the first calendar quarter following the month in which notice under subsection (1)(e) of this section was received by the department.

(b) Credits may not be earned beginning nine calendar years after the close of the calendar year in which the credit may be earned, as provided in (a) of this subsection.

(10) A person claiming the credit provided in this section must file a complete annual tax performance report with the department under RCW 82.32.534.

Sec. 13. RCW 70A.65.260 and 2022 c 179 s 17 are each amended to read as follows:

(1) The climate commitment account is created in the state treasury. The account must receive moneys distributed to the account from the climate investment account created in RCW 70A.65.250. Moneys in the account may be spent only after appropriation. Projects, activities, and programs eligible for funding from the account must be physically located in Washington state and include, but are not limited to, the following:

(a) Implementing the working families' tax (~~rebate~~) credit in RCW 82.08.0206;

(b) Supplementing the growth management planning and environmental review fund established in RCW 36.70A.490 for the purpose of making grants or loans to local governments for the purposes set forth in RCW 43.21C.240, 43.21C.031, 36.70A.500, and 36.70A.600, for costs associated with RCW 36.70A.610, and to cover costs associated with the adoption of optional elements of comprehensive plans consistent with RCW 43.21C.420;

(c) Programs, activities, or projects that reduce and mitigate impacts from greenhouse gases and copollutants in overburdened communities, including strengthening the air quality monitoring network to measure, track, and better understand air pollution levels and trends and to inform the analysis, monitoring, and pollution reduction measures required in RCW 70A.65.020;

(d) Programs, activities, or projects that deploy renewable energy resources, such as solar and wind power, and projects to deploy distributed generation, energy storage, demand-side technologies and strategies, and other grid modernization projects;

(e) Programs, activities, or projects that increase the energy efficiency or reduce greenhouse gas emissions of industrial

facilities including, but not limited to, proposals to implement combined heat and power, district energy, or on-site renewables, such as solar and wind power, to upgrade the energy efficiency of existing equipment, to reduce process emissions, and to switch to less emissions intensive fuel sources;

(f) Programs, activities, or projects that achieve energy efficiency or emissions reductions in the agricultural sector including:

(i) Fertilizer management;

(ii) Soil management;

(iii) Bioenergy;

(iv) Biofuels;

(v) Grants, rebates, and other financial incentives for agricultural harvesting equipment, heavy-duty trucks, agricultural pump engines, tractors, and other equipment used in agricultural operations;

(vi) Grants, loans, or any financial incentives to food processors to implement projects that reduce greenhouse gas emissions;

(vii) Renewable energy projects;

(viii) Farmworker housing weatherization programs;

(ix) Dairy digester research and development;

(x) Alternative manure management; and

(xi) Eligible fund uses under RCW 89.08.615;

(g) Programs, activities, or projects that increase energy efficiency in new and existing buildings, or that promote low carbon architecture, including use of newly emerging alternative building materials that result in a lower carbon footprint in the built environment over the life cycle of the building and component building materials;

(h) Programs, activities, or projects that promote the electrification and decarbonization of new and existing buildings, including residential, commercial, and industrial buildings;

(i) Programs, activities, or projects that improve energy efficiency, including district energy, and investments in market transformation of high efficiency electric appliances and equipment for space and water heating;

(j) Clean energy transition and assistance programs, activities, or projects that assist affected workers or people with lower incomes during the transition to a clean energy economy, or grow and expand clean manufacturing capacity in communities across Washington state including, but not limited to:

(i) Programs, activities, or projects that directly improve energy affordability and reduce the energy burden of people with lower incomes, as well as the higher transportation fuel burden of rural residents, such as bill assistance, energy efficiency, and weatherization programs;

(ii) Community renewable energy projects that allow qualifying participants to own or receive the benefits of those projects at reduced or no cost;

(iii) Programs, activities, or other worker-support projects for bargaining unit and nonsupervisory fossil fuel workers who are affected by the transition away from fossil fuels to a clean energy economy. Worker support may include, but is not limited to: (A) Full wage replacement, health benefits, and pension contributions for every worker within five years of retirement; (B) full wage replacement, health benefits, and pension contributions for every worker with at least one year of service for each year of service up to five years of service; (C) wage insurance for up to five years for workers reemployed who have more than five years of service; (D) up to two years of retraining costs, including tuition and related costs, based on in-state community and technical college costs; (E) peer counseling services during transition; (F) employment placement services, prioritizing employment in the clean energy sector; and (G) relocation expenses;

FIFTY SECOND DAY, MARCH 1, 2023

(iv) Direct investment in workforce development, via technical education, community college, institutions of higher education, apprenticeships, and other programs including, but not limited to:

(A) Initiatives to develop a forest health workforce established under RCW 76.04.521; and

(B) Initiatives to develop new education programs, emerging fields, or jobs pertaining to the clean energy economy;

(v) Transportation, municipal service delivery, and technology investments that increase a community's capacity for clean manufacturing, with an emphasis on communities in greatest need of job creation and economic development and potential for commute reduction;

(k) Programs, activities, or projects that reduce emissions from landfills and waste-to-energy facilities through diversion of organic materials, methane capture or conversion strategies, installation of gas collection devices and gas control systems, monitoring and reporting of methane emissions, or other means, prioritizing funding needed for any activities by local governments to comply with chapter 70A.540 RCW;

(l) Carbon dioxide removal projects, programs, and activities; and

(m) Activities to support efforts to mitigate and adapt to the effects of climate change affecting Indian tribes, including capital investments in support of the relocation of Indian tribes located in areas at heightened risk due to anticipated sea level rise, flooding, or other disturbances caused by climate change. The legislature intends to dedicate at least \$50,000,000 per biennium from the account for purposes of this subsection.

(2) The state treasurer may, subject to funds appropriated for this specific purpose, transfer from the climate commitment account to the state general fund an amount equal to any reduction in state revenue from the preferential business and occupation tax rate under section 9 of this act and credits under sections 10 through 12 of this act for the prior calendar year, as annually determined by the department of revenue.

(3) Moneys in the account may not be used for projects or activities that would violate tribal treaty rights or result in significant long-term damage to critical habitat or ecological functions. Investments from this account must result in long-term environmental benefits and increased resilience to the impacts of climate change.

NEW SECTION. **Sec. 14.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. **Sec. 15.** RCW 82.32.805 does not apply to this act.

NEW SECTION. **Sec. 16.** Sections 9 through 13 of this act take effect July 1, 2024.

NEW SECTION. **Sec. 17.** Sections 1 through 7 of this act are necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and take effect July 1, 2023."

On page 1, line 2 of the title, after "Washington;" strike the remainder of the title and insert "amending RCW 70A.535.010, 43.330.565, 43.330.570, and 70A.65.260; adding a new section to chapter 70A.535 RCW; adding new sections to chapter 28B.30 RCW; adding new sections to chapter 82.04 RCW; adding a new section to chapter 82.16 RCW; creating new sections; providing effective dates; providing an expiration date; and declaring an emergency."

Senator Hasegawa spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of striking amendment no. 0120 by Senator Hasegawa to Substitute Senate Bill No. 5447.

The motion by Senator Hasegawa carried and striking amendment no. 0120 was adopted by voice vote.

MOTION

On motion of Senator Billig, the rules were suspended, Engrossed Substitute Senate Bill No. 5447 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Billig, King, Fortunato and Hasegawa spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5447.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5447 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 2; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senators Schoesler and Wagoner

Excused: Senator Boehnke

ENGROSSED SUBSTITUTE SENATE BILL NO. 5447, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5583, by Senators Liias, Wilson, C., Kauffman, Valdez, Lovelett, Lovick, Nguyen and Nobles

Improving young driver safety.

MOTIONS

On motion of Senator Liias, Substitute Senate Bill No. 5583 was substituted for Senate Bill No. 5583 and the substitute bill was placed on the second reading and read the second time.

Senator Liias moved that the following amendment no. 0071 by Senator Liias be adopted:

On page 11, line 1, after "(5)" insert "By January 1, 2024, the department shall provide to the appropriate committees of the legislature an implementation plan for the voucher program."

On page 11, line 32, after "(3)" insert "By January 1, 2024, the superintendent, in collaboration with the department of licensing, shall provide to the appropriate committees of the legislature an implementation plan for the grant program."

On page 15, line 4, after "course" insert "or condensed traffic safety education course"

Senators Liias and King spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0071 by Senator Liias on page 11, line 1 to Substitute Senate Bill No. 5583.

The motion by Senator Liias carried and amendment no. 0071 was adopted by voice vote.

MOTION

On motion of Senator Liias, the rules were suspended, Engrossed Substitute Senate Bill No. 5583 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Liias and King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5583.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5583 and the bill passed the Senate by the following vote: Yeas, 41; Nays, 7; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Shewmake, Stanford, Torres, Trudeau, Valdez, Wagoner, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senators Mullet, Padden, Rolfes, Schoesler, Short, Van De Wege and Warnick

Excused: Senator Boehnke

ENGROSSED SUBSTITUTE SENATE BILL NO. 5583, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5217, by Senators Dhingra, Kauffman, Keiser, Kuderer, Lovelett, Nguyen, Nobles, Pedersen, Valdez and Wilson, C.

Concerning the state's ability to regulate certain industries and risk classes to prevent musculoskeletal injuries and disorders.

MOTIONS

On motion of Senator Dhingra, Substitute Senate Bill No. 5217 was substituted for Senate Bill No. 5217 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5217, by Committee on Labor & Commerce (originally sponsored by Senators Dhingra, Kauffman, Keiser, Kuderer, Lovelett, Nguyen, Nobles, Pedersen, Valdez, and C. Wilson)

Revised for first Substitute: Concerning the state's ability to regulate certain industries and risk classifications to prevent musculoskeletal injuries and disorders.

Senator Dhingra moved that the following striking amendment no. 0090 by Senator Dhingra be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) The legislature finds that the absence of the department of labor and industries' authority to regulate working practices to prevent musculoskeletal injuries and disorders has contributed to excess and avoidable claims and costs across the workers' compensation system for all employers in Washington, including those employers who maintain safer workplaces without high incidents of musculoskeletal injuries and disorders.

(2) The legislature finds that work-related musculoskeletal injuries and disorders account for at least one-third of all workers' compensation claims that result in time loss and wage replacement; are more severe than the average nonfatal injury or illness; and are a common cause of long-term disability in Washington state.

(3) The legislature finds that many of Washington state's critical industries, including health care, are described by the federal bureau of labor statistics as high-risk industries for musculoskeletal injuries. These are also industries that are currently experiencing significant staffing shortages. Further, these injuries lead to high employer costs including absenteeism, decreased productivity, and increased costs for health care, disability, and workers' compensation, among other costs.

(4) The legislature therefore intends to repeal the prohibition on regulating working practices related to musculoskeletal injuries and disorders, thereby allowing targeted safety efforts to more effectively and efficiently prevent these workplace injuries. By removing this barrier, the legislature will restore the state's ability to more strategically address important workplace safety issues and reduce costs for all employers and workers.

NEW SECTION. Sec. 2. The following acts or parts of acts are each repealed:

(1) RCW 49.17.360 (Ergonomics Initiative—Intent) and 2004 c 1 s 1; and

(2) RCW 49.17.370 (Ergonomics Initiative—Definition—Rule repeal) and 2004 c 1 s 2.

Sec. 3. RCW 49.17.020 and 2010 c 8 s 12005 are each amended to read as follows:

~~(For the purposes of this chapter.)~~ The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) ~~(The term "agriculture")~~ (a) "Agriculture" means farming and includes, but is not limited to:

~~((a))~~ (i) The cultivation and tillage of the soil;

~~((b))~~ (ii) Dairying;

~~((c))~~ (iii) The production, cultivation, growing, and harvesting of any agricultural or horticultural commodity;

~~((d))~~ (iv) The raising of livestock, bees, fur-bearing animals, or poultry; and

~~((e))~~ (v) Any practices performed by a farmer or on a farm, incident to or in connection with such farming operations, including but not limited to preparation for market and delivery to:

~~((i))~~ (A) Storage;

~~((ii))~~ (B) Market; or

~~((iii))~~ (C) Carriers for transportation to market.

~~(The term "agriculture")~~ (b) "Agriculture" does not mean a farmer's processing for sale or handling for sale a commodity or product grown or produced by a person other than the farmer or the farmer's employees.

(2) ~~(The term "director")~~ "Director" means the director of the department of labor and industries, or his or her designated representative.

FIFTY SECOND DAY, MARCH 1, 2023

(3) (~~The term "department"~~) "Department" means the department of labor and industries.

(4) (~~The term "employer"~~) "Employer" means any person, firm, corporation, partnership, business trust, legal representative, or other business entity which engages in any business, industry, profession, or activity in this state and employs one or more employees or who contracts with one or more persons, the essence of which is the personal labor of such person or persons and includes the state, counties, cities, and all municipal corporations, public corporations, political subdivisions of the state, and charitable organizations: PROVIDED, That any person, partnership, or business entity not having employees, and who is covered by the industrial insurance act (~~shall~~) must be considered both an employer and an employee.

(5) (~~The term "employee"~~) "Employee" means an employee of an employer who is employed in the business of his or her employer whether by way of manual labor or otherwise and every person in this state who is engaged in the employment of or who is working under an independent contract the essence of which is his or her personal labor for an employer under this chapter whether by way of manual labor or otherwise.

(6) (~~The term "person"~~) "Person" means one or more individuals, partnerships, associations, corporations, business trusts, legal representatives, or any organized group of persons.

(7) (~~The term "safety and health standard"~~) "Risk classification" means any classification defined in chapter 296-17A WAC classifications for Washington workers' compensation insurance.

(8) "Safety and health standard" means a standard which requires the adoption or use of one or more practices, means, methods, operations, or processes reasonably necessary or appropriate to provide safe or healthful employment and places of employment.

(~~(8) The term "workplace"~~) (9) "Workplace" means any plant, yard, premises, room, or other place where an employee or employees are employed for the performance of labor or service over which the employer has the right of access or control, and includes, but is not limited to, all workplaces covered by industrial insurance under Title 51 RCW, as now or hereafter amended.

(~~(9) The term "working day"~~) (10) "Working day" means a calendar day, except Saturdays, Sundays, and all legal holidays as set forth in RCW 1.16.050, as now or hereafter amended, and for the purposes of the computation of time within which an act is to be done under the provisions of this chapter, (~~shall~~) must be computed by excluding the first working day and including the last working day.

(11) "Work-related musculoskeletal injuries and disorders" means injuries or disorders of the muscles, nerves, tendons, joints, cartilage, and spinal discs associated with exposure to risk factors in the workplace. Musculoskeletal injuries and disorders include sprains, strains, tears, back pain, soreness, pain, carpal tunnel syndrome, musculoskeletal system or connective tissue diseases and disorders when the event or exposure leading to the injury or illness is bodily reaction from bending, climbing, crawling, reaching, twisting, sitting, or standing; being rubbed or abraded by kneeling on a surface; being rubbed, abraded, or jarred by vibration; overexertion; or repetition. The department may update this definition in accordance with changes to the United States department of labor's definition or updates to the United States bureau of labor statistics' occupational injury and illness classification system.

NEW SECTION. Sec. 4. A new section is added to chapter 49.17 RCW to read as follows:

(1) The department may adopt rules related to preventing musculoskeletal injuries and disorders that provide standards for an industry or risk classification, subject to the limits in this section.

(2)(a) Within a 12-month period, the department may not adopt more than one set of rules related to preventing musculoskeletal injuries and disorders for an industry or risk classification that previously did not have rules related to preventing musculoskeletal injuries and disorders. The rules would apply to an establishment engaged in activities as defined by the industry or risk classification.

(b) Subject to subsection (10) of this section, the department may not adopt emergency rules under chapter 34.05 RCW related to preventing musculoskeletal injuries and disorders for an industry or risk classification that previously did not have rules related to preventing musculoskeletal injuries and disorders.

(3)(a) Rules providing standards may only be adopted for industries or risk classifications where compensable workers' compensation claims involved musculoskeletal injuries and disorders at a rate greater than two times the overall state workers' compensation compensable claim rate for musculoskeletal injuries and disorders over a recent five-year period.

(b) When adopting rules by industry subsector at the three-digit level, the department must exclude from regulation North American industry classification system industry group at the four-digit level and industry classification at the five-digit level within the industry subsector that have a musculoskeletal injuries and disorders rate less than two times the overall state workers' compensation compensable claim rate for musculoskeletal injuries and disorders over a recent five-year period.

(c) When adopting rules by industry group at the four-digit level, the department must exclude from regulation North American industry classification system industry classifications at the five-digit level within the industry group that have a musculoskeletal injuries and disorders rate less than two times the overall state workers' compensation compensable claim rate for musculoskeletal injuries and disorders over a recent five-year period.

(d) When adopting rules by risk classification at the four-digit level, the department must exclude six-digit risk classifications within the four-digit risk classification if they have a musculoskeletal injuries and disorders rate less than two times the overall state workers' compensation compensable claim rate for musculoskeletal injuries and disorders over a recent five-year period.

(4) Within 90 days of the department filing a preproposal statement of inquiry (CR-101) for industry or risk classifications specific rules related to preventing musculoskeletal injuries and disorders, the department must provide a report to the appropriate committees of the legislature. The report must include the criteria the department used to select the industry or rate risk classification that will be subject to the rules and a description of the rule-making procedures under chapter 34.05 RCW which the department will follow for the specific rules.

(5) During rule making, the department must consider including options for an employer to demonstrate alternative control methods where:

(a) The alternative methods are at least as effective as the rule requirements;

(b) Affected employees are trained and monitored for compliance; and

(c) The employer has documented all efforts.

(6) When filing a preproposal statement of inquiry (CR-101) for industry or risk classification specific rules related to preventing musculoskeletal injuries and disorders, the

department must include the convening of an advisory committee comprised of equal representatives of employers and workers from the industry or risk classification that will be subject to the rules.

(7) During rule making under this section, the department must solicit input on the effective date to specify in the order of adoption under RCW 34.05.380. The effective date may not be less than 120 days after adoption and no rule may be effective prior to July 1, 2026.

(8) Annually by November, the department must:

(a) Publish a list of industries and risk classifications eligible for rule making under this section. The list must include compensable claims over the five calendar year period that ended two calendar years before the report is published; and

(b) Conduct a review of the compensable workers' compensation claims data identified in (a) of this subsection to ensure that the data only reflects injuries or disorders consistent with work-related musculoskeletal injuries or disorders as defined by this act, and publish the results of that review.

(9) For employee home offices, the director does not have the authority to adopt any new or amended rules dealing with musculoskeletal injuries and disorders, or that deal with the same or similar activities as the rules which were repealed in former RCW 49.17.370 for employee home offices, until and to the extent comparable rules applying to employee home offices are required by congress or the federal occupational safety and health administration.

(10) Limits on rule making in this section do not apply to rules adopted or amended where required by the federal occupational safety and health administration.

(11) For the purposes of this section, "industry" means any classification in the North American industry classification system that defines an industry subsector at the three-digit level, industry group at the four-digit level, and industry at the five-digit level.

(12) The department must provide up to three additional ergonomists to provide consultation to employers in the industries and risk classifications in the list published under subsection (8)(a) of this section. Funding for the additional ergonomists must be paid from the accident and medical aid funds.

NEW SECTION. Sec. 5. A new section is added to chapter 49.17 RCW to read as follows:

(1) The director is authorized, in the director's discretion, to provide funding to employers to purchase additional equipment that may be needed to comply with a rule adopted under section 4 of this act. The maximum amount of funding each year is two percent of the premiums paid into the accident fund in the prior year from employers subject to a rule adopted under section 4 of this act.

(2) Only employers who pay premiums to the state fund as defined in RCW 51.08.175 and are subject to a rule adopted under section 4 of this act are eligible for funding under this section.

(3) An appropriation is not required for these expenditures.

(4) The department may adopt rules to implement this section."

On page 1, line 3 of the title, after "disorders;" strike the remainder of the title and insert "amending RCW 49.17.020; adding new sections to chapter 49.17 RCW; creating a new section; and repealing RCW 49.17.360 and 49.17.370."

MOTION

Senator Wagoner moved that the following amendment no. 0101 by Senator Wagoner be adopted:

On page 4, line 11, after "(1)" strike "The" and insert "Beginning July 1, 2028, the"

On page 6, line 6, after "(8)" strike "Annually" and insert "Beginning on the effective date of this section and continuing annually"

On page 6, line 10, after "published;" strike "and"

On page 6, line 15, after "review" insert "; and"

(c) Publish technical guidance for each industry and risk classification eligible under (a) of this subsection designed to encourage the adoption of best practices and ensure a reduction in potential adverse ergonomic risk factors"

Senator Wagoner spoke in favor of adoption of the amendment to the striking amendment.

Senator Keiser spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0101 by Senator Wagoner on page 4, line 11 to striking amendment no. 0090.

The motion by Senator Wagoner did not carry and amendment no. 0101 was not adopted by voice vote.

MOTION

Senator Wagoner moved that the following amendment no. 0102 by Senator Wagoner be adopted:

On page 4, beginning on line 17, after "disorders" strike all material through "disorders" on line 19 and insert "under this section. The restriction in this subsection does not apply to the amendment of rules related to an industry or risk classification that previously had rules imposed on it by the department related to preventing musculoskeletal injuries and disorders"

Senator Wagoner spoke in favor of adoption of the amendment to the striking amendment.

Senator Dhingra spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0102 by Senator Wagoner on page 4, line 17 to striking amendment no. 0090.

The motion by Senator Wagoner did not carry and amendment no. 0102 was not adopted by voice vote.

MOTION

Senator Fortunato moved that the following amendment no. 0100 by Senator Fortunato be adopted:

On page 4, line 27, after "(3)" insert "(a) Prior to adopting rules related to musculoskeletal injuries or disorders, the department must contract with an independent third party to prepare an economic impact statement for all impacted businesses as part of the rule-making process.

(b) An economic impact statement must:

(i) Include a brief description of the industries or risk classifications that will be required to comply with the rule; the reporting, recordkeeping, and other compliance requirements of the proposed rule; and the kinds of professional services that a business is likely to need in order to comply with such requirements;

(ii) Analyze the costs of compliance for businesses required to comply with the proposed rule, including costs of equipment, supplies, labor, professional services, and increased administrative costs;

FIFTY SECOND DAY, MARCH 1, 2023

(iii) Estimate any loss of sales or revenue by businesses required to comply with the rule, and the cost per: Employee, hour of labor, or \$100 of sales;

(iv) Estimate the number of businesses that will move out of state and jobs that will be lost as the result of required compliance with the proposed rule; and

(v) Include the steps taken by the agency to reduce the costs of the rule on businesses, or reasonable justification for not doing so, and a description of how the agency will involve impacted businesses in the development of the rule.

(c) To obtain information for purposes of this subsection, the department may survey a representative sample of affected businesses or trade associations, and should, whenever possible, appoint a committee to assist in the accurate assessment of the economic impact of a proposed rule and the means to reduce the costs imposed on businesses.

(d) The department must post the economic impact statement on the department's website and provide a copy of the statement to any person requesting it.

(4)"

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

Senators Fortunato and Short spoke in favor of adoption of the amendment to the striking amendment.

Senator Dhingra spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0100 by Senator Fortunato on page 4, line 27 to striking amendment no. 0090.

The motion by Senator Fortunato did not carry and amendment no. 0100 was not adopted by voice vote.

WITHDRAWAL OF AMENDMENT

On motion of Senator Mullet and without objection, amendment no. 0111 by Senator Mullet on page 4, line 27 to striking amendment no. 0090 was withdrawn.

MOTION

Senator Braun moved that the following amendment no. 105 by Senator Braun be adopted:

On page 5, after line 16, insert the following:

"(4) Rules providing standards may not be generally applied and may only be adopted for specific jobs, processes, or operations of work activity within an industry or risk classification."

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

Senator Braun spoke in favor of adoption of the amendment to the striking amendment.

Senator Dhingra spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 105 by Senator Braun on page 5, after line 16 to striking amendment no. 0090.

The motion by Senator Braun did not carry and amendment no. 105 was not adopted by voice vote.

MOTION

Senator Braun moved that the following amendment no. 106 by Senator Braun be adopted:

On page 5, after line 16, insert the following:

"(4) Rules providing standards may only be adopted after a pilot program has been established by the department to test the rule's effectiveness for injury reduction, ease of compliance, and affordability."

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

Senators Braun, King and Short spoke in favor of adoption of the amendment to the striking amendment.

Senator Keiser spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 106 by Senator Braun on page 5, line 16 to striking amendment no. 0090.

The motion by Senator Braun did not carry and amendment no. 106 was not adopted by voice vote.

MOTION

Senator Wilson, L. moved that the following amendment no. 107 by Senator Wilson, L. be adopted:

On page 5, after line 16, insert the following:

"(4) Rules may only apply to an employer when a musculoskeletal injury or disorder has occurred to more than one employee performing a job, process, or operation of identical work activity within the last 12 months but not before the adoption of this act."

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

Senator Wilson, L. spoke in favor of adoption of the amendment to the striking amendment.

Senator Keiser spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 107 by Senator Wilson, L. on page 5, after line 16 to striking amendment no. 0090.

The motion by Senator Wilson, L. did not carry and amendment no. 107 was not adopted by voice vote.

MOTION

Senator Gildon moved that the following amendment no. 109 by Senator Gildon be adopted:

On page 5, after line 16, insert the following:

"(4) Prior to the adoption of any rules under this section applying to private sector employers, the department must adopt rules for all public sector employers that meet the criteria of subsection (3) of this section, including the state, counties, cities, and all municipal corporations, public corporations, and political subdivisions of the state."

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

Senators Gildon, Rivers and Fortunato spoke in favor of adoption of the amendment to the striking amendment.

Senator Dhingra spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 109 by Senator Gildon on page 5, after line 16 to striking amendment no. 0090.

The motion by Senator Gildon did not carry and amendment no. 109 was not adopted by a rising vote.

MOTION

Senator Mullet moved that the following amendment no. 121 by Senator Mullet be adopted:

On page 5, after line 16, insert the following:

"(e) When selecting an industry or risk classification from the list established for potential rulemaking in section 4(8)(a) of this act, the department shall consider if the industry is demonstrating a statistical downward trend in the claims rates that is greater than the statewide average."

On page 6, after line 15, insert the following:

"(c) Each year the department shall identify a list of industries or risk classes most likely to be selected for future rule making and prioritize efforts to provide technical assistance to those employers."

Senators Mullet and Dhingra spoke in favor of adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 121 by Senator Mullet on page 5, after line 16 to striking amendment no. 0090.

The motion by Senator Mullet carried and amendment no. 121 was adopted by voice vote.

MOTION

Senator Short moved that the following amendment no. 0104 by Senator Short be adopted:

On page 5, line 17, after "(4)" insert "Upon the department adopting a rule for industry or risk classification, specific rules related to preventing musculoskeletal injuries and disorders, the rule by the department does not take effect until after the adjournment of the regular legislative session immediately following the adoption of the rule-making order (CR-103P), in order to allow an opportunity for the legislature to add to, limit, or otherwise amend the final rule on musculoskeletal injuries and disorders.

(5)"

Re-number the remaining subsections consecutively and correct any internal references accordingly.

Senator Short spoke in favor of adoption of the amendment to the striking amendment.

Senator Keiser spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0104 by Senator Short on page 5, line 17 to striking amendment no. 0090.

The motion by Senator Short did not carry and amendment no. 0104 was not adopted by voice vote.

MOTION

Senator Padden moved that the following amendment no. 0108 by Senator Padden be adopted:

On page 5, line 26, after "including" insert "the least burdensome and least costly"

Senator Padden spoke in favor of adoption of the amendment to the striking amendment.

Senator Keiser spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0108 by Senator Padden on page 5, line 26 to striking amendment no. 0090.

The motion by Senator Padden did not carry and amendment no. 0108 was not adopted by voice vote.

MOTION

Senator Dhingra moved that the following amendment no. 0112 by Senator Dhingra be adopted:

On page 6, line 8, after "section." insert "The list must identify low priority industries and risk classifications for whom the statistical trend suggests the industry or risk classification will have a rate lower than two times the state average in the next three years."

Senator Dhingra spoke in favor of adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0112 by Senator Dhingra on page 6, line 8 to striking amendment no. 0090.

The motion by Senator Dhingra carried and amendment no. 0112 was adopted by voice vote.

MOTION

Senator Holy moved that the following amendment no. 0103 by Senator Holy be adopted:

On page 6, after line 15, insert the following:

"(9) Any rules adopted by the department related to musculoskeletal injuries and disorders, or that deal with the same or similar activities as the rules previously repealed, do not apply to any business with 50 or fewer employees."

Re-number the remaining subsections consecutively and correct any internal references accordingly.

Senators Holy and King spoke in favor of adoption of the amendment to the striking amendment.

Senator Dhingra spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0103 by Senator Holy on page 6, after line 15 to striking amendment no. 0090.

The motion by Senator Holy did not carry and amendment no. 0103 was not adopted by voice vote.

MOTION

Senator Wilson, J. moved that the following amendment no. 0110 by Senator Wilson, J. be adopted:

On page 7, after line 9, insert the following:

NEW SECTION. Sec. 6. The secretary of state shall submit this act to the people for their adoption and ratification, or rejection, at the next general election to be held in this state, in accordance with Article II, section 1 of the state Constitution and the laws adopted to facilitate its operation."

FIFTY SECOND DAY, MARCH 1, 2023

On page 7, beginning on line 12, after "section;" strike all material through "49.17.370" on line 13 and insert "repealing RCW 49.17.360 and 49.17.370; and providing for submission of this act to a vote of the people"

Senators Wilson, J. and Padden spoke in favor of adoption of the amendment to the striking amendment.

Senator Keiser spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0110 by Senator Wilson, J. on page 7, after line 9 to striking amendment no. 0090.

The motion by Senator Wilson, J. did not carry, and amendment no. 0110 was not adopted by voice vote.

The President declared the question before the Senate to be the adoption of striking amendment no. 0090 by Senator Dhingra as amended to Substitute Senate Bill No. 5583.

The motion by Senator Dhingra carried and striking amendment no. 0090 as amended was adopted by voice vote.

MOTION

On motion of Senator Dhingra, the rules were suspended, Engrossed Substitute Senate Bill No. 5217 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Dhingra, Keiser, Hasegawa and Conway spoke in favor of passage of the bill.

Senators King, Wilson, J., Muzzall and Braun spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5217.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5217 and the bill passed the Senate by the following vote: Yeas, 27; Nays, 21; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Liias, Lovelett, Lovick, Mullet, Nguyen, Nobles, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Stanford, Trudeau, Valdez, Wellman and Wilson, C.

Voting nay: Senators Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Muzzall, Padden, Rivers, Schoesler, Shewmake, Short, Torres, Van De Wege, Wagoner, Warnick, Wilson, J. and Wilson, L.

Excused: Senator Boehnke

ENGROSSED SUBSTITUTE SENATE BILL NO. 5217, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5586, by Senators King, Robinson and Wellman

Concerning employees' paid family or medical leave data.

MOTION

On motion of Senator King, Substitute Senate Bill No. 5586 was substituted for Senate Bill No. 5586 and the substitute bill was placed on the second reading and read the second time.

WITHDRAWAL OF AMENDMENT

On motion of Senator Robinson and without objection, amendment no. 0099 by Senator Robinson on page 1, line 17 to Substitute Senate Bill No. 5586 was withdrawn.

MOTION

On motion of Senator King, the rules were suspended, Substitute Senate Bill No. 5586 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators King and Keiser spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5586.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5586 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Boehnke

SUBSTITUTE SENATE BILL NO. 5586, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5326, by Senators Lovick, King, Mullet and Wilson, C.

Concerning verification of motor vehicle insurance.

MOTION

On motion of Senator Lovick, Substitute Senate Bill No. 5326 was substituted for Senate Bill No. 5326 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Liias moved that the following amendment no. 0119 by Senator Liias be adopted:

On page 1, line 14, after "law enforcement," insert "vehicle dealers licensed under chapter 46.70 RCW,"

Senator Liias spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0119 by Senator Lias on page 1, line 14 to Substitute Senate Bill No. 5326.

The motion by Senator Lias carried and amendment no. 0119 was adopted by voice vote.

MOTION

On motion of Senator Lovick, the rules were suspended, Engrossed Substitute Senate Bill No. 5326 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Lovick, King and Mullet spoke in favor of passage of the bill.

Senator Lovelett spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5326.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5326 and the bill passed the Senate by the following vote: Yeas, 37; Nays, 11; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dozier, Fortunato, Frame, Gildon, Hawkins, Holy, Hunt, Keiser, King, Kuderer, Lias, Lovick, McCune, Mullet, Muzzall, Padden, Pedersen, Randall, Rivers, Rolfes, Salomon, Schoesler, Shewmake, Short, Torres, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senators Dhingra, Hasegawa, Kauffman, Lovelett, MacEwen, Nguyen, Nobles, Robinson, Saldaña, Stanford and Trudeau

Excused: Senator Boehnke

ENGROSSED SUBSTITUTE SENATE BILL NO. 5326, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5069, by Senators Rivers, Keiser, King, Stanford, Conway, Holy and Van De Wege

Allowing interstate cannabis agreements.

The measure was read the second time.

MOTION

On motion of Senator Rivers, the rules were suspended, Senate Bill No. 5069 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Rivers and Stanford spoke in favor of passage of the bill.

Senator Hasegawa spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5069.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5069 and the bill passed the Senate by the following vote: Yeas, 40; Nays, 8; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Dozier, Frame, Gildon, Hawkins, Holy, Hunt, Keiser, King, Kuderer, Lias, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Rivers, Robinson, Rolfes, Saldaña, Schoesler, Shewmake, Short, Stanford, Torres, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senators Fortunato, Hasegawa, Kauffman, Lovelett, Padden, Randall, Salomon and Trudeau

Excused: Senator Boehnke

SENATE BILL NO. 5069, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTIONS

On motion of Senator Pedersen, Rule 15 was suspended for the remainder of the day for the purpose of allowing continued floor action.

EDITOR'S NOTE: Senate Rule 15 establishes the floor schedule and calls for a lunch and dinner break of 90 minutes each per day during regular daily sessions.

At 6:14 p.m., on motion of Senator Pedersen, the Senate was declared to be at ease subject to the call of the President.

The Senate was called to order at 7 o'clock p.m. by the President of the Senate, Lt. Governor Heck presiding.

SECOND READING

SENATE BILL NO. 5604, by Senators Robinson, Nguyen and Stanford

Concerning county sales and use taxes for mental health and housing.

MOTIONS

On motion of Senator Pedersen, Substitute Senate Bill No. 5604 was substituted for Senate Bill No. 5604 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Robinson, the rules were suspended, Substitute Senate Bill No. 5604 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Robinson and Torres spoke in favor of passage of the bill.

MOTION

On motion of Senator Nobles, Senators Kuderer and Lias were excused.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5604.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5604 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

FIFTY SECOND DAY, MARCH 1, 2023

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Boehnke and Kuderer

SUBSTITUTE SENATE BILL NO. 5604, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5189, by Senators Trudeau, Wagoner, Conway, Dhingra and Wilson, C.

Establishing behavioral health support specialists.

MOTIONS

On motion of Senator Trudeau, Substitute Senate Bill No. 5189 was substituted for Senate Bill No. 5189 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Trudeau, the rules were suspended, Substitute Senate Bill No. 5189 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Trudeau and Rivers spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5189.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5189 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Boehnke and Kuderer

SUBSTITUTE SENATE BILL NO. 5189, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5120, by Senators Dhingra, Wagoner, Braun, Frame, Hasegawa, Keiser, Kuderer, Nguyen, Nobles, Pedersen, Randall, Saldaña, Shewmake, Stanford, Warnick, Wellman and Wilson, C.

Establishing 23-hour crisis relief centers in Washington state.

MOTIONS

On motion of Senator Dhingra, Second Substitute Senate Bill No. 5120 was substituted for Senate Bill No. 5120 and the substitute bill was placed on the second reading and read the second time.

SECOND SUBSTITUTE SENATE BILL NO. 5120, by Committee on Senate Ways & Means (originally sponsored by Senators Dhingra, Wagoner, Braun, Frame, Hasegawa, Keiser, Kuderer, Nguyen, Nobles, Pedersen, Randall, Saldaña, Shewmake, Stanford, Warnick, Wellman, and C. Wilson)

Revised for Second Substitute: Establishing crisis relief centers in Washington state.

On motion of Senator Dhingra, the rules were suspended, Second Substitute Senate Bill No. 5120 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Dhingra, Rivers and Saldaña spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 5120.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5120 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Boehnke and Kuderer

SECOND SUBSTITUTE SENATE BILL NO. 5120, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5010, by Senators Wilson, L., Holy, Wilson, J., Braun, Schoesler, King, Short, Fortunato, Padden, Torres, Dozier, Gildon, Rolfes, Wagoner and Warnick

Including synthetic opioids in the endangerment with a controlled substance statute.

MOTION

On motion of Senator Wilson, L., Substitute Senate Bill No. 5010 was substituted for Senate Bill No. 5010 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5010, by Committee on Law & Justice (originally sponsored by Senators L. Wilson,

Holy, J. Wilson, Braun, Schoesler, King, Short, Fortunato, Padden, Torres, Dozier, Gildon, Rolfes, Wagoner, and Warnick)

MOTION

Revised for first Substitute: Updating the endangerment with a controlled substance statute to include fentanyl or synthetic opioids.

MOTION

Senator Dhingra moved that the following amendment no. 0004 by Senator Dhingra be adopted:

On page 2, line 1, after "(2)" insert "The department of children, youth, and families and any employees, interns, volunteers, or contractors of the department acting in the scope of their role are exempt from any criminal liability within this section.

(3)"

Senators Dhingra and Wilson, L. spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0004 by Senator Dhingra on page 2, line 11 to Substitute Senate Bill No. 5010.

The motion by Senator Dhingra carried and amendment no. 0004 was adopted by voice vote.

MOTION

On motion of Senator Wilson, L., the rules were suspended, Engrossed Substitute Senate Bill No. 5010 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wilson, L. and Dhingra spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5010.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5010 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Boehnke and Kuderer

ENGROSSED SUBSTITUTE SENATE BILL NO. 5010, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5555, by Senators Randall, Dhingra, Hasegawa, Keiser, Nguyen, Nobles, Valdez and Wilson, C.

Creating the profession of certified peer specialists.

On motion of Senator Randall, Second Substitute Senate Bill No. 5555 was substituted for Senate Bill No. 5555 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Holy moved that the following striking amendment no. 0089 by Senator Holy be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** A new section is added to chapter 71.24 RCW to read as follows:

(1) The Washington state peer support advisory committee is established.

(2)(a) The advisory committee shall consist of 11 members. Nine members must be peer counselors. Those nine members shall be inclusive of diverse populations and include mental health peers, substance use disorder peers, community-based peers, peers who work in clinical settings, youth peers, adult peers, and peer supervisors. The advisory committee shall be reflective of the community who receives peer services, including people who are Black, indigenous, people of color, and individuals who identify as LGBTQ. All members of the advisory committee must be residents of Washington state. Members may not hold an office in a professional association for peer specialists or be employed by the state. A majority of the members currently serving shall constitute a quorum.

(b) The members shall be appointed by the director of the authority to serve three-year terms which may be renewed. Initial members shall be appointed to staggered terms which may be less than three years. The advisory committee shall select a chair and vice chair.

(3) The authority is encouraged to adopt recommendations as submitted by the advisory committee on topics related to the administration of this chapter and provide their rationale for any formal recommendations of the advisory committee that the authority does not adopt. The advisory committee shall develop a multiyear strategic plan for peer support trainings and workforce development that includes:

(a) Recommendations on developing education and training pathways in support of the peer counselor certification program;

(b) Recommendations on developing multiple pathways to peer support careers that includes planning for a formal certification pathway;

(c) Assistance and recommendations regarding development of continuing education and continuing competency programs including minimum requirements to maintain certification;

(d) Assistance and recommendations in development of a supervisory track for peer counselors including additional training and service hour requirements;

(e) Assistance and recommendations to enhance patient and client education;

(f) A review of existing authority policies and procedures related to peer counselors;

(g) Advice on approving additional education and training entities, other than the authority, to conduct the course of instruction under this chapter to expand availability of the course;

(h) Recommendations on recruitment and retention in the peer profession, including among black, indigenous, people of color, and individuals who identify as LGBTQ; and

FIFTY SECOND DAY, MARCH 1, 2023

(i) Recommendations on strategies to eliminate financial barriers to licensing as peer counselors.

(4) Advisory committee members are immune from suit in an action, civil or criminal, based on the department's disciplinary proceedings or other official acts performed in good faith.

(5) Advisory committee members shall be compensated in accordance with RCW 43.03.240, including travel expenses in carrying out his or her authorized duties in accordance with RCW 43.03.050 and 43.03.060.

NEW SECTION. **Sec. 2.** A new section is added to chapter 71.24 RCW to read as follows:

The authority shall develop and maintain a registry of certified peer counselors who have successfully completed the peer counselor certification program under RCW 70.385.020.

NEW SECTION. **Sec. 3.** A new section is added to chapter 71.24 RCW to read as follows:

In consultation with the advisory committee, the authority shall approve a program of continuing education for certified peer counselors. After initial certification as a peer counselor, certified peer counselors shall be required to complete the minimum number of hours of continuing education in a single three-year recertification period as required by the authority to maintain certification."

On page 1, line 3 of the title, after "specialists;" strike the remainder of the title and insert "and adding new sections to chapter 71.24 RCW."

Senator Holy spoke in favor of adoption of the striking amendment.

Senator Randall spoke against adoption of the striking amendment.

MOTION

On motion of Senator Nobles, Senator Salomon was excused.

The President declared the question before the Senate to be the adoption of striking amendment no. 0089 by Senator Holy to Second Substitute Senate Bill No. 5555.

The motion by Senator Holy did not carry and striking amendment no. 0089 was not adopted by a rising vote.

MOTION

On motion of Senator Randall, the rules were suspended, Second Substitute Senate Bill No. 5555 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Randall and Dhingra spoke in favor of passage of the bill.

Senators Holy and Muzzall spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 5555.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5555 and the bill passed the Senate by the following vote: Yeas, 27; Nays, 19; Absent, 0; Excused, 3.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hasegawa, Hunt, Kauffman, Keiser, Lias, Lovelett, Lovick, Mullet, Nguyen, Nobles, Pedersen, Randall, Robinson, Rolfes, Saldaña, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

Excused: Senators Boehnke, Kuderer and Salomon

SECOND SUBSTITUTE SENATE BILL NO. 5555, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5374, by Senators Short, Lovelett, Shewmake and Torres

Concerning the adoption of county critical area ordinances by cities.

MOTIONS

On motion of Senator Short, Substitute Senate Bill No. 5374 was substituted for Senate Bill No. 5374 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Short, the rules were suspended, Substitute Senate Bill No. 5374 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Short and Lovelett spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5374.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5374 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Boehnke, Kuderer and Salomon

SUBSTITUTE SENATE BILL NO. 5374, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5300, by Senators Dhingra, Billig, Cleveland, Frame, Hasegawa, Hunt, Keiser, Kuderer, Lovelett, Nguyen, Nobles, Randall, Rivers, Robinson, Shewmake, Valdez, Wellman and Wilson, C.

Concerning continuity of coverage for prescription drugs prescribed for the treatment of behavioral health conditions.

MOTIONS

MOTION

On motion of Senator Dhingra, Substitute Senate Bill No. 5300 was substituted for Senate Bill No. 5300 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Dhingra, the rules were suspended, Substitute Senate Bill No. 5300 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Dhingra and Rivers spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5300.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5300 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Boehnke, Kuderer and Salomon

SUBSTITUTE SENATE BILL NO. 5300, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5127, by Senators Wilson, C., Lovelett, Hasegawa, Hunt, Kuderer, Nobles, Saldaña, Stanford, Van De Wege and Wellman

Clarifying school districts' ability to redact personal information related to a student.

MOTION

On motion of Senator Wilson, C., Substitute Senate Bill No. 5127 was substituted for Senate Bill No. 5127 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Short moved that the following amendment no. 0097 by Senator Short be adopted:

On page 2, line 23, after "records" insert "other than disciplinary records"

Senator Short spoke in favor of adoption of the amendment.

Senator Hunt spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0097 by Senator Short on page 2, line 23 to Substitute Senate Bill No. 5127.

The motion by Senator Short did not carry and amendment no. 0097 was not adopted by voice vote.

Senator Wilson, J. moved that the following amendment no. 0093 by Senator Wilson, J. be adopted:

On page 2, line 24, after "correspondence" insert ", except that the agency may disclose a student's participation in school athletics, band, club, or other extracurricular activities"

Senator Wilson, J. spoke in favor of adoption of the amendment.

Senator Hunt spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0093 by Senator Wilson, J. on page 2, line 24 to Substitute Senate Bill No. 5127.

The motion by Senator Wilson, J. did not carry and amendment no. 0093 was not adopted by voice vote.

MOTION

On motion of Senator Wilson, C., the rules were suspended, Substitute Senate Bill No. 5127 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Wilson, C. spoke in favor of passage of the bill.

Senator Wilson, J. spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5127.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5127 and the bill passed the Senate by the following vote: Yeas, 27; Nays, 19; Absent, 0; Excused, 3.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hasegawa, Hunt, Kauffman, Keiser, Lias, Lovelett, Lovick, Mullet, Nguyen, Nobles, Pedersen, Randall, Robinson, Rolfes, Saldaña, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

Excused: Senators Boehnke, Kuderer and Salomon

SUBSTITUTE SENATE BILL NO. 5127, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5599, by Senators Lias, Wilson, C., Dhingra, Lovelett, Nguyen and Randall

Supporting youth and young adults seeking protected health care services.

MOTION

On motion of Senator Lias, Substitute Senate Bill No. 5599 was substituted for Senate Bill No. 5599 and the substitute bill was placed on the second reading and read the second time.

FIFTY SECOND DAY, MARCH 1, 2023
MOTION

Senator Braun moved that the following amendment no. 0128 by Senator Braun be adopted:

On page 3, beginning on line 1, after "to" strike all material through "Circumstances" on line 3 and insert ", circumstances"

On page 3, beginning on line 5, after "26.44.020" strike all material through "5489" on line 9

On page 8, beginning on line 1, after "means" strike all material through "5489" on line 5 and insert "there are circumstances that indicate that notifying the parent or legal guardian will subject the minor to abuse or neglect as defined in RCW 26.44.020"

Senators Braun, Short, Padden, Fortunato, McCune and Wagoner spoke in favor of adoption of the amendment.

Senators Wilson, C., Lias and Pedersen spoke against adoption of the amendment.

MOTION

Senator Short demanded a roll call.

The President declared that one-sixth of the members supported the demand, and the demand was sustained.

The President declared the question before the Senate to be the adoption of the amendment by Senator Braun on page 3, line 1 to Substitute Senate Bill No. 5599.

ROLL CALL

The Secretary called the roll on the adoption of the amendment by Senator Braun and the amendment was not adopted by the following vote: Yeas, 19; Nays, 27; Absent, 0; Excused, 3.

Voting yea: Senators Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

Voting nay: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hasegawa, Hunt, Kauffman, Keiser, Lias, Lovelett, Lovick, Mullet, Nguyen, Nobles, Pedersen, Randall, Robinson, Rolfes, Saldaña, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Excused: Senators Boehnke, Kuderer and Salomon.

MOTION

Senator Fortunato moved that the following amendment no. 0126 by Senator Fortunato be adopted:

On page 3, line 7, after "services." insert "However, if the minor discloses that the protected health care services relate to hormone therapy, puberty blockers, or gender-affirming medical procedures, the agency shall provide informational materials to the minor about available counseling services."

On page 8, line 3, after "services." insert "However, if the youth discloses that the protected health care services relate to hormone therapy, puberty blockers, or gender-affirming medical procedures, the host home program shall provide informational materials to the minor about available counseling services."

Senators Fortunato and McCune spoke in favor of adoption of the amendment.

Senator Wilson, C. spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0126 by Senator Fortunato on page 3, line 7 to Substitute Senate Bill No. 5599.

The motion by Senator Fortunato did not carry and amendment no. 0126 was not adopted by voice vote.

MOTION

Senator Braun moved that the following amendment no. 0127 by Senator Braun be adopted:

On page 3, beginning on line 8, after "services" strike all material through "5489" on line 9 and insert "means abortion as defined in RCW 9.02.170 and gender-affirming treatment."

(e) "Gender-affirming treatment" means age-appropriate counseling and support services for youth and young adults experiencing gender dysphoria"

On page 8, beginning on line 4, after "services" strike all material through "5489" on line 5 and insert "means abortion as defined in RCW 9.02.170 and gender-affirming treatment."

(E) "Gender-affirming treatment" means age-appropriate counseling and support services for youth and young adults experiencing gender dysphoria"

Senator Braun spoke in favor of adoption of the amendment.

Senator Wilson, C. spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0127 by Senator Braun on page 3, line 8 to Substitute Senate Bill No. 5599.

The motion by Senator Braun did not carry and amendment no. 0127 was not adopted by voice vote.

MOTION

Senator Wilson, C. moved that the following amendment no. 0129 by Senator Wilson, C. be adopted:

On page 3, line 8, after "services" strike all material through "5489" on line 9 and insert "means gender affirming treatment as defined in RCW 74.09.675 and reproductive health care services as defined in RCW 74.09.875"

On page 8, line 4, after "services" strike all material through "5489" on line 5 and insert "means gender affirming treatment as defined in RCW 74.09.675 and reproductive health care services as defined in RCW 74.09.875"

Senator Wilson, C. spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0129 by Senator Wilson, C. on page 3, line 8 to Substitute Senate Bill No. 5599.

The motion by Senator Wilson, C. carried and amendment no. 0129 was adopted by a rising vote.

MOTION

Senator Gildon moved that the following amendment no. 125 by Senator Gildon be adopted:

On page 3, line 20, after "26.44.030" insert "or removes the requirement that the law enforcement agency of the jurisdiction in which the person lives be notified"

Senators Gildon and Wilson, C. spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 125 by Senator Gildon on page 3, line 20 to Substitute Senate Bill No. 5599.

The motion by Senator Gildon carried and amendment no. 125 was adopted by voice vote.

MOTION

On motion of Senator Liias, the rules were suspended, Engrossed Substitute Senate Bill No. 5599 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Liias, Trudeau and Wilson, C. spoke in favor of passage of the bill.

Senators Gildon, Warnick, Muzzall, Wilson, J. and Braun spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5599.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5599 and the bill passed the Senate by the following vote: Yeas, 27; Nays, 19; Absent, 0; Excused, 3.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hasegawa, Hunt, Kauffman, Keiser, Liias, Lovelett, Lovick, Mullet, Nguyen, Nobles, Pedersen, Randall, Robinson, Rolfes, Saldaña, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

Excused: Senators Boehnke, Kuderer and Salomon

ENGROSSED SUBSTITUTE SENATE BILL NO. 5599, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5278, by Senators Wilson, L., Fortunato, Lovick, Muzzall, Robinson, Shewmake, Torres, Warnick and Wilson, C.

Implementing audit recommendations to reduce barriers to home care aide certification.

MOTION

On motion of Senator Wilson, L., Second Substitute Senate Bill No. 5278 was substituted for Senate Bill No. 5278 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Hasegawa moved that the following amendment no. 0086 by Senators Hasegawa, Schoesler and Wilson, L. be adopted:

On page 2, line 26, after "training," insert "The examination or series of examinations must be conducted at local testing sites

around the state. For the purpose of reducing the travel time for applicants, the department shall explore alternative testing options such as remote testing."

On page 2, line 28, after "methods." insert "All examinations shall be available to be administered in the preferred language for the applicant taking the examination."

Senators Hasegawa and Wilson, L. spoke in favor of adoption of the amendment.

MOTION

On motion of Senator Dozier, Senator McCune was excused.

The President declared the question before the Senate to be the adoption of amendment no. 0086 by Senators Hasegawa, Schoesler and Wilson, L. on page 2, line 26 to Second Substitute Senate Bill No. 5278.

The motion by Senator Hasegawa carried and amendment no. 0086 was adopted by voice vote.

MOTION

On motion of Senator Wilson, L., the rules were suspended, Engrossed Second Substitute Senate Bill No. 5278 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wilson, L. and Cleveland spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 5278.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5278 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 0; Absent, 0; Excused, 4.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Liias, Lovelett, Lovick, MacEwen, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Boehnke, Kuderer, McCune and Salomon

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5278, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5001, by Senators Hawkins, Hunt, Nguyen and Wilson, J.

Concerning public facility districts created by at least two city or county legislative authorities.

MOTIONS

FIFTY SECOND DAY, MARCH 1, 2023

On motion of Senator Hawkins, Second Substitute Senate Bill No. 5001 was substituted for Senate Bill No. 5001 and the substitute bill was placed on the second reading and read the second time.

Senator Hawkins moved that the following amendment no. 0066 by Senators Hawkins and Hunt be adopted:

On page 2, beginning on line 16, after "of which" strike "previously created" and insert "participated in the creation of"

On page 2, beginning on line 18, after "district." strike all material through "of the" on line 20 and insert "Any previously created district may continue its full corporate existence and activities notwithstanding the creation and existence of an"

On page 2, line 21, after "area." insert "A public facilities district formed under this subsection (1)(f) must be created prior to July 1, 2026."

On page 6, line 28, after "reconstruction." strike "and"

On page 6, line 28, after "expansion" insert ", and maintenance"

Senators Hawkins and Hunt spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0066 by Senators Hawkins and Hunt on page 2, line 16 to Second Substitute Senate Bill No. 5001.

The motion by Senator Hawkins carried and amendment no. 0066 was adopted by voice vote.

MOTION

On motion of Senator Hawkins, the rules were suspended, Engrossed Second Substitute Senate Bill No. 5001 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hawkins and Hunt spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 5001.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5001 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 0; Absent, 0; Excused, 4.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Liias, Lovelett, Lovick, MacEwen, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Boehnke, Kuderer, McCune and Salomon

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5001, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 9:29 p.m., on motion of Senator Pedersen, the Senate adjourned until 9 o'clock a.m. Thursday, March 2, 2023.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

FIFTY THIRD DAY

MORNING SESSION

Senate Chamber, Olympia
Thursday, March 2, 2023

The Senate was called to order at 9 o'clock a.m. by the President of the Senate, Lt. Governor Heck presiding. The Secretary called the roll and announced to the President that all Senators were present.

The Sergeant at Arms Color Guard consisting of Pages Mr. Thomas Davenport and Miss Roxana Rangel, presented the Colors. Page Mr. Brenden Craig led the Senate in the Pledge of Allegiance.

The prayer was offered by Pastor Tito Lyro, The Bible Presbyterian Church, Olympia.

MOTION

On motion of Senator Pedersen, the reading of the Journal of the previous day was dispensed with and it was approved.

On motion of Senator Pedersen, the Senate advanced to the fourth order of business.

MESSAGES FROM THE HOUSE

March 1, 2023

MR. PRESIDENT:
The House has passed:

HOUSE BILL NO. 1002,
SUBSTITUTE HOUSE BILL NO. 1047,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1057,
SUBSTITUTE HOUSE BILL NO. 1109,
SUBSTITUTE HOUSE BILL NO. 1132,
SECOND SUBSTITUTE HOUSE BILL NO. 1176,
SUBSTITUTE HOUSE BILL NO. 1254,
SUBSTITUTE HOUSE BILL NO. 1258,
SECOND SUBSTITUTE HOUSE BILL NO. 1433,
SUBSTITUTE HOUSE BILL NO. 1435,
SECOND SUBSTITUTE HOUSE BILL NO. 1452,
SUBSTITUTE HOUSE BILL NO. 1457,
HOUSE BILL NO. 1512,
SUBSTITUTE HOUSE BILL NO. 1521,
SECOND SUBSTITUTE HOUSE BILL NO. 1525,
SUBSTITUTE HOUSE BILL NO. 1572,
SUBSTITUTE HOUSE BILL NO. 1590,
HOUSE BILL NO. 1679,
SECOND SUBSTITUTE HOUSE BILL NO. 1681,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1732,
HOUSE BILL NO. 1777,
SUBSTITUTE HOUSE BILL NO. 1783,
and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

February 28, 2023

MR. PRESIDENT:
The House has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1050,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1169,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1293,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1584,
and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

MOTION

On motion of Senator Pedersen, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SHB 1012 by House Committee on Appropriations
(originally sponsored by Leavitt, Robertson, Ryu, Simmons, Reed, Ramel, Lekanoff, Pollet, Callan, Doglio, Orwall, Macri, Timmons, Donaghy, Reeves, Wylie, Bronoske, Paul, Springer and Thai)

AN ACT Relating to responding to extreme weather events; amending RCW 38.52.105; adding a new section to chapter 38.52 RCW; and creating new sections.

Referred to Committee on State Government & Elections.

ESHB 1033 by House Committee on Environment & Energy (originally sponsored by Walen, Ryu, Reed, Fitzgibbon, Pollet, Callan, Doglio, Macri, Gregerson, Davis, Santos, Ormsby and Fosse)

AN ACT Relating to evaluating compostable product usage in Washington; adding a new section to chapter 70A.205 RCW; and providing an expiration date.

Referred to Committee on Environment, Energy & Technology.

SHB 1077 by House Committee on Civil Rights & Judiciary (originally sponsored by Thai, Walen, Simmons, Leavitt, Senn, Goodman and Santos)

AN ACT Relating to courthouse facility dogs; amending RCW 10.52.110; and creating a new section.

Referred to Committee on Law & Justice.

SHB 1085 by House Committee on Environment & Energy (originally sponsored by Mena, Bateman, Reed, Fitzgibbon, Ramel, Peterson, Pollet, Berry, Walen, Doglio, Macri, Simmons, Thai, Cortes, Kloba and Ormsby)

AN ACT Relating to reducing plastic pollution; amending RCW 43.21B.110 and 43.21B.300; adding a new section to chapter 19.27 RCW; adding new sections to chapter 70A.245 RCW; creating new sections; and prescribing penalties.

Referred to Committee on Environment, Energy & Technology.

SHB 1138 by House Committee on Appropriations
(originally sponsored by Chapman, Dent, Ramel, Leavitt, Doglio, Lekanoff, Donaghy and Ormsby)

AN ACT Relating to drought preparedness; amending RCW 43.83B.415 and 90.86.030; reenacting and amending RCW 43.83B.430; and adding a new section to chapter 43.83B RCW.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SHB 1177 by House Committee on Community Safety, Justice, & Reentry (originally sponsored by Lekanoff,

FIFTY THIRD DAY, MARCH 2, 2023

Orwall, Reed, Berry, Ramel, Callan, Doglio, Timmons, Walsh, Reeves, Chopp, Duerr, Gregerson, Taylor, Wylie, Stonier, Pollet, Davis, Kloba and Ormsby)

AN ACT Relating to a missing and murdered indigenous women and people cold case investigations unit; adding a new section to chapter 43.10 RCW; and creating a new section.

Referred to Committee on Law & Justice.

E2SHB 1188 by House Committee on Appropriations (originally sponsored by Senn, Taylor, Reed, Leavitt, Callan, Macri, Simmons, Timmons, Chopp, Lekanoff, Couture, Gregerson, Thai, Wylie, Stonier, Schmick, Santos, Pollet, Kloba, Eslick and Ormsby)

AN ACT Relating to individuals with developmental disabilities that have also received child welfare services; amending RCW 43.88C.010, 43.88.058, and 71A.12.370; adding a new section to chapter 71A.12 RCW; creating a new section; and providing an effective date.

Referred to Committee on Human Services.

HB 1221 by Representatives Stearns, Kloba, Ramel, Goodman and Morgan

AN ACT Relating to the privacy of lottery players; and amending RCW 42.56.230.

Referred to Committee on State Government & Elections.

ESHB 1222 by House Committee on Health Care & Wellness (originally sponsored by Orwall, Simmons, Reeves, Reed, Leavitt, Kloba, Farivar, Doglio, Morgan, Slatter, Ramel, Goodman, Callan, Fosse, Pollet, Lekanoff and Macri)

AN ACT Relating to requiring coverage for hearing instruments; amending RCW 48.43.715; and adding a new section to chapter 48.43 RCW.

Referred to Committee on Health & Long-Term Care.

HB 1230 by Representatives Callan, Harris, Thai, Reeves, Senn, Ortiz-Self, Ormsby, Kloba, Duerr, Doglio, Berry, Riccelli, Morgan, Davis, Ramel, Bergquist, Pollet, Tharinger, Peterson, Stonier and Santos

AN ACT Relating to requiring school districts and other public education entities to make information from the department of health about substance use trends, overdose symptoms and response, and the secure storage of prescription drugs, over-the-counter medications, and firearms and ammunition, available through their websites and other communication resources; adding a new section to chapter 28A.320 RCW; adding a new section to chapter 28A.310 RCW; adding a new section to chapter 70.54 RCW; and creating a new section.

Referred to Committee on Early Learning & K-12 Education.

SHB 1250 by House Committee on Capital Budget (originally sponsored by Steele and Eslick)

AN ACT Relating to modifying the low-income home rehabilitation program; amending RCW 43.330.480, 43.330.482, and 43.330.488; adding new sections to chapter 43.330 RCW; repealing RCW 43.330.482 and 43.330.486;

providing an effective date; providing a contingent effective date; and declaring an emergency.

Referred to Committee on Housing.

HB 1257 by Representatives Hackney, Abbarno and Reed

AN ACT Relating to the authority of cargo and passenger ports; adding a new section to chapter 53.08 RCW; and creating a new section.

Referred to Committee on Transportation.

SHB 1266 by House Committee on Consumer Protection & Business (originally sponsored by Santos, Corry and Reeves)

AN ACT Relating to the use of email by the office of the insurance commissioner when communicating with licensees; amending RCW 48.17.170, 48.17.450, 48.17.475, and 48.15.103; adding a new section to chapter 48.02 RCW; providing an effective date; and declaring an emergency.

Referred to Committee on Business, Financial Services, Gaming & Trade.

SHB 1288 by House Committee on Appropriations (originally sponsored by Reeves, Ryu, Morgan and Graham)

AN ACT Relating to the department of veterans affairs regarding exempt staff and exempt staff appointments, removing reference to one-time use of funds, and exempting veteran discharge papers from public disclosure; amending RCW 41.06.077, 43.60A.140, and 72.36.020; and repealing RCW 72.36.040, 72.36.050, 72.36.055, and 72.36.077.

Referred to Committee on State Government & Elections.

SHB 1289 by House Committee on Postsecondary Education & Workforce (originally sponsored by Reed, Ybarra, Berry, Ortiz-Self, Riccelli, Paul, Reeves, Leavitt and Timmons)

AN ACT Relating to program administration for the Washington state opportunity scholarship program; amending RCW 28B.145.010, 28B.145.020, and 28B.145.040; and declaring an emergency.

Referred to Committee on Higher Education & Workforce Development.

HB 1290 by Representatives Lekanoff, Goodman, Ortiz-Self, Ramel, Leavitt and Ormsby

AN ACT Relating to training for tribal police officers and employees; and amending RCW 43.101.230.

Referred to Committee on Law & Justice.

SHB 1323 by House Committee on Labor & Workplace Standards (originally sponsored by Bronoske, Berry, Leavitt, Morgan, Taylor, Senn, Bateman, Reed, Lekanoff and Doglio)

AN ACT Relating to requiring a training and certification program for individuals who apply fire-resistant materials; amending RCW 39.12.055; adding a new chapter to Title 49 RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Labor & Commerce.

HB 1334 by Representatives Hutchins, Simmons, Couture and Ramel

AN ACT Relating to accessing certain aquatic lands by a public transportation benefit area; and adding a new section to chapter 36.57A RCW.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

ESHB 1340 by House Committee on Health Care & Wellness (originally sponsored by Riccelli, Thai, Berry, Ormsby, Chopp, Macri, Bergquist, Bateman, Simmons, Stonier, Berg, Duerr, Wylie, Senn, Taylor, Fitzgibbon, Cortes, Goodman, Reed, Lekanoff, Alvarado, Ramel, Kloba, Tharinger and Pollet)

AN ACT Relating to actions by health professions disciplining authorities against license applicants and license holders for providing reproductive health care services or gender affirming treatment; amending RCW 18.130.180; reenacting and amending RCW 18.130.055; and adding a new section to chapter 18.130 RCW.

Referred to Committee on Health & Long-Term Care.

HB 1349 by Representatives Orwall, Leavitt, Ramel, Kloba, Reed, Lekanoff, Pollet and Fosse

AN ACT Relating to foreclosure protections; amending RCW 61.24.008, 61.24.030, 61.24.040, 61.24.160, 61.24.163, 61.24.165, 61.24.166, and 61.24.190; adding a new section to chapter 61.24 RCW; providing a contingent expiration date; and declaring an emergency.

Referred to Committee on Housing.

ESHB 1377 by House Committee on Education (originally sponsored by Santos, Reed and Ortiz-Self)

AN ACT Relating to posting of approved courses and providers of continuing education on equity-based school practices, the national professional standards for education leaders, and government-to-government relationships, which is currently required for administrators and teachers; and amending RCW 28A.410.277.

Referred to Committee on Early Learning & K-12 Education.

2SHB 1391 by House Committee on Appropriations (originally sponsored by Ramel, Doglio, Duerr, Berry, Pollet and Reed)

AN ACT Relating to energy in buildings; amending RCW 70A.50.010; adding new sections to chapter 70A.50 RCW; and creating new sections.

Referred to Committee on Environment, Energy & Technology.

HB 1407 by Representatives Taylor, Senn, Simmons, Stonier, Jacobsen, Bateman, Lekanoff, Peterson, Ramel, Macri, Pollet, Reed and Doglio

AN ACT Relating to maintaining eligibility for developmental disability services; and amending RCW 71A.16.040.

Referred to Committee on Human Services.

HB 1419 by Representatives Chapman and Goehner

AN ACT Relating to county treasurers' duties concerning registered warrants; amending RCW 36.29.010; and repealing RCW 36.29.040, 36.29.050, and 36.29.060.

Referred to Committee on Local Government, Land Use & Tribal Affairs.

HB 1420 by Representatives Hackney, Corry, Walen and Ormsby

AN ACT Relating to lien priority of mortgages and deeds of trust; adding a new section to chapter 61.12 RCW; and creating new sections.

Referred to Committee on Law & Justice.

SHB 1458 by House Committee on Labor & Workplace Standards (originally sponsored by Shavers, Fosse, Santos, Berry, Simmons, Alvarado, Doglio, Ormsby, Gregerson and Pollet)

AN ACT Relating to unemployment insurance benefits for individuals participating in an apprenticeship program; and creating a new section.

Referred to Committee on Labor & Commerce.

ESHB 1469 by House Committee on Civil Rights & Judiciary (originally sponsored by Hansen, Thai, Chopp, Fitzgibbon, Simmons, Berry, Slatter, Santos, Ryu, Street, Gregerson, Goodman, Peterson, Tharinger, Ramel, Macri, Ormsby, Reeves, Senn, Doglio, Riccelli, Alvarado, Bateman, Morgan, Callan, Bergquist and Pollet)

AN ACT Relating to protecting access to reproductive health care services and gender-affirming treatment in Washington state; amending RCW 5.51.020, 5.56.010, 9.73.040, 9.73.260, 10.55.020, 10.88.250, 10.88.320, 10.88.330, 10.96.020, 10.96.040, and 40.24.030; adding a new chapter to Title 7 RCW; prescribing penalties; and declaring an emergency.

Referred to Committee on Law & Justice.

2SHB 1470 by House Committee on Appropriations (originally sponsored by Ortiz-Self, Chopp, Simmons, Santos, Ryu, Orwall, Chapman, Gregerson, Doglio, Peterson, Ramel, Macri, Ormsby, Berg, Leavitt, Bateman, Morgan and Fey)

AN ACT Relating to private detention facilities; amending RCW 42.56.475, 70.395.010, and 70.395.020; adding new sections to chapter 70.395 RCW; creating new sections; prescribing penalties; and declaring an emergency.

Referred to Committee on Human Services.

SHB 1499 by House Committee on Human Services, Youth, & Early Learning (originally sponsored by Shavers, Ramel, Santos, Leavitt, Gregerson, Bateman, Ormsby, Doglio, Pollet, Reed, Ortiz-Self, Stonier and Fosse)

AN ACT Relating to food assistance funding; and amending RCW 43.23.290.

Referred to Committee on Human Services.

SHB 1501 by House Committee on Community Safety, Justice, & Reentry (originally sponsored by Steele, Caldier, Santos, Leavitt, Schmidt, Eslick, Orwall, Reeves and Graham)

AN ACT Relating to authorizing additional counseling services for immediate family members of homicide victims; and amending RCW 7.68.080.

Referred to Committee on Human Services.

SHB 1504 by House Committee on Education (originally sponsored by Low, Alvarado, Eslick, Fosse, Donaghy, Cortes, Harris, Leavitt, Taylor, Duerr, Schmidt, Goodman, Graham, Volz, Doglio, Pollet, Macri, Reed, Riccelli and Callan)

AN ACT Relating to ensuring elementary school students receive sufficient daily recess for mental and physical health; adding a new section to chapter 28A.230 RCW; adding a new section to chapter 28A.210 RCW; and creating a new section.

Referred to Committee on Early Learning & K-12 Education.

HB 1507 by Representatives Entenman, Ramel, Alvarado, Orwall, Reeves, Doglio, Pollet, Macri, Morgan and Bergquist

AN ACT Relating to fair housing training for officers or board members in common interest communities; adding a new section to chapter 64.32 RCW; adding a new section to chapter 64.34 RCW; adding a new section to chapter 64.38 RCW; and adding a new section to chapter 64.90 RCW.

Referred to Committee on Law & Justice.

HB 1540 by Representatives Hutchins, Timmons, Low, Cheney, Cortes, Bronoske, Couture, Griffey, Donaghy, Robertson, Barkis, Simmons, Reed, Klicker, Riccelli, Doglio, Berry, Ramel, Paul, Graham and Rule

AN ACT Relating to requiring driver training curriculum to include instruction on sharing the road with large vehicles, including commercial motor vehicles and buses; amending RCW 46.82.420; and providing an effective date.

Referred to Committee on Transportation.

HB 1552 by Representatives Reeves, Ramel, Springer, Gregerson, Fosse and Doglio

AN ACT Relating to directing the state conservation commission to conduct a study of urban agricultural opportunities and barriers in the state; creating new sections; and providing an expiration date.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

HB 1624 by Representatives Ybarra and Waters

AN ACT Relating to administering educational service district elections; and amending RCW 28A.310.090 and 28A.310.100.

Referred to Committee on Early Learning & K-12 Education.

HB 1695 by Representatives Alvarado, Lekanoff, Reed, Santos, Senn, Ramel, Pollet, Macri and Simmons

AN ACT Relating to defining affordable housing for purposes of using surplus public property for public benefit; and amending RCW 39.33.015.

Referred to Committee on Housing.

HB 1737 by Representatives Morgan, Street, Kretz, Waters, Reeves, Reed, Entenman, Donaghy, Cheney, Walsh, Wylie, Stearns, Orwall, Taylor, Chapman, Berg, Graham, Gregerson, Ormsby, Ramel, Santos, Caldier, Pollet, Macri and Fosse

AN ACT Relating to enacting the reconciliation act; amending RCW 43.79.567; creating a new section; and providing an effective date.

Referred to Committee on Ways & Means.

ESHB 1758 by House Committee on Environment & Energy (originally sponsored by Mena, Fitzgibbon, Chapman, Morgan and Reed)

AN ACT Relating to permitting for certain hatchery maintenance activities; amending RCW 90.58.355; adding a new section to chapter 90.58 RCW; and creating a new section.

Referred to Committee on Local Government, Land Use & Tribal Affairs.

HB 1771 by Representatives Donaghy, Gregerson, Ramel, Morgan, Fosse, Reed, Ormsby, Doglio, Peterson and Pollet

AN ACT Relating to relocation assistance for tenants of closed or converted manufactured/mobile home parks; and amending RCW 59.21.010, 59.21.021, and 59.21.040.

Referred to Committee on Housing.

HB 1772 by Representatives Waters, Orwall, Christian, Sandlin, Cheney, McClintock, Farivar, Timmons, Leavitt, Senn, Rule, Schmidt and Pollet

AN ACT Relating to prohibiting the manufacture, importation, and sale of products that combine alcohol and tetrahydrocannabinol; adding a new section to chapter 69.50 RCW; and adding a new section to chapter 66.28 RCW.

Referred to Committee on Labor & Commerce.

HB 1775 by Representatives Lekanoff, Chapman, Ramel and Reed

AN ACT Relating to limiting liability for salmon recovery projects performed by regional fisheries enhancement groups; and amending RCW 77.85.050.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

HB 1792 by Representatives Timmons, Dent, Lekanoff, Fitzgibbon, Rule, Ramel, Springer and Eslick

AN ACT Relating to modifying timelines and other initial procedural actions in a water rights adjudication; and amending RCW 90.03.120, 90.03.130, 90.03.140, 90.03.625, 90.03.635, and 90.03.645.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

At 9:06 a.m., on motion of Senator Pedersen, the Senate was declared to be at ease subject to the call of the President.

Senator Warnick announced a meeting of the Republican Caucus.

Senator Hasegawa announced a meeting of the Democratic Caucus.

The Senate was called to order at 11:00 a.m. by President Heck.

MOTION

On motion of Senator Pedersen, the Senate advanced to the seventh order of business.

THIRD READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Rolfes moved that Rosann Fitzpatrick, Senate Gubernatorial Appointment No. 9227, be confirmed as a member of the Tax Appeals Board.

Senator Rolfes spoke in favor of the motion.

APPOINTMENT OF ROSANN FITZPATRICK

The President declared the question before the Senate to be the confirmation of Rosann Fitzpatrick, Senate Gubernatorial Appointment No. 9227, as a member of the Tax Appeals Board.

The Secretary called the roll on the confirmation of Rosann Fitzpatrick, Senate Gubernatorial Appointment No. 9227, as a member of the Tax Appeals Board and the appointment was confirmed by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Rosann Fitzpatrick, Senate Gubernatorial Appointment No. 9227, having received the constitutional majority was declared confirmed as a member of the Tax Appeals Board.

THIRD READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Robinson moved that Greg B. Markley, Senate Gubernatorial Appointment No. 9235, be confirmed as a member of the State Investment Board.

Senator Robinson spoke in favor of the motion.

APPOINTMENT OF GREG B. MARKLEY

The President declared the question before the Senate to be the confirmation of Greg B. Markley, Senate Gubernatorial Appointment No. 9235, as a member of the State Investment Board.

The Secretary called the roll on the confirmation of Greg B. Markley, Senate Gubernatorial Appointment No. 9235, as a member of the State Investment Board and the appointment was confirmed by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Greg B. Markley, Senate Gubernatorial Appointment No. 9235, having received the constitutional majority was declared confirmed as a member of the State Investment Board.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced students from Discovery Elementary School, Gig Harbor, who were seated in the gallery.

THIRD READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Wilson, C. moved that Doug D. Baldwin, Jr., Senate Gubernatorial Appointment No. 9252, be confirmed as a member of the Clemency and Pardons Board.

Senator Wilson, C. spoke in favor of the motion.

APPOINTMENT OF DOUG D. BALDWIN, JR.

The President declared the question before the Senate to be the confirmation of Doug D. Baldwin, Jr., Senate Gubernatorial Appointment No. 9252, as a member of the Clemency and Pardons Board.

The Secretary called the roll on the confirmation of Doug D. Baldwin, Jr., Senate Gubernatorial Appointment No. 9252, as a member of the Clemency and Pardons Board and the appointment was confirmed by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Doug D. Baldwin, Jr., Senate Gubernatorial Appointment No. 9252, having received the constitutional majority was declared confirmed as a member of the Clemency and Pardons Board.

THIRD READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Kauffman moved that Kaziputalimba Joshua, Senate Gubernatorial Appointment No. 9253, be confirmed as a member of the Clemency and Pardons Board.

Senator Kauffman spoke in favor of the motion.

APPOINTMENT OF KAZIPUTALIMBA JOSHUA

The President declared the question before the Senate to be the confirmation of Kaziputalimba Joshua, Senate Gubernatorial Appointment No. 9253, as a member of the Clemency and Pardons Board.

The Secretary called the roll on the confirmation of Kaziputalimba Joshua, Senate Gubernatorial Appointment No. 9253, as a member of the Clemency and Pardons Board and the appointment was confirmed by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Kaziputalimba Joshua, Senate Gubernatorial Appointment No. 9253, having received the constitutional majority was declared confirmed as a member of the Clemency and Pardons Board.

PERSONAL PRIVILEGE

Senator Torres: "Thank you Mr. President. Tuesday night there was a tragic accident near Sunnyside. Two children from Grandview, ages six and eight, lost their lives. A 5-year-old that was also in the vehicle was transported to Harborview and so was the family member that was driving. The person that caused the crash, I believe, is also at Harborview. This was a head on collision that could have been avoided. But for now, I won't go into the details of the crash, you can probably look that up and read the *Yakima Herald*. But what I would like to request is a moment of silence for the family, for the Trejo family, as well for the first responders who were at the scene. No one should have to see little children die. This could have been avoided. So, I please ask the caucus to join me in a moment of silence."

MOMENT OF SILENCE

The Senate observed a moment of silence in remembrance of Delilah Minshew, 8, and Timothy Escamilla, 6, and in sympathy for their five-old sister, their driver Mr. Maurilo "Danny" Trejo, and the first responders who were victims of a deadly collision on March 1 caused by a driver evading law enforcement officers.

MOTION

On motion of Senator Pedersen, the Senate reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 5324, by Senators Conway, Nobles, Lovick, Fortunato, Hunt, Wagoner, Randall and Wilson, C.

Concerning the defense community compatibility account.

The measure was read the second time.

MOTION

On motion of Senator Conway, the rules were suspended, Senate Bill No. 5324 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Conway, Mullet and Wilson, J. spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5324.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5324 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SENATE BILL NO. 5324, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5436, by Senators Wilson, J., Dozier and Fortunato

Concerning transfers of firearms to museums and historical societies.

MOTIONS

On motion of Senator Wilson, J., Substitute Senate Bill No. 5436 was substituted for Senate Bill No. 5436 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Wilson, J., the rules were suspended, Substitute Senate Bill No. 5436 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wilson, J. and Dhingra spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5436.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5436 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SUBSTITUTE SENATE BILL NO. 5436, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5753, by Senators Shewmake and Lovelett

Concerning a cooperative agreement between the department of transportation and the Lummi Tribe of the Lummi Reservation, Washington concerning construction of a highway.

MOTIONS

On motion of Senator Shewmake, Substitute Senate Bill No. 5753 was substituted for Senate Bill No. 5753 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5753, by Committee on Transportation (originally sponsored by Senators Shewmake and Lovelett)

Revised for first Substitute: Concerning a roadway construction cooperative agreement between the department of transportation and the Lummi Nation.

On motion of Senator Shewmake, the rules were suspended, Substitute Senate Bill No. 5753 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Shewmake spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5753.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5753 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SUBSTITUTE SENATE BILL NO. 5753, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5303, by Senators Mullet, Warnick, Boehnke, Holy, Keiser, Kuderer and Lovick

Creating the public works assistance revolving account.

MOTIONS

On motion of Senator Mullet, Substitute Senate Bill No. 5303 was substituted for Senate Bill No. 5303 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5303, by Committee on Ways & Means (originally sponsored by Senators Mullet, Warnick, Boehnke, Holy, Keiser, Kuderer and Lovick)

Revised for first Substitute: Creating the public works revolving trust account.

On motion of Senator Mullet, the rules were suspended, Substitute Senate Bill No. 5303 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Mullet and Wilson, L. spoke in favor of passage of the bill.

Senator Hasegawa spoke on passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5303.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5303 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 3; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Gildon, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senators Frame, Hasegawa and Lovelett

SUBSTITUTE SENATE BILL NO. 5303, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5301, by Senators Mullet, Kuderer, Nguyen and Wilson, C.

Concerning housing programs administered by the department of commerce.

MOTIONS

FIFTY THIRD DAY, MARCH 2, 2023

On motion of Senator Mullet, Substitute Senate Bill No. 5301 was substituted for Senate Bill No. 5301 and the substitute bill was placed on the second reading and read the second time.

Senator Mullet moved that the following amendment no. 0124 by Senator Mullet be adopted:

Beginning on page 5, line 37, after "(4)" strike all material through "state." on page 6, line 9 and insert "~~The department must give first priority to applications for projects and activities which utilize existing privately owned housing stock including privately owned housing stock purchased by nonprofit public development authorities and public housing authorities as created in chapter 35.82 RCW. As used in this subsection, privately owned housing stock includes housing that is acquired by a federal agency through a default on the mortgage by the private owner. Such projects and activities must be evaluated under subsection (5) of this section. Second priority must be given to activities and projects which utilize existing publicly owned housing stock.~~)"

Senator Mullet spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0124 by Senator Mullet on page 5, line 37 to Substitute Senate Bill No. 5301.

The motion by Senator Mullet carried and amendment no. 0124 was adopted by voice vote.

MOTION

On motion of Senator Mullet, the rules were suspended, Engrossed Substitute Senate Bill No. 5301 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Mullet spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5301.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5301 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5301, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5399, by Senators Mullet and Dozier

Providing for future listing right purchase contracts.

MOTIONS

On motion of Senator Mullet, Substitute Senate Bill No. 5399 was substituted for Senate Bill No. 5399 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5399, by Committee on Business, Financial Services, Gaming & Trade (originally sponsored by Senators Mullet and Dozier)

Revised for first Substitute: Concerning future listing right purchase contracts.

On motion of Senator Mullet, the rules were suspended, Substitute Senate Bill No. 5399 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Mullet and Dozier spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5399.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5399 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SUBSTITUTE SENATE BILL NO. 5399, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

REMARKS BY THE PRESIDENT

President Heck: "Senator Mullet, you mentioned earlier that you are in the pizza and ice cream business. The President would like to point out that later this month Senator Muzzall, who is a farmer as we well know, is generously donating some beef for a luncheon, a special luncheon, for us all. So ... [Laughter] Okay then."

SECOND READING

SENATE BILL NO. 5096, by Senators Padden, Pedersen, Hasegawa and Schoesler

Concerning employee ownership.

MOTIONS

On motion of Senator Padden, Substitute Senate Bill No. 5096 was substituted for Senate Bill No. 5096 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Padden, the rules were suspended, Substitute Senate Bill No. 5096 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

SECOND READING

Senators Padden, Stanford and Hasegawa spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5096.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5096 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SUBSTITUTE SENATE BILL NO. 5096, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5369, by Senators Billig, Padden, Short, Shewmake, Schoesler, Lovelett, Conway, Boehnke, Salomon, Nguyen, Van De Wege, Wagoner, Dhingra, Dozier, Hasegawa, Hunt, Keiser, Randall, Torres and Valdez

Reassessing standards for polychlorinated biphenyls in consumer products.

The measure was read the second time.

MOTION

On motion of Senator Billig, the rules were suspended, Senate Bill No. 5369 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Billig and Padden spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5369.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5369 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SENATE BILL NO. 5369, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 5143, by Senators Torres, Dhingra, Rolfes, Saldaña, Shewmake and Warnick

Changing the name and membership of the commission on pesticide registration.

MOTIONS

On motion of Senator Torres, Substitute Senate Bill No. 5143 was substituted for Senate Bill No. 5143 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5143, by Committee on Agriculture, Water, Natural Resources & Parks (originally sponsored by Senators Torres, Dhingra, Rolfes, Saldaña, Shewmake, and Warnick)

Revised for first Substitute: Changing the name of and adding a member to the commission on pesticide registration.

Senator Torres moved that the following amendment no. 0043 by Senator Torres be adopted:

On page 1, line 7, after "~~registration~~)" insert "integrated"
 On page 2, line 39, after "~~registration~~)" insert "integrated"
 On page 3, line 2, after "~~registration~~)" insert "integrated"
 On page 3, line 4, after "~~registration~~)" insert "integrated"
 On page 3, line 7, after "~~registration~~)" insert "integrated"
 On page 3, line 19, after "~~registration~~)" insert "integrated"
 On page 3, line 27, after "~~registration~~)" insert "integrated"
 On page 3, line 37, after "~~registration~~)" insert "integrated"
 On page 4, line 35, after "~~on~~" insert "integrated"
 On page 5, line 18, after "~~registration~~)" insert "integrated"

Senator Torres spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0043 by Senator Torres on page 1, line 7 to Substitute Senate Bill No. 5143.

The motion by Senator Torres carried and amendment no. 0043 was adopted by voice vote.

MOTIONS

On motion of Senator Torres, the rules were suspended, Engrossed Substitute Senate Bill No. 5143 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Torres spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5143.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5143 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford,

FIFTY THIRD DAY, MARCH 2, 2023

Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5143, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Pedersen, Rule 15 was suspended for the remainder of the day for the purpose of allowing continued floor action.

EDITOR'S NOTE: Senate Rule 15 establishes the floor schedule and calls for a lunch and dinner break of 90 minutes each per day during regular daily sessions.

MOTION

At 12:19 p.m., on motion of Senator Pedersen, the Senate was declared to be at ease subject to the call of the President.

AFTERNOON SESSION

The Senate was called to order at 1:19 p.m. by the President of the Senate, Lt. Governor Heck presiding.

SECOND READING

SENATE BILL NO. 5440, by Senators Dhingra, Nguyen, Saldaña, Valdez, Van De Wege and Wilson, C.

Providing timely competency evaluations and restoration services to persons suffering from behavioral health disorders.

MOTIONS

On motion of Senator Dhingra, Second Substitute Senate Bill No. 5440 was substituted for Senate Bill No. 5440 and the substitute bill was placed on the second reading and read the second time.

Senator Dhingra moved that the following striking amendment no. 0139 by Senator Dhingra be adopted:

Strike everything after the enacting clause and insert the following:

NEW SECTION. **Sec. 1.** The legislature finds that defendants referred for services related to competency to stand trial requiring admission into a psychiatric facility are currently facing unprecedented wait times in jail for admission. The situation has been exacerbated by closure of forensic beds and workforce shortages related to COVID-19, and treatment capacity limits related to social distancing requirements. Moreover, a backlog of criminal prosecutions that were held back during the first two years of the pandemic due to capacity limitations in courts, prosecuting attorneys offices, and jails, are now being filed, causing a surge in demand for competency services which exceeds the state's capacity to make a timely response. In partial consequence, as of January 2023, wait times for admission to western state hospital for competency services, directed to be completed within seven days by order of the United States district court for western Washington, have risen to over ten months, while wait times for admission to eastern state hospital for the same services have risen to over five months. The

state's forensic bed capacity forecast model indicates that if the state continues to receive competency referrals from local superior, district, and municipal courts at the same volume, the state will rapidly fall farther behind.

The legislature further finds that historical investments and policy changes have been made in behavioral health services over the past five years, designed to both increase capacity to provide competency to stand trial services and to reduce the need for them by creating opportunities for diversion, prevention, and improved community health. New construction at western state hospital is expected to result in the opening of 58 forensic psychiatric beds in the first quarter of 2023, while emergency community hospital contracts are expected to allow for the discharge or transfer of over 50 civil conversion patients occupying forensic state hospital beds over the same period. Sixteen beds for civil conversion patients will open at Maple Lane school in the first quarter of 2023, with 30 additional beds for patients acquitted by reason of insanity expected to open by late 2023 or early 2024. Over a longer time period, 350 forensic beds are planned to open within a new forensic hospital on western state hospital campus between 2027 and 2029. Policy and budget changes have increased capacity for assisted outpatient treatment, 988 crisis response, use of medication for opioid use disorders in jails and community settings, reentry services, and mental health advance directives, and created new behavioral health facility types, supportive housing, and supportive employment services. Forensic navigator services, outpatient competency restoration programs, and other specialty forensic services are now available and continuing to be deployed in phase two *Trueblood* settlement regions.

The legislature further finds that despite these investments there is a need for everyone to come together to find solutions to both reduce demand for forensic services and to increase their supply. The state needs collaboration from local governments and other entities to identify any and all facilities that can be used to provide services to patients connected to the forensic system, to reduce the flow of competency referrals coming from municipal, district, and superior courts, and to improve availability and effectiveness of behavioral health services provided outside the criminal justice system.

Sec. 2. RCW 10.77.010 and 2022 c 288 s 1 are each reenacted and amended to read as follows:

As used in this chapter:

(1) "Admission" means acceptance based on medical necessity, of a person as a patient.

(2) "Authority" means the Washington state health care authority.

(3) "Clinical intervention specialist" means a licensed professional with prescribing authority who is employed by or contracted with the department to provide direct services, enhanced oversight and monitoring of the behavioral health status of in-custody defendants who have been referred for evaluation or restoration services related to competency to stand trial and who coordinate treatment options with forensic navigators, the department, and jail health services.

(4) "Commitment" means the determination by a court that a person should be detained for a period of either evaluation or treatment, or both, in an inpatient or a less-restrictive setting.

~~((4))~~ (5) "Community behavioral health agency" has the same meaning as "licensed or certified behavioral health agency" defined in RCW 71.24.025.

~~((5))~~ (6) "Conditional release" means modification of a court-ordered commitment, which may be revoked upon violation of any of its terms.

~~((66))~~ (7) A "criminally insane" person means any person who has been acquitted of a crime charged by reason of insanity, and thereupon found to be a substantial danger to other persons or to present a substantial likelihood of committing criminal acts jeopardizing public safety or security unless kept under further control by the court or other persons or institutions.

~~((77))~~ (8) "Department" means the state department of social and health services.

~~((88))~~ (9) "Designated crisis responder" has the same meaning as provided in RCW 71.05.020.

~~((99))~~ (10) "Detention" or "detain" means the lawful confinement of a person, under the provisions of this chapter, pending evaluation.

~~((100))~~ (11) "Developmental disabilities professional" means a person who has specialized training and ~~((three years of))~~ experience in directly treating or working with persons with developmental disabilities and is a psychiatrist or psychologist, or a social worker, and such other developmental disabilities professionals as may be defined by rules adopted by the secretary.

~~((111))~~ (12) "Developmental disability" means the condition as defined in RCW 71A.10.020~~((5))~~.

~~((122))~~ (13) "Discharge" means the termination of hospital medical authority. The commitment may remain in place, be terminated, or be amended by court order.

~~((133))~~ (14) "Furlough" means an authorized leave of absence for a resident of a state institution operated by the department designated for the custody, care, and treatment of the criminally insane, consistent with an order of conditional release from the court under this chapter, without any requirement that the resident be accompanied by, or be in the custody of, any law enforcement or institutional staff, while on such unescorted leave.

~~((144))~~ (15) "Genuine doubt as to competency" means that there is reasonable cause to believe, based upon actual interactions with or observations of the defendant or information provided by counsel, that a defendant is incompetent to stand trial.

(16) "Habilitative services" means those services provided by program personnel to assist persons in acquiring and maintaining life skills and in raising their levels of physical, mental, social, and vocational functioning. Habilitative services include education, training for employment, and therapy. The habilitative process shall be undertaken with recognition of the risk to the public safety presented by the person being assisted as manifested by prior charged criminal conduct.

~~((155))~~ (17) "History of one or more violent acts" means violent acts committed during: (a) The ten-year period of time prior to the filing of criminal charges; plus (b) the amount of time equal to time spent during the ten-year period in a mental health facility or in confinement as a result of a criminal conviction.

~~((166))~~ (18) "Immediate family member" means a spouse, child, stepchild, parent, stepparent, grandparent, sibling, or domestic partner.

~~((177))~~ (19) "Incompetency" means a person lacks the capacity to understand the nature of the proceedings against him or her or to assist in his or her own defense as a result of mental disease or defect.

~~((188))~~ (20) "Indigent" means any person who is financially unable to obtain counsel or other necessary expert or professional services without causing substantial hardship to the person or his or her family.

~~((199))~~ (21) "Individualized service plan" means a plan prepared by a developmental disabilities professional with other professionals as a team, for an individual with developmental disabilities, which shall state:

(a) The nature of the person's specific problems, prior charged criminal behavior, and habilitation needs;

(b) The conditions and strategies necessary to achieve the purposes of habilitation;

(c) The intermediate and long-range goals of the habilitation program, with a projected timetable for the attainment;

(d) The rationale for using this plan of habilitation to achieve those intermediate and long-range goals;

(e) The staff responsible for carrying out the plan;

(f) Where relevant in light of past criminal behavior and due consideration for public safety, the criteria for proposed movement to less-restrictive settings, criteria for proposed eventual release, and a projected possible date for release; and

(g) The type of residence immediately anticipated for the person and possible future types of residences.

~~((200))~~ (22) "Professional person" means:

(a) A psychiatrist licensed as a physician and surgeon in this state who has, in addition, completed three years of graduate training in psychiatry in a program approved by the American medical association or the American osteopathic association and is certified or eligible to be certified by the American board of psychiatry and neurology or the American osteopathic board of neurology and psychiatry;

(b) A psychologist licensed as a psychologist pursuant to chapter 18.83 RCW;

(c) A psychiatric advanced registered nurse practitioner, as defined in RCW 71.05.020; or

(d) A social worker with a master's or further advanced degree from a social work educational program accredited and approved as provided in RCW 18.320.010.

~~((211))~~ (23) "Release" means legal termination of the court-ordered commitment under the provisions of this chapter.

~~((222))~~ (24) "Secretary" means the secretary of the department of social and health services or his or her designee.

~~((233))~~ (25) "Treatment" means any currently standardized medical or mental health procedure including medication.

~~((244))~~ (26) "Treatment records" include registration and all other records concerning persons who are receiving or who at any time have received services for mental illness, which are maintained by the department, by behavioral health administrative services organizations and their staffs, by managed care organizations and their staffs, and by treatment facilities. Treatment records do not include notes or records maintained for personal use by a person providing treatment services for the department, behavioral health administrative services organizations, managed care organizations, or a treatment facility if the notes or records are not available to others.

~~((255))~~ (27) "Violent act" means behavior that: (a)(i) Resulted in; (ii) if completed as intended would have resulted in; or (iii) was threatened to be carried out by a person who had the intent and opportunity to carry out the threat and would have resulted in, homicide, nonfatal injuries, or substantial damage to property; or (b) recklessly creates an immediate risk of serious physical injury to another person. As used in this subsection, "nonfatal injuries" means physical pain or injury, illness, or an impairment of physical condition. "Nonfatal injuries" shall be construed to be consistent with the definition of "bodily injury," as defined in RCW 9A.04.110.

Sec. 3. RCW 10.77.060 and 2022 c 288 s 2 are each amended to read as follows:

(1)(a) Whenever a defendant has pleaded not guilty by reason of insanity, ~~((or there is reason to doubt his or her competency.))~~ the court on its own motion or on the motion of any party shall either appoint or request the secretary to designate a qualified

FIFTY THIRD DAY, MARCH 2, 2023

expert or professional person, who shall be approved by the prosecuting attorney, to evaluate and report upon the mental condition of the defendant.

(b) Whenever there is a doubt as to competency, the court on its own motion or on the motion of any party shall first review the allegations of incompetency. The court shall make a determination of whether sufficient facts have been provided to form a genuine doubt as to competency based on information provided by counsel, judicial colloquy, or direct observation of the defendant. If a genuine doubt as to competency exists, the court shall either appoint or request the secretary to designate a qualified expert or professional person, who shall be approved by the prosecuting attorney, to evaluate and report upon the mental condition of the defendant.

(c) The signed order of the court shall serve as authority for the evaluator to be given access to all records held by any mental health, medical, educational, or correctional facility that relate to the present or past mental, emotional, or physical condition of the defendant. If the court is advised by any party that the defendant may have a developmental disability, the evaluation must be performed by a developmental disabilities professional and the evaluator shall have access to records of the developmental disabilities administration of the department.

~~((e))~~ (d) The evaluator shall assess the defendant in a jail, detention facility, in the community, or in court to determine whether a period of inpatient commitment will be necessary to complete an accurate evaluation. If inpatient commitment is needed, the signed order of the court shall serve as authority for the evaluator to request the jail or detention facility to transport the defendant to a hospital or secure mental health facility for a period of commitment not to exceed fifteen days from the time of admission to the facility. Otherwise, the evaluator shall complete the evaluation.

~~((d))~~ (e) The court may commit the defendant for evaluation to a hospital or secure mental health facility without an assessment if: (i) The defendant is charged with murder in the first or second degree; (ii) the court finds that it is more likely than not that an evaluation in the jail will be inadequate to complete an accurate evaluation; or (iii) the court finds that an evaluation outside the jail setting is necessary for the health, safety, or welfare of the defendant. The court shall not order an initial inpatient evaluation for any purpose other than a competency evaluation.

~~((e))~~ (f) The order shall indicate whether, in the event the defendant is committed to a hospital or secure mental health facility for evaluation, all parties agree to waive the presence of the defendant or to the defendant's remote participation at a subsequent competency hearing or presentation of an agreed order if the recommendation of the evaluator is for continuation of the stay of criminal proceedings, or if the opinion of the evaluator is that the defendant remains incompetent and there is no remaining restoration period, and the hearing is held prior to the expiration of the authorized commitment period.

~~((f))~~ (g) When a defendant is ordered to be evaluated under this subsection (1), or when a party or the court determines at first appearance that an order for evaluation under this subsection will be requested or ordered if charges are pursued, the court may delay granting bail until the defendant has been evaluated for competency or sanity and appears before the court. Following the evaluation, in determining bail the court shall consider: (i) Recommendations of the evaluator regarding the defendant's competency, sanity, or diminished capacity; (ii) whether the defendant has a recent history of one or more violent acts; (iii) whether the defendant has previously been acquitted by reason of insanity or found incompetent; (iv) whether it is reasonably likely

the defendant will fail to appear for a future court hearing; and (v) whether the defendant is a threat to public safety.

(h) If the defendant ordered to be evaluated under this subsection (1) is charged with a serious traffic offense under RCW 9.94A.030, or a felony version of a serious traffic offense, the prosecutor may make a motion to modify the defendant's conditions of release to include a condition prohibiting the defendant from driving during the pendency of the competency evaluation period.

(2) The court may direct that a qualified expert or professional person retained by or appointed for the defendant be permitted to witness the evaluation authorized by subsection (1) of this section, and that the defendant shall have access to all information obtained by the court appointed experts or professional persons. The defendant's expert or professional person shall have the right to file his or her own report following the guidelines of subsection (3) of this section. If the defendant is indigent, the court shall upon the request of the defendant assist him or her in obtaining an expert or professional person.

(3) The report of the evaluation shall include the following:

(a) A description of the nature of the evaluation;

(b) A diagnosis or description of the current mental status of the defendant;

(c) If the defendant suffers from a mental disease or defect, or has a developmental disability, an opinion as to competency;

(d) If the defendant has indicated his or her intention to rely on the defense of insanity pursuant to RCW 10.77.030, and an evaluation and report by an expert or professional person has been provided concluding that the defendant was criminally insane at the time of the alleged offense, an opinion as to the defendant's sanity at the time of the act, and an opinion as to whether the defendant presents a substantial danger to other persons, or presents a substantial likelihood of committing criminal acts jeopardizing public safety or security, unless kept under further control by the court or other persons or institutions, provided that no opinion shall be rendered under this subsection (3)(d) unless the evaluator or court determines that the defendant is competent to stand trial;

(e) When directed by the court, if an evaluation and report by an expert or professional person has been provided concluding that the defendant lacked the capacity at the time of the offense to form the mental state necessary to commit the charged offense, an opinion as to the capacity of the defendant to have a particular state of mind which is an element of the offense charged;

(f) An opinion as to whether the defendant should be evaluated by a designated crisis responder under chapter 71.05 RCW.

(4) The secretary may execute such agreements as appropriate and necessary to implement this section and may choose to designate more than one evaluator.

(5) In the event that a person remains in jail more than 21 days after service on the department of a court order to transport the person to a facility designated by the department for inpatient competency restoration treatment, upon the request of any party and with notice to all parties, the department shall perform a competency to stand trial status check to determine if the circumstances of the person have changed such that the court should authorize an updated competency evaluation. The status update shall be provided to the parties and the court. Status updates may be provided at reasonable intervals.

(6) If a finding of the competency evaluation under this section or under RCW 10.77.084 is that the individual is not competent due to an intellectual or developmental disability, the evaluator shall notify the department, which shall refer the individual to the developmental disabilities administration of the department for

review of eligibility for services. Information about availability of services must be provided to the forensic navigator.

(7) If the expert or professional person appointed to perform a competency evaluation is not able to complete the evaluation after two attempts at scheduling with the defendant, the department shall submit a report to the court and parties and include a date and time for another evaluation which must be at least four weeks later. The court shall provide notice to the defendant of the date and time of the evaluation. If the defendant fails to appear at that appointment, the court shall issue a warrant for the failure to appear and recall the order for competency evaluation.

Sec. 4. RCW 10.77.068 and 2022 c 288 s 3 are each amended to read as follows:

(1)(a) The legislature establishes a performance target of seven days or fewer to extend an offer of admission to a defendant in pretrial custody for inpatient competency evaluation or inpatient competency restoration services, when access to the services is legally authorized.

(b) The legislature establishes a performance target of 14 days or fewer for the following services related to competency to stand trial, when access to the services is legally authorized:

(i) To complete a competency evaluation in jail and distribute the evaluation report; and

(ii) To extend an offer of admission to a defendant ordered to be committed to ~~((a state hospital))~~ the department for placement in a facility operated by or contracted by the department following dismissal of charges based on incompetency to stand trial under RCW 10.77.086.

(c) The legislature establishes a performance target of 21 days or fewer to complete a competency evaluation in the community and distribute the evaluation report.

(2)(a) A maximum time limit of seven days as measured from the department's receipt of the court order, or a maximum time limit of 14 days as measured from signature of the court order, whichever is shorter, is established to complete the services specified in subsection (1)(a) of this section, subject to the limitations under subsection (9) of this section.

(b) A maximum time limit of 14 days as measured from the department's receipt of the court order, or a maximum time limit of 21 days as measured from signature of the court order, whichever is shorter, is established to complete the services specified in subsection (1)(b) of this section, subject to the limitations under subsection (9) of this section.

(3) The legislature recognizes that these targets may not be achievable in all cases, but intends for the department to manage, allocate, and request appropriations for resources in order to meet these targets whenever possible without sacrificing the accuracy and quality of competency services.

(4) It shall be a defense to an allegation that the department has exceeded the maximum time limits for completion of competency services described in subsection (2) of this section if the department can demonstrate by a preponderance of the evidence that the reason for exceeding the maximum time limits was outside of the department's control including, but not limited to, the following circumstances:

(a) Despite a timely request, the department has not received necessary medical information regarding the current medical status of a defendant;

(b) The individual circumstances of the defendant make accurate completion of an evaluation of competency to stand trial dependent upon review of mental health, substance use disorder, or medical history information which is in the custody of a third party and cannot be immediately obtained by the department,

provided that completion shall not be postponed for procurement of information which is merely supplementary;

(c) Additional time is needed for the defendant to no longer show active signs and symptoms of impairment related to substance use so that an accurate evaluation may be completed;

(d) The defendant is medically unavailable for competency evaluation or admission to a facility for competency restoration;

(e) Completion of the referral requires additional time to accommodate the availability or participation of counsel, court personnel, interpreters, or the defendant;

(f) The defendant asserts legal rights that result in a delay in the provision of competency services; or

(g) An unusual spike in the receipt of evaluation referrals or in the number of defendants requiring restoration services has occurred, causing temporary delays until the unexpected excess demand for competency services can be resolved.

(5) The department shall provide written notice to the court when it will not be able to meet the maximum time limits under subsection (2) of this section and identify the reasons for the delay and provide a reasonable estimate of the time necessary to complete the competency service. Good cause for an extension for the additional time estimated by the department shall be presumed absent a written response from the court or a party received by the department within seven days.

(6) The department shall:

(a) Develop, document, and implement procedures to monitor the clinical status of defendants admitted to a state hospital for competency services that allow the state hospital to accomplish early discharge for defendants for whom clinical objectives have been achieved or may be achieved before expiration of the commitment period;

(b) Investigate the extent to which patients admitted to a state hospital under this chapter overstay time periods authorized by law and take reasonable steps to limit the time of commitment to authorized periods; and

(c) Establish written standards for the productivity of forensic evaluators and utilize these standards to internally review the performance of forensic evaluators.

(7) Following any quarter in which a state hospital has failed to meet one or more of the performance targets or maximum time limits under subsection (1) or (2) of this section, the department shall report to the executive and the legislature the extent of this deviation and describe any corrective action being taken to improve performance. This report shall be made publicly available. An average may be used to determine timeliness under this subsection.

(8) The department shall report annually to the legislature and the executive on the timeliness of services related to competency to stand trial and the timeliness with which court referrals accompanied by charging documents, discovery, and criminal history information are provided to the department relative to the signature date of the court order. The report must be in a form that is accessible to the public and that breaks down performance by county.

(9) This section does not create any new entitlement or cause of action related to the timeliness of competency to stand trial services, nor can it form the basis for contempt sanctions under chapter 7.21 RCW or a motion to dismiss criminal charges.

Sec. 5. RCW 10.77.074 and 2019 c 326 s 2 are each amended to read as follows:

(1) Subject to the limitations described in subsection (2) of this section, a court may appoint an impartial forensic navigator employed by or contracted by the department to assist individuals who have been referred for competency evaluation and shall

FIFTY THIRD DAY, MARCH 2, 2023

appoint a forensic navigator in circumstances described under section 9 of this act.

(2) A forensic navigator must assist the individual to access services related to diversion and community outpatient competency restoration. The forensic navigator must assist the individual, prosecuting attorney, defense attorney, and the court to understand the options available to the individual and be accountable as an officer of the court for faithful execution of the responsibilities outlined in this section.

(3) The duties of the forensic navigator include, but are not limited to, the following:

(a) To collect relevant information about the individual, including behavioral health services and supports available to the individual that might support placement in outpatient restoration, diversion, or some combination of these;

(b) To meet with, interview, and observe the individual;

(c) To assess the individual for appropriateness for assisted outpatient treatment under chapter 71.05 RCW;

(d) To present information to the court in order to assist the court in understanding the treatment options available to the individual to support the entry of orders for diversion from the forensic mental health system or for community outpatient competency restoration, ((and)) to facilitate that transition; ((and (d))) (e) To provide regular updates to the court and parties of the status of the individual's participation in diversion services and be responsive to inquiries by the parties about treatment status;

(f) When the individual is ordered to receive community outpatient restoration, to provide services to the individual including:

(i) Assisting the individual with attending appointments and classes relating to outpatient competency restoration;

(ii) Coordinating access to housing for the individual;

(iii) Meeting with the individual on a regular basis;

(iv) Providing information to the court concerning the individual's progress and compliance with court-ordered conditions of release, which may include appearing at court hearings to provide information to the court;

(v) Coordinating the individual's access to community case management services and mental health services;

(vi) Assisting the individual with obtaining prescribed medication and encouraging adherence with prescribed medication;

(vii) Assessing the individual for appropriateness for assisted outpatient treatment under chapter 71.05 RCW and coordinating the initiation of an assisted outpatient treatment order if appropriate as part of a diversion program plan;

(viii) Planning for a coordinated transition of the individual to a case manager in the community behavioral health system;

((viii)) (ix) Attempting to follow-up with the individual to check whether the meeting with a community-based case manager took place;

((ix)) (x) When the individual is a high utilizer, attempting to connect the individual with high utilizer services; and

((x)) (xi) Attempting to check up on the individual at least once per month for up to sixty days after coordinated transition to community behavioral health services, without duplicating the services of the community-based case manager;

(g) If the individual is an American Indian or Alaska Native who receives medical, behavioral health, housing, or other supportive services from a tribe within this state, to notify and coordinate with the tribe and Indian health care provider. Notification shall be made in person or by telephonic or electronic communication to the tribal contact listed in the authority's tribal crisis coordination plan as soon as possible.

(4) Forensic navigators may submit ~~((nonclinical))~~ recommendations to the court regarding treatment and restoration options for the individual, which the court may consider and weigh in conjunction with the recommendations of all of the parties.

(5) Forensic navigators shall be deemed officers of the court for the purpose of immunity from civil liability.

(6) The signed order for competency evaluation from the court shall serve as authority for the forensic navigator to be given access to all records held by a behavioral health, educational, or law enforcement agency or a correctional facility that relates to an individual. Information that is protected by state or federal law, including health information, shall not be entered into the court record without the consent of the individual or their defense attorney.

(7) Admissions made by the individual in the course of receiving services from the forensic navigator may not be used against the individual in the prosecution's case in chief.

(8) A court may not issue an order appointing a forensic navigator unless the department certifies that there is adequate forensic navigator capacity to provide these services at the time the order is issued.

Sec. 6. RCW 10.77.084 and 2016 sp.s. c 29 s 410 are each amended to read as follows:

(1)(a) If at any time during the pendency of an action and prior to judgment the court finds, following a report as provided in RCW 10.77.060, a defendant is incompetent, the court shall order the proceedings against the defendant be stayed except as provided in subsection (4) of this section. If the defendant is charged with a serious traffic offense under RCW 9.94A.030, or a felony version of a serious traffic offense, the court may order the clerk to transmit an order to the department of licensing for revocation of the defendant's driver's license for a period of one year.

(b) The court may order a defendant who has been found to be incompetent to undergo competency restoration treatment at a facility designated by the department if the defendant is eligible under RCW 10.77.086 or 10.77.088. At the end of each competency restoration period or at any time a professional person determines competency has been, or is unlikely to be, restored, the defendant shall be returned to court for a hearing, except that if the opinion of the professional person is that the defendant remains incompetent and the hearing is held before the expiration of the current competency restoration period, the parties may agree to waive the defendant's presence, to remote participation by the defendant at a hearing, or to presentation of an agreed order in lieu of a hearing. The facility shall promptly notify the court and all parties of the date on which the competency restoration period commences and expires so that a timely hearing date may be scheduled.

(c) The court's order for inpatient restoration, shall specify whether the department has the authority to change the defendant's placement to a step-down facility or outpatient competency restoration program if the department determines that such placement is clinically appropriate given the defendant's progress in restoration services.

(d) If, following notice and hearing or entry of an agreed order under (b) of this subsection, the court finds that competency has been restored, the court shall lift the stay entered under (a) of this subsection. If the court finds that competency has not been restored, the court shall dismiss the proceedings without prejudice, except that the court may order a further period of competency restoration treatment if it finds that further treatment within the time limits established by RCW 10.77.086 or

10.77.088 is likely to restore competency, and a further period of treatment is allowed under RCW 10.77.086 or 10.77.088.

~~((d))~~ (e) If at any time during the proceeding the court finds, following notice and hearing, a defendant is not likely to regain competency, the court shall dismiss the proceedings without prejudice and refer the defendant for civil commitment evaluation or proceedings if appropriate under RCW 10.77.065, 10.77.086, or 10.77.088.

(f) If the court issues an order directing revocation of the defendant's driver's license under (a) of this subsection, and the court subsequently finds that the defendant's competency has been restored, the court shall order the clerk to transmit an order to the department of licensing for reinstatement of the defendant's driver's license. The court may direct the clerk to transmit an order reinstating the defendant's driver's license before the end of one year for good cause upon the petition of the defendant.

(2) If the defendant is referred for evaluation by a designated crisis responder under this chapter, the designated crisis responder shall provide prompt written notification of the results of the evaluation and whether the person was detained. The notification shall be provided to the court in which the criminal action was pending, the prosecutor, the defense attorney in the criminal action, and the facility that evaluated the defendant for competency.

(3) The fact that the defendant is unfit to proceed does not preclude any pretrial proceedings which do not require the personal participation of the defendant.

(4) A defendant receiving medication for either physical or mental problems shall not be prohibited from standing trial, if the medication either enables the defendant to understand the proceedings against him or her and to assist in his or her own defense, or does not disable him or her from so understanding and assisting in his or her own defense.

(5) At or before the conclusion of any commitment period provided for by this section, the facility providing evaluation and treatment shall provide to the court a written report of evaluation which meets the requirements of RCW 10.77.060(3). For defendants charged with a felony, the report following the second competency restoration period or first competency restoration period if the defendant's incompetence is determined to be solely due to a developmental disability or the evaluator concludes that the defendant is not likely to regain competency must include an assessment of the defendant's future dangerousness which is evidence-based regarding predictive validity.

Sec. 7. RCW 10.77.086 and 2022 c 288 s 4 are each amended to read as follows:

(1) If the defendant is charged with a felony and determined to be incompetent, until he or she has regained the competency necessary to understand the proceedings against him or her and assist in his or her own defense, but in any event for a period of no longer than 90 days, the court shall commit the defendant to the custody of the secretary for inpatient competency restoration, or may alternatively order the defendant to receive outpatient competency restoration based on a recommendation from a forensic navigator and input from the parties.

(a) To be eligible for an order for outpatient competency restoration, a defendant must be clinically appropriate and be willing to:

(i) Adhere to medications or receive prescribed intramuscular medication;

(ii) Abstain from alcohol and unprescribed drugs; and

(iii) Comply with urinalysis or breathalyzer monitoring if needed.

(b) If the court orders inpatient competency restoration, the department shall place the defendant in an appropriate facility of the department for competency restoration.

(c) If the court orders outpatient competency restoration, the court shall modify conditions of release as needed to authorize the department to place the person in approved housing, which may include access to supported housing, affiliated with a contracted outpatient competency restoration program. The department, in conjunction with the health care authority, must establish rules for conditions of participation in the outpatient competency restoration program, which must include the defendant being subject to medication management. The court may order regular urinalysis testing. The outpatient competency restoration program shall monitor the defendant during the defendant's placement in the program and report any noncompliance or significant changes with respect to the defendant to the department and, if applicable, the forensic navigator.

(d) If a defendant fails to comply with the restrictions of the outpatient restoration program such that restoration is no longer appropriate in that setting or the defendant is no longer clinically appropriate for outpatient competency restoration, the director of the outpatient competency restoration program shall notify the authority and the department of the need to terminate the outpatient competency restoration placement and intent to request placement for the defendant in an appropriate facility of the department for inpatient competency restoration. The outpatient competency restoration program shall coordinate with the authority, the department, and any law enforcement personnel under (d)(i) of this subsection to ensure that the time period between termination and admission into the inpatient facility is as minimal as possible. The time period for inpatient competency restoration shall be reduced by the time period spent in active treatment within the outpatient competency restoration program, excluding time periods in which the defendant was absent from the program and all time from notice of termination of the outpatient competency restoration period through the defendant's admission to the facility. The department shall obtain a placement for the defendant within seven days of the notice of intent to terminate the outpatient competency restoration placement.

(i) The department may authorize a peace officer to detain the defendant into emergency custody for transport to the designated inpatient competency restoration facility. If medical clearance is required by the designated competency restoration facility before admission, the peace officer must transport the defendant to a crisis stabilization unit, evaluation and treatment facility, emergency department of a local hospital, or triage facility for medical clearance once a bed is available at the designated inpatient competency restoration facility. The signed outpatient competency restoration order of the court shall serve as authority for the detention of the defendant under this subsection. This subsection does not preclude voluntary transportation of the defendant to a facility for inpatient competency restoration or for medical clearance, or authorize admission of the defendant into jail.

(ii) The department shall notify the court and parties of the defendant's admission for inpatient competency restoration before the close of the next judicial day. The court shall schedule a hearing within five days to review the conditions of release of the defendant and anticipated release from treatment and issue appropriate orders.

(e) The court may not issue an order for outpatient competency restoration unless the ~~((department))~~ authority certifies that there is an available appropriate outpatient competency restoration program that has adequate space for the person at the time the order is issued or the court places the defendant under the

FIFTY THIRD DAY, MARCH 2, 2023

guidance and control of a professional person identified in the court order.

(2) For a defendant whose highest charge is a class C felony, or a class B felony that is not classified as violent under RCW 9.94A.030, the maximum time allowed for the initial competency restoration period is 45 days if the defendant is referred for inpatient competency restoration, or 90 days if the defendant is referred for outpatient competency restoration, provided that if the outpatient competency restoration placement is terminated and the defendant is subsequently admitted to an inpatient facility, the period of inpatient treatment during the first competency restoration period under this subsection shall not exceed 45 days.

(3) If the court determines or the parties agree before the initial competency restoration period or at any subsequent stage of the proceedings that the defendant is unlikely to regain competency, the court may dismiss the charges without prejudice without ordering the defendant to undergo an initial or further period of competency restoration treatment, in which case the court shall order that the defendant be referred for evaluation for civil commitment in the manner provided in subsection (5) of this section.

(4) On or before expiration of the initial competency restoration period the court shall conduct a hearing to determine whether the defendant is now competent to stand trial. If the court finds by a preponderance of the evidence that the defendant is incompetent to stand trial, the court may order an extension of the competency restoration period for an additional period of 90 days, but the court must at the same time set a date for a new hearing to determine the defendant's competency to stand trial before the expiration of this second restoration period. The defendant, the defendant's attorney, and the prosecutor have the right to demand that the hearing be before a jury. No extension shall be ordered for a second or third competency restoration period if the defendant's incompetence has been determined by the secretary to be solely the result of a developmental disability which is such that competence is not reasonably likely to be regained during an extension.

(5) At the hearing upon the expiration of the second competency restoration period, or at the end of the first competency restoration period if the defendant is ineligible for a second or third competency restoration period under subsection (4) of this section, if the jury or court finds that the defendant is incompetent to stand trial, the court shall dismiss the charges without prejudice and order the defendant to be committed to ~~((a state hospital))~~ the department for placement in a facility operated or contracted by the department for up to 120 hours if the defendant has not undergone competency restoration services or has engaged in outpatient competency restoration services and up to 72 hours if the defendant engaged in inpatient competency restoration services starting from admission to the facility, excluding Saturdays, Sundays, and holidays, for evaluation for the purpose of filing a civil commitment petition under chapter 71.05 RCW. However, the court shall not dismiss the charges if the court or jury finds that: (a) The defendant (i) is a substantial danger to other persons; or (ii) presents a substantial likelihood of committing criminal acts jeopardizing public safety or security; and (b) there is a substantial probability that the defendant will regain competency within a reasonable period of time. If the court or jury makes such a finding, the court may extend the period of commitment for up to an additional six months.

(6) Any period of competency restoration treatment under this section includes only the time the defendant is actually at the facility or is actively participating in an outpatient competency

restoration program and is in addition to reasonable time for transport to or from the facility.

Sec. 8. RCW 10.77.088 and 2022 c 288 s 5 are each amended to read as follows:

(1) If the defendant is charged with a nonfelony crime which is a serious offense as identified in RCW 10.77.092 and found by the court to be not competent, then the court:

(a) Shall dismiss the proceedings without prejudice and detain the defendant ~~((for sufficient time to allow the designated crisis responder to evaluate the defendant and consider initial detention proceedings under chapter 71.05 RCW))~~ pursuant to subsection (5) of this section, unless the prosecutor objects to the dismissal and provides notice of a motion for an order for competency restoration treatment, in which case the court shall schedule a hearing within seven days.

(b) At the hearing, the prosecuting attorney must establish that there is a compelling state interest to order competency restoration treatment for the defendant. The court may consider prior criminal history, prior history in treatment, prior history of violence, the quality and severity of the pending charges, any history that suggests whether competency restoration treatment is likely to be successful, in addition to the factors listed under RCW 10.77.092. If the prosecuting attorney proves by a preponderance of the evidence that there is a compelling state interest in ordering competency restoration treatment, then the court shall issue an order in accordance with subsection (2) of this section. If the defendant is subject to an order under chapter 71.05 RCW or proceedings under chapter 71.05 RCW have been initiated, there is a rebuttable presumption that the state's compelling interest has been satisfied. If the defendant is charged with a serious traffic offense under RCW 9.94A.030, the court may order the clerk to transmit an order to the department of licensing for revocation of the defendant's driver's license for a period of one year. The court shall direct the clerk to transmit an order to the department of licensing reinstating the defendant's driver's license if the defendant is subsequently restored to competency, and may do so at any time before the end of one year for good cause upon the petition of the defendant.

~~((2))~~ (a) If a court finds pursuant to subsection (1)(b) of this section that there is a compelling state interest in pursuing competency restoration treatment, the court shall ~~((commit the defendant to the custody of the secretary for inpatient competency restoration, or may alternatively))~~ order the defendant to receive outpatient competency restoration ~~((based on a recommendation from a forensic navigator and input from the parties))~~ consistent with the recommendation of the forensic navigator, unless the court finds that an order for outpatient competency restoration is inappropriate considering the health and safety of the defendant and risks to public safety.

~~((a))~~ (b) To be eligible for an order for outpatient competency restoration, a defendant must be ~~((clinically appropriate and be))~~ willing to:

(i) Adhere to medications or receive prescribed intramuscular medication;

(ii) Abstain from alcohol and unprescribed drugs; and

(iii) Comply with urinalysis or breathalyzer monitoring if needed.

~~((b))~~ (c) If the court orders inpatient competency restoration, the department shall place the defendant in an appropriate facility of the department for competency restoration under subsection (3) of this section.

~~((e))~~ (d) If the court orders outpatient competency restoration, the court shall modify conditions of release as needed to authorize the department to place the person in approved housing, which may include access to supported housing,

affiliated with a contracted outpatient competency restoration program. The department, in conjunction with the health care authority, must establish rules for conditions of participation in the outpatient competency restoration program, which must include the defendant being subject to medication management. The court may order regular urinalysis testing. The outpatient competency restoration program shall monitor the defendant during the defendant's placement in the program and report any noncompliance or significant changes with respect to the defendant to the department and, if applicable, the forensic navigator.

~~((d))~~ (e) If a defendant fails to comply with the restrictions of the outpatient competency restoration program such that restoration is no longer appropriate in that setting or the defendant is no longer clinically appropriate for outpatient competency restoration, the director of the outpatient competency restoration program shall notify the authority and the department of the need to terminate the outpatient competency restoration placement and intent to request placement for the defendant in an appropriate facility of the department for inpatient competency restoration. The outpatient competency restoration program shall coordinate with the authority, the department, and any law enforcement personnel under ~~((d))~~ (e)(i) of this subsection to ensure that the time period between termination and admission into the inpatient facility is as minimal as possible. The time period for inpatient competency restoration shall be reduced by the time period spent in active treatment within the outpatient competency restoration program, excluding time periods in which the defendant was absent from the program and all time from notice of termination of the outpatient competency restoration period through the defendant's admission to the facility. The department shall obtain a placement for the defendant within seven days of the notice of intent to terminate the outpatient competency restoration placement.

(i) The department may authorize a peace officer to detain the defendant into emergency custody for transport to the designated inpatient competency restoration facility. If medical clearance is required by the designated competency restoration facility before admission, the peace officer must transport the defendant to a crisis stabilization unit, evaluation and treatment facility, emergency department of a local hospital, or triage facility for medical clearance once a bed is available at the designated inpatient competency restoration facility. The signed outpatient competency restoration order of the court shall serve as authority for the detention of the defendant under this subsection. This subsection does not preclude voluntary transportation of the defendant to a facility for inpatient competency restoration or for medical clearance, or authorize admission of the defendant into jail.

(ii) The department shall notify the court and parties of the defendant's admission for inpatient competency restoration before the close of the next judicial day. The court shall schedule a hearing within five days to review the conditions of release of the defendant and anticipated release from treatment and issue appropriate orders.

~~((e))~~ (f) The court may not issue an order for outpatient competency restoration unless the department certifies that there is an available appropriate outpatient restoration program that has adequate space for the person at the time the order is issued or the court places the defendant under the guidance and control of a professional person identified in the court order.

(g) If the court does not order the defendant to receive outpatient competency restoration under (a) of this subsection, the court shall commit the defendant to the department for

placement in a facility operated or contracted by the department for inpatient competency restoration.

(3) The placement under subsection (2) of this section shall not exceed 29 days if the defendant is ordered to receive inpatient competency restoration, and shall not exceed 90 days if the defendant is ordered to receive outpatient competency restoration. The court may order any combination of this subsection, but the total period of inpatient competency restoration may not exceed 29 days.

(4) If the court has determined or the parties agree that the defendant is unlikely to regain competency, the court may dismiss the charges without prejudice without ordering the defendant to undergo competency restoration treatment, in which case the court shall order that the defendant be referred for evaluation for civil commitment in the manner provided in subsection (5) of this section.

(5)(a) If the proceedings are dismissed under RCW 10.77.084 and the defendant was on conditional release at the time of dismissal, the court shall order the designated crisis responder within that county to evaluate the defendant pursuant to chapter 71.05 RCW. The evaluation may be conducted in any location chosen by the professional.

(b) If the defendant was in custody and not on conditional release at the time of dismissal, the defendant shall be detained and sent to an evaluation and treatment facility for up to 120 hours if the defendant has not undergone competency restoration services or has engaged in outpatient competency restoration services and up to 72 hours if the defendant engaged in inpatient competency restoration services, excluding Saturdays, Sundays, and holidays, for evaluation for purposes of filing a petition under chapter 71.05 RCW. The 120-hour or 72-hour period shall commence upon the next nonholiday weekday following the court order and shall run to the end of the last nonholiday weekday within the 120-hour or 72-hour period.

(6) If the defendant is charged with a nonfelony crime that is not a serious offense as defined in RCW 10.77.092 and found by the court to be not competent, the court may stay or dismiss proceedings and detain the defendant for sufficient time to allow the designated crisis responder to evaluate the defendant and consider initial detention proceedings under chapter 71.05 RCW. The court must give notice to all parties at least 24 hours before the dismissal of any proceeding under this subsection, and provide an opportunity for a hearing on whether to dismiss the proceedings.

(7) If at any time the court dismisses charges under subsections (1) through (6) of this section, the court shall make a finding as to whether the defendant has a history of one or more violent acts. If the court so finds, the defendant is barred from the possession of firearms until a court restores his or her right to possess a firearm under RCW 9.41.047. The court shall state to the defendant and provide written notice that the defendant is barred from the possession of firearms and that the prohibition remains in effect until a court restores his or her right to possess a firearm under RCW 9.41.047.

(8) Any period of competency restoration treatment under this section includes only the time the defendant is actually at the facility or is actively participating in an outpatient competency restoration program and is in addition to reasonable time for transport to or from the facility.

NEW SECTION. Sec. 9. A new section is added to chapter 10.77 RCW to read as follows:

(1) In counties with a forensic navigator program, a forensic navigator shall:

(a) Meet, interview, and observe all defendants charged with a nonfelony who have had two or more competency evaluations in

FIFTY THIRD DAY, MARCH 2, 2023

the preceding 24 months on separate charges or cause numbers and determine the defendants' willingness to engage with services under this section; and

(b) Provide a diversion program plan to the parties in each case that includes a recommendation for a diversion program to defense counsel and the prosecuting attorney. Services under a diversion program may include a referral for assisted outpatient treatment under chapter 71.05 RCW.

(2) If the parties agree on the diversion program recommended by the forensic navigator, the prosecutor shall request dismissal of the criminal charges.

(3) If the parties do not agree on the diversion program, the defense may move the court for an order dismissing the criminal charges without prejudice and referring the defendant to the services described in the diversion program. The court shall hold a hearing on this motion within 10 days. The court shall grant the defense motion if it finds by a preponderance of the evidence that the defendant is amenable to the services described in the diversion program and can safely receive services in the community.

(4) Individuals who receive a dismissal of charges and referral to services described in a diversion program shall have a forensic navigator assigned to assist them for up to six months while engaging in the services described in the diversion program. The forensic navigator shall provide monthly status updates to the court and the parties regarding the individual's status in the diversion program.

Sec. 10. RCW 10.77.092 and 2014 c 10 s 2 are each amended to read as follows:

(1) For purposes of determining whether a court may authorize involuntary medication for the purpose of competency restoration pursuant to RCW 10.77.084 and for maintaining the level of restoration in the jail following the restoration period, a pending charge involving any one or more of the following crimes is a serious offense per se in the context of competency restoration:

(a) Any violent offense, sex offense, serious traffic offense, and most serious offense, as those terms are defined in RCW 9.94A.030;

(b) Any offense, except nonfelony counterfeiting offenses, included in crimes against persons in RCW 9.94A.411;

(c) Any offense contained in chapter 9.41 RCW (firearms and dangerous weapons);

(d) Any offense listed as domestic violence in RCW 10.99.020;

(e) Any offense listed as a harassment offense in chapter 9A.46 RCW, except for criminal trespass in the first or second degree;

(f) Any violation of chapter 69.50 RCW that is a class B felony; or

(g) Any city or county ordinance or statute that is equivalent to an offense referenced in this subsection.

(2)(a) In a particular case, a court may determine that a pending charge not otherwise defined as serious by state or federal law or by a city or county ordinance is, nevertheless, a serious offense within the context of competency restoration treatment when the conduct in the charged offense falls within the standards established in (b) of this subsection.

(b) To determine that the particular case is a serious offense within the context of competency restoration, the court must consider the following factors and determine that one or more of the following factors creates a situation in which the offense is serious:

(i) The charge includes an allegation that the defendant actually inflicted bodily or emotional harm on another person or that the defendant created a reasonable apprehension of bodily or emotional harm to another;

(ii) The extent of the impact of the alleged offense on the basic human need for security of the citizens within the jurisdiction;

(iii) The number and nature of related charges pending against the defendant;

(iv) The length of potential confinement if the defendant is convicted; and

(v) The number of potential and actual victims or persons impacted by the defendant's alleged acts.

NEW SECTION. Sec. 11. A new section is added to chapter 10.77 RCW to read as follows:

(1) When an individual has a prescription for an antipsychotic, antidepressant, antiepileptic, or other drug prescribed to the individual to treat a serious mental illness by a state hospital or other state facility or a behavioral health agency or other certified medical provider, and the individual is medically stable on the drug, a jail or juvenile detention facility shall continue prescribing the prescribed drug and may not require the substitution of a different drug in a given therapeutic class, except under the following circumstances:

(a) The substitution is for a generic version of a name brand drug and the generic version is chemically identical to the name brand drug; or

(b) The drug cannot be prescribed for reasons of drug recall or removal from the market, or medical evidence indicating no therapeutic effect of the drug.

(2) This section includes but is not limited to situations in which the individual returns to a jail or juvenile detention facility directly after undergoing treatment at a state hospital, behavioral health agency, outpatient competency restoration program, or prison.

NEW SECTION. Sec. 12. A new section is added to chapter 10.77 RCW to read as follows:

(1) Subject to the availability of funds appropriated for this specific purpose, the department shall develop a program for individuals who have been involved with the criminal justice system and who have been found under RCW 10.77.084 as incompetent to stand trial due to an intellectual or developmental disability or dementia. The program must involve wraparound services and housing supports appropriate to the needs of the individual. It is sufficient to meet the criteria for participation in this program if the individual has recently been the subject of criminal charges that were dismissed without prejudice and was found incompetent to stand trial due to an intellectual or developmental disability or dementia.

(2) In the event that a court orders the commitment of an individual to the custody of the department under RCW 10.77.086(5) who was found incompetent to stand trial due to an intellectual or developmental disability or dementia, the department shall place the individual in the program either directly from the jail or as soon thereafter as may be practicable, without maintaining the individual at an inpatient facility for longer than is clinically necessary. Nothing in this subsection prohibits the department from returning the individual to their home or to another less restrictive setting if such placement is appropriate, which may include provision of supportive services to help the person maintain stability.

NEW SECTION. Sec. 13. Subject to the availability of funds appropriated for this specific purpose, the health care authority shall require the programs it contracts with to increase compensation for staff in outpatient competency restoration programs to provide compensation at competitive levels to improve recruitment and allow for the full implementation of outpatient competency restoration programs.

NEW SECTION. Sec. 14. A new section is added to chapter 10.77 RCW to read as follows:

An outpatient competency restoration program must include access to a prescriber.

NEW SECTION. Sec. 15. A new section is added to chapter 10.77 RCW to read as follows:

Jails shall allow clinical intervention specialists to have access to individuals who are referred to receive services under this chapter and to all records relating to the health or conduct of the individual while incarcerated. Clinical intervention specialists shall support jail health services in providing direct services, enhanced oversight and monitoring of the behavioral health status of participating individuals. Clinical intervention specialists shall work collaboratively with jail health services to ensure appropriate prescriptions, medication compliance monitoring, and access to supportive behavioral health services to the individuals. Clinical intervention specialists shall coordinate with forensic navigators and the department to assist forensic navigators in making recommendations for appropriate placements, which may include recommendations for participation in an outpatient competency restoration program or a diversion program designed for the needs of the individual. The clinical intervention specialist shall notify the department if a participating individual appears to have stabilized in their behavioral health such that a new competency evaluation is appropriate to reassess the individual's need for competency restoration treatment.

NEW SECTION. Sec. 16. A new section is added to chapter 10.77 RCW to read as follows:

The department shall collect data so that information can be retrieved based on unique individuals, their complete Washington criminal history and referrals for forensic services.

NEW SECTION. Sec. 17. A new section is added to chapter 10.77 RCW to read as follows:

(1) The department shall coordinate with cities, counties, hospitals, and other public and private entities to identify locations that may be commissioned or renovated for use in treating clients committed to the department for competency evaluation, competency restoration, civil conversion, or treatment following acquittal by reason of insanity.

(2) The department may provide capital grants to entities to accomplish the purposes described in subsection (1) of this section subject to provision of funding provided for this specific purpose.

NEW SECTION. Sec. 18. Sections 6 through 8 of this act are necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and take effect immediately."

On page 1, line 5 of the title, after "agreement;" strike the remainder of the title and insert "amending RCW 10.77.060, 10.77.068, 10.77.074, 10.77.084, 10.77.086, 10.77.088, and 10.77.092; reenacting and amending RCW 10.77.010; adding new sections to chapter 10.77 RCW; creating new sections; and declaring an emergency."

Senator Dhingra spoke in favor of adoption of the striking amendment.

The President declared the question before the Senate to be the adoption of striking amendment no. 0139 by Senator Dhingra to Second Substitute Senate Bill No. 5440.

The motion by Senator Dhingra carried and striking amendment no. 0139 was adopted by voice vote.

On motion of Senator Dhingra, the rules were suspended, Engrossed Second Substitute Senate Bill No. 5440 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Dhingra and Wagoner spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 5440.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5440 and the bill passed the Senate by the following vote: Yeas, 44; Nays, 5; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Dozier, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senators Boehnke, Fortunato, MacEwen, McCune and Short

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5440, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5130, by Senators Frame, Dhingra, Nobles, Pedersen, Randall and Wilson, C.

Concerning assisted outpatient treatment.

The measure was read the second time.

MOTION

Senator Dhingra moved that the following amendment no. 0028 by Senator Dhingra be adopted:

On page 3, line 4, after "18 months" insert ", unless the person is currently detained for inpatient treatment for 14 days or more under RCW 71.05.240 or 71.05.320, in which case the order may be effective for 90 days if the person is currently detained for 14 days of treatment, or 180 days if the person is currently detained for 90 or 180 days of treatment"

On page 5, beginning on line 20, strike all of subsection (10)

On page 41, line 25, after "18 months" insert ", unless the adolescent is currently detained for inpatient treatment for 14 days or more under RCW 71.34.740 or 71.34.750, in which case the order may be effective for 180 days"

On page 44, beginning on line 4, strike all of subsection (10)

Senator Dhingra spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0028 by Senator Dhingra on page 3, line 4 to Senate Bill No. 5130.

The motion by Senator Dhingra carried and amendment no. 0028 was adopted by voice vote.

MOTION

FIFTY THIRD DAY, MARCH 2, 2023

On motion of Senator Frame, the rules were suspended, Engrossed Senate Bill No. 5130 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Frame spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5130.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5130 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

ENGROSSED SENATE BILL NO. 5130, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5502, by Senators Gildon, Boehnke, Torres, Wilson, J. and Wilson, L.

Ensuring access to substance use disorder treatment.

MOTIONS

On motion of Senator Gildon, Second Substitute Senate Bill No. 5502 was substituted for Senate Bill No. 5502 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Gildon, the rules were suspended, Second Substitute Senate Bill No. 5502 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Gildon and Wilson, C. spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 5502.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5502 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SECOND SUBSTITUTE SENATE BILL NO. 5502, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5711, by Senators Nobles, Lias, Frame, Hasegawa, Hunt, Lovelett, Nguyen, Pedersen, Saldaña, Shewmake, Valdez and Wilson, C.

Extending the terms of eligibility for the Washington college grant program.

The measure was read the second time.

MOTION

On motion of Senator Nobles, the rules were suspended, Senate Bill No. 5711 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Nobles and Holy spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5711.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5711 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senator Braun

SENATE BILL NO. 5711, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5238, by Senators Saldaña, Randall, Conway, Frame, Hasegawa, Hunt, Keiser, Kuderer, Lovelett, Nguyen, Nobles, Shewmake, Stanford, Valdez and Wilson, C.

Expanding collective bargaining for employees who are enrolled in academic programs at public institutions of higher education.

MOTIONS

On motion of Senator Saldaña, Substitute Senate Bill No. 5238 was substituted for Senate Bill No. 5238 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Saldaña, the rules were suspended, Substitute Senate Bill No. 5238 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Saldaña and King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5238.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5238 and the bill passed the Senate by the following vote: Yeas, 34; Nays, 15; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hasegawa, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, Mullet, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman, Wilson, C. and Wilson, J.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, McCune, Muzzall, Padden, Schoesler, Short, Torres, Wagoner, Warnick and Wilson, L.

SUBSTITUTE SENATE BILL NO. 5238, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5726, by Senator King

Concerning the prevailing wages and sick leave benefits for construction workers.

MOTIONS

On motion of Senator King, Substitute Senate Bill No. 5726 was substituted for Senate Bill No. 5726 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5726, by Committee on Labor & Commerce (originally sponsored by Senator King)

Revised for first Substitute: Concerning the prevailing wages on public works.

Senator King moved that the following amendment no. 141 by Senator King be adopted:

On page 2, beginning on line 9, after "of" strike all material through "owed," on line 23 and insert "workers, laborers, or mechanics in the same trade or occupation under the collective bargaining agreements. In the event there is not a majority of workers, laborers, or mechanics in the same trade or occupation paid at the same rate, then the rate representing the most workers, laborers, or mechanics in the same trade or occupation shall prevail. The industrial statistician shall consider the applicable collective bargaining agreements and may seek input from the labor and management signatory parties and their multiemployer bargaining unit representatives, if applicable, regarding which rate is the majority rate, or the rate representing the most workers, laborers, or mechanics in the same trade or occupation in the event there is no majority. In no case where there is a collective bargaining agreement within a county, shall the industrial statistician conduct wage surveys or otherwise apply hours worked data to set the prevailing rate of wage, except that it may

apply hours worked data to resolve an appeal under (b) of this subsection.

(b) An interested party may appeal a determination by the industrial statistician under this subsection. The interested party must allege and prove by competent evidence that the actual rate used in the determination is not the rate representing the majority number or plurality of workers, laborers, or mechanics in the same trade or occupation under the collective bargaining agreements. Until final determination thereof, the work in question shall proceed under the rate established by the industrial statistician."

On page 3, line 22, after "(3)" strike "Cost" and insert "Until December 31, 2029, cost"

On page 3, line 25, after "increase to" strike "request" and insert "require"

On page 3, line 26, after "contract" insert "for the following scopes of work established pursuant to this chapter:

(a) Carpenters;

(b) Cement masons;

(c) Laborers;

(d) Power equipment operators; and

(e) Teamsters"

On page 3, beginning on line 27, after "(4)" strike all material through "39.04.155" on line 29 and insert "Nothing in subsection (2) of this section shall supersede the wage adjustment provisions provided for in RCW 39.04.155, 35.22.620(1)(e), 53.08.120(3)(e), 39.10.380(1), 35.23.352(13), 36.32.235(9), 39.04.235, 54.04.070(7), 39.10.420, 39.10.340, 39.10.300, and 57.08.050(6)"

Senators King and Keiser spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 141 by Senator King on page 2, line 9 to Substitute Senate Bill No. 5726.

The motion by Senator King carried and amendment no. 141 was adopted by voice vote.

MOTION

On motion of Senator King, the rules were suspended, Engrossed Substitute Senate Bill No. 5726 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators King and Keiser spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5726.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5726 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5726, having received the constitutional majority, was declared passed.

FIFTY THIRD DAY, MARCH 2, 2023

There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5702, by Senators Trudeau, Nobles, Dhingra, Hunt, Liias, Lovelett, Nguyen, Pedersen, Saldaña, Valdez and Wilson, C.

Expanding the students experiencing homelessness and foster youth pilot program.

MOTIONS

On motion of Senator Trudeau, Substitute Senate Bill No. 5702 was substituted for Senate Bill No. 5702 and the substitute bill was placed on the second reading and read the second time.

Senator Randall moved that the following amendment no. 0130 by Senator Randall be adopted:

On page 1, line 15, after "colleges" insert "participating in the program"

On page 2, line 16, after "(4)" insert "Subject to the availability of amounts appropriated for this specific purpose, the college board shall administer a grant program to provide grants to establish partnerships between community and technical colleges and public housing authorities or nonprofit community organizations to design and administer a subsidized housing or housing voucher program for Washington college grant eligible students. For the initial round of grants, priority must be given to colleges and public housing authorities or nonprofit community organizations that have previous experience partnering to administer a housing voucher or subsidized housing program.

(5)"

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

On page 2, line 17, after "colleges" insert "participating in the program"

On page 2, line 30, after "(c)" insert "If participating in the grant program under subsection (4) of this section:

(i) The design of the housing voucher or subsidized housing program;

(ii) The number of students served;

(iii) The types of housing offered to students; and

(iv) The average out-of-pocket cost for housing for students in the grant program.

(d)"

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

Senators Randall and Holy spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0130 by Senator Randall on page 1, line 15 to Substitute Senate Bill No. 5702.

The motion by Senator Randall carried and amendment no. 0130 was adopted by voice vote.

MOTION

On motion of Senator Trudeau, the rules were suspended, Engrossed Substitute Senate Bill No. 5702 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Trudeau and Holy spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5702.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5702 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 3; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senators Padden, Schoesler and Wagoner

ENGROSSED SUBSTITUTE SENATE BILL NO. 5702, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5687, by Senator Van De Wege

Creating postsecondary wrestling grant programs.

MOTIONS

On motion of Senator Van De Wege, Substitute Senate Bill No. 5687 was substituted for Senate Bill No. 5687 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5687, by Committee on Ways & Means (originally sponsored by Senator Van De Wege)

Revised for first Substitute: Creating and supporting postsecondary wrestling grant programs.

On motion of Senator Van De Wege, the rules were suspended, Substitute Senate Bill No. 5687 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Van De Wege, Holy and Wagoner spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5687.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5687 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford,

Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SUBSTITUTE SENATE BILL NO. 5687, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5078, by Senators Pedersen, Dhingra, Frame, Hasegawa, Hunt, Keiser, Kuderer, Liias, Nguyen, Nobles, Rolfes, Saldaña, Stanford, Trudeau, Valdez and Wellman

Protecting public safety by establishing duties of firearm industry members.

MOTION

On motion of Senator Pedersen, Substitute Senate Bill No. 5078 was substituted for Senate Bill No. 5078 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Fortunato moved that the following amendment no. 0148 by Senator Fortunato be adopted:

Beginning on page 1, line 13, strike all of section 1 and insert the following:

"NEW SECTION. Sec. 1. The legislature finds that the firearms industry supports environmental and conservation issues important to all Washingtonians. In 2021, the firearms industry produced an economic output of over \$1.3 million for the state of Washington and employed over 8,000 people. The legislature finds the likely outcome of this act is to eliminate that output and cause those jobs to leave this state for another state. By characterizing the firearms product industry as a public nuisance and exposing the industry to suit by the attorney general for any wrongdoing that could possibly result from potential misuse of a firearm and any accessories, the economic value of the industry becomes compromised. This creates a situation where 8,000 people will potentially experience unemployment. The legislature finds that firearms industry members will be prevented from producing a lawful product that can be used in an irresponsible, dangerous, and unlawful way. By declaring the production of a lawful product to be a public nuisance, the industry is forced to take on the liability of criminals and individuals who operate with a complete disrespect for the rule of law. In spite of protections that the legislature has instituted, unlawful trafficking of firearms persists and criminals continue to illegally and unlawfully use these products in a harmful way. Much like holding the makers of certain chemicals liable for a drug epidemic, holding a manufacturer and lawful distributor liable for a third party's misuse and unlawful use of a product is a dangerous extension of an important tool. Because of vagueness in the elements of the law, and a lack of specific, concrete direction for firearms industry members regarding the meaning of reasonable procedures and controls, this act exposes the entire industry to open ended, irreparable, and costly harm through an unprecedented and unsupportable extension of public nuisance law. The legislature finds that the purpose of this act is to prevent the sale of lawful firearms to citizens of Washington state under the guise of promoting public safety."

Senator Fortunato spoke in favor of adoption of the amendment.

Senator Dhingra spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0148 by Senator Fortunato on page 1, line 13 to Substitute Senate Bill No. 5078.

The motion by Senator Fortunato did not carry and amendment no. 0148 was not adopted by voice vote.

MOTION

Senator Fortunato moved that the following amendment no. 0146 by Senator Fortunato be adopted:

On page 3, beginning on line 36, after "fired" strike all material through "(1)(e)" on line 40

Senators Fortunato, Wilson, L., and McCune spoke in favor of adoption of the amendment.

Senator Pedersen spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0146 by Senator Fortunato on page 3, line 36 to Substitute Senate Bill No. 5078.

The motion by Senator Fortunato did not carry and amendment no. 0146 was not adopted by voice vote.

MOTION

Senator Padden moved that the following striking amendment no. 0143 by Senator Padden be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 7.48 RCW to read as follows:

(1) By December 1, 2024, the attorney general shall complete a study of the insurance impacts to firearm industry members, meaning entities engaged in the wholesale or retail sale, manufacturing, distribution, importing, or marketing of firearms or related products, if any or all of the following become law:

(a) A requirement that firearm industry members not knowingly create, maintain, or contribute to a public nuisance in this state through the sale, manufacturing, distribution, importing, or marketing of firearms or related products;

(b) A requirement that firearm industry members establish, implement, and enforce reasonable controls regarding the manufacture, sale, distribution, importing, use, and marketing of firearm industry products; or

(c) A requirement that firearm industry members not manufacture, distribute, import, market, offer for wholesale, or offer for retail sale firearms or related products that are:

(i) Designed, sold, or marketed in a manner that foreseeably promotes conversion of legal firearms or related products into illegal firearms or related products; or

(ii) Designed, sold, or marketed in a manner that is targeted at minors or individuals who are legally prohibited from possessing or purchasing firearms.

(2) On or before December 1, 2024, the attorney general shall submit the findings of the study to the appropriate committees of the legislature and shall publish the findings on the attorney general's website."

On page 1, line 10 of the title, after "general;" strike the remainder of the title and insert "and adding a new section to chapter 7.48 RCW."

FIFTY THIRD DAY, MARCH 2, 2023

Senators Padden, McCune and Wilson, L. spoke in favor of adoption of the striking amendment.

Senator Pedersen spoke against adoption of the striking amendment.

The President declared the question before the Senate to be the adoption of striking amendment no. 0143 by Senator Padden to Substitute Senate Bill No. 5078.

The motion by Senator Padden did not carry and striking amendment no. 0143 was not adopted by voice vote.

MOTION

On motion of Senator Pedersen, the rules were suspended, Substitute Senate Bill No. 5078 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Pedersen and Saldaña spoke in favor of passage of the bill.

Senators Muzzall, Wagoner, Fortunato, MacEwen, Padden, Wilson, J. and McCune spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5078.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5078 and the bill passed the Senate by the following vote: Yeas, 28; Nays, 21; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Liias, Lovelett, Lovick, Mullet, Nguyen, Nobles, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Stanford, Trudeau, Valdez, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Van De Wege, Wagoner, Warnick, Wilson, J. and Wilson, L.

SUBSTITUTE SENATE BILL NO. 5078, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5518, by Senators Boehnke, Stanford, MacEwen, Muzzall, Fortunato, Frame, Kuderer, Valdez, Warnick and Wellman

Concerning the protection of critical constituent and state operational data against the financial and personal harm caused by ransomware and other malicious cyber activities.

MOTIONS

On motion of Senator Boehnke, Second Substitute Senate Bill No. 5518 was substituted for Senate Bill No. 5518 and the substitute bill was placed on the second reading and read the second time.

SECOND SUBSTITUTE SENATE BILL NO. 5518, by Ways & Means (originally sponsored by Senators Boehnke, Stanford, MacEwen, Muzzall, Fortunato, Frame, Kuderer, Valdez, Warnick, and Wellman)

Revised for Second Substitute: Concerning cybersecurity.

On motion of Senator Boehnke, the rules were suspended, Second Substitute Senate Bill No. 5518 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Boehnke and Nguyen spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 5518.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5518 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SECOND SUBSTITUTE SENATE BILL NO. 5518, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5424, by Senators Lovick, Holy, Dhingra, Frame, Keiser, Kuderer, Shewmake, Stanford, Valdez, Warnick and Wellman

Concerning flexible work for general and limited authority Washington peace officers.

MOTIONS

On motion of Senator Lovelett, Substitute Senate Bill No. 5424 was substituted for Senate Bill No. 5424 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Lovick, the rules were suspended, Substitute Senate Bill No. 5424 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Lovick, King and Keiser spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5424.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5424 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias,

Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SUBSTITUTE SENATE BILL NO. 5424, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5569, by Senators Rivers and Dozier

Creating temporary exemptions from certificate of need requirements for kidney disease centers.

MOTIONS

On motion of Senator Rivers, Substitute Senate Bill No. 5569 was substituted for Senate Bill No. 5569 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5569, by Committee on Health & Long-Term Care (originally sponsored by Senators Rivers and Dozier)

Revised for first Substitute: Creating exemptions from certificate of need requirements for kidney disease centers.

On motion of Senator Rivers, the rules were suspended, Substitute Senate Bill No. 5569 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Rivers, Cleveland and Dozier spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5569.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5569 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SUBSTITUTE SENATE BILL NO. 5569, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5367, by Senators Robinson, Schoesler, Conway, Dozier, Keiser, Saldaña and Wellman

Concerning the regulation of products containing THC.

MOTION

On motion of Senator Robinson, Second Substitute Senate Bill No. 5367 was substituted for Senate Bill No. 5367 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Rivers moved that the following amendment no. 0147 by Senators Rivers, Keiser and King be adopted:

On page 2, beginning on line 6, after "(8)" strike all material through "(9)" on line 14

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

On page 4, beginning on line 3, after "with" strike all material through "product" on line 5 and insert "any amount of THC"

On page 4, beginning on line 8, after "include" strike all material through "15.140.020" on line 11 and insert "cannabis health and beauty aids as defined in RCW 69.50.575"

On page 10, line 37, after "chapter;" insert "and"

Beginning on page 10, line 38, after "(b)" strike all material through "(c)" on page 11, line 1

On page 13, after line 7, strike all of section 6

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

On page 1, at the beginning of line 4 of the title, strike "adding a new section to chapter 69.07 RCW;"

Senators Rivers, Robinson, Keiser and King spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0147 by Senators Rivers, Keiser and King on page 2, line 6 to Second Substitute Senate Bill No. 5367.

The motion by Senator Rivers carried and amendment no. 0147 was adopted by voice vote.

MOTION

On motion of Senator Robinson, the rules were suspended, Engrossed Second Substitute Senate Bill No. 5367 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Robinson spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 5367.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5367 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford,

FIFTY THIRD DAY, MARCH 2, 2023

Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5367, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5309, by Senators Lovelett, Rolfes, Hasegawa, Hunt, Keiser, Nguyen and Nobles

Eliminating the state public utility tax deduction for the instate portion of interstate transport of petroleum products and crude oil.

The measure was read the second time.

WITHDRAWAL OF AMENDMENT

On motion of Senator Lovelett and without objection, striking amendment no. 0137 by Senator Lovelett to Senate Bill No. 5309 was withdrawn.

MOTION

Senator Lovelett moved that the following striking amendment no. 0151 by Senator Lovelett be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 82.16.010 and 2015 3rd sp.s. c 6 s 702 are each amended to read as follows:

For the purposes of this chapter, unless otherwise required by the context:

(1) "Crude oil" has the same meaning as provided in RCW 82.23B.010.

(2) "Express business" means the business of carrying property for public hire on the line of any common carrier operated in this state, when such common carrier is not owned or leased by the person engaging in such business.

((2)) (3) "Gas distribution business" means the business of operating a plant or system for the production or distribution for hire or sale of gas, whether manufactured or natural.

((3)) (4) "Gross income" means the value proceeding or accruing from the performance of the particular public service or transportation business involved, including operations incidental thereto, but without any deduction on account of the cost of the commodity furnished or sold, the cost of materials used, labor costs, interest, discount, delivery costs, taxes, or any other expense whatsoever paid or accrued and without any deduction on account of losses.

((4)) (5) "Light and power business" means the business of operating a plant or system for the generation, production or distribution of electrical energy for hire or sale and/or for the wheeling of electricity for others.

((5)) (6) "Log transportation business" means the business of transporting logs by truck, except when such transportation meets the definition of urban transportation business or occurs exclusively upon private roads.

((6)) (7) "Motor transportation business" means the business (except urban transportation business) of operating any motor propelled vehicle by which persons or property of others are conveyed for hire, and includes, but is not limited to, the operation of any motor propelled vehicle as an auto transportation

company (except urban transportation business), common carrier, or contract carrier as defined by RCW 81.68.010 and 81.80.010. However, "motor transportation business" does not mean or include: (a) A log transportation business; or (b) the transportation of logs or other forest products exclusively upon private roads or private highways.

((7)) (8) "Packaged for sale to ultimate consumers" means petroleum products that are prepared and packaged for sale at usual and ordinary retail outlets. The term includes containerized motor oil, lubricants, and aerosol solvents.

(9) "Petroleum products" has the same meaning as provided in RCW 82.21.020.

(10)(a) "Public service business" means any of the businesses defined in subsections ((1),) (2), ((4), (6)) (3), (5), (7), ((8), (9), (10)) (11), (12), (13), (15), and ((13)) (16) of this section or any business subject to control by the state, or having the powers of eminent domain and the duties incident thereto, or any business hereafter declared by the legislature to be of a public service nature, except telephone business and low-level radioactive waste site operating companies as redefined in RCW 81.04.010. It includes, among others, without limiting the scope hereof: Airplane transportation, boom, dock, ferry, pipe line, toll bridge, toll logging road, water transportation and wharf businesses.

(b) The definitions in this subsection ((7)) (10)(b) apply throughout this subsection ((7)) (10).

(i) "Competitive telephone service" has the same meaning as in RCW 82.04.065.

(ii) "Network telephone service" means the providing by any person of access to a telephone network, telephone network switching service, toll service, or coin telephone services, or the providing of telephonic, video, data, or similar communication or transmission for hire, via a telephone network, toll line or channel, cable, microwave, or similar communication or transmission system. "Network telephone service" includes the provision of transmission to and from the site of an internet provider via a telephone network, toll line or channel, cable, microwave, or similar communication or transmission system. "Network telephone service" does not include the providing of competitive telephone service, the providing of cable television service, the providing of broadcast services by radio or television stations, nor the provision of internet access as defined in RCW 82.04.297, including the reception of dial-in connection, provided at the site of the internet service provider.

(iii) "Telephone business" means the business of providing network telephone service. It includes cooperative or farmer line telephone companies or associations operating an exchange.

(iv) "Telephone service" means competitive telephone service or network telephone service, or both, as defined in (b)(i) and (ii) of this subsection.

((8)) (11) "Railroad business" means the business of operating any railroad, by whatever power operated, for public use in the conveyance of persons or property for hire. It shall not, however, include any business herein defined as an urban transportation business.

((9)) (12) "Railroad car business" means the business of operating stock cars, furniture cars, refrigerator cars, fruit cars, poultry cars, tank cars, sleeping cars, parlor cars, buffet cars, tourist cars, or any other kinds of cars used for transportation of property or persons upon the line of any railroad operated in this state when such railroad is not owned or leased by the person engaging in such business.

((10)) (13) "Telegraph business" means the business of affording telegraphic communication for hire.

~~((14))~~ (14) "Tugboat business" means the business of operating tugboats, towboats, wharf boats or similar vessels in the towing or pushing of vessels, barges or rafts for hire.

~~((12))~~ (15) "Urban transportation business" means the business of operating any vehicle for public use in the conveyance of persons or property for hire, insofar as (a) operating entirely within the corporate limits of any city or town, or within five miles of the corporate limits thereof, or (b) operating entirely within and between cities and towns whose corporate limits are not more than five miles apart or within five miles of the corporate limits of either thereof. Included herein, but without limiting the scope hereof, is the business of operating passenger vehicles of every type and also the business of operating cartage, pickup, or delivery services, including in such services the collection and distribution of property arriving from or destined to a point within or without the state, whether or not such collection or distribution be made by the person performing a local or interstate line-haul of such property.

~~((13))~~ (16) "Water distribution business" means the business of operating a plant or system for the distribution of water for hire or sale.

~~((14))~~ (17) The meaning attributed, in chapter 82.04 RCW, to the term "tax year," "person," "value proceeding or accruing," "business," "engaging in business," "in this state," "within this state," "cash discount" and "successor" shall apply equally in the provisions of this chapter.

NEW SECTION. Sec. 2. A new section is added to chapter 82.16 RCW to read as follows:

(1) RCW 82.16.050 does not apply to amounts derived from the transportation of either petroleum products or crude oil, or both, which are not packaged for sale to ultimate consumers and such products, crude oil, or both are transported wholly within this state, between states, or between a state and a foreign country.

(2) For the purposes of this section, "state" means a state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States.

NEW SECTION. Sec. 3. A new section is added to chapter 82.16 RCW to read as follows:

(1) Persons engaging both within and without this state in the business of transporting petroleum products, crude oil, or both, must apportion gross income as provided in this section.

(2)(a) Except as otherwise provided in this section, gross income must be apportioned to this state based on the ratio that revenue miles of the person in this state during the tax period bear to the revenue miles of the person everywhere during the tax period.

(b) Gross income includes only the amount for transporting either petroleum products or crude oil, or both, which are not packaged for sale to ultimate consumers and does not include gross income derived from transporting any other property or passengers.

(3) For persons that transport petroleum products or crude oil by pipeline, gross income must be apportioned to this state based on the ratio that the total number of traffic units in this state during the tax period bear to the total number of traffic units everywhere during the tax period.

(4) For purposes of this section, the following definitions apply:

(a) "One unit" means one barrel, as defined in RCW 82.23B.010, one gallon, one net ton, or other appropriate measure of product.

(b) "Revenue mile" means the transportation of one unit of taxable petroleum product or crude oil for the distance of one mile.

(c) "Traffic unit" means the movement of one unit of taxable petroleum product or crude oil for a distance of one mile.

NEW SECTION. Sec. 4. This act applies to amounts received on or after October 1, 2023."

On page 1, line 3 of the title, after "oil;" strike the remainder of the title and insert "amending RCW 82.16.010; adding new sections to chapter 82.16 RCW; and creating a new section."

Senators Lovelett and MacEwen spoke in favor of adoption of the striking amendment.

The President declared the question before the Senate to be the adoption of striking amendment no. 0151 by Senator Lovelett to Senate Bill No. 5309.

The motion by Senator Lovelett carried and striking amendment no. 0151 was adopted by voice vote.

MOTION

On motion of Senator Lovelett, the rules were suspended, Engrossed Senate Bill No. 5309 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Lovelett and Hasegawa spoke in favor of passage of the bill.

Senator Wilson, L. spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5309.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5309 and the bill passed the Senate by the following vote: Yeas, 27; Nays, 22; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Liias, Lovelett, Lovick, Nguyen, Nobles, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Mullet, Muzzall, Padden, Rivers, Schoesler, Shewmake, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

ENGROSSED SENATE BILL NO. 5309, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5165, by Senators Nguyen, Mullet, Boehnke, Frame, Hasegawa, Keiser, Nobles and Stanford

Concerning electric power system transmission planning.

MOTION

On motion of Senator Nguyen, Substitute Senate Bill No. 5165 was substituted for Senate Bill No. 5165 and the substitute bill was placed on the second reading and read the second time.

MOTION

FIFTY THIRD DAY, MARCH 2, 2023

Senator Short moved that the following amendment no. 0136 by Senator Short be adopted:

Beginning on page 7, line 37, after "(1)" strike all material through "(2)" on page 8, line 9

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

Senator Short spoke in favor of adoption of the amendment.

Senator Nguyen spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0136 by Senator Short on page 7, line 37 to Substitute Senate Bill No. 5165.

The motion by Senator Short did not carry and amendment no. 0136 was not adopted by voice vote.

MOTION

On motion of Senator Nguyen, the rules were suspended, Substitute Senate Bill No. 5165 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Nguyen and MacEwen spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5165.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5165 and the bill passed the Senate by the following vote: Yeas, 36; Nays, 13; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Cleveland, Conway, Dhingra, Frame, Gildon, Hasegawa, Holy, Hunt, Kauffman, Keiser, Kuderer, Lias, Lovelett, Lovick, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Wellman and Wilson, C.

Voting nay: Senators Braun, Dozier, Fortunato, Hawkins, King, MacEwen, McCune, Padden, Schoesler, Short, Warnick, Wilson, J. and Wilson, L.

SUBSTITUTE SENATE BILL NO. 5165, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5353, by Senators Wagoner, Van De Wege, Dozier, Salomon, Short, Warnick and Wilson, J.

Concerning the voluntary stewardship program.

MOTIONS

On motion of Senator Wagoner, Substitute Senate Bill No. 5353 was substituted for Senate Bill No. 5353 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Wagoner, the rules were suspended, Substitute Senate Bill No. 5353 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wagoner, Wilson, J. and Dozier spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5353.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5353 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SUBSTITUTE SENATE BILL NO. 5353, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5150, by Senator Shewmake

Concerning the beef commission's levied assessment.

MOTIONS

On motion of Senator Shewmake, Substitute Senate Bill No. 5150 was substituted for Senate Bill No. 5150 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5150, by Committee on Agriculture, Water, Natural Resources & Parks (originally sponsored by Senator Shewmake)

Revised for first Substitute: Concerning the beef commission.

MOTION

Senator Schoesler moved that the following amendment no. 0152 by Senators Schoesler and Van De Wege be adopted:

On page 2, after line 14, insert the following:

"NEW SECTION. **Sec. 2.** A new section is added to chapter 16.67 RCW to read as follows:

The commission may fund, conduct, or otherwise participate in scientific research related to beef including, without limitation, to improve production, quality, transportation, processing, distribution, and environmental stewardship."

On page 1, beginning on line 1 of the title, after "Relating to" strike all material through "RCW 16.67.120" on line 2 and insert "the beef commission; amending RCW 16.67.120; and adding a new section to chapter 16.67 RCW"

Senators Schoesler and Van De Wege spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0152 by Senators Schoesler and Van

De Wege on page 2, after line 14 to Substitute Senate Bill No. 5150.

The motion by Senator Schoesler carried and amendment no. 0152 was adopted by voice vote.

MOTION

On motion of Senator Shewmake, the rules were suspended, Engrossed Substitute Senate Bill No. 5150 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Shewmake spoke in favor of passage of the bill.

Senators Muzzall and Schoesler spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5150.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5150 and the bill passed the Senate by the following vote: Yeas, 37; Nays, 12; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Cleveland, Conway, Dhingra, Fortunato, Frame, Gildon, Hasegawa, Holy, Hunt, Kauffman, Keiser, Kuderer, Liias, Lovelett, Lovick, McCune, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Shewmake, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, L.

Voting nay: Senators Braun, Dozier, Hawkins, King, MacEwen, Mullet, Muzzall, Padden, Salomon, Schoesler, Short and Wilson, J.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5150, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5439, by Senators Warnick, Dozier, Hasegawa, Lovelett, Salomon, Schoesler and Van De Wege

Concerning livestock identification.

MOTIONS

On motion of Senator Warnick, Substitute Senate Bill No. 5439 was substituted for Senate Bill No. 5439 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Warnick, the rules were suspended, Substitute Senate Bill No. 5439 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Warnick spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5439.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5439 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SUBSTITUTE SENATE BILL NO. 5439, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 4:42 p.m., on motion of Senator Pedersen, the Senate adjourned until 9 o'clock a.m. Friday, March 3, 2023.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

FIFTY FOURTH DAY

MORNING SESSION

Senate Chamber, Olympia
Friday, March 3, 2023

The Senate was called to order at 9 o'clock a.m. by the President of the Senate, Lt. Governor Heck presiding. The Secretary called the roll and announced to the President that all Senators were present.

The Sergeant at Arms Color Guard consisting of Pages Miss Isabella Rahn and Mr. Caleb Davis, presented the Colors. Page Mr. Anders Hanson led the Senate in the Pledge of Allegiance.

The prayer was offered by Rev. Jeffery R. Spencer, Pastor, Oak Harbor Lutheran Church, guest of Senator Muzzall.

MOTIONS

On motion of Senator Pedersen, the reading of the Journal of the previous day was dispensed with and it was approved.

On motion of Senator Pedersen, the Senate advanced to the third order of business.

MESSAGE FROM THE GOVERNOR
GUBERNATORIAL APPOINTMENTS

March 1, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

WOODROW MYERS JR., appointed March 1, 2023, for the term ending December 31, 2028, as Member of the Fish and Wildlife Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Agriculture, Water, Natural Resources & Parks as Senate Gubernatorial Appointment No. 9335.

March 1, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

STEVEN PARKER, appointed March 1, 2023, for the term ending December 31, 2028, as Member of the Fish and Wildlife Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Agriculture, Water, Natural Resources & Parks as Senate Gubernatorial Appointment No. 9336.

MOTIONS

On motion of Senator Pedersen, all appointees listed on the Gubernatorial Appointments report were referred to the committees as designated.

On motion of Senator Pedersen, the Senate advanced to the fourth order of business.

MESSAGES FROM THE HOUSE

March 1, 2023

MR. PRESIDENT:

The House has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1245,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1260,
ENGROSSED SECOND SUBSTITUTE
HOUSE BILL NO. 1320,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1555,

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

March 2, 2023

MR. PRESIDENT:

The House has passed:

SECOND SUBSTITUTE HOUSE BILL NO. 1013,
SUBSTITUTE HOUSE BILL NO. 1074,
SUBSTITUTE HOUSE BILL NO. 1200,
ENGROSSED SECOND SUBSTITUTE
HOUSE BILL NO. 1238,
SUBSTITUTE HOUSE BILL NO. 1291,
HOUSE BILL NO. 1308,
SECOND SUBSTITUTE HOUSE BILL NO. 1322,
ENGROSSED HOUSE BILL NO. 1336,
SUBSTITUTE HOUSE BILL NO. 1355,
SECOND SUBSTITUTE HOUSE BILL NO. 1390,
SUBSTITUTE HOUSE BILL NO. 1406,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1424,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1436,
SECOND SUBSTITUTE HOUSE BILL NO. 1447,
SECOND SUBSTITUTE HOUSE BILL NO. 1474,
ENGROSSED HOUSE BILL NO. 1478,
SECOND SUBSTITUTE HOUSE BILL NO. 1491,
ENGROSSED SECOND SUBSTITUTE
HOUSE BILL NO. 1515,
SUBSTITUTE HOUSE BILL NO. 1570,
SUBSTITUTE HOUSE BILL NO. 1577,
SECOND SUBSTITUTE HOUSE BILL NO. 1580,
SECOND SUBSTITUTE HOUSE BILL NO. 1618,
SUBSTITUTE HOUSE BILL NO. 1658,

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

MOTION

On motion of Senator Pedersen, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 5758 by Senators McCune, Holy, Wilson, J., Wilson, L., Boehnke, Dozier, Torres, Padden, Rivers, Braun, Muzzall, Short, Wagoner and Kauffman

AN ACT Relating to studying the risks of electromagnetic pulse attacks; adding a new section to chapter 42.56 RCW; creating new sections; and providing an expiration date.

Referred to Committee on Environment, Energy & Technology.

HB 1002 by Representatives Leavitt, Thai, Ryu, Berry, Reed, Lekanoff, Senn, Doglio, Reeves, Bronoske, Kloba and Riccelli

AN ACT Relating to increasing the penalty for hazing; amending RCW 28B.10.901, 9.94A.411, 9.94A.515, and 9A.46.060; creating a new section; and prescribing penalties.

Referred to Committee on Law & Justice.

SHB 1047 by House Committee on Environment & Energy (originally sponsored by Mena, Ryu, Berry, Simmons, Duerr, Goodman, Bateman, Reed, Fitzgibbon, Ramel, Doglio, Orwall, Macri, Gregerson, Thai, Stonier, Santos, Riccelli and Ormsby)

AN ACT Relating to the use of toxic chemicals in cosmetic products; amending RCW 43.21B.110 and 43.21B.300; adding a new chapter to Title 70A RCW; and prescribing penalties.

Referred to Committee on Environment, Energy & Technology.

ESHB 1057 by House Committee on Appropriations (originally sponsored by Stokesbary, Fitzgibbon, Leavitt, Simmons, Rude, Bateman, Pollet, Street, Goodman, Robertson, Macri, Donaghy, Bronoske, Paul, Bergquist, Wylie, Kloba and Ormsby)

AN ACT Relating to providing a benefit increase to certain retirees of the public employees' retirement system plan 1 and the teachers' retirement system plan 1; amending RCW 41.32.4992, 41.40.1987, 41.45.060, and 41.45.070; creating new sections; providing an effective date; and declaring an emergency.

Referred to Committee on Ways & Means.

SHB 1109 by House Committee on Appropriations (originally sponsored by Senn, Stonier, Rude, Taylor, Slatter, Callan, Doglio, Orwall, Caldier, Simmons, Timmons, Reeves, Couture, Thai, Bergquist, Ortiz-Self, Pollet, Santos, Kloba and Davis)

AN ACT Relating to providing funding for school districts to conduct extraordinary numbers of special education eligibility determinations and to subsequently develop individualized education programs for the eligible students; amending RCW 28A.150.392; creating new sections; providing an effective date; and providing an expiration date.

Referred to Committee on Early Learning & K-12 Education.

SHB 1132 by House Committee on Community Safety, Justice, & Reentry (originally sponsored by Goodman, Rude, Lekanoff, Wylie and Kloba)

AN ACT Relating to oversight and training requirements for limited authority Washington peace officers and agencies; amending RCW 43.101.095, 43.101.276, and 43.101.278; and reenacting and amending RCW 43.101.010 and 43.101.200.

Referred to Committee on Law & Justice.

2SHB 1176 by House Committee on Appropriations (originally sponsored by Slatter, Fitzgibbon, Berry, Walen, Ramel, Leavitt, Taylor, Callan, Macri, Ryu, Reeves, Reed, Mena, Chopp, Duerr, Thai, Wylie, Ortiz-Self, Stonier, Pollet and Tharinger)

AN ACT Relating to developing opportunities for service and workforce programs to support climate-ready communities; adding new sections to chapter 43.41 RCW; adding new sections to chapter 28C.18 RCW; creating new sections; and repealing RCW 43.330.310, 50.12.320, and 28C.18.170.

Referred to Committee on Higher Education & Workforce Development.

ESHB 1245 by House Committee on Housing (originally sponsored by Barkis, Robertson, Wylie, Fitzgibbon, Peterson, Walsh, Chambers, Kloba, Gregerson, Graham, Waters, Reed, Walen, Christian, Riccelli, Macri, Bateman and Doglio)

AN ACT Relating to increasing housing options through lot splitting; adding a new section to chapter 36.70A RCW; and creating a new section.

Referred to Committee on Local Government, Land Use & Tribal Affairs.

SHB 1254 by House Committee on Finance (originally sponsored by Street, Reed and Ramel)

AN ACT Relating to clarifying ambiguities in statutory provisions administered by the department of revenue relating to periodic adjustments; and amending RCW 53.08.090, 82.12.0203, and 82.21.030.

Referred to Committee on Ways & Means.

SHB 1258 by House Committee on Appropriations (originally sponsored by Ryu, Volz, Steele, Walen, Reeves, Waters, Chambers, Reed, Christian, Cortes, Callan, Schmidt, Barkis and Fosse)

AN ACT Relating to increasing tourism to Washington state through enhancement of the statewide tourism marketing account and changing necessary match requirements; and amending RCW 43.384.040 and 82.08.225.

Referred to Committee on Business, Financial Services, Gaming & Trade.

ESHB 1260 by House Committee on Appropriations (originally sponsored by Alvarado, Leavitt, Taylor, Senn, Farivar, Simmons, Davis, Fitzgibbon, Callan, Reeves, Reed, Fey, Gregerson, Cortes, Macri, Fosse, Doglio and Pollet)

AN ACT Relating to accelerating stability for people with a work-limiting disability or incapacity; amending RCW 74.04.655, 74.04.805, 74.62.005, and 74.62.030; and creating a new section.

Referred to Committee on Human Services.

E2SHB 1320 by House Committee on Appropriations (originally sponsored by Reed, Berry, Ortiz-Self, Ramel, Pollet and Fosse)

FIFTY FOURTH DAY, MARCH 3, 2023

AN ACT Relating to access to personnel records; amending RCW 49.12.250; creating a new section; prescribing penalties; and providing an effective date.

Referred to Committee on Labor & Commerce.

2SHB 1433 by House Committee on Appropriations (originally sponsored by Duerr, Ramel, Fitzgibbon, Berry, Reed and Doglio)

AN ACT Relating to energy labeling of residential buildings; adding a new section to chapter 19.27A RCW; adding a new chapter to Title 18 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Environment, Energy & Technology.

SHB 1435 by House Committee on Health Care & Wellness (originally sponsored by Bronoske, Taylor, Bateman, Ryu, Riccelli, Gregerson, Callan, Pollet, Simmons, Reeves and Doglio)

AN ACT Relating to the development of a home care safety net assessment; adding a new section to chapter 70.127 RCW; and adding a new section to chapter 74.39A RCW.

Referred to Committee on Health & Long-Term Care.

2SHB 1452 by House Committee on Appropriations (originally sponsored by Timmons, Harris, Simmons, Rude, Doglio, Pollet, Bateman and Leavitt)

AN ACT Relating to establishing a state medical reserve corps; adding a new chapter to Title 70 RCW; and declaring an emergency.

Referred to Committee on Health & Long-Term Care.

SHB 1457 by House Committee on Transportation (originally sponsored by Robertson, Berry, Santos, Reed and Fosse)

AN ACT Relating to a motor carrier's ability to access restroom facilities required by rules authorized under chapter 49.17 RCW; adding a new section to chapter 70.54 RCW; and prescribing penalties.

Referred to Committee on Labor & Commerce.

HB 1512 by Representatives Mosbrucker, Orwall, Simmons, Jacobsen, Leavitt, Rule, Gregerson, Eslick, Graham, Doglio, Reed and Morgan

AN ACT Relating to providing tools and resources for the location and recovery of missing persons; adding a new section to chapter 43.10 RCW; and creating a new section.

Referred to Committee on Law & Justice.

SHB 1521 by House Committee on Labor & Workplace Standards (originally sponsored by Bronoske, Stonier, Wylie, Berry and Pollet)

AN ACT Relating to industrial insurance self-insured employer and third-party administrator penalties and duties; amending RCW 51.48.080 and 51.48.017; adding a new section to chapter 51.14 RCW; creating a new section; prescribing penalties; and providing an effective date.

Referred to Committee on Labor & Commerce.

2SHB 1525 by House Committee on Appropriations (originally sponsored by Fosse, Lekanoff, Farivar, Shavers, Thai, Taylor, Hansen, Alvarado, Senn, Hackney, Wylie, Duerr, Leavitt, Berg, Stearns, Peterson, Macri, Berry, Cortes, Low, Schmidt, Stonier, Kloba, Robertson, Gregerson, Riccelli, Doglio, Waters, Cheney, Orwall, Connors, Ybarra, Bronoske, Dent, Morgan, Ramel, Donaghy, Goodman, Ryu, Fey, Reed, Davis, Timmons, Street, Simmons, Fitzgibbon, Christian, Santos, Rule, Abbarno, Sandlin, Chopp, Bateman, Rude, Eslick, Ormsby, Reeves, Barkis, Graham, Pollet, Ortiz-Self, Callan and Bergquist)

AN ACT Relating to eligibility for working connections child care benefits for persons participating in state registered apprenticeships; amending RCW 43.216.136; and creating a new section.

Referred to Committee on Early Learning & K-12 Education.

ESHB 1555 by House Committee on Community Safety, Justice, & Reentry (originally sponsored by Lekanoff, Goodman, Pollet, Davis and Doglio)

AN ACT Relating to extradition of persons to and from Indian jurisdiction; and adding a new section to chapter 10.31 RCW.

Referred to Committee on Law & Justice.

SHB 1572 by House Committee on Civil Rights & Judiciary (originally sponsored by Springer and Orcutt)

AN ACT Relating to venue for actions for the recovery of taxes; amending RCW 84.68.050; creating new sections; and declaring an emergency.

Referred to Committee on Law & Justice.

SHB 1590 by House Committee on Human Services, Youth, & Early Learning (originally sponsored by Dent, Eslick and Caldier)

AN ACT Relating to the membership and subcommittees of the oversight board for children, youth, and families; and amending RCW 43.216.015.

Referred to Committee on Human Services.

HB 1679 by Representatives Rule, Eslick, Reeves, Gregerson and Pollet

AN ACT Relating to modifying and extending requirements of a work group convened to address the needs of students in foster care, experiencing homelessness, or both, by adding reporting and other requirements related to students in or exiting institutional education facilities; amending RCW 28A.300.544; and providing an expiration date.

Referred to Committee on Human Services.

2SHB 1681 by House Committee on Finance (originally sponsored by Stearns, Lekanoff, Davis, Leavitt, Reeves, Pollet and Orwall)

AN ACT Relating to problem gambling; amending RCW 41.05.750, 67.70.340, 82.04.285, 82.04.286, and 9.46.071; creating a new section; providing an effective date; and declaring an emergency.

Referred to Committee on Business, Financial Services, Gaming & Trade.

ESHB 1732 by House Committee on Appropriations (originally sponsored by Bergquist, Stonier, Ormsby and Macri)

AN ACT Relating to changing the inflation adjustment index for state salary allocations to schools; amending RCW 28A.400.205; and creating new sections.

Referred to Committee on Ways & Means.

HB 1777 by Representatives Doglio, Fitzgibbon, Duerr, Lekanoff, Stearns, McEntire, Ramel and Pollet

AN ACT Relating to authorizing the use of performance-based contracting for energy services and equipment; and amending RCW 39.35A.020, 39.35C.010, 39.35C.050, and 39.35C.060.

Referred to Committee on Environment, Energy & Technology.

SHB 1783 by House Committee on Appropriations (originally sponsored by Sandlin, Maycumber, Couture, Chapman, Dent, Eslick and Volz)

AN ACT Relating to supporting economic development in distressed areas through hiring of grant writers; adding a new section to chapter 43.330 RCW; and creating a new section.

Referred to Committee on Business, Financial Services, Gaming & Trade.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

On motion of Senator Pedersen, the Senate advanced to the eighth order of business.

On motion of Senator Pedersen, Senate Rule 20 was suspended for the remainder of the day to allow consideration of additional floor resolutions.

EDITOR'S NOTE: Senate Rule 20 limits consideration of floor resolutions not essential to the operation of the Senate to one per day during regular daily sessions.

MOTION

Senator Fortunato moved adoption of the following resolution:

SENATE RESOLUTION
8623

By Senators Fortunato and Wagoner

WHEREAS, United States Border Patrol Agent Donna Marie Doss, a Washington native from Maple Valley, is remembered for proudly and honorably serving our country and her community; and

WHEREAS, She graduated from the Border Patrol Academy in 2005, Doss served on the Drug Enforcement Administration

Task Force for over a year at the Washington-Canadian border before relocating to Texas; and

WHEREAS, Doss was stationed in Laredo, Texas, where she served as a supervisor of the horse patrol of the Del Rio Sector, she was relocated in 2017 to Abilene, Texas, where she served as a Resident Agent responsible for all border patrol duties within the Del Rio Sector which comprised eight counties; and

WHEREAS, During her time as the Resident Agent, Doss would travel to local law enforcement offices and stations within her region to provide support and build relationships with her fellow law enforcement officers; and

WHEREAS, Doss was known by her colleagues to be true to her word, coming to the aid of various agencies when called upon; and

WHEREAS, On February 2, 2019, Doss lost her life responding to a call for assistance from the Texas Department of Public Safety near Interstate 20 in Tye, Texas, when she was struck and killed by a passing vehicle; and

WHEREAS, Donna Doss served her country as a United States Border Patrol Agent for more than 15 years, she is survived by her husband, two stepchildren, and sister, and her father, mother, and brother from Enumclaw, Washington; and

WHEREAS, Her memorial held in Abilene, Texas was attended by hundreds of law enforcement agents and personnel from across the country; and

WHEREAS, In 2019, fellow Texas Border Patrol Agents advocated to the United States Congress to change the name of the Rock Springs Border Patrol Station to honor Donna Doss; and

WHEREAS, On May 6, 2022, President Joseph Biden signed legislation dedicating the Donna M. Doss Border Patrol Station in Rock Springs, Texas; and

WHEREAS, In addition, her name was added to the National Monument for Fallen Law Enforcement in Washington, D.C. and the Blaine Standalone Wall Monument;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate honor the life and accomplishments of Donna M. Doss for her work, sacrifice, and service to our country and the United States Border Patrol.

Senator Fortunato spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8623.

The motion by Senator Fortunato carried and the resolution was adopted by voice vote.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced family and friends of Agent Donna Doss, including Mr. and Mrs. Donald and Alline McCann, parents; Mr. Bruce McCann, brother; and Mrs. and Mr. Sonja and Roger St. John, sister and brother-in-law who were seated in the gallery.

MOTION

At 9:12 a.m., on motion of Senator Pedersen, the Senate was declared to be at ease subject to the call of the President.

Senator Warnick announced a meeting of the Republican Caucus.

Senator Hasegawa announced a meeting of the Democratic Caucus.

The Senate was called to order at 2 o'clock p.m. by the President of the Senate, Lt. Governor Heck presiding.

MOTION

On motion of Senator Pedersen, the Senate reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 5128, by Senators Trudeau, Dhingra, Billig, Hasegawa, Hunt, Kuderer, Pedersen, Stanford, Valdez, Wellman and Wilson, C.

Concerning jury diversity.

MOTIONS

On motion of Senator Trudeau, Second Substitute Senate Bill No. 5128 was substituted for Senate Bill No. 5128 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Trudeau, the rules were suspended, Second Substitute Senate Bill No. 5128 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Trudeau spoke in favor of passage of the bill.

Senator Padden spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 5128.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5128 and the bill passed the Senate by the following vote: Yeas, 40; Nays, 9; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Frame, Gildon, Hasegawa, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senators Fortunato, Hawkins, MacEwen, McCune, Padden, Schoesler, Short, Wagoner and Warnick

SECOND SUBSTITUTE SENATE BILL NO. 5128, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5046, by Senators Saldaña, Nguyen, Trudeau, Wilson, C., Dhingra, Frame, Kuderer, Nobles, Pedersen and Valdez

Concerning postconviction access to counsel.

MOTION

On motion of Senator Saldaña, Second Substitute Senate Bill No. 5046 was substituted for Senate Bill No. 5046 and the

substitute bill was placed on the second reading and read the second time.

MOTION

Senator Padden moved that the following amendment no. 0155 by Senator Padden be adopted:

On page 4, after line 22, insert the following:

"NEW SECTION. Sec. 4. The office of public defense, in consultation with the Washington association of prosecuting attorneys, shall:

(1) Review and evaluate prosecutor and public defender caseloads regarding personal restraint petitions;

(2) Identify the effects of personal restraint petitions on court resources; and

(3) Report findings and recommendations to the appropriate fiscal and policy committees of the legislature not later than December 1, 2024."

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

Senator Padden spoke in favor of adoption of the amendment.

Senator Saldaña spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0155 by Senator Padden on page 4, after line 22 to Second Substitute Senate Bill No. 5046.

The motion by Senator Padden did not carry and amendment no. 0155 was not adopted by voice vote.

MOTION

On motion of Senator Saldaña, the rules were suspended, Second Substitute Senate Bill No. 5046 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Saldaña spoke in favor of passage of the bill.

Senator Padden spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 5046.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5046 and the bill passed the Senate by the following vote: Yeas, 30; Nays, 19; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Liias, Lovelett, Lovick, Mullet, Nguyen, Nobles, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wagoner, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Warnick, Wilson, J. and Wilson, L.

SECOND SUBSTITUTE SENATE BILL NO. 5046, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

REMARKS BY THE PRESIDENT

President Heck: “The President would like to respectfully ask each member to be sure and announce your vote in a clearly audible fashion. It is not everyone, but there is a handful who seem to have gotten quieter as the session has gone on and we are having some difficulty always recording it accurately so, with all due respect, please speak up.”

SECOND READING

SENATE BILL NO. 5131, by Senators Wilson, C., Frame, Hasegawa, Kuderer, Nguyen, Nobles, Saldaña and Stanford

Concerning money received by the department of corrections on behalf of inmates from family or other outside sources for the purchase of commissary items.

The measure was read the second time.

MOTION

On motion of Senator Wilson, C., the rules were suspended, Senate Bill No. 5131 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wilson, C. and Boehnke spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5131.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5131 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SENATE BILL NO. 5131, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5225, by Senators Wilson, C., Conway, Frame, Hasegawa, Hunt, Keiser, Lovelett, Nguyen, Salomon, Shewmake, Stanford and Valdez

Increasing access to the working connections child care program.

MOTIONS

On motion of Senator Wilson, C., Second Substitute Senate Bill No. 5225 was substituted for Senate Bill No. 5225 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Wilson, C., the rules were suspended, Second Substitute Senate Bill No. 5225 was advanced to third

reading, the second reading considered the third and the bill was placed on final passage.

Senator Wilson, C. spoke in favor of passage of the bill.

Senator Hawkins spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 5225.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5225 and the bill passed the Senate by the following vote: Yeas, 36; Nays, 13; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Gildon, Hasegawa, Holy, Hunt, Kauffman, Keiser, Kuderer, Liias, Lovelett, Lovick, MacEwen, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Hawkins, King, McCune, Padden, Schoesler, Short, Warnick, Wilson, J. and Wilson, L.

SECOND SUBSTITUTE SENATE BILL NO. 5225, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5398, by Senators MacEwen and Wilson, L.

Concerning domestic violence funding allocation.

MOTIONS

On motion of Senator MacEwen, Substitute Senate Bill No. 5398 was substituted for Senate Bill No. 5398 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator MacEwen, the rules were suspended, Substitute Senate Bill No. 5398 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators MacEwen and Wilson, C. spoke in favor of passage of the bill.

MOTION

On motion of Senator Dozier, Senator Rivers was excused.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5398.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5398 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres,

FIFTY FOURTH DAY, MARCH 3, 2023

Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Rivers

SUBSTITUTE SENATE BILL NO. 5398, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5632, by Senators Keiser, Cleveland, Conway, Hasegawa, Hunt, Kuderer, Lovelett, Stanford, Valdez and Wilson, C.

Protecting the health care of workers participating in a labor dispute.

The measure was read the second time.

MOTION

On motion of Senator Keiser, the rules were suspended, Senate Bill No. 5632 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Keiser spoke in favor of passage of the bill.

Senator King spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5632.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5632 and the bill passed the Senate by the following vote: Yeas, 29; Nays, 19; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Liias, Lovelett, Lovick, Mullet, Nguyen, Nobles, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Muzzall, Padden, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

Excused: Senator Rivers

SENATE BILL NO. 5632, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5497, by Senators Wilson, L. and Rolfes

Concerning medicaid expenditures.

The measure was read the second time.

MOTION

On motion of Senator Wilson, L., the rules were suspended, Senate Bill No. 5497 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wilson, L. and Cleveland spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5497.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5497 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 3; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senators Dhingra, Liias and Trudeau

Excused: Senator Rivers

SENATE BILL NO. 5497, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5515, by Senators Dhingra, Conway, Hunt, Kauffman, Kuderer, Lovelett, Nguyen, Nobles, Saldaña, Stanford, Valdez, Wellman and Wilson, C.

Protecting children from child abuse and neglect.

MOTIONS

On motion of Senator Dhingra, Substitute Senate Bill No. 5515 was substituted for Senate Bill No. 5515 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5515, by Committee on Human Services (originally sponsored by Senators Dhingra, Conway, Hunt, Kauffman, Kuderer, Lovelett, Nguyen, Nobles, Saldaña, Stanford, Valdez, Wellman and Wilson, C.)

Revised for first Substitute: Protecting children from child abuse and neglect at residential facilities and residential private schools.

Senator Dhingra moved that the following amendment no. 0056 by Senator Dhingra be adopted:

On page 1, line 6, after "Sec. 1." insert "The legislature finds that there is a lack of oversight of certain residential facilities and residential private schools charged with the care of children."

On page 1, line 11, after "facilities" insert "that otherwise lack nationally recognized accreditation"

On page 1, line 14, after "effectively." insert "Therefore, the legislature resolves to conduct investigations of certain residential facilities and residential private schools when allegations of child abuse or neglect are made at those facilities."

On page 2, line 26, after "department" strike "must" and insert "~~((must)) shall~~"

On page 2, line 26, after "investigate" insert "all"

On page 2, line 34, after "(b)" strike "The" and insert "After investigating an allegation of child abuse or neglect under this section, the"

On page 2, beginning on line 34, after "shall" strike "investigate all alleged incidents of child abuse or neglect."

On page 1, line 2 of the title, after "neglect" insert "at residential facilities and residential private schools"

Senators Dhingra and Boehnke spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0056 by Senator Dhingra on page 1, line 6 to Substitute Senate Bill No. 5515.

The motion by Senator Dhingra carried and amendment no. 0056 was adopted by voice vote.

MOTION

Senator Braun moved that the following amendment no. 0167 by Senator Braun be adopted:

On page 1, line 7, after "children" strike "who" and insert "whether they are residing with their parents or foster parents, or"

On page 1, line 11, after "oversight of" strike "such" and insert "children whose parents are impacted by a substance use disorder, as is the tragic case of Oakley Carlson who remains missing to this day, or are residing in residential"

On page 9, after line 29, insert the following:

"Sec. 7. RCW 13.34.138 and 2021 c 208 s 3 and 2021 c 67 s 5 are each reenacted and amended to read as follows:

(1) The status of all children found to be dependent shall be reviewed by the court at least every six months from the beginning date of the placement episode or the date dependency is established, whichever is first. The purpose of the hearing shall be to review the progress of the parties and determine whether court supervision should continue.

(a) The initial review hearing shall be an in-court review and shall be set six months from the beginning date of the placement episode or no more than 90 days from the entry of the disposition order, whichever comes first. The requirements for the initial review hearing, including the in-court review requirement, shall be accomplished within existing resources.

(b) The initial review hearing may be a permanency planning hearing when necessary to meet the time frames set forth in RCW 13.34.145(1)(a) or 13.34.134.

(2)(a) A child shall not be returned home at the review hearing unless the court finds that a reason for removal as set forth in RCW 13.34.130 no longer exists. The parents, guardian, or legal custodian shall report to the court the efforts they have made to correct the conditions which led to removal. If a child is returned, casework supervision by the department shall continue for a period of six months, at which time there shall be a hearing on the need for continued intervention.

(b) Prior to the child returning home, the department must complete the following:

(i) Identify all adults residing in the home and conduct background checks on those persons;

(ii) Identify any persons who may act as a caregiver for the child in addition to the parent with whom the child is being placed and determine whether such persons are in need of any services in order to ensure the safety of the child, regardless of whether such persons are a party to the dependency. The department may recommend to the court and the court may order that placement of the child in the parent's home be contingent on or delayed based on the need for such persons to engage in or complete services to

ensure the safety of the child prior to placement. If services are recommended for the caregiver, and the caregiver fails to engage in or follow through with the recommended services, the department must promptly notify the court; ~~(and)~~

(iii) Notify the parent with whom the child is being placed that he or she has an ongoing duty to notify the department of all persons who reside in the home or who may act as a caregiver for the child both prior to the placement of the child in the home and subsequent to the placement of the child in the home as long as the court retains jurisdiction of the dependency proceeding or the department is providing or monitoring either remedial services to the parent or services to ensure the safety of the child to any caregivers; and

(iv) In cases where substance use disorder on the part of the parent was a primary or contributing factor in the removal of the child, demonstrate that the parent has at least six months of sobriety by providing documentation to the court of at least six months of random drug or alcohol testing that occurred at least once per month.

Caregivers may be required to engage in services under this subsection solely for the purpose of ensuring the present and future safety of a child who is a ward of the court. This subsection does not grant party status to any individual not already a party to the dependency proceeding, create an entitlement to services or a duty on the part of the department to provide services, or create judicial authority to order the provision of services to any person other than for the express purposes of this section or RCW 13.34.025 or if the services are unavailable or unsuitable or the person is not eligible for such services.

(c) If the child is not returned home, the court shall establish in writing:

(i) Whether the department is making reasonable efforts to provide services to the family and eliminate the need for placement of the child. If additional services, including housing assistance, are needed to facilitate the return of the child to the child's parents, the court shall order that reasonable services be offered specifying such services;

(ii) Whether there has been compliance with the case plan by the child, the child's parents, and the agency supervising the placement;

(iii) Whether progress has been made toward correcting the problems that necessitated the child's placement in out-of-home care;

(iv) Whether the services set forth in the case plan and the responsibilities of the parties need to be clarified or modified due to the availability of additional information or changed circumstances;

(v) Whether there is a continuing need for placement;

(vi) Within 60 days of the placement of a child in a qualified residential treatment program as defined in this chapter, and at each review hearing thereafter if the child remains in such a program, the following:

(A) Whether ongoing assessment of the child's strengths and needs continues to support the determination that the child's needs cannot be met through placement in a foster family home;

(B) Whether the child's placement provides the most effective and appropriate level of care in the least restrictive environment;

(C) Whether the placement is consistent with the child's permanency plan;

(D) What specific treatment or service needs will be met in the placement, and how long the child is expected to need the treatment or services; and

(E) What efforts the department has made to prepare the child to return home or be placed with a fit and willing relative as

FIFTY FOURTH DAY, MARCH 3, 2023

defined in RCW 13.34.030, a Title 13 RCW legal guardian, an adoptive parent, or in a foster family home;

(vii) Whether a parent's experiencing homelessness or lack of suitable housing is a significant factor delaying permanency for the child by preventing the return of the child to the home of the child's parent and whether housing assistance should be provided by the department;

(viii) Whether the child is in an appropriate placement which adequately meets all physical, emotional, and educational needs;

(ix) Whether preference has been given to placement with the child's relatives if such placement is in the child's best interests;

(x) Whether both in-state and, where appropriate, out-of-state placements have been considered;

(xi) Whether the parents have visited the child and any reasons why visitation has not occurred or has been infrequent;

(xii) Whether terms of visitation need to be modified. If the court previously ordered that visitation between a parent and child must be supervised or monitored, there shall be a presumption that such supervision or monitoring will no longer be necessary after the review hearing. To overcome this presumption, a party must provide a report to the court including evidence establishing that removing visit supervision or monitoring would create a risk to the child's safety, and the court shall make a determination as to whether visit supervision or monitoring must continue;

(xiii) Whether the court-approved long-term permanent plan for the child remains the best plan for the child;

(xiv) Whether any additional court orders need to be made to move the case toward permanency; and

(xv) The projected date by which the child will be returned home or other permanent plan of care will be implemented.

(d) The court at the review hearing may order that a petition seeking termination of the parent and child relationship be filed.

(3)(a) In any case in which the court orders that a dependent child may be returned to or remain in the ~~((child's))~~ parent's home, the in-home placement shall be contingent upon the following:

(i) The compliance of the parents with court orders related to the care and supervision of the child, including compliance with the department's case plan; and

(ii) The continued participation of the parents, if applicable, in available substance abuse or mental health treatment if ~~((substance abuse or mental illness))~~ a behavioral health disorder was a contributing factor to the removal of the child.

(b) The following may be grounds for removal of the child from the home, subject to review by the court:

(i) Noncompliance by the parents with the department's case plan or court order;

(ii) The parent's inability, unwillingness, or failure to participate in available services or treatment for themselves or the child, including substance abuse treatment if a parent's substance abuse was a contributing factor to the abuse or neglect; or

(iii) The failure of the parents to successfully and substantially complete available services or treatment for themselves or the child, including substance abuse treatment if a parent's substance abuse was a contributing factor to the abuse or neglect.

(c) In a pending dependency case in which the court orders that a dependent child may be returned home and that child is later removed from the home, the court shall hold a review hearing within thirty days from the date of removal to determine whether the permanency plan should be changed, a termination petition should be filed, or other action is warranted. The best interests of the child shall be the court's primary consideration in the review hearing.

(4) The court's authority to order housing assistance under this chapter is: (a) Limited to cases in which a parent's experiencing homelessness or lack of suitable housing is a significant factor delaying permanency for the child and housing assistance would aid the parent in providing an appropriate home for the child; and (b) subject to the availability of funds appropriated for this specific purpose. Nothing in this chapter shall be construed to create an entitlement to housing assistance nor to create judicial authority to order the provision of such assistance to any person or family if the assistance or funding are unavailable or the child or family are not eligible for such assistance.

(5) The court shall consider the child's relationship with siblings in accordance with RCW 13.34.130(7).

(6) The court shall advise the petitioner that the failure to provide court-ordered visitation may result in a finding that the petitioner failed to make reasonable efforts to finalize the permanency plan. The lack of sufficient contracted visitation providers will not excuse the failure to provide court-ordered visitation.

Sec. 8. RCW 13.34.145 and 2022 c 127 s 1 are each amended to read as follows:

(1) The purpose of a permanency planning hearing is to review the permanency plan for the child, inquire into the welfare of the child and progress of the case, and reach decisions regarding the permanent placement of the child.

(a) A permanency planning hearing shall be held in all cases where the child has remained in out-of-home care for at least nine months and an adoption decree, guardianship order, or permanent custody order has not previously been entered. The hearing shall take place no later than 12 months following commencement of the current placement episode.

(b) Whenever a child is removed from the home of a dependency guardian or long-term relative or foster care provider, and the child is not returned to the home of the parent, guardian, or legal custodian but is placed in out-of-home care, a permanency planning hearing shall take place no later than 12 months, as provided in this section, following the date of removal unless, prior to the hearing, the child returns to the home of the dependency guardian or long-term care provider, the child is placed in the home of the parent, guardian, or legal custodian, an adoption decree, guardianship order, or a permanent custody order is entered, or the dependency is dismissed. Every effort shall be made to provide stability in long-term placement, and to avoid disruption of placement, unless the child is being returned home or it is in the best interest of the child.

(c) Permanency planning goals should be achieved at the earliest possible date, preferably before the child has been in out-of-home care for 15 months. In cases where parental rights have been terminated, the child is legally free for adoption, and adoption has been identified as the primary permanency planning goal, it shall be a goal to complete the adoption within six months following entry of the termination order.

(2) No later than 10 working days prior to the permanency planning hearing, the agency having custody of the child shall submit a written permanency plan to the court and shall mail a copy of the plan to all parties and their legal counsel, if any.

(3) When the youth is at least age 17 years but not older than 17 years and six months, the department shall provide the youth with written documentation which explains the availability of extended foster care services and detailed instructions regarding how the youth may access such services after he or she reaches age 18 years.

(4) At the permanency planning hearing, the court shall conduct the following inquiry:

(a) If a goal of long-term foster or relative care has been achieved prior to the permanency planning hearing, the court shall review the child's status to determine whether the placement and the plan for the child's care remain appropriate. The court shall find, as of the date of the hearing, that the child's placement and plan of care is the best permanency plan for the child and provide compelling reasons why it continues to not be in the child's best interest to (i) return home; (ii) be placed for adoption; (iii) be placed with a legal guardian; or (iv) be placed with a fit and willing relative. If the child is present at the hearing, the court should ask the child about his or her desired permanency outcome.

(b) In cases where the primary permanency planning goal has not been achieved, the court shall inquire regarding the reasons why the primary goal has not been achieved and determine what needs to be done to make it possible to achieve the primary goal. The court shall review the permanency plan prepared by the agency and make explicit findings regarding each of the following:

(i) The continuing necessity for, and the safety and appropriateness of, the placement;

(ii) The extent of compliance with the permanency plan by the department and any other service providers, the child's parents, the child, and the child's guardian, if any;

(iii) The extent of any efforts to involve appropriate service providers in addition to department staff in planning to meet the special needs of the child and the child's parents;

(iv) The progress toward eliminating the causes for the child's placement outside of his or her home and toward returning the child safely to his or her home or obtaining a permanent placement for the child;

(v) The date by which it is likely that the child will be returned to his or her home or placed for adoption, with a guardian or in some other alternative permanent placement; and

(vi) If the child has been placed outside of his or her home for 15 of the most recent 22 months, not including any period during which the child was a runaway from the out-of-home placement or the first six months of any period during which the child was returned to his or her home for a trial home visit, the appropriateness of the permanency plan, whether reasonable efforts were made by the department to achieve the goal of the permanency plan, and the circumstances which prevent the child from any of the following:

(A) Being returned safely to his or her home;

(B) Having a petition for the involuntary termination of parental rights filed on behalf of the child;

(C) Being placed for adoption;

(D) Being placed with a guardian;

(E) Being placed in the home of a fit and willing relative of the child; or

(F) Being placed in some other alternative permanent placement, including independent living or long-term foster care.

(c) Regardless of whether the primary permanency planning goal has been achieved, for a child who remains placed in a qualified residential treatment program as defined in this chapter for at least 60 days, and remains placed there at subsequent permanency planning hearings, the court shall establish in writing:

(i) Whether ongoing assessment of the child's strengths and needs continues to support the determination that the child's needs cannot be met through placement in a foster family home;

(ii) Whether the child's placement provides the most effective and appropriate level of care in the least restrictive environment;

(iii) Whether the placement is consistent with the child's short and long-term goals as stated in the child's permanency plan;

(iv) What specific treatment or service needs will be met in the placement, and how long the child is expected to need the treatment or services; and

(v) What efforts the department has made to prepare the child to return home or be placed with a fit and willing relative as defined in RCW 13.34.030, a Title 13 RCW guardian, a guardian pursuant to RCW 11.130.215, an adoptive parent, or in a foster family home.

(5) Following this inquiry, at the permanency planning hearing, the court shall order the department to file a petition seeking termination of parental rights if the child has been in out-of-home care for 15 of the last 22 months since the date the dependency petition was filed unless the court makes a good cause exception as to why the filing of a termination of parental rights petition is not appropriate. Any good cause finding shall be reviewed at all subsequent hearings pertaining to the child. The six-month period of sobriety required before returning a child to his or her parent under RCW 13.34.138 is not included in the period of time the child is in out-of-home care under this subsection for the purposes of determining whether the court shall order the department to file a termination of parental rights petition.

(a) For purposes of this subsection, "good cause exception" includes but is not limited to the following:

(i) The child is being cared for by a relative;

(ii) The department has not provided to the child's family such services as the court and the department have deemed necessary for the child's safe return home;

(iii) The department has documented in the case plan a compelling reason for determining that filing a petition to terminate parental rights would not be in the child's best interests;

(iv) The parent is incarcerated, or the parent's prior incarceration is a significant factor in why the child has been in foster care for 15 of the last 22 months, the parent maintains a meaningful role in the child's life, and the department has not documented another reason why it would be otherwise appropriate to file a petition pursuant to this section;

(v) Where a parent has been accepted into a dependency treatment court program or long-term substance abuse or dual diagnoses treatment program and is demonstrating compliance with treatment goals;

(vi) Where a parent who has been court ordered to complete services necessary for the child's safe return home files a declaration under penalty of perjury stating the parent's financial inability to pay for the same court-ordered services, and also declares the department was unwilling or unable to pay for the same services necessary for the child's safe return home; or

(vii) The department has not yet met with the caregiver for the child to discuss guardianship as an alternative to adoption or the court has determined that guardianship is an appropriate permanent plan.

(b) The court's assessment of whether a parent who is incarcerated maintains a meaningful role in the child's life may include consideration of the following:

(i) The parent's expressions or acts of manifesting concern for the child, such as letters, telephone calls, visits, and other forms of communication with the child;

(ii) The parent's efforts to communicate and work with the department or other individuals for the purpose of complying with the service plan and repairing, maintaining, or building the parent-child relationship;

(iii) A positive response by the parent to the reasonable efforts of the department;

(iv) Information provided by individuals or agencies in a reasonable position to assist the court in making this assessment,

FIFTY FOURTH DAY, MARCH 3, 2023

including but not limited to the parent's attorney, correctional and mental health personnel, or other individuals providing services to the parent;

(v) Limitations in the parent's access to family support programs, therapeutic services, and visiting opportunities, restrictions to telephone and mail services, inability to participate in foster care planning meetings, and difficulty accessing lawyers and participating meaningfully in court proceedings; and

(vi) Whether the continued involvement of the parent in the child's life is in the child's best interest.

(c) The constraints of a parent's current or prior incarceration and associated delays or barriers to accessing court-mandated services may be considered in rebuttal to a claim of aggravated circumstances under RCW 13.34.132(4)(h) for a parent's failure to complete available treatment.

(6)(a) If the permanency plan identifies independent living as a goal, the court at the permanency planning hearing shall make a finding that the provision of services to assist the child in making a transition from foster care to independent living will allow the child to manage his or her financial, personal, social, educational, and nonfinancial affairs prior to approving independent living as a permanency plan of care. The court will inquire whether the child has been provided information about extended foster care services.

(b) The permanency plan shall also specifically identify the services, including extended foster care services, where appropriate, that will be provided to assist the child to make a successful transition from foster care to independent living.

(c) The department shall not discharge a child to an independent living situation before the child is eighteen years of age unless the child becomes emancipated pursuant to chapter 13.64 RCW.

(7) If the child has resided in the home of a foster parent or relative for more than six months prior to the permanency planning hearing, the court shall:

(a) Enter a finding regarding whether the foster parent or relative was informed of the hearing as required in RCW 74.13.280, 13.34.215(6), and 13.34.096; and

(b) Instruct the department to discuss guardianship as a permanent option for the child with the child's parents and caregiver as an alternative to termination of parental rights and adoption. No child who is placed with a relative or other suitable person may be moved, unless, pursuant to the criteria established in RCW 13.34.130, the court finds that a change in circumstances necessitates a change in placement.

(8) In all cases, at the permanency planning hearing, the court shall:

(a)(i) Order the permanency plan prepared by the department to be implemented; or

(ii) Modify the permanency plan, and order implementation of the modified plan; and

(b)(i) Order the child returned home only if the court finds that a reason for removal as set forth in RCW 13.34.130 no longer exists; or

(ii) Order the child to remain in out-of-home care for a limited specified time period while efforts are made to implement the permanency plan.

(9) Following the first permanency planning hearing, the court shall hold a further permanency planning hearing in accordance with this section at least once every 12 months until a permanency planning goal is achieved or the dependency is dismissed, whichever occurs first.

(10) Prior to the second permanency planning hearing, the agency that has custody of the child shall consider whether to file a petition for termination of parental rights.

(11) If the court orders the child returned home, casework supervision by the department shall continue for at least six months, at which time a review hearing shall be held pursuant to RCW 13.34.138, and the court shall determine the need for continued intervention.

(12) The juvenile court may hear a petition for permanent legal custody when: (a) The court has ordered implementation of a permanency plan that includes permanent legal custody; and (b) the party pursuing the permanent legal custody is the party identified in the permanency plan as the prospective legal custodian. During the pendency of such proceeding, the court shall conduct review hearings and further permanency planning hearings as provided in this chapter. At the conclusion of the legal guardianship or permanent legal custody proceeding, a juvenile court hearing shall be held for the purpose of determining whether dependency should be dismissed. If a guardianship or permanent custody order has been entered, the dependency shall be dismissed.

(13) Continued juvenile court jurisdiction under this chapter shall not be a barrier to the entry of an order establishing a legal guardianship or permanent legal custody when the requirements of subsection (12) of this section are met.

(14) Nothing in this chapter may be construed to limit the ability of the agency that has custody of the child to file a petition for termination of parental rights or a guardianship petition at any time following the establishment of dependency. Upon the filing of such a petition, a fact-finding hearing shall be scheduled and held in accordance with this chapter unless the department requests dismissal of the petition prior to the hearing or unless the parties enter an agreed order terminating parental rights, establishing guardianship, or otherwise resolving the matter.

(15) The approval of a permanency plan that does not contemplate return of the child to the parent does not relieve the department of its obligation to provide reasonable services, under this chapter, intended to effectuate the return of the child to the parent, including but not limited to, visitation rights. The court shall consider the child's relationships with siblings in accordance with RCW 13.34.130.

(16) Nothing in this chapter may be construed to limit the procedural due process rights of any party in a termination or guardianship proceeding filed under this chapter."

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

On page 1, line 2 of the title, after "26.44.210" strike "and 74.15.020;" and insert ", 74.15.020, and 13.34.145; reenacting and amending RCW 13.34.138;"

Senator Braun spoke in favor of adoption of the amendment.

WITHDRAWAL OF AMENDMENT

On motion of Senator Braun and without objection, amendment no. 167 by Senator Braun on page 1, line 7 to Substitute Senate Bill No. 5515 was withdrawn.

MOTION

On motion of Senator Dhingra, the rules were suspended, Engrossed Substitute Senate Bill No. 5515 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Dhingra and Boehnke spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5515.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5515 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Rivers

ENGROSSED SUBSTITUTE SENATE BILL NO. 5515, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5124, by Senators Trudeau, Randall, Dhingra, Frame, Kauffman, Kuderer, Nguyen, Wellman and Wilson, C.

Supporting guardianships and voluntary placement with nonrelative kin.

MOTIONS

On motion of Senator Trudeau, Substitute Senate Bill No. 5124 was substituted for Senate Bill No. 5124 and the substitute bill was placed on the second reading and read the second time.

Senator Trudeau moved that the following amendment no. 0161 by Senator Trudeau be adopted:

On page 6, line 16, after "ages" strike "eighteen to twenty-one" and insert "~~((eighteen to twenty-one))~~ 18 to 21"

On page 6, beginning on line 17, after "guardianship" strike "at age ~~sixteen or older~~" and insert ") at age ~~(sixteen)~~ 16 or older"

Senators Trudeau and Boehnke spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0161 by Senator Trudeau on page 1, line 16 to Substitute Senate Bill No. 5124.

The motion by Senator Trudeau carried and amendment no. 0161 was adopted by voice vote.

On motion of Senator Trudeau, the rules were suspended, Engrossed Substitute Senate Bill No. 5124 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Trudeau, Boehnke and Kauffman spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5124.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5124 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Rivers

ENGROSSED SUBSTITUTE SENATE BILL NO. 5124, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5477, by Senators Torres, Trudeau, Braun, Muzzall, Billig, Boehnke, Conway, Dhingra, Frame, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Liias, Lovelett, Nguyen, Pedersen, Randall, Saldaña, Salomon, Shewmake, Van De Wege, Wagoner, Warnick and Wilson, C.

Implementing the recommendations of the Washington state missing and murdered indigenous women and people task force.

MOTIONS

On motion of Senator Torres, Second Substitute Senate Bill No. 5477 was substituted for Senate Bill No. 5477 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Torres, the rules were suspended, Second Substitute Senate Bill No. 5477 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Torres, Dhingra, Muzzall and Kauffman spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 5477.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5477 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Rivers

SECOND SUBSTITUTE SENATE BILL NO. 5477, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

FIFTY FOURTH DAY, MARCH 3, 2023

SECOND READING

SENATE BILL NO. 5243, by Senators Wellman, Hunt, Kuderer, Nobles and Wilson, C.

Concerning high school and beyond planning.

MOTION

On motion of Senator Wellman, Second Substitute Senate Bill No. 5243 was substituted for Senate Bill No. 5243 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Hawkins moved that the following amendment no. 0144 by Senator Hawkins be adopted:

On page 11, line 25, after "assistance" insert "technology updates, ongoing maintenance requirements, and adjustments to the technology funding formula."

On page 11, line 27, after "platform" insert "in all school districts. In the implementation plan, the office of the superintendent of public instruction may include a cost alternative for educational service districts to host the universal platform for school districts of the second class when such a district does not have sufficient technology resources to implement and maintain the universal platform"

Senators Hawkins and Wellman spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0144 by Senator Hawkins on page 11, line 25 to Second Substitute Senate Bill No. 5243.

The motion by Senator Hawkins carried and amendment no. 0144 was adopted by voice vote.

MOTION

Senator Wellman moved that the following amendment no. 0122 by Senator Wellman be adopted:

On page 12, line 21, after "education" insert "that are authorized to participate in state financial aid programs under chapter 28B.92 RCW"

On page 13, at the beginning of line 22, strike "higher education institutions" and insert "institutions of higher education that are authorized to participate in state financial aid programs under chapter 28B.92 RCW"

On page 14, line 22, after "council," strike "public"

On page 16, line 8, after "education" strike "as defined in RCW 28B.10.016" and insert "((as defined in RCW 28B.10.016)) that are authorized to participate in state financial aid programs under chapter 28B.92 RCW"

Senators Wellman and Hawkins spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0122 by Senator Wellman on page 12, line 21 to Second Substitute Senate Bill No. 5243.

The motion by Senator Wellman carried and amendment no. 0122 was adopted by voice vote.

MOTION

On motion of Senator Wellman, the rules were suspended, Engrossed Second Substitute Senate Bill No. 5243 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wellman and Hawkins spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 5243.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5243 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Rivers

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5243, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5025, by Senators Dozier, Boehnke, Gildon, Padden, Wagoner and Wilson, J.

Concerning implementation of technology systems at the department of corrections.

MOTIONS

On motion of Senator Dozier, Substitute Senate Bill No. 5025 was substituted for Senate Bill No. 5025 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Dozier, the rules were suspended, Substitute Senate Bill No. 5025 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Dozier, Wilson, C. and Padden spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5025.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5025 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias,

MOTIONS

Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Rivers

SUBSTITUTE SENATE BILL NO. 5025, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5626, by Senators Liias, Warnick, Hunt, Nobles, Pedersen and Wilson, C.

Expanding and enhancing media literacy and digital citizenship in K-12 education.

MOTIONS

On motion of Senator Liias, Substitute Senate Bill No. 5626 was substituted for Senate Bill No. 5626 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Liias, the rules were suspended, Substitute Senate Bill No. 5626 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Liias, Hawkins and Wellman spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5626.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5626 and the bill passed the Senate by the following vote: Yeas, 44; Nays, 4; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senators McCune, Padden, Short and Torres
Excused: Senator Rivers

SUBSTITUTE SENATE BILL NO. 5626, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5386, by Senators Robinson, Kuderer, Saldaña and Wilson, C.

Reducing administrative complexity by increasing transparency of revenue flows for activities funded by document recording fees.

On motion of Senator Robinson, Substitute Senate Bill No. 5386 was substituted for Senate Bill No. 5386 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Robinson, the rules were suspended, Substitute Senate Bill No. 5386 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Robinson and Fortunato spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5386.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5386 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Rivers

SUBSTITUTE SENATE BILL NO. 5386, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5198, by Senators Frame, Kuderer, Hasegawa, Hunt, Keiser, Lovelett, Nobles, Valdez and Wilson, C.

Concerning the sale or lease of manufactured/mobile home communities and the property on which they sit.

MOTION

On motion of Senator Frame, Second Substitute Senate Bill No. 5198 was substituted for Senate Bill No. 5198 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator McCune moved that the following amendment no. 0173 by Senator McCune be adopted:

On page 6, after line 5, insert the following:
"(29) "55-plus manufactured/mobile home community" means a manufactured/mobile home community, mobile home park cooperative, manufactured housing cooperative, mobile home park subdivision, manufactured housing subdivision, mobile home park, or manufactured housing community, in which the residents and tenants are at least 55 years of age and where the majority of homes in the community are permanently affixed on the lot on which they sit."

FIFTY FOURTH DAY, MARCH 3, 2023

On page 23, after line 34, insert the following:

"**NEW SECTION. Sec. 17.** The provisions of this act apply exclusively to 55-plus manufactured/mobile home communities, as defined in RCW 59.20.030."

On page 1, line 5 of the title, after "creating" strike "a new section" and insert "creating new sections"

Senator McCune spoke in favor of adoption of the amendment.

WITHDRAWAL OF AMENDMENT

On motion of Senator McCune and without objection, amendment no. 0173 by Senator McCune on page 6, line 5 to Second Substitute Senate Bill No. 5198 was withdrawn.

MOTION

Senator Frame moved that the following amendment no. 0074 by Senator Frame be adopted:

On page 23, after line 34, insert the following:

"**Sec. 17.** RCW 59.21.040 and 1998 c 124 s 4 are each amended to read as follows:

A tenant is not entitled to relocation assistance under this chapter if: (1) The tenant has given notice to the landlord of his or her intent to vacate the park and terminate the tenancy before any written notice of closure pursuant to RCW 59.20.080(1)(e) has been given; (2) the tenant purchased a mobile home already situated in the park or moved a mobile home into the park after a written notice of closure pursuant to RCW 59.20.090 has been given and the person received actual prior notice of the change or closure; or (3) the tenant receives assistance from an outside source that exceeds the maximum amounts of assistance to which a person is entitled under RCW 59.21.021(3), except that a tenant receiving relocation assistance from a landlord pursuant to RCW 59.20.080 remains eligible for the maximum amounts of assistance under this chapter. However, no tenant may be denied relocation assistance under subsection (1) of this section if the tenant has remained on the premises and continued paying rent for a period of at least six months after giving notice of intent to vacate and before receiving formal notice of a closure or change of use."

On page 1, line 3 of the title, after "59.20.300," strike "and 59.20.305" and insert "59.20.305, and 59.21.040"

Senator Frame spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0074 by Senator Frame on page 23, after line 34 to Second Substitute Senate Bill No. 5198.

The motion by Senator Frame carried and amendment no. 0074 was adopted by voice vote.

MOTION

On motion of Senator Frame, the rules were suspended, Engrossed Second Substitute Senate Bill No. 5198 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Frame and McCune spoke in favor of passage of the bill.

Senators Fortunato and Dozier spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 5198.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5198 and the bill passed the Senate by the following vote: Yeas, 31; Nays, 17; Absent, 0; Excused, 1.

Voting yea: Senators Boehnke, Cleveland, Conway, Dhingra, Frame, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Liias, Lovelett, Lovick, McCune, Mullet, Nguyen, Nobles, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman, Wilson, C. and Wilson, J.

Voting nay: Senators Billig, Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, Muzzall, Padden, Schoesler, Short, Torres, Wagoner, Warnick and Wilson, L.

Excused: Senator Rivers

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5198, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

REMARKS BY THE PRESIDENT

President Heck: "The President is going to try this one more time. There have been instances in the past where not only is it difficult to hear the vote being cast by the member but, later, there was a disagreement as to how that vote was cast. Part of the evaluation to confirm either way is to resort to the recording from the ambient mics. Nodding heads, shaking heads, speaking very low does not help. Once again, I ask respectfully, please, when you vote – no Senator Muzzall, it obviously doesn't include you – please, please speak up."

SECOND READING

SENATE BILL NO. 5197, by Senators Kuderer, Saldaña, Frame, Nguyen, Nobles, Wellman and Wilson, C.

Addressing landlord-tenant relations by providing technical changes to eviction notice forms and modifying certain eviction processes.

MOTION

On motion of Senator Frame, Substitute Senate Bill No. 5197 was substituted for Senate Bill No. 5197 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Mullet moved that the following amendment no. 0140 by Senator Mullet be adopted:

On page 2, beginning on line 21, after "until" strike all material through "restitution" on line 23 and insert "five court days have expired after entry of the judgment, unless the tenant provides a pledge of financial assistance letter from a government or nonprofit entity, in which case the tenant has until the date of eviction"

On page 7, at the beginning of line 14, strike all material through "application))" and insert "within (~~(thirty)~~) 30 days from submission of the application"

Senators Mullet and Frame spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0140 by Senator Mullet on page 2, line 21 to Substitute Senate Bill No. 5197.

The motion by Senator Mullet carried and amendment no. 0140 was adopted by voice vote.

MOTION

On motion of Senator Frame, the rules were suspended, Engrossed Substitute Senate Bill No. 5197 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Frame spoke in favor of passage of the bill.

Senator Fortunato spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5197.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5197 and the bill passed the Senate by the following vote: Yeas, 28; Nays, 20; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Lias, Lovelett, Lovick, Mullet, Nguyen, Nobles, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Muzzall, Padden, Schoesler, Short, Torres, Van De Wege, Wagoner, Warnick, Wilson, J. and Wilson, L.

Excused: Senator Rivers

ENGROSSED SUBSTITUTE SENATE BILL NO. 5197, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5174, by Senators Wellman, Conway, Dhingra, Frame, Hunt, Kuderer, Lovelett, Rolfes, Valdez, Warnick and Wilson, C.

Providing adequate and predictable student transportation.

MOTIONS

On motion of Senator Wellman, Second Substitute Senate Bill No. 5174 was substituted for Senate Bill No. 5174 and the substitute bill was placed on the second reading and read the second time.

Senator Wellman moved that the following amendment no. 0087 by Senator Wellman be adopted:

On page 2, line 8, after "expenditures" strike "attributable to serving special passengers exceeds" and insert "exceed"

On page 2, line 9, after "RCW" strike "28A.160.180" and insert "28A.160.150 through 28A.160.192"

On page 2, line 11, after "agencies." insert "A transportation safety net award may not exceed a school district's excess expenditures directly attributable to serving special passengers in the pupil transportation program."

Senators Wellman and Hawkins spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0087 by Senator Wellman on page 2, line 8 to Second Substitute Senate Bill No. 5174.

The motion by Senator Wellman carried and amendment no. 0087 was adopted by voice vote.

MOTION

Senator Hasegawa moved that the following amendment no. 0068 by Senator Hasegawa be adopted:

On page 3, after line 26, insert the following:

"Sec. 4. RCW 28A.160.140 and 1990 c 33 s 140 are each amended to read as follows:

(1)(a) As a condition of entering into a pupil transportation services contract with a private nongovernmental entity, each school district shall engage in an open competitive process at least once every five years. This requirement shall not be construed to prohibit a district from entering into a pupil transportation services contract of less than five years in duration with a district option to renew, extend, or terminate the contract, if the district engages in an open competitive process at least once every five years after July 26, 1987.

(b) Any pupil transportation services contract entered into, renewed, or extended after September 1, 2023, must require the contractor to provide benefits comparable to the school employees' benefits board program and school employees' retirement system to employees and include:

(i) Sufficient funds specifically for the contracting employer to provide the employees of the contractor with an employer health benefits contribution equal to the monthly school employer funding rate for the school employees' benefits board program, less the retiree remittance for the public employees' benefits board; and

(ii) An amount equivalent to the plans 2 and 3 normal cost employer contribution rate of the school employees' retirement system, multiplied by the estimated salaries of the employees of the contractor.

(2) As used in this section:

((+)) (a) "Employees of the contractor" means employees working sufficient compensated hours for the contracting employer performing services on the contract with the school district to meet the eligibility requirements for the school employees' benefits board program if the employees were directly employed by a school district;

(b) "Open competitive process" means either one of the following, at the choice of the school district:

((+)) (i) The solicitation of bids or quotations and the award of contracts under RCW 28A.335.190; or

((+)) (ii) The competitive solicitation of proposals and their evaluation consistent with the process and criteria recommended or required, as the case may be, by the office of financial management for state agency acquisition of personal service contractors;

((+)) (c) "Pupil transportation services contract" means a contract for the operation of privately owned or school district

FIFTY FOURTH DAY, MARCH 3, 2023

owned school buses, and the services of drivers or operators, management and supervisory personnel, and their support personnel such as secretaries, dispatchers, and mechanics, or any combination thereof, to provide students with transportation to and from school on a regular basis; and

((3)) (d) "School bus" means a motor vehicle as defined in RCW 46.04.521 and under the rules of the superintendent of public instruction.

NEW SECTION. Sec. 5. A new section is added to chapter 28A.160 RCW to read as follows:

(1) Subject to amounts appropriated for this purpose, the office of the superintendent of public instruction must provide a one-time supplemental transportation allocation to school districts that experience an increase in costs to pupil transportation services contracts due to RCW 28A.160.140(1)(b).

(2) To be eligible for supplemental transportation allocations, a school district must report to the office of the superintendent of public instruction the number of employees under pupil transportation services contracts that worked at least 630 hours in performing services on the contract with the school district in the school year prior to entering a contract subject to RCW 28A.160.140.

(3) Amounts provided under this section may only be used by school districts as payments under pupil transportation services contracts for employee compensation.

(4) A supplemental transportation allocation under this section may not exceed \$200 per employee per month for contracted employees reported under subsection (2) of this section."

On page 1, line 2 of the title, after "transportation;" insert "amending RCW 28A.160.140;"

Senator Hasegawa spoke in favor of adoption of the amendment.

WITHDRAWAL OF AMENDMENT

On motion of Senator Hasegawa and without objection, amendment no. 0068 by Senator Hasegawa on page 3, line 26 to Second Substitute Senate Bill No. 5174 was withdrawn.

MOTION

On motion of Senator Wellman, the rules were suspended, Engrossed Second Substitute Senate Bill No. 5174 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wellman and Hawkins spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 5174.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5174 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres,

Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Rivers

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5174, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5311, by Senators Wellman, Braun, Dhingra, Hunt, Kuderer, Mullet, Nguyen, Nobles, Pedersen, Torres and Wilson, C.

Concerning special education funding formula.

MOTIONS

On motion of Senator Wellman, Second Substitute Senate Bill No. 5311 was substituted for Senate Bill No. 5311 and the substitute bill was placed on the second reading and read the second time.

Senator Wellman moved that the following amendment no. 0153 by Senator Wellman be adopted:

On page 2, beginning on line 8, after "the" strike all material through "1.06" on line 21 and insert "special education cost multiplier rate of:

(A) ~~(In the 2019-20 school year, 0.995 for students eligible for and receiving special education.~~

~~(B))~~ Beginning in the 2020-21 school year, either:

(I) 1.0075 for students eligible for and receiving special education and reported to be in the general education setting for ~~((eighty))~~ 80 percent or more of the school day; or

(II) 0.995 for students eligible for and receiving special education and reported to be in the general education setting for less than ~~((eighty))~~ 80 percent of the school day;

(B) Beginning in the 2023-24 school year, either:

(I) 1.12 for students eligible for and receiving special education and reported to be in the general education setting for 80 percent or more of the school day; or

(II) 1.06 for students eligible for and receiving special education and reported to be in the general education setting for less than 80 percent of the school day"

Senators Wellman and Hawkins spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0153 by Senator Wellman on page 2, line 8 to Second Substitute Senate Bill No. 5311.

The motion by Senator Wellman carried and amendment no. 0153 was adopted by voice vote.

MOTION

Senator Padden moved that the following amendment no. 0168 by Senator Padden be adopted:

On page 2, line 26, after "percent." insert "This adjustment must not be applied if a school district draws a larger number of families with children in need of special education services, when compared to school districts of a similar size, due to the proximity of group homes."

Senator Padden spoke in favor of adoption of the amendment.
 Senator Wellman spoke against adoption of the amendment.

WITHDRAWAL OF AMENDMENT

On motion of Senator Padden and without objection, amendment no. 0168 by Senator Padden on page 2, line 26 to Second Substitute Senate Bill No. 5311 was withdrawn.

MOTION

Senator Wellman moved that the following amendment no. 0096 by Senators Wellman and Braun be adopted:

Beginning on page 5, line 27, after "(b)" strike all material through "excluded." on page 6, line 3 and insert "Beginning in the 2023-24 school year, a high-need student is eligible for safety net awards from state funding under subsection (2)(e) and (g) of this section if the student's individualized education program costs exceed:

(i) 2 times the average per-pupil expenditure, for school districts with fewer than 1,000 full-time equivalent students;

(ii) 2.2 times the average per-pupil expenditure, for school districts with 1,000 or more full-time equivalent students.

(c) For purposes of (b) of this subsection, "average per-pupil expenditure" has the same meaning as in 20 U.S.C. Sec. 7801, the every student succeeds act of 2015, and excludes safety net funding provided in this section."

On page 6, beginning on line 4, strike all of section 3 and insert the following:

"**Sec. 3.** RCW 43.06B.010 and 2013 c 23 s 82 are each amended to read as follows:

(1) There is hereby created the office of the education ombuds within the office of the governor for the purposes of providing information to parents, students, and others regarding their rights and responsibilities with respect to the state's public elementary and secondary education system, and advocating on behalf of elementary and secondary students.

(2)(a) The governor shall appoint an ombuds who shall be a person of recognized judgment, independence, objectivity, and integrity and shall be qualified by training or experience or both in the following areas:

- (i) Public education law and policy in this state;
- (ii) Dispute resolution or problem resolution techniques, including mediation and negotiation; and
- (iii) Community outreach.

(b) The education ombuds may not be an employee of any school district, the office of the superintendent of public instruction, or the state board of education while serving as an education ombuds.

(3) Before the appointment of the education ombuds, the governor shall share information regarding the appointment to a six-person legislative committee appointed and comprised as follows:

(a) The committee shall consist of three senators and three members of the house of representatives from the legislature.

(b) The senate members of the committee shall be appointed by the president of the senate. Two members shall represent the majority caucus and one member the minority caucus.

(c) The house of representatives members of the committee shall be appointed by the speaker of the house of representatives. Two members shall represent the majority caucus and one member the minority caucus.

(4) If sufficient appropriations are provided, the education ombuds shall delegate and certify regional education ombuds.

The education ombuds shall ensure that the regional ombuds selected are appropriate to the community in which they serve and hold the same qualifications as in subsection (2)(a) of this section. The education ombuds may not contract with the superintendent of public instruction, or any school, school district, or current employee of a school, school district, or the office of the superintendent of public instruction for the provision of regional ombuds services.

(5)(a) Subject to amounts appropriated for this specific purpose, the education ombuds shall delegate and certify at least one special education ombuds to serve each educational service district region. The education ombuds shall ensure that the special education ombuds selected are appropriate to the community in which they serve and hold the same qualifications as in subsection (2)(a) of this section. The education ombuds may not contract with the superintendent of public instruction, or any school, school district, educational service district, or current employee of a school, school district, educational service district, or the office of the superintendent of public instruction for the provision of special education ombuds services.

(b) Special education ombuds must serve as a resource for students eligible for special education services and their parents, including:

(i) Advocating on behalf of the student for a free and appropriate public education from the public school system that emphasizes special education and related services that are:

(A) Provided in the least restrictive environment;

(B) Designed to meet the student's unique needs;

(C) Appropriately ambitious and reasonably calculated to enable a student to make progress in light of the student's circumstances; and

(D) Addressing the student's further education, employment, and independent living goals.

(ii) Assisting students and parents with individualized education program development, including:

(A) Preparing for a meeting to develop or update a student's individualized education program;

(B) Attending individualized education program meetings to help present the parents' concerns, negotiate components that meet the parents' goals and requests, or otherwise assist the parent in understanding and navigating the individualized education program process; and

(C) Attending an individualized education program meeting to assist in writing an appropriate program when a parent opts out or otherwise cannot attend.

On page 6, line 35, after "eligible" insert "for"

On page 7, beginning on line 3, after "instruction" strike "and the state auditor"

On page 7, line 11, after "individualized education" strike "plan" and insert "program"

On page 7, line 12, after "individualized education" strike "plan" and insert "program"

On page 1, beginning on line 2 of the title, after "28A.150.390" strike all material through "28A.310 RCW" on line 3 and insert ", 28A.150.392, and 43.06B.010"

Senators Wellman and Braun spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0096 by Senators Wellman and Braun on page 5, line 27 to Second Substitute Senate Bill No. 5311.

The motion by Senator Wellman carried and amendment no. 0096 was adopted by voice vote.

FIFTY FOURTH DAY, MARCH 3, 2023

MOTION

On motion of Senator Wellman, the rules were suspended, Engrossed Second Substitute Senate Bill No. 5311 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wellman and Braun spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 5311.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5311 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Rivers

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5311, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5512, by Senators Holy, Liias, Rivers, Salomon, Wilson, J., Schoesler, Torres, Wilson, L., MacEwen, Dozier, Wagoner, Warnick, Gildon, McCune, Short, King, Braun, Muzzall, Nguyen, Billig and Boehnke

Adding financial transparency reporting requirements to the public four-year dashboard.

MOTION

On motion of Senator Holy, Substitute Senate Bill No. 5512 was substituted for Senate Bill No. 5512 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Hasegawa moved that the following amendment no. 0123 by Senator Hasegawa be adopted:

On page 4, line 2, after "student;" strike "and"

On page 4, line 4, after "holdings" insert "; and"

(aa) Total annual market value of college or university endowment earnings, the amount of the annual earnings that remain in the endowment after fees are removed, and the percentage of the annual remaining endowment earnings after fees are removed to total annual market value of college or university endowment earnings"

Senators Hasegawa and Holy spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0123 by Senator Hasegawa on page 4, line 2 to Substitute Senate Bill No. 5512.

The motion by Senator Hasegawa carried and amendment no. 0123 was adopted by voice vote.

MOTION

On motion of Senator Holy, the rules were suspended, Engrossed Substitute Senate Bill No. 5512 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Holy and Randall spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5512.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5512 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Rivers

ENGROSSED SUBSTITUTE SENATE BILL NO. 5512, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5593, by Senators Liias, Holy, Mullet, Lovick and Wilson, C.

Improving equity in the transfer of student data between K-12 schools and institutions of higher education.

MOTIONS

On motion of Senator Liias, Second Substitute Senate Bill No. 5593 was substituted for Senate Bill No. 5593 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Liias, the rules were suspended, Second Substitute Senate Bill No. 5593 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Liias, Mullet and Wagoner spoke in favor of passage of the bill.

Senators Hawkins, Gildon and Fortunato spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 5593.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5593 and the bill passed the Senate by the following vote: Yeas, 40; Nays, 8; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Frame, Hasegawa, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, L.

Voting nay: Senators Fortunato, Gildon, Hawkins, McCune, Padden, Rolfes, Short and Wilson, J.

Excused: Senator Rivers

SECOND SUBSTITUTE SENATE BILL NO. 5593, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5403, by Senators Schoesler, Wellman, Torres, Boehnke, Muzzall, Dozier, Kuderer, Randall, Wilson, C. and Wilson, L.

Establishing school district depreciation subfunds for the purposes of preventative maintenance.

The measure was read the second time.

MOTION

On motion of Senator Schoesler, the rules were suspended, Senate Bill No. 5403 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Schoesler and Wellman spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5403.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5403 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Rivers

SENATE BILL NO. 5403, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 5:36 p.m., on motion of Senator Pedersen, the Senate was declared to be at ease subject to the call of the President.

Senator Hasegawa announced a meeting of the Democratic Caucus.

Senator Warnick announced a meeting of the Republican Caucus.

 EVENING SESSION

The Senate was called to order at 9:49 p.m. by the President of the Senate, Lt. Governor Heck presiding.

SECOND READING

SENATE BILL NO. 5536, by Senators Robinson, Lovick, Rolfes, Mullet, Dhingra, Billig, Hasegawa, Keiser, Kuderer, Liias, Lovelett, Nobles, Randall, Stanford, Wellman and Wilson, C.

Concerning controlled substances, counterfeit substances, and legend drug possession and treatment.

MOTION

On motion of Senator Robinson, Second Substitute Senate Bill No. 5536 was substituted for Senate Bill No. 5536 and the substitute bill was placed on the second reading and read the second time.

WITHDRAWAL OF AMENDMENT

On motion of Senator Nguyen and without objection, amendment no. 0094 by Senator Nguyen on page 14, line 28 to Second Substitute Senate Bill No. 5536 was withdrawn.

WITHDRAWAL OF AMENDMENT

On motion of Senator Mullet and without objection, amendment no. 0079 by Senator Mullet on page 36, line 34 to Second Substitute Senate Bill No. 5536 was withdrawn.

MOTION

Senator Robinson moved that the following striking amendment no. 0154 by Senator Robinson be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds that substance use disorders are a public health issue. Solutions must address not only the criminal legal response, but be data-driven, evidence-based, and represent best practices, working directly with people who use drugs to prevent overdose and infectious disease transmission, and improve the physical, mental, and social well-being of those served. The state must follow principles of harm reduction, which means practical strategies aimed at reducing negative consequences associated with drug use. Harm reduction involves safer use of supplies as well as care settings, staffing, and interactions that are person-centered, supportive, and welcoming.

The legislature finds that the recommendations of the substance use recovery services advisory committee reflect hours of diligent work by individuals with a range of professional and personal experience, who brought that experience to the

FIFTY FOURTH DAY, MARCH 3, 2023

committee, and whose expertise is reflected in the recommendations.

Part I – Prohibiting Knowing Possession of a Controlled Substance, Counterfeit Substance, or Legend Drug

Sec. 2. RCW 69.50.4011 and 2003 c 53 s 332 are each amended to read as follows:

(1) Except as authorized by this chapter, it is unlawful for any person to ~~((create, deliver, or possess a counterfeit substance))~~:

(a) Create or deliver a counterfeit substance; or

(b) Knowingly possess a counterfeit substance.

(2) Any person who violates subsection (1)(a) of this section with respect to:

(a) A counterfeit substance classified in Schedule I or II which is a narcotic drug, or flunitrazepam classified in Schedule IV, is guilty of a class B felony and upon conviction may be imprisoned for not more than ~~((ten))~~ 10 years, fined not more than ~~((twenty five thousand dollars))~~ \$25,000, or both;

(b) A counterfeit substance which is methamphetamine, is guilty of a class B felony and upon conviction may be imprisoned for not more than ~~((ten))~~ 10 years, fined not more than ~~((twenty five thousand dollars))~~ \$25,000, or both;

(c) Any other counterfeit substance classified in Schedule I, II, or III, is guilty of a class C felony punishable according to chapter 9A.20 RCW;

(d) A counterfeit substance classified in Schedule IV, except flunitrazepam, is guilty of a class C felony punishable according to chapter 9A.20 RCW;

(e) A counterfeit substance classified in Schedule V, is guilty of a class C felony punishable according to chapter 9A.20 RCW.

(3)(a) A violation of subsection (1)(b) of this section is a gross misdemeanor. The prosecutor is encouraged to divert such cases for assessment, treatment, or other services.

(b) In lieu of jail booking and referral to the prosecutor, law enforcement is encouraged to offer a referral to assessment and services available under RCW 10.31.110 or other program or entity responsible for receiving referrals in lieu of legal system involvement, which may include, but are not limited to, arrest and jail alternative programs established under RCW 36.28A.450, law enforcement assisted diversion programs established under RCW 71.24.589, and the recovery navigator program established under RCW 71.24.115.

(c) Upon arraignment for a violation of subsection (1)(b) of this section, the court shall advise the defendant of the pretrial diversion program as indicated in section 10(2) of this act.

Sec. 3. RCW 69.50.4013 and 2022 c 16 s 86 are each amended to read as follows:

(1) It is unlawful for any person to knowingly possess a controlled substance unless the substance was obtained directly from, or pursuant to, a valid prescription or order of a practitioner while acting in the course of his or her professional practice, or except as otherwise authorized by this chapter.

(2)(a) Except as provided in RCW 69.50.4014, ((any person who violates this section is guilty of a class C felony punishable under chapter 9A.20 RCW)) a violation of this section is a gross misdemeanor. The prosecutor is encouraged to divert such cases for assessment, treatment, or other services.

(b) In lieu of jail booking and referral to the prosecutor, law enforcement is encouraged to offer a referral to assessment and services available under RCW 10.31.110 or other program or entity responsible for receiving referrals in lieu of legal system involvement, which may include, but are not limited to, arrest and jail alternative programs established under RCW 36.28A.450, law enforcement assisted diversion programs established under RCW 71.24.589, and the recovery navigator program established under RCW 71.24.115.

(c) Upon arraignment for a violation of this section, the court shall advise the defendant of the availability of the pretrial diversion program as indicated in section 10(2) of this act.

(3)(a) The possession, by a person ~~((twenty one))~~ 21 years of age or older, of useable cannabis, cannabis concentrates, or cannabis-infused products in amounts that do not exceed those set forth in RCW 69.50.360(3) is not a violation of this section, this chapter, or any other provision of Washington state law.

(b) The possession of cannabis, useable cannabis, cannabis concentrates, and cannabis-infused products being physically transported or delivered within the state, in amounts not exceeding those that may be established under RCW 69.50.385(3), by a licensed employee of a common carrier when performing the duties authorized in accordance with RCW 69.50.382 and 69.50.385, is not a violation of this section, this chapter, or any other provision of Washington state law.

(4)(a) The delivery by a person ~~((twenty one))~~ 21 years of age or older to one or more persons ~~((twenty one))~~ 21 years of age or older, during a single ~~((twenty four))~~ 24 hour period, for noncommercial purposes and not conditioned upon or done in connection with the provision or receipt of financial consideration, of any of the following cannabis products, is not a violation of this section, this chapter, or any other provisions of Washington state law:

(i) One-half ounce of useable cannabis;

(ii) Eight ounces of cannabis-infused product in solid form;

(iii) ~~((Thirty six))~~ 36 ounces of cannabis-infused product in liquid form; or

(iv) Three and one-half grams of cannabis concentrates.

(b) The act of delivering cannabis or a cannabis product as authorized under this subsection (4) must meet one of the following requirements:

(i) The delivery must be done in a location outside of the view of general public and in a nonpublic place; or

(ii) The cannabis or cannabis product must be in the original packaging as purchased from the cannabis retailer.

(5) No person under ~~((twenty one))~~ 21 years of age may ~~((possess;))~~ manufacture, sell, ~~((or))~~ distribute, or knowingly possess cannabis, cannabis-infused products, or cannabis concentrates, regardless of THC concentration. This does not include qualifying patients with a valid authorization.

(6) The possession by a qualifying patient or designated provider of cannabis concentrates, useable cannabis, cannabis-infused products, or plants in accordance with chapter 69.51A RCW is not a violation of this section, this chapter, or any other provision of Washington state law.

Sec. 4. RCW 69.50.4014 and 2022 c 16 s 88 are each amended to read as follows:

(1) Except as provided in RCW 69.50.401(2)(c) or as otherwise authorized by this chapter, any person found guilty of knowing possession of ((forty)) 40 grams or less of cannabis is guilty of a misdemeanor. The prosecutor is encouraged to divert such cases for assessment, treatment, or other services.

(2) In lieu of jail booking and referral to the prosecutor, law enforcement is encouraged to offer a referral to assessment and services available under RCW 10.31.110 or other program or entity responsible for receiving referrals in lieu of legal system involvement, which may include, but are not limited to, arrest and jail alternative programs established under RCW 36.28A.450, law enforcement assisted diversion programs established under RCW 71.24.589, and the recovery navigator program established under RCW 71.24.115.

(3) Upon arraignment for violation of this section, the court shall advise the defendant of the availability of the pretrial diversion program as indicated in section 10(2) of this act.

Sec. 5. RCW 69.41.030 and 2020 c 80 s 41 are each amended to read as follows:

(1) It shall be unlawful for any person to sell(~~(s)~~) or deliver any legend drug, or knowingly possess any legend drug except upon the order or prescription of a physician under chapter 18.71 RCW, an osteopathic physician and surgeon under chapter 18.57 RCW, an optometrist licensed under chapter 18.53 RCW who is certified by the optometry board under RCW 18.53.010, a dentist under chapter 18.32 RCW, a podiatric physician and surgeon under chapter 18.22 RCW, a veterinarian under chapter 18.92 RCW, a commissioned medical or dental officer in the United States armed forces or public health service in the discharge of his or her official duties, a duly licensed physician or dentist employed by the veterans administration in the discharge of his or her official duties, a registered nurse or advanced registered nurse practitioner under chapter 18.79 RCW when authorized by the nursing care quality assurance commission, a pharmacist licensed under chapter 18.64 RCW to the extent permitted by drug therapy guidelines or protocols established under RCW 18.64.011 and authorized by the commission and approved by a practitioner authorized to prescribe drugs, a physician assistant under chapter 18.71A RCW when authorized by the Washington medical commission, or any of the following professionals in any province of Canada that shares a common border with the state of Washington or in any state of the United States: A physician licensed to practice medicine and surgery or a physician licensed to practice osteopathic medicine and surgery, a dentist licensed to practice dentistry, a podiatric physician and surgeon licensed to practice podiatric medicine and surgery, a licensed advanced registered nurse practitioner, a licensed physician assistant, or a veterinarian licensed to practice veterinary medicine: PROVIDED, HOWEVER, That the above provisions shall not apply to sale, delivery, or possession by drug wholesalers or drug manufacturers, or their agents or employees, or to any practitioner acting within the scope of his or her license, or to a common or contract carrier or warehouse operator, or any employee thereof, whose possession of any legend drug is in the usual course of business or employment: PROVIDED FURTHER, That nothing in this chapter or chapter 18.64 RCW shall prevent a family planning clinic that is under contract with the health care authority from selling, delivering, possessing, and dispensing commercially prepackaged oral contraceptives prescribed by authorized, licensed health care practitioners: PROVIDED FURTHER, That nothing in this chapter prohibits possession or delivery of legend drugs by an authorized collector or other person participating in the operation of a drug take-back program authorized in chapter 69.48 RCW.

(2)(a) A violation of this section involving the sale, delivery, or possession with intent to sell or deliver is a class B felony punishable according to chapter 9A.20 RCW.

(b) A violation of this section involving knowing possession is a misdemeanor. The prosecutor is encouraged to divert such cases for assessment, treatment, or other services.

(c) In lieu of jail booking and referral to the prosecutor for a violation of this section involving knowing possession, law enforcement is encouraged to offer a referral to assessment and services available under RCW 10.31.110 or other program or entity responsible for receiving referrals in lieu of legal system involvement, which may include, but are not limited to, arrest and jail alternative programs established under RCW 36.28A.450, law enforcement assisted diversion programs established under RCW 71.24.589, and the recovery navigator program established under RCW 71.24.115.

(d) Upon arraignment for a violation of this section involving knowing possession, the court shall advise the defendant of the

availability of the pretrial diversion program as indicated in section 10(2) of this act.

Sec. 6. RCW 69.50.509 and 1987 c 202 s 228 are each amended to read as follows:

If, upon the sworn complaint of any person, it shall be made to appear to any judge of the superior court, district court, or municipal court that there is probable cause to believe that any controlled substance is being used, manufactured, sold, bartered, exchanged, administered, dispensed, delivered, distributed, produced, knowingly possessed, given away, furnished or otherwise disposed of or kept in violation of the provisions of this chapter, such judge shall, with or without the approval of the prosecuting attorney, issue a warrant directed to any law enforcement officer of the state, commanding him or her to search the premises designated and described in such complaint and warrant, and to seize all controlled substances there found, together with the vessels in which they are contained, and all implements, furniture and fixtures used or kept for the illegal manufacture, sale, barter, exchange, administering, dispensing, delivering, distributing, producing, possessing, giving away, furnishing or otherwise disposing of such controlled substances, and to safely keep the same, and to make a return of said warrant within three days, showing all acts and things done thereunder, with a particular statement of all articles seized and the name of the person or persons in whose possession the same were found, if any, and if no person be found in the possession of said articles, the returns shall so state. The provisions of RCW 10.31.030 as now or hereafter amended shall apply to actions taken pursuant to this chapter.

NEW SECTION. Sec. 7. A new section is added to chapter 43.43 RCW to read as follows:

The Washington state patrol bureau of forensic laboratory services shall aim to complete the necessary analysis for any evidence submitted for a suspected violation of RCW 69.50.4011(1)(b), 69.50.4013, or 69.41.030 within 45 days of receipt of the request for analysis.

The Washington state patrol bureau of forensic laboratory services' failure to comply with this section shall not constitute grounds for dismissal of a criminal charge.

NEW SECTION. Sec. 8. The following sums, or as much thereof as may be necessary, are each appropriated to the Washington state patrol: \$780,000 from the state general fund for the fiscal year ending June 30, 2024; and \$425,000 from the state general fund for the fiscal year ending June 30, 2025. The amounts in this section are provided solely to support the Washington state patrol bureau of forensic laboratory services in completing the necessary analysis for any evidence submitted for a suspected violation of RCW 69.50.4011(1)(b), 69.50.4013, or 69.41.030 within 45 days of receipt of the request for analysis.

Part II – Relating to Drug Paraphernalia

Sec. 9. RCW 69.50.4121 and 2022 c 16 s 92 are each amended to read as follows:

(1) Every person who sells (~~(or gives,)~~) or permits to be sold (~~(or given)~~) to any person any drug paraphernalia in any form commits a class I civil infraction under chapter 7.80 RCW. For purposes of this subsection, "drug paraphernalia" means all equipment, products, and materials of any kind which are used, intended for use, or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, (~~(testing, analyzing,)~~) packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance other than cannabis. Drug paraphernalia includes, but is not limited to objects used, intended for use, or designed for use in ingesting,

FIFTY FOURTH DAY, MARCH 3, 2023

inhaling, or otherwise introducing cocaine into the human body, such as:

- (a) Metal, wooden, acrylic, glass, stone, plastic, or ceramic pipes with or without screens, permanent screens, hashish heads, or punctured metal bowls;
- (b) Water pipes;
- (c) Carburetion tubes and devices;
- (d) Smoking and carburetion masks;
- (e) Miniature cocaine spoons and cocaine vials;
- (f) Chamber pipes;
- (g) Carburetor pipes;
- (h) Electric pipes;
- (i) Air-driven pipes; and
- (j) Ice pipes or chillers.

(2) It shall be no defense to a prosecution for a violation of this section that the person acted, or was believed by the defendant to act, as agent or representative of another.

(3) Nothing in subsection (1) of this section prohibits ~~((legal))~~ distribution ~~((of injection))~~ or use of public health supplies including, but not limited to, syringe equipment, smoking equipment, or drug testing equipment, through public health ~~((and))~~ programs, community-based HIV prevention programs, and pharmacies. Public health and syringe service program staff taking samples of substances and using drug testing equipment for the purpose of analyzing the composition of the substances or detecting the presence of certain substances are acting legally and are exempt from arrest and prosecution under RCW 69.50.4011, 69.50.4013, 69.50.4014, or 69.41.030.

Part III - Creating a Pretrial Diversion Program for Individuals Charged with Possession and Vacating Possession Convictions

NEW SECTION. **Sec. 10.** A new section is added to chapter 69.50 RCW to read as follows:

(1) Nothing in this section prevents the defense, with the consent of the prosecutor as required by RCW 2.30.030, from seeking to resolve charges of possession under RCW 69.50.4011(1)(b), 69.50.4013, 69.50.4014, or 69.41.030 through available therapeutic courts or other alternatives to prosecution.

(2) For any charged violation of RCW 69.50.4011(1)(b), 69.50.4013, 69.50.4014, or 69.41.030, the court shall advise the defendant and his or her attorney of the pretrial diversion program. This notification must include all of the following:

- (a) A full description of the procedures for pretrial diversion;
- (b) A general explanation of the roles and authorities of the probation department, the prosecuting attorney, the program, and the court in the process;
- (c) A clear statement that the court may grant pretrial diversion with respect to any offense under RCW 69.50.4011(1)(b), 69.50.4013, 69.50.4014, or 69.41.030 that is charged, provided that the defendant pleads not guilty to the charge or charges, waives the right to a speedy trial and that upon the defendant's successful completion of the program, as specified in subsection (11)(d) of this section, the positive recommendation of the program authority and motion of the defendant, prosecuting attorney, the court, or the probation department, the court must dismiss the charge or charges against the defendant;
- (d) A clear statement that if the defendant has not substantially complied with services provided that are appropriate to the defendant's circumstances, the prosecuting attorney may make a motion to terminate pretrial diversion and schedule further proceedings as otherwise provided in this section; and
- (e) An explanation of criminal record retention and disposition resulting from participation in the pretrial diversion program and the defendant's rights relative to answering questions about his or

her arrest and pretrial diversion following successful completion of the program.

(3) Upon a motion of the defendant and agreement to waive his or her right to a speedy trial if granted pretrial diversion, the court may grant the motion and continue the hearing and refer the defendant for an assessment by any substance use disorder treatment program as designated in chapter 71.24 RCW.

(4)(a) For defendants who agree to participate in the diversion program, the state shall make resources available to assist the defendant in obtaining a substance use disorder evaluation within seven days of the defendant's agreement to participate in the diversion program. The substance use evaluation must be provided at no expense to defendants who qualify for public defense services or who are found to be indigent by the court. The evaluation must be provided at a location that is accessible to the defendant, and the court must provide the defendant with transportation assistance if such assistance is necessary to make the evaluation accessible to the defendant. The court may contract with a third party to provide substance use disorder assessments and services, which may be collocated at the court or be provided at alternative locations.

(b) The state shall reimburse local courts for costs associated with the substance use disorder assessments and related travel under this subsection.

(5) The treatment program must make a written report to the court stating its findings and recommendations after the examination. The report shall be filed under seal with the court.

(6) The report with the treatment or service plan must be filed with the court and a copy given to the prosecutor, the defendant, and the defendant's counsel.

(7) Subject to the availability of funds appropriated for this purpose, the assessment and recommended services or treatment must be provided at no cost for individuals who have been found to be indigent by the court.

(8) No statement, or any information procured therefrom relating to the charge for which the defendant is receiving treatment or services, made by the defendant to any treatment or service provider, that is made during the course of any assessment or services provided by the treatment program pursuant to subsections (4) through (6) of this section, and before the reporting of the findings and recommendations to the court, may be admissible in any action or proceeding brought subsequent to the investigation.

(9) A defendant's participation in pretrial diversion under this section does not constitute a conviction, a stipulation to facts, or an admission of guilt for any purpose.

(10) At the time that pretrial diversion is granted, any bail bond on file by or on behalf of the defendant must be exonerated, and the court must enter an order so directing.

(11)(a) If it appears to the prosecuting attorney that the defendant is not substantially complying in the recommended treatment or services, that the defendant is convicted of an offense that reflects the defendant's propensity for violence, that the defendant is charged with a subsequent violation of RCW 69.50.4011(1)(b), 69.50.4013, or 69.41.030, or that the defendant is convicted of a felony, the prosecuting attorney may make a motion for termination from pretrial diversion.

(b) After notice to the defendant, the court must hold a hearing to determine whether pretrial diversion shall be terminated.

(c) If the court finds that the defendant is not substantially complying in the recommended treatment or services, or the court finds that the defendant has been convicted of an intervening crime as indicated in (a) of this subsection, the court must schedule the matter for further proceedings.

(d) If the defendant has successfully completed pretrial diversion, including meaningful engagement with recommended treatment or services, at the end of that period, the criminal possession charge or charges must be dismissed.

NEW SECTION. Sec. 11. A new section is added to chapter 69.50 RCW to read as follows:

(1) In courts of limited jurisdiction, an individual who is convicted of a violation of RCW 69.50.4011(1)(b), 69.50.4013, or 69.41.030(2)(b) shall be sentenced as follows:

(a) For individuals convicted of a violation of RCW 69.50.4011(1)(b) or 69.50.4013, if the sentenced individual agrees as a condition of probation to submit to a substance use disorder assessment and comply with recommended treatment, to a term of confinement of up to 364 days all of which shall be suspended for a period not to exceed two years. The court shall give the individual credit for all confinement time served before the sentence if the confinement was solely in regard to the offense for which the individual is being sentenced;

(b) For individuals convicted of a violation of RCW 69.41.030(2)(b), if the sentenced individual agrees as a condition of probation to submit to a substance use disorder assessment and comply with recommended treatment, to a term of confinement of up to 90 days all of which shall be suspended for a period not to exceed one year; and

(c) For individuals convicted of a violation of RCW 69.50.4011(1)(b), 69.50.4013, or 69.41.030(2)(b) where the legend drug is classified as schedule II substance under RCW 69.50.206, if the sentenced individual refuses to submit to a substance use disorder assessment and comply with the recommended treatment as a condition of probation, to imprisonment for a term of not less than 21 days. The sentencing court shall give the individual credit for all confinement time served before the sentencing if the confinement was solely in regard to the offense for which the individual is being sentenced.

(2) For individuals sentenced under subsection (1)(a) or (b) of this section, the court shall order as a condition of probation the individual to submit to a substance use disorder assessment and comply with the recommended treatment.

(a) The court shall assist the defendant in obtaining a substance use disorder evaluation within seven days of the defendant's agreement to participate in the diversion program. The substance use evaluation shall be provided at no expense to defendants who qualify for public defense services or who are found to be indigent by the court. The evaluation shall be provided at a location that is accessible to the defendant, and the court shall provide the defendant with transportation assistance if such assistance is necessary to make the evaluation accessible to the defendant. The court may contract with a third party to provide substance use disorder assessments and services, which may be collocated at the court or be provided at alternative locations. The state shall reimburse local courts for costs associated with the substance use disorder assessments under this subsection.

(b) A diagnostic evaluation and treatment recommendation shall be prepared by a substance use disorder treatment program licensed or certified by the department of health or a qualified probation department approved by the department of social and health services. A copy of the report shall be forwarded to the court and filed under seal. Based on the diagnostic evaluation, the court shall determine whether the person shall be required to complete a course in an alcohol and drug information school licensed or certified by the department of health or more intensive treatment in an approved treatment program licensed or certified by the department of health.

(c) The diagnostic evaluation and treatment recommendation shall include the following:

- (i) Type of treatment;
- (ii) Nature of treatment;
- (iii) Length of treatment;
- (iv) A treatment time schedule; and
- (v) Approximate cost of the treatment.

(3) A person subject to substance use disorder assessment and treatment shall be required by the court to complete a course in an alcohol and drug information school certified by the department of health or to complete more intensive treatment in a treatment program licensed or certified by the department of health, as determined by the court.

(4) All individuals providing treatment under this section shall implement the integrated and comprehensive screening and assessment process for co-occurring substance use and mental health disorders adopted under RCW 71.24.630.

(5) Any agency that provides treatment ordered under this section, must report to the appropriate probation department where applicable, otherwise to the court, any noncompliance by a person with the conditions of the person's ordered treatment.

(6) Subject to the availability of funds appropriated for this purpose, the substance use disorder assessment and recommended treatment as ordered by the court shall be provided at no cost for sentenced individuals who have been found to be indigent by the court.

(7) As a condition of probation, the sentenced individual must comply with the treatment recommendations of the substance use disorder assessment.

(8)(a) If it appears to the prosecuting attorney or the court, that the sentenced individual is performing unsatisfactorily in the recommended treatment program, the prosecuting attorney, or the court on its own, shall make a motion for a hearing to consider sanctions. After notice to the sentenced individual, the court shall hold a hearing to determine if a sanction or revocation of the individual's suspended sentence, or any part thereof, is warranted under RCW 3.50.340 or 3.66.069.

(b) The court may not sanction an individual for failing to comply with the recommended treatment if the court finds the sentenced individual has made reasonable efforts to comply with the recommended treatment but cannot comply either due to a lack of available treatment or, for sentenced individuals found to be indigent by the court, due to a lack of funding for treatment.

(9) For individuals sentenced under subsection (1)(a) of this section, if at any point the court finds by a preponderance of the evidence that the sentenced individual has willfully abandoned or demonstrated a consistent failure to comply with the recommended treatment, the court shall reinstate a portion of the individual's suspended sentence as follows:

(a) For an individual's first instance of being sentenced under this section, the court shall use its discretion in determining an appropriate amount of time of the individual's suspended sentence to reinstate given the facts and circumstances of the particular case;

(b) For an individual's second instance of being sentenced under this section, the court shall reinstate no less than 21 days of the individual's suspended sentence; and

(c) For an individual's third instance of being sentenced under this section, the court shall reinstate no less than 45 days of the individual's suspended sentence.

(10) For individuals sentenced under subsection (1)(a) of this section, the court may deem any subsequent charge filed against the individual for violation of RCW 69.50.4011(1)(b), 69.50.4013, or 69.41.030 a willful abandonment of treatment.

(11) If the individual has successfully completed the recommended treatment program, the individual must file proof of successful completion with the court at which time the court

FIFTY FOURTH DAY, MARCH 3, 2023

must terminate probation and enter an order vacating the individual's conviction under RCW 9.96.060(6).

Sec. 12. RCW 9.96.060 and 2022 c 16 s 7 are each amended to read as follows:

(1) When vacating a conviction under this section, the court effectuates the vacation by: (a)(i) Permitting the applicant to withdraw the applicant's plea of guilty and to enter a plea of not guilty; or (ii) if the applicant has been convicted after a plea of not guilty, the court setting aside the verdict of guilty; and (b) the court dismissing the information, indictment, complaint, or citation against the applicant and vacating the judgment and sentence.

(2) Every person convicted of a misdemeanor or gross misdemeanor offense may apply to the sentencing court for a vacation of the applicant's record of conviction for the offense. If the court finds the applicant meets the requirements of this subsection, the court may in its discretion vacate the record of conviction. Except as provided in subsections (3), (4), ~~((and))~~ (5), and (6) of this section, an applicant may not have the record of conviction for a misdemeanor or gross misdemeanor offense vacated if any one of the following is present:

(a) The applicant has not completed all of the terms of the sentence for the offense;

(b) There are any criminal charges against the applicant pending in any court of this state or another state, or in any federal or tribal court, at the time of application;

(c) The offense was a violent offense as defined in RCW 9.94A.030 or an attempt to commit a violent offense;

(d) The offense was a violation of RCW 46.61.502 (driving while under the influence), 46.61.504 (actual physical control while under the influence), 9.91.020 (operating a railroad, etc. while intoxicated), or the offense is considered a "prior offense" under RCW 46.61.5055 and the applicant has had a subsequent alcohol or drug violation within ten years of the date of arrest for the prior offense or less than ten years has elapsed since the date of the arrest for the prior offense;

(e) The offense was any misdemeanor or gross misdemeanor violation, including attempt, of chapter 9.68 RCW (obscenity and pornography), chapter 9.68A RCW (sexual exploitation of children), or chapter 9A.44 RCW (sex offenses), except for failure to register as a sex offender under RCW 9A.44.132;

(f) The applicant was convicted of a misdemeanor or gross misdemeanor offense as defined in RCW 10.99.020, or the court determines after a review of the court file that the offense was committed by one family or household member against another or by one intimate partner against another, or the court, after considering the damage to person or property that resulted in the conviction, any prior convictions for crimes defined in RCW 10.99.020, or for comparable offenses in another state or in federal court, and the totality of the records under review by the court regarding the conviction being considered for vacation, determines that the offense involved domestic violence, and any one of the following factors exist:

(i) The applicant has not provided written notification of the vacation petition to the prosecuting attorney's office that prosecuted the offense for which vacation is sought, or has not provided that notification to the court;

(ii) The applicant has two or more domestic violence convictions stemming from different incidents. For purposes of this subsection, however, if the current application is for more than one conviction that arose out of a single incident, none of those convictions counts as a previous conviction;

(iii) The applicant has signed an affidavit under penalty of perjury affirming that the applicant has not previously had a

conviction for a domestic violence offense, and a criminal history check reveals that the applicant has had such a conviction; or

(iv) Less than five years have elapsed since the person completed the terms of the original conditions of the sentence, including any financial obligations and successful completion of any treatment ordered as a condition of sentencing;

(g) For any offense other than those described in (f) of this subsection, less than three years have passed since the person completed the terms of the sentence, including any financial obligations;

(h) The offender has been convicted of a new crime in this state, another state, or federal or tribal court in the three years prior to the vacation application; or

(i) The applicant is currently restrained by a domestic violence protection order, a no-contact order, an antiharassment order, or a civil restraining order which restrains one party from contacting the other party or was previously restrained by such an order and was found to have committed one or more violations of the order in the five years prior to the vacation application.

(3) If the applicant is a victim of sex trafficking, prostitution, or commercial sexual abuse of a minor; sexual assault; or domestic violence as defined in RCW 9.94A.030, or the prosecutor applies on behalf of the state, the sentencing court may vacate the record of conviction if the application satisfies the requirements of RCW 9.96.080. When preparing or filing the petition, the prosecutor is not deemed to be providing legal advice or legal assistance on behalf of the victim, but is fulfilling an administrative function on behalf of the state in order to further their responsibility to seek to reform and improve the administration of criminal justice. A record of conviction vacated using the process in RCW 9.96.080 is subject to subsections ~~((6) and))~~ (7) and (8) of this section.

(4) Every person convicted prior to January 1, 1975, of violating any statute or rule regarding the regulation of fishing activities, including, but not limited to, RCW 75.08.260, 75.12.060, 75.12.070, 75.12.160, 77.16.020, 77.16.030, 77.16.040, 77.16.060, and 77.16.240 who claimed to be exercising a treaty Indian fishing right, may apply to the sentencing court for vacation of the applicant's record of the misdemeanor, gross misdemeanor, or felony conviction for the offense. If the person is deceased, a member of the person's family or an official representative of the tribe of which the person was a member may apply to the court on behalf of the deceased person. Notwithstanding the requirements of RCW 9.94A.640, the court shall vacate the record of conviction if:

(a) The applicant is a member of a tribe that may exercise treaty Indian fishing rights at the location where the offense occurred; and

(b) The state has been enjoined from taking enforcement action of the statute or rule to the extent that it interferes with a treaty Indian fishing right as determined under *United States v. Washington*, 384 F. Supp. 312 (W.D. Wash. 1974), or *Sohappy v. Smith*, 302 F. Supp. 899 (D. Oregon 1969), and any posttrial orders of those courts, or any other state supreme court or federal court decision.

(5) Every person convicted of a misdemeanor cannabis offense, who was ~~((twenty-one))~~ 21 years of age or older at the time of the offense, may apply to the sentencing court for a vacation of the applicant's record of conviction for the offense. A misdemeanor cannabis offense includes, but is not limited to: Any offense under RCW 69.50.4014, from July 1, 2004, onward, and its predecessor statutes, including RCW 69.50.401(e), from March 21, 1979, to July 1, 2004, and RCW 69.50.401(d), from May 21, 1971, to March 21, 1979, and any offense under an equivalent municipal ordinance. If an applicant qualifies under this subsection, the court shall vacate the record of conviction.

(6) If an individual who successfully completes a substance use disorder treatment program as required under section 11 of this act files proof of completion with the court, upon verification that the individual successfully completed the substance use disorder treatment program, the court must vacate the conviction or convictions.

(7) A person who is a family member of a homicide victim may apply to the sentencing court on the behalf of the victim for vacation of the victim's record of conviction for prostitution under RCW 9A.88.030. If an applicant qualifies under this subsection, the court shall vacate the victim's record of conviction.

~~((7))~~ (8)(a) Except as provided in (c) of this subsection, once the court vacates a record of conviction under this section, the person shall be released from all penalties and disabilities resulting from the offense and the fact that the person has been convicted of the offense shall not be included in the person's criminal history for purposes of determining a sentence in any subsequent conviction. For all purposes, including responding to questions on employment or housing applications, a person whose conviction has been vacated under this section may state that he or she has never been convicted of that crime. However, nothing in this section affects the requirements for restoring a right to possess a firearm under RCW 9.41.040. Except as provided in (b) of this subsection, nothing in this section affects or prevents the use of an offender's prior conviction in a later criminal prosecution.

(b) When a court vacates a record of domestic violence as defined in RCW 10.99.020 under this section, the state may not use the vacated conviction in a later criminal prosecution unless the conviction was for: (i) Violating the provisions of a restraining order, no-contact order, or protection order restraining or enjoining the person or restraining the person from going on to the grounds of or entering a residence, workplace, school, or day care, or prohibiting the person from knowingly coming within, or knowingly remaining within, a specified distance of a location, a protected party's person, or a protected party's vehicle (RCW 10.99.040, 10.99.050, 26.09.300, 26.26B.050, 26.44.063, 26.44.150, or 26.52.070, or any of the former RCW 26.50.060, 26.50.070, 26.50.130, and 74.34.145); (ii) stalking (RCW 9A.46.110); or (iii) a domestic violence protection order or vulnerable adult protection order entered under chapter 7.105 RCW. A vacated conviction under this section is not considered a conviction of such an offense for the purposes of 27 C.F.R. 478.11.

(c) A conviction vacated on or after July 28, 2019, qualifies as a prior conviction for the purpose of charging a present recidivist offense as defined in RCW 9.94A.030 occurring on or after July 28, 2019.

~~((8))~~ (9) The clerk of the court in which the vacation order is entered shall immediately transmit the order vacating the conviction to the Washington state patrol identification section and to the local police agency, if any, which holds criminal history information for the person who is the subject of the conviction. The Washington state patrol and any such local police agency shall immediately update their records to reflect the vacation of the conviction, and shall transmit the order vacating the conviction to the federal bureau of investigation. A conviction that has been vacated under this section may not be disseminated or disclosed by the state patrol or local law enforcement agency to any person, except other criminal justice enforcement agencies.

~~((9))~~ (10) For the purposes of this section, "cannabis" has the meaning provided in RCW 69.50.101.

Part IV – Opioid Treatment Rural Access and Expansion

Sec. 13. RCW 36.70A.200 and 2021 c 265 s 2 are each amended to read as follows:

(1)(a) The comprehensive plan of each county and city that is planning under RCW 36.70A.040 shall include a process for identifying and siting essential public facilities. Essential public facilities include those facilities that are typically difficult to site, such as airports, state education facilities and state or regional transportation facilities as defined in RCW 47.06.140, regional transit authority facilities as defined in RCW 81.112.020, state and local correctional facilities, solid waste handling facilities, opioid treatment programs including both mobile and fixed-site medication units, recovery residences, harm reduction programs excluding safe injection sites, and inpatient facilities including substance ~~((abuse))~~ use disorder treatment facilities, mental health facilities, group homes, community facilities as defined in RCW 72.05.020, and secure community transition facilities as defined in RCW 71.09.020.

(b) Unless a facility is expressly listed in (a) of this subsection, essential public facilities do not include facilities that are operated by a private entity in which persons are detained in custody under process of law pending the outcome of legal proceedings but are not used for punishment, correction, counseling, or rehabilitation following the conviction of a criminal offense. Facilities included under this subsection (1)(b) shall not include facilities detaining persons under RCW 71.09.020 ~~((6) or (15))~~ (7) or (16) or chapter 10.77 or 71.05 RCW.

(c) The department of children, youth, and families may not attempt to site new community facilities as defined in RCW 72.05.020 east of the crest of the Cascade mountain range unless there is an equal or greater number of sited community facilities as defined in RCW 72.05.020 on the western side of the crest of the Cascade mountain range.

(d) For the purpose of this section, "harm reduction programs" means programs that emphasize working directly with people who use drugs to prevent overdose and infectious disease transmission, improve the physical, mental, and social well-being of those served, and offer low threshold options for accessing substance use disorder treatment and other health care services.

(2) Each county and city planning under RCW 36.70A.040 shall, not later than September 1, 2002, establish a process, or amend its existing process, for identifying and siting essential public facilities and adopt or amend its development regulations as necessary to provide for the siting of secure community transition facilities consistent with statutory requirements applicable to these facilities.

(3) Any city or county not planning under RCW 36.70A.040 shall, not later than September 1, 2002, establish a process for siting secure community transition facilities and adopt or amend its development regulations as necessary to provide for the siting of such facilities consistent with statutory requirements applicable to these facilities.

(4) The office of financial management shall maintain a list of those essential state public facilities that are required or likely to be built within the next six years. The office of financial management may at any time add facilities to the list.

(5) No local comprehensive plan or development regulation may preclude the siting of essential public facilities.

(6) No person may bring a cause of action for civil damages based on the good faith actions of any county or city to provide for the siting of secure community transition facilities in accordance with this section and with the requirements of chapter 12, Laws of 2001 2nd sp. sess. For purposes of this subsection, "person" includes, but is not limited to, any individual, agency as

FIFTY FOURTH DAY, MARCH 3, 2023

defined in RCW 42.17A.005, corporation, partnership, association, and limited liability entity.

(7) Counties or cities siting facilities pursuant to subsection (2) or (3) of this section shall comply with RCW 71.09.341.

(8) The failure of a county or city to act by the deadlines established in subsections (2) and (3) of this section is not:

(a) A condition that would disqualify the county or city for grants, loans, or pledges under RCW 43.155.070 or 70A.135.070;

(b) A consideration for grants or loans provided under RCW 43.17.250(3); or

(c) A basis for any petition under RCW 36.70A.280 or for any private cause of action.

Sec. 14. RCW 71.24.589 and 2019 c 314 s 29 are each amended to read as follows:

(1) Subject to funds appropriated by the legislature, the authority shall ~~((implement a pilot project))~~ administer a grant program for law enforcement assisted diversion which shall adhere to law enforcement assisted diversion core principles recognized by the law enforcement assisted diversion national support bureau, the efficacy of which have been demonstrated in peer-reviewed research studies.

(2) ~~((Under the pilot project, the))~~ The authority must partner with the law enforcement assisted diversion national support bureau to award ~~((a contract))~~ contracts, subject to appropriation, for ~~((two or more geographic areas))~~ jurisdictions in the state of Washington for law enforcement assisted diversion. Cities, counties, and tribes ~~((may compete for participation in a pilot project))~~, subdivisions thereof, public development authorities, and community-based organizations demonstrating support from necessary public partners, may serve as the lead agency applying for funding. Funds may be used to scale existing projects, and to invite additional jurisdictions to launch law enforcement assisted diversion programs.

(3) ~~((pilot projects))~~ program must provide for securing comprehensive technical assistance from law enforcement assisted diversion implementation experts to develop and implement a law enforcement assisted diversion program ~~((in the pilot project's geographic areas))~~ in a way that ensures fidelity to the research-based law enforcement assisted diversion model. Sufficient funds must be allocated from grant program funds to secure technical assistance for the authority and for the implementing jurisdictions.

(4) The key elements of a law enforcement assisted diversion ~~((pilot project))~~ program must include:

(a) Long-term case management for individuals with substance use disorders;

(b) Facilitation and coordination with community resources focusing on overdose prevention;

(c) Facilitation and coordination with community resources focused on the prevention of infectious disease transmission;

(d) Facilitation and coordination with community resources providing physical and behavioral health services;

(e) Facilitation and coordination with community resources providing medications for the treatment of substance use disorders;

(f) Facilitation and coordination with community resources focusing on housing, employment, and public assistance;

(g) ~~((Twenty-four))~~ 24 hours per day and seven days per week response to law enforcement for arrest diversions; and

(h) Prosecutorial support for diversion services.

(5) No civil liability may be imposed by any court on the state or its officers or employees, an appointed or elected official, public employee, public agency as defined in RCW 4.24.470, combination of units of government and its employees as provided in RCW 36.28A.010, nonprofit community-based

organization, tribal government entity, tribal organization, or urban Indian organization, based on the administration of a law enforcement assisted diversion program or activities carried out within the purview of a grant received under this program except upon proof of bad faith or gross negligence.

Sec. 15. RCW 71.24.590 and 2019 c 314 s 30 are each amended to read as follows:

(1) When making a decision on an application for licensing or certification of ~~((a))~~ an opioid treatment program, the department shall:

(a) Consult with the county legislative authorities in the area in which an applicant proposes to locate a program and the city legislative authority in any city in which an applicant proposes to locate a program;

(b) License or certify only programs that will be sited in accordance with the appropriate county or city land use ordinances. Counties and cities may require conditional use permits with reasonable conditions for the siting of programs only to the extent that such reasonable conditional use requirements applied to opioid treatment programs are similarly applied to other essential public facilities and health care settings. Pursuant to RCW 36.70A.200, no local comprehensive plan or development regulation may preclude the siting of essential public facilities;

(c) Not discriminate in its licensing or certification decision on the basis of the corporate structure of the applicant;

(d) Consider the size of the population in need of treatment in the area in which the program would be located and license or certify only applicants whose programs meet the necessary treatment needs of that population;

(e) Consider the availability of other certified opioid treatment programs near the area in which the applicant proposes to locate the program;

(f) Consider the transportation systems that would provide service to the program and whether the systems will provide reasonable opportunities to access the program for persons in need of treatment;

(g) Consider whether the applicant has, or has demonstrated in the past, the capability to provide the appropriate services to assist the persons who utilize the program in meeting goals established by the legislature in RCW 71.24.585. The department shall prioritize licensing or certification to applicants who have demonstrated such capability and are able to measure their success in meeting such outcomes;

(h) Hold one public hearing in the community in which the facility is proposed to be located. The hearing shall be held at a time and location that are most likely to permit the largest number of interested persons to attend and present testimony. The department shall notify all appropriate media outlets of the time, date, and location of the hearing at least three weeks in advance of the hearing.

(2) ~~((A))~~ No city or county legislative authority may impose a maximum capacity for ~~((a))~~ an opioid treatment program ~~((of not less than three hundred fifty participants if necessary to address specific local conditions cited by the county)).~~

(3) A program applying for licensing or certification from the department and a program applying for a contract from a state agency that has been denied the licensing or certification or contract shall be provided with a written notice specifying the rationale and reasons for the denial.

(4) Opioid treatment programs may order, possess, dispense, and administer medications approved by the United States food and drug administration for the treatment of opioid use disorder, alcohol use disorder, tobacco use disorder, and reversal of opioid overdose. For an opioid treatment program to order, possess, and

dispense any other legend drug, including controlled substances, the opioid treatment program must obtain additional licensure as required by the department, except for patient-owned medications.

(5) Opioid treatment programs may accept, possess, and administer patient-owned medications.

(6) Registered nurses and licensed practical nurses may dispense up to a ~~((thirty-one))~~ 31 day supply of medications approved by the United States food and drug administration for the treatment of opioid use disorder to patients of the opioid treatment program, under an order or prescription and in compliance with 42 C.F.R. Sec. 8.12.

(7) For the purpose of this chapter, "opioid treatment program" means a program that:

(a) Engages in the treatment of opioid use disorder with medications approved by the United States food and drug administration for the treatment of opioid use disorder and reversal of opioid overdose, including methadone; and

(b) Provides a comprehensive range of medical and rehabilitative services.

(8) A mobile or fixed-site medication unit may be established as part of a licensed opioid treatment program.

NEW SECTION. Sec. 16. A new section is added to chapter 43.330 RCW to read as follows:

(1) Subject to funds appropriated for this specific purpose, a program is established in the department to fund the construction costs necessary to start up substance use disorder treatment programs in regions of the state that currently lack access to such programs.

(2) This funding must be used to increase the number of substance use disorder treatment programs in underserved areas such as central and eastern Washington and rural areas.

Sec. 17. RCW 10.31.110 and 2021 c 311 s 6 are each amended to read as follows:

(1) When a police officer has reasonable cause to believe that the individual has committed acts constituting a crime, and the individual is known by history or consultation with the behavioral health administrative services organization, managed care organization, crisis hotline, local crisis services providers, or community health providers to have a mental disorder or substance use disorder, in addition to existing authority under state law or local policy, as an alternative to arrest, the arresting officer is authorized and encouraged to:

(a) Take the individual to a crisis stabilization unit as defined in RCW 71.05.020. Individuals delivered to a crisis stabilization unit pursuant to this section may be held by the facility for a period of up to twelve hours. The individual must be examined by a mental health professional or substance use disorder professional within three hours of arrival;

(b) Take the individual to a triage facility as defined in RCW 71.05.020. An individual delivered to a triage facility which has elected to operate as an involuntary facility may be held up to a period of twelve hours. The individual must be examined by a mental health professional or substance use disorder professional within three hours of arrival;

(c) Refer the individual to a designated crisis responder for evaluation for initial detention and proceeding under chapter 71.05 RCW;

(d) Release the individual upon agreement to voluntary participation in outpatient treatment;

(e) Refer the individual to youth, adult, or geriatric mobile crisis response services, as appropriate; or

(f) Refer the individual to the regional entity responsible to receive referrals in lieu of legal system involvement, including the recovery navigator program described in RCW 71.24.115.

(2) If the individual is released to the community from the facilities in subsection (1)(a) through (c) of this section, the mental health provider or substance use disorder professional shall make reasonable efforts to inform the arresting officer of the planned release prior to release if the arresting officer has specifically requested notification and provided contact information to the provider.

(3) In deciding whether to refer the individual to treatment under this section, the police officer must be guided by local law enforcement diversion guidelines for behavioral health developed and mutually agreed upon with the prosecuting authority with an opportunity for consultation and comment by the defense bar and disability community. These guidelines must address, at a minimum, the length, seriousness, and recency of the known criminal history of the individual, the mental health history of the individual, if available, the substance use disorder history of the individual, if available, the opinions of a mental health professional, if available, the opinions of a substance use disorder professional, if available, and the circumstances surrounding the commission of the alleged offense. The guidelines must include a process for clearing outstanding warrants or referring the individual for assistance in clearing outstanding warrants, if any, and issuing a new court date, if appropriate, without booking or incarcerating the individual or disqualifying the individual from referral to treatment under this section, and define the circumstances under which such action is permissible. Referrals to services, care, and treatment for substance use disorder must be made in accordance with protocols developed for the recovery navigator program described in RCW 71.24.115.

(4) Any agreement to participate in treatment or services in lieu of jail booking or referring a case for prosecution shall not require individuals to stipulate to any of the alleged facts regarding the criminal activity as a prerequisite to participation in the alternative response described in this section. Any agreement is inadmissible in any criminal or civil proceeding. Such agreements do not create immunity from prosecution for the alleged criminal activity.

(5) If there are required terms of participation in the services or treatment to which an individual was referred under this section, and if the individual violates such terms and is therefore no longer participating in services:

(a) The behavioral health or service provider shall inform the referring law enforcement agency of the violation, if consistent with ~~((the terms of the program and))~~ applicable law; and

(b) The original charges may be filed or referred to the prosecutor, as appropriate, and the matter may proceed accordingly ~~((, unless filing or referring the charges is inconsistent with the terms of a local diversion program or a recovery navigator program described in RCW 71.24.115)).~~

(6) The police officer is immune from liability for any good faith conduct under this section.

NEW SECTION. Sec. 18. RCW 10.31.115 (Drug possession—Referral to assessment and services) and 2021 c 311 s 13 are each repealed.

Part V – Providing Legal Advocacy for Parents and Families Affected by Substance Use Disorders in Dependency and Child Custody Cases

NEW SECTION. Sec. 19. A new section is added to chapter 26.12 RCW to read as follows:

(1) In any parenting plan or child custody proceeding in which the court determines that a child's parent, guardian, or custodian is affected by substance use disorders, mental health disorders, or behavioral health concerns such that it leaves the parent, guardian, or custodian unable to adequately represent his or her own interests or his or her parental rights may be restricted, either

FIFTY FOURTH DAY, MARCH 3, 2023

by way of long-term supervision or limited contact with the child, the parent, guardian, or custodian may have the right to court-appointed counsel, who, if appropriate, must have understanding of the Indian child welfare act and knowledge about tribal child welfare systems. In determining whether to appoint counsel, the court must consider the financial ability of the parties, the degree such disorder impacts the ability of the parent, guardian, or custodian to understand the proceedings and represent their own interests, and any professional assessment or evaluation or any other evidence submitted to the court on the parent, guardian, or custodian's behalf.

(2) The court may, in its discretion, appoint counsel for the child or a guardian ad litem as set forth in RCW 26.09.110 and 26.09.220.

Part VI – Funding, Promotion, and Training for Recovery Residences

NEW SECTION. Sec. 20. A new section is added to chapter 71.24 RCW to read as follows:

Subject to the availability of amounts provided for this specific purpose, the authority shall:

(1) Make sufficient funding available to support establishment of an adequate and equitable stock of recovery residences in each region of the state, including by expansion of a revolving fund program to make loans or grants available for recovery residence operators to use for necessary capital expenses;

(2) Establish a voucher program to allow accredited recovery housing operators to hold bed space for individuals who are waiting for treatment or who have returned to use and need a place to stay while negotiating a return to stable housing;

(3) Conduct outreach to underserved and rural areas to support the development of recovery housing, including adequate resources for women, LGBTQIA+ communities, and youth; and

(4) Develop a training for housing providers by January 1, 2024, to assist them with providing appropriate service to LGBTQIA+ communities, including consideration of topics like harassment, communication, antiracism, diversity, and gender affirming behavior, and ensure applicants for grants or loans related to recovery residences receive access to the training.

Sec. 21. RCW 84.36.043 and 1998 c 174 s 1 are each amended to read as follows:

(1) The real and personal property used by a nonprofit organization in providing emergency or transitional housing for low-income homeless persons as defined in RCW 35.21.685 or 36.32.415 or victims of domestic violence who are homeless for personal safety reasons is exempt from taxation if:

(a) The charge, if any, for the housing does not exceed the actual cost of operating and maintaining the housing; and

(b)(i) The property is owned by the nonprofit organization; or
(ii) The property is rented or leased by the nonprofit organization and the benefit of the exemption inures to the nonprofit organization.

(2) The real and personal property used by a nonprofit organization in maintaining an approved recovery residence registered under RCW 41.05.760 is exempt from taxation if:

(a) The charge for the housing does not exceed the actual cost of operating and maintaining the housing; and

(b)(i) The property is owned by the nonprofit organization; or
(ii) The property is rented or leased by the nonprofit organization and the benefit of the exemption inures to the nonprofit organization.

(3) As used in this section:

(a) "Homeless" means persons, including families, who, on one particular day or night, do not have decent and safe shelter nor sufficient funds to purchase or rent a place to stay.

(b) "Emergency housing" means a project that provides housing and supportive services to homeless persons or families for up to sixty days.

(c) "Transitional housing" means a project that provides housing and supportive services to homeless persons or families for up to two years and that has as its purpose facilitating the movement of homeless persons and families into independent living.

~~((3))~~ (d) "Recovery residence" has the same meaning as under RCW 41.05.760.

(4) The exemption in subsection (2) of this section applies to taxes levied for collection in calendar years 2024 through 2033.

(5) This exemption is subject to the administrative provisions contained in RCW 84.36.800 through 84.36.865.

NEW SECTION. Sec. 22. (1) This section is the tax preference performance statement for the tax preference contained in section 21, chapter . . . , Laws of 2023 (section 21 of this act). This performance statement is only intended to be used for subsequent evaluation of the tax preference. It is not intended to create a private right of action by any party or to be used to determine eligibility for preferential tax treatment.

(2) The legislature categorizes this tax preference as one intended to provide tax relief for certain businesses or individuals, as indicated in RCW 82.32.808(2)(e).

(3) By exempting property used by nonprofit organizations maintaining approved recovery residences, it is the legislature's specific public policy objective to maximize funding for recovery residences to the extent possible, thereby increasing availability of such residences.

(4) To measure the effectiveness of the tax exemption provided in section 21 of this act in achieving the specific public policy objectives described in subsection (3) of this section, the joint legislative audit and review committee must evaluate:

(a) Annual changes in the total number of parcels qualifying for the exemption under section 21 of this act;

(b) The amount of annual property tax relief resulting from the tax exemption under section 21 of this act;

(c) The average annual number of people housed at recovery residences located on property qualifying for the exemption under section 21 of this act;

(d) The annualized amount charged for housing at recovery residences located on property qualifying for the exemption under section 21 of this act and the annualized estimated increase in the charge for housing if the properties had not been eligible for the exemption; and

(e) The annual amount of expenditures by nonprofits to maintain recovery residences located on property qualifying for the exemption under section 21 of this act.

(5) The legislature intends to extend the expiration date of the property tax exemption under section 21 of this act if the review by the joint legislative audit and review committee finds that:

(a) The number of properties qualifying for the exemption under section 21 of this act has increased;

(b) The number of individuals using recovery housing located on property qualifying for the exemption under section 21 of this act has increased; and

(c) The amount charged for recovery housing is reasonably consistent with the actual cost of operating and maintaining the housing.

(6) In order to obtain the data necessary to perform the review in subsection (4) of this section, the joint legislative audit and review committee may refer to:

(a) Initial applications for the tax exemption under section 21 of this act as approved by the department of revenue under RCW 84.36.815;

(b) Annual financial statements prepared by nonprofit entities claiming the tax exemption under section 21 of this act;

(c) Filings with the federal government to maintain federal tax exempt status by nonprofit organizations claiming the tax exemption under section 21 of this act; and

(d) Any other data necessary for the evaluation under subsection (4) of this section.

Part VII – Training for Parents of Children with Substance Use Disorder and Caseworkers Within the Department of Children, Youth, and Families

NEW SECTION. **Sec. 23.** A new section is added to chapter 43.216 RCW to read as follows:

(1) The health care authority in consultation with the department shall develop a training for parents of children and transition age youth with substance use disorders by June 30, 2024, addressing the following:

(a) Science and education related to substance use disorders;

(b) Adaptive and functional communication strategies for communication with a loved one about their substance use disorder, including positive communication skills and strategies to influence motivation and behavioral change;

(c) Self-care and means of obtaining support; and

(d) Means to obtain opioid overdose reversal medication when appropriate and instruction on proper use.

(2) The health care authority and the department shall make this training publicly available and the department must promote the training to licensed foster parents and caregivers, including any tribally licensed foster parents and tribal caregivers.

NEW SECTION. **Sec. 24.** A new section is added to chapter 43.216 RCW to read as follows:

The department must make opioid overdose reversal medication available for use by caseworkers or employees that may come in contact with individuals experiencing overdose and must make appropriate training available.

Part VIII – Data Support for Recovery Navigator Programs

NEW SECTION. **Sec. 25.** To support recovery navigator programs, the health care authority must develop and implement a data integration platform by June 30, 2024, to serve as a common database for diversion efforts across the state, to serve as a data collection and management tool for practitioners, and to assist in standardizing definitions and practices. If possible, the health care authority must leverage and interact with existing platforms already in use in efforts funded by the authority. The health care authority must establish a quality assurance process for behavioral health administrative services organizations, and employ data validation for fields in the data collection workbook.

NEW SECTION. **Sec. 26.** A new section is added to chapter 71.24 RCW to read as follows:

(1) The authority shall contract with the Washington state institute for public policy to conduct a study of the long-term effectiveness of the recovery navigator program under RCW 71.24.115 with reports due by June 30th in the years 2028, 2033, and 2038. The Washington state institute for public policy shall collaborate with the authority and substance use recovery services advisory committee under RCW 71.24.546 on the topic of data collection and to determine the parameters of the report, which shall include recommendations, if any, for modification and improvement of the recovery navigator program. The authority shall cooperate with the Washington state institute for public policy to provide data for this report.

(2) The authority shall establish an expedited preapproval process by August 1, 2023, which allows requests for the use of data to be forwarded to the Washington state institutional review board without delay when the request is made by the Washington

state institute for public policy for the purpose of completing a study that has been directed by the legislature.

Part IX – Establishing Rules and Payment Structures for Health Engagement Hubs

NEW SECTION. **Sec. 27.** A new section is added to chapter 71.24 RCW to read as follows:

(1) The authority shall develop payment structures for health engagement hubs by January 1, 2025.

(2) A health engagement hub:

(a) Serves as an all-in-one location where people who use drugs can access a range of medical, harm reduction, treatment, and social services. A health engagement hub may not provide supervised injection services;

(b) May be affiliated with existing syringe service programs, federally qualified health centers, community health centers, overdose prevention sites, safe consumption sites, patient-centered medical homes, tribal behavioral health programs, peer run organizations such as clubhouses, services for unhoused people, supportive housing, and opioid treatment programs including mobile and fixed-site medication units established under an opioid treatment program, or other appropriate entity;

(c) Provides referrals or access to methadone and other medications for opioid addiction;

(d) Functions as a patient-centered medical home by offering high-quality, cost-effective patient-centered care, including wound care;

(e) Provides harm reduction services and supplies;

(f) Provides linkage to housing, transportation, and other support services; and

(g) Is open to youth as well as adults.

(3) To the extent allowed under federal law, the authority shall direct medicaid managed care organizations to adopt a value-based bundled payment methodology in contracts with health engagement hubs and other opioid treatment providers.

(4) The authority shall make sufficient funding available to ensure that a health engagement hub is available within a two-hour drive for all communities and that there is at least one health engagement hub available per 200,000 residents in Washington state.

Part X – Education and Employment Pathways

NEW SECTION. **Sec. 28.** A new section is added to chapter 71.24 RCW to read as follows:

Subject to funding provided for this specific purpose, the authority shall establish a grant program for providers of employment, education, training, certification, and other supportive programs designed to provide persons recovering from a substance use disorder with employment opportunities. The grant program shall employ a low-barrier application and give priority to programs that engage with black, indigenous, persons of color, and other historically underserved communities.

Part XI – Providing a Statewide Directory of Recovery Services

NEW SECTION. **Sec. 29.** A new section is added to chapter 71.24 RCW to read as follows:

Subject to funding provided for this specific purpose, the authority must collaborate with the department and the department of social and health services to expand the Washington recovery helpline and the recovery readiness asset tool to provide a dynamically updated statewide behavioral health treatment and recovery support services mapping tool that includes a robust resource database for those seeking services and a referral system to be incorporated within the locator tool to help facilitate the connection between an individual and a facility that is currently accepting new referrals. The tool must include dual

FIFTY FOURTH DAY, MARCH 3, 2023

interface capability, one for public access and one for internal use and management.

Part XII – Investing Adequately in Statewide Diversion Services

NEW SECTION. Sec. 30. (1) It is the intent of the legislature to increase investments in the 2023-2025 biennium substantially over baseline levels established in the 2021-2023 operating and capital budgets to increase the provision of evidence-based prearrest and prefiling diversion programs in all regions of the state. Services which shall be increased and included in every health purchasing region include crisis stabilization units, 23-hour crisis relief centers, mobile crisis response services for youth and adults, recovery navigator programs, and law enforcement assisted diversion.

(2) The appropriations in this subsection are provided to the state health care authority and are subject to the following conditions and limitations:

(a) The following sums, or so much thereof as may be necessary, are each appropriated: \$18,114,000 from the state general fund for the fiscal year ending June 30, 2024; and \$16,437,000 from the state general fund for the fiscal year ending June 30, 2025. The amounts in this subsection are provided solely for the authority to continue and expand efforts to provide opioid use disorder medication in city, county, regional, and tribal jails.

(b) The following sums, or so much thereof as may be necessary, are each appropriated: \$3,500,000 from the state general fund for the fiscal year ending June 30, 2024; and \$3,500,000 from the state general fund for the fiscal year ending June 30, 2025. The amounts in this subsection are provided solely for the authority to provide support funds to new and established clubhouses throughout the state.

(c) The following sums, or so much thereof as may be necessary, are each appropriated: \$1,583,000 from the state general fund for the fiscal year ending June 30, 2024; and \$1,583,000 from the state general fund for the fiscal year ending June 30, 2025. The amounts in this subsection are provided solely for the authority to award grants to crisis services providers to establish and expand 23-hour crisis relief center capacity. It is the intent of the legislature that grants are awarded to an equivalent number of providers to the west and the east of the Cascade mountains. The authority must consider the geographic distribution of proposed grant applicants and the regional need for 23-hour crisis relief centers when awarding grant funds.

(d) The following sums, or so much thereof as may be necessary, are each appropriated: \$900,000 from the state general fund for the fiscal year ending June 30, 2024; \$900,000 from the state general fund for the fiscal year ending June 30, 2025; and \$1,800,000 from the state general fund—federal for the fiscal biennium ending June 30, 2025. The amounts in this subsection are provided solely for the authority to maintain a memorandum of understanding with the criminal justice training commission to provide ongoing funding for community grants pursuant to RCW 36.28A.450.

(e) The following sums, or so much thereof as may be necessary, are each appropriated: \$1,250,000 from the state general fund for the fiscal year ending June 30, 2024; \$1,250,000 from the state general fund for the fiscal year ending June 30, 2025; and \$2,500,000 from the state general fund—federal for the fiscal biennium ending June 30, 2025. The amounts in this subsection are provided solely for the authority to provide ongoing grants to law enforcement assistant diversion programs under RCW 71.24.590.

Part XIII – Streamlining Substance Use Disorder Treatment Intakes

NEW SECTION. Sec. 31. A new section is added to chapter 71.24 RCW to read as follows:

(1) The authority shall convene a work group to recommend changes to systems, policies, and processes related to intake, screening, and assessment for substance use disorder services, with the goal to broaden the workforce capable of processing intakes and to make the intake process as brief as possible, including only what is necessary to manage utilization and initiate care. The intake shall be low barrier, person-centered, and amenable to administration in diverse health care settings and by a range of health care professionals. The intake assessment shall consider the person's self-identified needs and preferences when evaluating direction of treatment and may include different components based on the setting, context, and past experience with the client.

(2) The work group must include care providers, payors, people who use drugs, and other individuals recommended by the authority. The work group shall present its recommendations to the governor and appropriate committees of the legislature by December 1, 2024.

Part XIV - Miscellaneous Provisions

Sec. 32. 2021 c 311 s 29 (uncodified) is amended to read as follows:

Sections 8 through 10(~~(7)~~) and 12(~~(5, 15, and 16)~~) of this act expire July 1, 2023.

NEW SECTION. Sec. 33. Sections 2 through 12 and 32 of this act are necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and take effect July 1, 2023."

On page 1, line 4 of the title, after "paraphernalia;" strike the remainder of the title and insert "amending RCW 69.50.4011, 69.50.4013, 69.50.4014, 69.41.030, 69.50.509, 69.50.4121, 9.96.060, 36.70A.200, 71.24.589, 71.24.590, 10.31.110, and 84.36.043; amending 2021 c 311 s 29 (uncodified); adding a new section to chapter 43.43 RCW; adding new sections to chapter 69.50 RCW; adding a new section to chapter 43.330 RCW; adding a new section to chapter 26.12 RCW; adding new sections to chapter 71.24 RCW; adding new sections to chapter 43.216 RCW; creating new sections; repealing RCW 10.31.115; prescribing penalties; making appropriations; providing an effective date; and declaring an emergency."

MOTION

Senator Padden moved that the following amendment no. 0162 by Senator Padden be adopted:

On page 6, after line 22, insert the following:

NEW SECTION. Sec. 6. A new section is added to chapter 69.50 RCW to read as follows:

(1) It is unlawful for any person to knowingly possess fentanyl unless the fentanyl was obtained directly from, or pursuant to, a valid prescription or order of a practitioner while acting in the course of his or her professional practice, or except as otherwise authorized by this chapter.

(2) Any person who violates this section is guilty of a class C felony punishable under chapter 9A.20 RCW.

Sec. 7. RCW 9.94A.518 and 2022 c 16 s 5 are each amended to read as follows:

TABLE 4

**DRUG OFFENSES
INCLUDED WITHIN EACH SERIOUSNESS LEVEL**

III Any felony offense under chapter 69.50 RCW with a deadly weapon special verdict under RCW 9.94A.825

Controlled Substance Homicide (RCW 69.50.415)

Delivery of imitation controlled substance by person eighteen or over to person under eighteen (RCW 69.52.030(2))

Involving a minor in drug dealing (RCW 69.50.4015)

Manufacture of methamphetamine (RCW 69.50.401(2)(b))

Over 18 and deliver heroin, methamphetamine, a narcotic from Schedule I or II, or flunitrazepam from Schedule IV to someone under 18 (RCW 69.50.406)

Over 18 and deliver narcotic from Schedule III, IV, or V or a nonnarcotic, except flunitrazepam or methamphetamine, from Schedule I-V to someone under 18 and 3 years junior (RCW 69.50.406)

Possession of Ephedrine, Pseudoephedrine, or Anhydrous Ammonia with intent to manufacture methamphetamine (RCW 69.50.440)

Selling for profit (controlled or counterfeit) any controlled substance (RCW 69.50.410)

II Create, deliver, or possess a counterfeit controlled substance (RCW 69.50.4011)

Deliver or possess with intent to deliver methamphetamine (RCW 69.50.401(2)(b))

Delivery of a material in lieu of a controlled substance (RCW 69.50.4012)

Maintaining a Dwelling or Place for Controlled Substances (RCW 69.50.402(1)(f))

Manufacture, deliver, or possess with intent to deliver amphetamine (RCW 69.50.401(2)(b))

Manufacture, deliver, or possess with intent to deliver narcotics from Schedule I or II or flunitrazepam from Schedule IV (RCW 69.50.401(2)(a))

Manufacture, deliver, or possess with intent to deliver narcotics from Schedule III, IV, or V or nonnarcotics from Schedule I-V (except cannabis as defined in RCW 69.50.101, amphetamine, methamphetamines, or flunitrazepam) (RCW 69.50.401(2) (c) through (e))

Manufacture, distribute, or possess with intent to distribute an imitation controlled substance (RCW 69.52.030(1))

I Forged Prescription (RCW 69.41.020)

Forged Prescription for a Controlled Substance (RCW 69.50.403)

Manufacture, deliver, or possess with intent to deliver cannabis as defined in RCW 69.50.101 (RCW 69.50.401(2)(c))

Possess Controlled Substance that is a Narcotic from Schedule III, IV, or V or Nonnarcotic from Schedule I-V (RCW 69.50.4013)

Possession of Controlled Substance that is either heroin or narcotics from Schedule I or II (RCW 69.50.4013)

Possession of fentanyl (section 6 of this act)

Unlawful Use of Building for Drug Purposes (RCW 69.53.010) "

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

On page 36, line 22, after "69.41.030," insert "9.94A.518,"

Senator Padden spoke in favor of adoption of the amendment to the striking amendment.

Senator Dhingra spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0162 by Senator Padden on page 6, after line 22 to striking amendment no. 0154.

The motion by Senator Padden did not carry and amendment no. 0162 was not adopted by rising vote.

MOTION

Senator Dhingra moved that the following amendment no. 0157 by Senator Dhingra be adopted:

On page 9, line 30, after "section;" strike "and"

On page 9, line 35, after "program" insert "; and

(f) A clear statement that under federal law it is unlawful for any person who is an unlawful user of or addicted to any controlled substance to ship or transport in interstate or foreign commerce, or possess in or affecting commerce, any firearm or ammunition, or to receive any firearm or ammunition which has been shipped or transported in interstate or foreign commerce"

On page 11, line 22, after "(1)" insert "Prior to sentencing any person convicted of violating RCW 69.50.4011(1)(b), 69.50.4013, 69.50.4014, or 69.41.030(2)(b), the court shall inform the person that under federal law it is unlawful for any person who is an unlawful user of or addicted to any controlled substance to ship or transport in interstate or foreign commerce, or possess in or affecting commerce, any firearm or ammunition, or to receive any firearm or ammunition which has been shipped or transported in interstate or foreign commerce.

(2)"

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

Senators Dhingra and Wagoner spoke in favor of adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0157 by Senator Dhingra on page 9, line 30 to striking amendment no. 0154.

The motion by Senator Dhingra carried and amendment no. 0157 was adopted by voice vote.

MOTION

Senator Dhingra moved that the following amendment no. 0158 by Senator Dhingra be adopted:

On page 10, line 27, after "(8)" insert "Once the diagnostic and treatment recommendation has been filed with the court, if the report indicates the individual has a substance use disorder, the court shall inform the individual that under federal law the individual may not possess any firearm or ammunition. The court shall thereafter sign an order of ineligibility to possess firearms as required by RCW 9.41.800 and shall require the individual to surrender all firearms in accordance with RCW 9.41.804.

(9)"

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

FIFTY FOURTH DAY, MARCH 3, 2023

On page 12, line 39, after "(c)" insert "Once the diagnostic evaluation and treatment recommendation has been filed with the court, if the report indicates the individual has a substance use disorder, the court shall inform the individual that under federal law the individual may not possess any firearm or ammunition. The court shall thereafter sign an order of ineligibility to possess firearms as required by RCW 9.41.800.

(d)"

Senators Dhingra and Wagoner spoke in favor of adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0158 by Senator Dhingra on page 10, line 27 to striking amendment no. 0154.

The motion by Senator Dhingra carried and amendment no. 0158 was adopted by voice vote.

MOTION

Senator Hawkins moved that the following amendment no. 0163 by Senator Hawkins be adopted:

On page 11, line 7, after "attorney" strike "may" and insert "shall"

Senator Hawkins spoke in favor of adoption of the amendment to the striking amendment.

MOTION

On motion of Senator Pedersen, Rule 15 was suspended for the remainder of the day for the purpose of allowing continued floor action.

EDITOR'S NOTE: Senate Rule 15 establishes the floor schedule and calls for a lunch and dinner break of 90 minutes each per day during regular daily sessions.

Senator Dhingra spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0163 by Senator Hawkins on page 11, line 7 to striking amendment no. 0154.

The motion by Senator Hawkins did not carry and amendment no. 0163 was not adopted by voice vote.

MOTION

Senator Robinson moved that the following amendment no. 0159 by Senator Robinson be adopted:

On page 11, line 17, after "including" strike "meaningful engagement" and insert "substantial compliance"

Senator Robinson spoke in favor of adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0159 by Senator Robinson on page 11, line 17 to Second Substitute Senate Bill No. 5536.

The motion by Senator Robinson carried and amendment no. 0159 was adopted by voice vote.

MOTION

Senator Padden moved that the following amendment no. 0164 by Senator Padden be adopted:

On page 12, at the beginning of line 7, strike "21" and insert "45"

On page 14, beginning on line 7, after "reinstate" strike all material through "treatment" on line 22 and insert "no less than 45 days of the individual's suspended sentence"

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

Senator Padden spoke in favor of adoption of the amendment to the striking amendment.

Senator Dhingra spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0164 by Senator Padden on page 12, line 7 to striking amendment no. 0154.

The motion by Senator Padden did not carry and amendment no. 0164 was not adopted by voice vote.

MOTION

Senator Nguyen moved that the following amendment no. 156 by Senator Nguyen be adopted:

Beginning on page 14, line 3, strike all of subsection (9)

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

Senator Nguyen spoke in favor of adoption of the amendment to the striking amendment.

WITHDRAWAL OF AMENDMENT

On motion of Senator Nguyen and without objection, amendment no. 0156 by Senator Nguyen on page 14, line 3 to striking amendment no. 0154 was withdrawn.

MOTION

Senator Mullet moved that the following amendment no. 0166 by Senator Mullet be adopted:

On page 14, line 16, after "third" insert "or subsequent"

On page 36, after line 11, insert the following:

"NEW SECTION. Sec. 32. Section 7 of this act takes effect January 1, 2025."

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

On page 36, line 16, after "2" strike "through 12" and insert ", 6, 8 through 12,"

On page 36, beginning on line 29, after "providing" strike "an effective date" and insert "effective dates"

Senator Mullet spoke in favor of adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0166 by Senator Mullet on page 14, line 16 to striking amendment no. 0154.

The motion by Senator Mullet carried and amendment no. 0166 was adopted by voice vote.

The President declared the question before the Senate to be the adoption of striking amendment no. 0154 by Senator Robinson as amended to Second Substitute Senate Bill No. 5536.

The motion by Senator Robinson carried and striking amendment no. 0154 as amended was adopted by voice vote.

MOTION

On motion of Senator Robinson, the rules were suspended, Engrossed Second Substitute Senate Bill No. 5536 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Robinson, Mullet, Wagoner, Salomon and Wellman spoke in favor of passage of the bill.

Senators Padden, Trudeau, Dhingra, Nobles, Frame and Hasegawa spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 5536.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5536 and the bill passed the Senate by the following vote: Yeas, 28; Nays, 21; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dozier, Fortunato, Gildon, Hawkins, Holy, Hunt, Keiser, King, Lias, Lovick, MacEwen, Mullet, Muzzall, Randall, Robinson, Rolfes, Salomon, Shewmake, Torres, Van De Wege, Wagoner, Wilson, J. and Wilson, L.

Voting nay: Senators Dhingra, Frame, Hasegawa, Kauffman, Kuderer, Lovelett, McCune, Nguyen, Nobles, Padden, Pedersen, Rivers, Saldaña, Schoesler, Short, Stanford, Trudeau, Valdez, Warnick, Wellman and Wilson, C.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5536, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 11:07 p.m., on motion of Senator Pedersen, the Senate adjourned until 9 o'clock a.m. Monday, March 6, 2023.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

FIFTY SEVENTH DAY

MORNING SESSION

Senate Chamber, Olympia
Monday, March 6, 2023

The Senate was called to order at 9 o'clock a.m. by the President of the Senate, Lt. Governor Heck presiding. No roll call was taken.

MOTION

At 9 o'clock a.m., on motion of Senator Pedersen, the Senate was declared to be at ease subject to the call of the President for the purpose of a Joint Session to receive the address of His Excellency Sauli Niinistö, President of the Republic of Finland.

JOINT SESSION

Pursuant to Senate Concurrent Resolution No. 8404, the House appeared at the doors of the Senate and requested admission to the Chamber. The Sergeant at Arms of the Senate, Mr. Andy Staubitz, and the Sergeant at Arms of the House, Mr. Johnny Alexander, escorted Speaker Pro Tempore Tina Orwall to a seat on the rostrum. The representatives were invited to seats within the Chamber.

The President of the Senate, Lieutenant Governor Heck, called the Joint Session to order. The Secretary called the roll of the House members. The Secretary called the roll of the Senate members. A quorum of the Legislature was declared to be present.

President Heck: "This Joint Session has been convened to receive remarks from His Excellency Sauli Niinistö, President of the Republic of Finland.

The President introduced special guests in attendance: The Honorable Steven González, Chief Justice of the Washington State Supreme Court; The Honorable Steve Hobbs, Secretary of State; The Honorable Mike Pellicciotti, State Treasurer; and The Honorable Mike Kreidler, Insurance Commissioner.

The Washington State Patrol Honor Guard composed of Lieutenant Matt Fehler, Sergeant James Maguire, Sergeant William Rutherford, Trooper Kyle Flaig, Trooper Dean Gallanger, and Trooper Michael Sessions, presented the Colors.

President Heck led the Joint Session in the Pledge of Allegiance.

APPOINTMENT OF SPECIAL COMMITTEE

The President of the Senate appointed a committee of honor consisting of Senators Marko Lias and Jeff Wilson and Representatives Debra Entenman and Paul Harris to escort His Excellency Sauli Niinistö, President of the Republic of Finland, and His Excellency Jay Inslee, Governor of Washington, to seats of honor on the rostrum.

The invocation was given by Pastor Nina Tetri-Mustonen, Finnish Lutheran Church of Seattle.

The President welcomed and introduced His Excellency Mikko Hautala, Ambassador of the Republic of Finland to the United States of America and Ambassador Okko-Pekka Salmimies, Consul General of Finland in Los Angeles, who were seated at the rostrum.

The President introduced His Excellency, Sauli Niinistö, President of the Republic of Finland.

ADDRESS BY PRESIDENT NIINISTÖ

President Niinistö: "Governor Inslee, President Heck, Members of the Washington State Legislature, Justices of the State Supreme Court, Dear Washingtonians:

It is a great pleasure and an honour for me to address this body. Finland and the United States share a strong and longstanding relationship. Geographically, we might be far apart, but our cultural and historical ties are close. And most importantly, we stand for the same values.

The current critical geopolitical situation has brought us closer together than ever before. We are now strengthening our ties in sectors such as defense, trade, technology and energy security. And soon we will be able to call each other Allies.

Ladies and Gentlemen, more than one year ago, Russia launched its brutal attack on Ukraine and brought full-scale war back on the European continent. The past year has seen horrors we did not expect to see in Europe in this day and age. Cities destroyed. Schools, homes and critical infrastructure demolished. Thousands of lives taken. Millions forced to leave their homes.

In his recent address in Warsaw, President Biden called Russia's invasion a test for the ages. A test not just for Ukraine, but also for Europe, America, NATO and all democracies. Ukraine has faced that test with its head held high. The Ukrainians continue to fight for their freedom and for our common values with incredible strength and resilience.

The transatlantic community stands by Ukraine, strong and united. In senates and parliaments on both sides of the Atlantic, old policies have been reviewed and strong decisions have been made. Together we have provided Ukraine with great amounts of military aid, material support and humanitarian relief. We must continue to do so, until a just and sustainable peace is achieved.

For us Finns, Russia's attack brought back echoes of our own history. It evoked our collective memory. Describing Finland's battle against the Soviet Union in the Winter War, President Franklin D. Roosevelt wrote: 'the people of Finland, by their unexcelled valour and strong resistance in the face of overwhelming armed forces, have won the moral right to live in everlasting peace and independence in the land they have so bravely defended'.

There seems to be no end in sight for Russia's war in Ukraine. It is for Ukraine to decide, when it is the time for negotiations. Finland supports Ukraine's initiative for a just peace. And one thing is clear: the Ukrainians have the right to live in peace and independence in their country.

Dear Friends, in December 2021, when the President of Russia demanded that NATO must not expand eastward, we in Finland knew what he was after. He sought to re-establish spheres of influence. And by so doing, he wanted to limit also our right to choose our own alliances. We could not let him do that.

Ten years prior - in our very first meeting - I had told President Putin that Finland, like every sovereign nation, maximizes its own security. Russia's attempt to limit our freedom of decision and finally, its attack on another sovereign neighbour, made our

decision clear. In May 2022, Finland officially decided to apply for NATO membership.

Finland has always understood that security is not to be taken for granted. We have held on to conscription and consistently invested in our national defence. In 2021, we made a decision to purchase 64 F-35 fighter jets. That is a lot for a small country. Finland’s NATO membership will not only maximize our own security. We will be a strong contributor for the security of the whole Alliance.

Throughout our membership process, the support we have gotten from the United States has been overwhelming. President Biden has thrown his weight and extraordinary leadership behind Finland’s and Sweden’s membership processes. Dozens of members of the United States Senate and House of Representatives, from both sides of the aisle, have worked tirelessly on our behalf. And Americans across the country have voiced their support. For that, I want to say: thank you.

Finland’s and Sweden’s NATO memberships are still two ratifications short of completion. But it is my hope and belief that the NATO Summit in Vilnius will be a true display of allied unity with 32 members around the table.

Ladies and Gentlemen, the State of Washington is one of Finland’s core partners in the United States. The first Finnish communities settled here at the end of the 19th century. In 1915, there were about 55 Finnish families and 29 saunas in Kirkland’s Finn Hill. Today, Finland has a population of 5.5 million and around 3 million saunas. The ‘sauna ratio’ was about right here in Washington State more than a hundred years ago.

The Finnish and Nordic communities in Washington are still strong and active. We are proud to even have our ‘own’ representative here in state Legislature, Senator Marko Liias. And, of course, our two representatives, forwards Joonas Donskoi and Eeli Tolvanen, in the Seattle Kraken.

The multiple, overlapping crises we are faced with underscore the need for partnerships. For Finland, state partnerships in the U.S. are an increasingly important element of bilateral cooperation.

In 2021, Finland and Washington State signed a Memorandum of Understanding to deepen our economic ties. We are working to accelerate our cooperation in crucial fields of the future: high technology and green transition. I hope that this visit can also serve to take this work forward. I have with me a group of leading Finnish companies working in these fields.

In the global fight against climate change, Finland and Washington are forerunners. Finland’s goal is to be carbon-neutral by 2035. Reaching that goal requires investments, political leadership, determination, and innovation. But the way I see it, sustainability should not be seen as a sacrifice but as an opportunity.

Combatting climate change is absolutely crucial for the survival of our planet. But it also makes economic sense. Global markets for green technologies are growing rapidly and offer tremendous potential for forerunners like us.

In the future, our competitiveness and national security will be closely tied to emerging technologies. In fields such as 6G, quantum computing, and artificial intelligence, we have a lot to gain from cooperation. Only together can we ensure that these crucial technologies will be developed and used in line with our values.

I trust that the good work that we have started between Finland and the State of Washington will bear fruit and benefit not just us but also the larger international community.

Ladies and Gentlemen, the bigger the challenges we face, the more important that we face them together. Europe needs the United States. But the United States also needs Europe. Together

we have built and upheld the post World War II international institutions and order. From the United Nations to Bretton Woods. And together we will continue to uphold and revitalize this order, also after this war. Thank you.”

The President thanked President Niinistö for his remarks.

The President called upon the committee of honor consisting of Senators Marko Liias and Jeff Wilson and Representatives Debra Entenman and Paul Harris to escort His Excellency Sauli Niinistö, President of Finland and His Excellency Jay Inslee, Governor of Washington from the Chamber.

On motion of Senator Pedersen, the Joint Session was dissolved.

The Sergeant at Arms of the Senate and the Sergeant at Arms of the House escorted Speaker Pro Tempore Orwall and members of the House of Representatives from the Rostrum and seats within the Chamber and the House retired from the Senate Chamber.

The statewide elected officials present retired from the Chamber.

The Senate was called to order at 10 o’clock a.m. by the President of the Senate, Lt. Governor Heck presiding.

MOTIONS

On motion of Senator Pedersen, the reading of the Journal of the previous day was dispensed with and it was approved.

On motion of Senator Pedersen, the Senate advanced to the fourth order of business.

MESSAGES FROM THE HOUSE

March 2, 2023

MR. PRESIDENT:

The House has passed:

ENGROSSED HOUSE BILL NO. 1337,
ENGROSSED SECOND SUBSTITUTE
HOUSE BILL NO. 1565,
ENGROSSED SECOND SUBSTITUTE
HOUSE BILL NO. 1694,
ENGROSSED HOUSE BILL NO. 1782,
ENGROSSED HOUSE BILL NO. 1823,

and the same are herewith transmitted.

BERNARD DEAN, Chief Clerk

March 3, 2023

MR. PRESIDENT:

The House has passed:

SECOND SUBSTITUTE HOUSE BILL NO. 1010,
SUBSTITUTE HOUSE BILL NO. 1104,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1106,
SUBSTITUTE HOUSE BILL NO. 1171,
ENGROSSED SECOND SUBSTITUTE
HOUSE BILL NO. 1181,
SUBSTITUTE HOUSE BILL NO. 1271,
HOUSE BILL NO. 1370,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1387,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1394,
SECOND SUBSTITUTE HOUSE BILL NO. 1425,
SECOND SUBSTITUTE HOUSE BILL NO. 1477,

FIFTY SEVENTH DAY, MARCH 6, 2023

SECOND SUBSTITUTE HOUSE BILL NO. 1559,
HOUSE BILL NO. 1563,
HOUSE BILL NO. 1575,
SUBSTITUTE HOUSE BILL NO. 1621,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1731,
HOUSE BILL NO. 1742,

and the same are herewith transmitted.

BERNARD DEAN, Chief Clerk

March 4, 2023

MR. PRESIDENT:

The House has passed:

SECOND SUBSTITUTE HOUSE BILL NO. 1032,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1048,
SUBSTITUTE HOUSE BILL NO. 1117,
SECOND SUBSTITUTE HOUSE BILL NO. 1122,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1155,
ENGROSSED SECOND SUBSTITUTE
HOUSE BILL NO. 1167,
ENGROSSED SECOND SUBSTITUTE
HOUSE BILL NO. 1189,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1203,
ENGROSSED SECOND SUBSTITUTE
HOUSE BILL NO. 1216,
SUBSTITUTE HOUSE BILL NO. 1217,
ENGROSSED HOUSE BILL NO. 1274,
HOUSE BILL NO. 1301,
SECOND SUBSTITUTE HOUSE BILL NO. 1316,
ENGROSSED SECOND SUBSTITUTE
HOUSE BILL NO. 1357,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1369,
ENGROSSED SECOND SUBSTITUTE
HOUSE BILL NO. 1392,
SECOND SUBSTITUTE HOUSE BILL NO. 1405,
HOUSE BILL NO. 1421,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1466,
HOUSE BILL NO. 1514,
HOUSE BILL NO. 1542,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1576,
SECOND SUBSTITUTE HOUSE BILL NO. 1579,
HOUSE BILL NO. 1599,
HOUSE BILL NO. 1622,
HOUSE BILL NO. 1626,
HOUSE BILL NO. 1645,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1652,
HOUSE BILL NO. 1656,
SUBSTITUTE HOUSE BILL NO. 1683,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1705,
HOUSE BILL NO. 1707,
SUBSTITUTE HOUSE BILL NO. 1717,
SECOND SUBSTITUTE HOUSE BILL NO. 1724,
SECOND SUBSTITUTE HOUSE BILL NO. 1728,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1736,
SECOND SUBSTITUTE HOUSE BILL NO. 1746,

and the same are herewith transmitted.

BERNARD DEAN, Chief Clerk

March 4, 2023

MR. PRESIDENT:

The House has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1678,
and the same is herewith transmitted.

BERNARD DEAN, Chief Clerk

MOTION

On motion of Senator Pedersen, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

2SHB 1013 by House Committee on Appropriations (originally sponsored by Maycumber, Santos, Ybarra, Stonier, Dent, Goodman, Tharinger, Riccelli, Lekanoff, Rude, Walen, Robertson, Mosbrucker, Berry, Stokesbary, Fey, Harris, McClintock, Bronoske, Waters, Duerr, Hackney, Klicker, Kretz, Couture, Barnard, Walsh, Chapman, Griffey, Chopp, Leavitt, Ryu, Low, Barkis, Simmons, Schmidt, Sandlin, Bateman, Reed, Graham, Christian, Timmons, Pollet, Street, Rule, Connors, Cortes, Callan, Doglio, Orwall, Caldier, Reeves, Wylie, Bergquist, Thai, Kloba, Cheney and Ormsby)

AN ACT Relating to establishing regional apprenticeship programs through educational service districts; reenacting and amending RCW 28A.300.196; adding new sections to chapter 28A.630 RCW; creating new sections; and providing expiration dates.

Referred to Committee on Early Learning & K-12 Education.

ESHB 1050 by House Committee on Capital Budget (originally sponsored by Riccelli, Berry, Simmons, Ryu, Goodman, Reed, Ramel, Lekanoff, Pollet, Street, Doglio, Donaghy, Wylie, Santos, Ormsby and Fosse)

AN ACT Relating to expanding apprenticeship utilization requirements; amending RCW 39.04.320; and providing an effective date.

Referred to Committee on Labor & Commerce.

SHB 1074 by House Committee on Housing (originally sponsored by Thai, Macri, Simmons, Ryu, Ramel, Peterson, Lekanoff, Alvarado, Pollet, Cortes, Gregerson, Kloba, Davis and Ormsby)

AN ACT Relating to documentation and processes governing landlords' claims for damage to residential premises; amending RCW 59.18.260, 59.18.280, 59.18.060, 59.18.130, and 59.18.595; reenacting and amending RCW 59.18.030; and creating a new section.

Referred to Committee on Housing.

ESHB 1169 by House Committee on Appropriations (originally sponsored by Simmons, Taylor, Berry, Bateman, Goodman, Wylie, Santos and Ormsby)

AN ACT Relating to legal financial obligations; amending RCW 7.68.035, 43.43.7532, 43.43.7541, 7.68.240, 9.92.060, 9.94A.6333, 9.94B.040, 9.95.210, 10.01.180, 10.82.090, 13.40.192, and 13.40.200; reenacting and amending RCW 9.94A.760; adding a new section to chapter 7.68 RCW; creating a new section; providing an effective date; and declaring an emergency.

Referred to Committee on Law & Justice.

SHB 1200 by House Committee on Labor & Workplace Standards (originally sponsored by Alvarado, Bronoske, Fitzgibbon, Berry, Bateman, Reed,

Simmons, Bergquist, Ramel, Doglio, Ormsby, Ortiz-Self, Fosse, Pollet and Chopp)

AN ACT Relating to requiring public employers to provide employee information to exclusive bargaining representatives; adding a new section to chapter 41.56 RCW; adding a new section to chapter 41.59 RCW; adding a new section to chapter 28B.52 RCW; and adding a new section to chapter 41.80 RCW.

Referred to Committee on Labor & Commerce.

E2SHB 1238 by House Committee on Appropriations (originally sponsored by Riccelli, Harris, Alvarado, Thai, Simmons, Senn, Rude, Reeves, Reed, Walen, Peterson, Ortiz-Self, Ormsby, Taylor, Leavitt, Fitzgibbon, Duerr, Doglio, Berry, Bateman, Morgan, Fey, Ramel, Goodman, Fosse, Pollet, Lekanoff, Macri, Chopp, Stonier, Gregerson and Santos)

AN ACT Relating to providing free school meals for all; amending RCW 28A.150.260, 28A.150.260, and 28A.405.415; reenacting and amending RCW 28A.235.160; adding a new section to chapter 28A.235 RCW; creating a new section; repealing RCW 28A.235.140; providing an effective date; and providing an expiration date.

Referred to Committee on Early Learning & K-12 Education.

SHB 1291 by House Committee on Appropriations (originally sponsored by Fosse, Donaghy, Berry, Street, Ortiz-Self, Ramel, Riccelli, Bergquist, Bateman, Taylor, Macri, Reeves, Doglio, Gregerson, Santos, Reed, Goodman, Kloba and Pollet)

AN ACT Relating to collective bargaining for employees who are enrolled in academic programs at public institutions of higher education; adding a new section to chapter 41.56 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Labor & Commerce.

ESHB 1293 by House Committee on Housing (originally sponsored by Klicker, Leavitt, Barkis, Jacobsen, Waters, Chapman, Reed and Graham)

AN ACT Relating to streamlining development regulations; amending RCW 43.21C.229 and 36.70B.160; and adding a new section to chapter 36.70A RCW.

Referred to Committee on Local Government, Land Use & Tribal Affairs.

HB 1308 by Representatives Stonier, Dye, Ortiz-Self, Tharinger, Riccelli, Reed and Pollet

AN ACT Relating to high school graduation pathway options; amending RCW 28A.655.250 and 28A.655.260; and creating a new section.

Referred to Committee on Early Learning & K-12 Education.

2SHB 1322 by House Committee on Capital Budget (originally sponsored by Rude, Chapman, Klicker, Lekanoff and Reeves)

AN ACT Relating to the Walla Walla water 2050 plan; amending RCW 90.90.020; and adding a new section to chapter 90.90 RCW.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

EHB 1336 by Representatives Stokesbary, Springer, Reeves, Graham and Lekanoff

AN ACT Relating to splitting the volunteer firefighters' and reserve officers' relief and pension principal fund into two accounts; amending RCW 41.24.030, 41.24.030, 41.24.035, 43.84.092, and 43.84.092; reenacting and amending RCW 41.24.010; adding new sections to chapter 41.24 RCW; creating new sections; providing an effective date; providing contingent effective dates; providing an expiration date; and providing a contingent expiration date.

Referred to Committee on Ways & Means.

EHB 1337 by Representatives Gregerson, Barkis, Berry, Christian, Duerr, Fitzgibbon, Taylor, Ramel, Reeves, Simmons, Walen, Graham, Bateman, Reed, Lekanoff, Doglio, Tharinger, Cortes, Macri and Stonier

AN ACT Relating to expanding housing options by easing barriers to the construction and use of accessory dwelling units; amending RCW 36.70A.696, 43.21C.495, and 36.70A.280; adding new sections to chapter 36.70A RCW; creating a new section; and repealing RCW 35.63.210, 35A.63.230, 36.70A.400, 36.70.677, and 43.63A.215.

Referred to Committee on Local Government, Land Use & Tribal Affairs.

SHB 1355 by House Committee on Finance (originally sponsored by Wylie, Slatter, Orcutt, Harris, Leavitt, Orwall, Walen, Christian, Couture, Rule, Senn, Stokesbary, Graham, Kloba, Reed, Paul, Donaghy, Pollet and Callan)

AN ACT Relating to updating property tax exemptions for service-connected disabled veterans and senior citizens; amending RCW 84.36.381, 84.36.383, 84.36.385, and 84.38.020; creating new sections; and providing an expiration date.

Referred to Committee on Ways & Means.

2SHB 1390 by House Committee on Capital Budget (originally sponsored by Ramel, Berry, Duerr, Doglio, Pollet and Reed)

AN ACT Relating to district energy systems; amending RCW 19.27A.210; adding a new section to chapter 19.27A RCW; and creating a new section.

Referred to Committee on Environment, Energy & Technology.

SHB 1406 by House Committee on Human Services, Youth, & Early Learning (originally sponsored by Cortes, Senn, Berry, Ortiz-Self, Goodman, Thai, Alvarado, Simmons, Orwall, Taylor, Bateman, Lekanoff, Peterson, Ramel, Macri, Bergquist, Pollet, Reed, Ormsby, Doglio and Davis)

AN ACT Relating to youth seeking housing assistance and other related services; amending RCW 13.32A.040, 13.32A.082, 43.185C.010, and 43.185C.265; and adding a new section to chapter 43.330 RCW.

FIFTY SEVENTH DAY, MARCH 6, 2023

Referred to Committee on Human Services.

ESHB 1424 by House Committee on Consumer Protection & Business (originally sponsored by Berg, Walen, Simmons, Kloba, Street, Taylor, Alvarado, Bateman, Stonier, Paul, Fosse, Macri, Reed, Berry, Senn, Duerr, Riccelli, Doglio, Callan, Peterson, Fitzgibbon, Stearns, Ortiz-Self, Goodman, Thai, Springer, Gregerson, Ramel, Bergquist and Pollet)

AN ACT Relating to consumer protection with respect to the sale and adoption of dogs and cats; amending RCW 16.52.360, 16.52.015, and 16.52.310; adding a new section to chapter 63.10 RCW; adding a new section to chapter 63.14 RCW; adding a new section to chapter 31.04 RCW; and prescribing penalties.

Referred to Committee on Law & Justice.

ESHB 1436 by House Committee on Appropriations (originally sponsored by Pollet, Berry, Simmons, Farivar, Orwall, Street, Caldier, Alvarado, Ryu, Reeves, Ortiz-Self, Christian, Kloba, Duerr, Stonier, Bateman, Lekanoff, Berg, Riccelli, Fosse, Macri, Bergquist, Reed, Doglio and Chopp)

AN ACT Relating to special education funding; amending RCW 28A.150.390 and 28A.150.392; adding a new section to chapter 28A.150 RCW; adding a new section to chapter 28A.155 RCW; creating new sections; providing effective dates; and providing an expiration date.

Referred to Committee on Early Learning & K-12 Education.

2SHB 1447 by House Committee on Appropriations (originally sponsored by Peterson, Gregerson, Berry, Taylor, Simmons, Ortiz-Self, Ryu, Reed, Kloba, Doglio, Ormsby, Thai, Fosse, Pollet, Macri, Alvarado and Leavitt)

AN ACT Relating to strengthening the ability of assistance programs to meet foundational needs of children, adults, and families; amending RCW 74.04.005, 74.08A.010, 74.08A.015, 74.08A.230, 74.08A.250, and 74.08A.270; reenacting and amending RCW 74.08A.010; creating a new section; providing effective dates; providing an expiration date; and declaring an emergency.

Referred to Committee on Human Services.

2SHB 1474 by House Committee on Appropriations (originally sponsored by Taylor, Chopp, Berg, Peterson, Reed, Stonier, Gregerson, Bronoske, Cortes, Mena, Street, Ramel, Fosse, Fey, Goodman, Duerr, Bateman, Morgan, Alvarado, Macri, Senn, Berry, Kloba, Hackney, Springer, Slatter, Callan, Orwall, Farivar, Simmons, Ortiz-Self, Thai, Ryu, Stearns, Wylie, Ramos, Doglio, Riccelli, Chapman, Santos, Davis, Ormsby, Bergquist and Pollet)

AN ACT Relating to creating the covenant homeownership account and program to address the history of housing discrimination due to racially restrictive real estate covenants in Washington state; amending RCW 36.18.010, 43.84.092, and 43.84.092; reenacting and amending RCW 42.56.270; adding a new section to chapter 36.22 RCW; adding a new chapter to Title 43 RCW; creating new

sections; providing an effective date; and providing an expiration date.

Referred to Committee on Housing.

EHB 1478 by Representatives Timmons, Sandlin, Santos, Ryu, Ramel and Pollet

AN ACT Relating to a statement of student rights that reaffirms and promotes the constitutional and statutory rights of public school students; adding a new section to chapter 28A.230 RCW; and creating new sections.

Referred to Committee on Early Learning & K-12 Education.

2SHB 1491 by House Committee on Appropriations (originally sponsored by Orcutt, Chapman, Berry, Bronoske, Tharinger and Pollet)

AN ACT Relating to prohibiting unjustified employer searches of employee personal vehicles; adding new sections to chapter 49.12 RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Labor & Commerce.

E2SHB 1515 by House Committee on Appropriations (originally sponsored by Macri, Davis, Simmons, Orwall, Taylor, Leavitt, Riccelli, Callan, Farivar, Alvarado, Reed, Fosse, Doglio, Berg, Ryu, Peterson, Fitzgibbon, Bateman, Eslick, Ormsby, Stonier and Tharinger)

AN ACT Relating to contracting and procurement requirements for behavioral health services in medical assistance programs; amending RCW 74.09.871 and 71.24.861; and creating new sections.

Referred to Committee on Health & Long-Term Care.

E2SHB 1565 by House Committee on Appropriations (originally sponsored by Ortiz-Self, Santos, Berry, Simmons, Reeves, Fey, Ryu, Alvarado, Bronoske, Goodman, Gregerson, Doglio, Paul, Peterson, Lekanoff, Ramel, Bergquist, Reed, Pollet, Timmons and Macri)

AN ACT Relating to supporting and strengthening the professional education workforce through recruitment, residency, research, and retention strategies; amending RCW 28A.415.265, 28A.655.210, 28A.300.507, 28A.410.300, and 28A.410.210; adding a new section to chapter 28A.410 RCW; adding a new section to chapter 28A.655 RCW; adding a new chapter to Title 28A RCW; creating new sections; and providing expiration dates.

Referred to Committee on Early Learning & K-12 Education.

SHB 1570 by House Committee on Labor & Workplace Standards (originally sponsored by Berry, Ryu, Alvarado, Bateman, Fitzgibbon, Ramel, Doglio, Lekanoff, Reed, Pollet, Macri and Fosse)

AN ACT Relating to social insurance programs managed by the employment security department applicable to transportation network companies, transportation network company drivers, and part-time work; amending RCW 50.29.021 and 50A.25.040; adding a new section to chapter

50.04 RCW; adding a new section to chapter 46.72B RCW; and providing an expiration date.

Referred to Committee on Labor & Commerce.

SHB 1577 by House Committee on Local Government (originally sponsored by Schmick)
AN ACT Relating to municipal officers' beneficial interest in contracts; and amending RCW 42.23.030.

Referred to Committee on Local Government, Land Use & Tribal Affairs.

2SHB 1580 by House Committee on Appropriations (originally sponsored by Callan, Harris, Senn, Eslick, Dent, Ortiz-Self, Simmons, Leavitt, Ryu, Berry, Taylor, Walen, Bateman, Bronoske, Goodman, Ormsby, Schmidt, Orwall, Gregerson, Thai, Doglio, Lekanoff, Ramel, Rule, Reed, Pollet, Timmons and Macri)
AN ACT Relating to creating a system to support children in crisis; adding a new section to chapter 43.06 RCW; creating a new section; providing an expiration date; and declaring an emergency.

Referred to Committee on Human Services.

ESHB 1584 by House Committee on Environment & Energy (originally sponsored by Barnard, Fitzgibbon, Dye, Donaghy, Lekanoff, Slatter, Ybarra, Couture, Fey, Ryu, Riccelli, Berry, Schmidt, Sandlin and Timmons)
AN ACT Relating to planning for advanced nuclear reactor technology in Washington; amending RCW 43.21F.088; and creating a new section.

Referred to Committee on Environment, Energy & Technology.

2SHB 1618 by House Committee on Appropriations (originally sponsored by Farivar, Simmons, Wylie, Berry, Walen, Fosse, Morgan, Macri, Pollet, Doglio, Reed, Calder and Orwall)
AN ACT Relating to providing access to justice for survivors of childhood sexual abuse; amending RCW 4.16.340; and creating new sections.

Referred to Committee on Law & Justice.

SHB 1658 by House Committee on Education (originally sponsored by Shavers, Santos, Morgan, Ramel, Taylor and Ormsby)
AN ACT Relating to authorizing public high school students to earn elective credit for paid work experience; adding a new section to chapter 28A.600 RCW; and creating a new section.

Referred to Committee on Early Learning & K-12 Education.

E2SHB 1694 by House Committee on Appropriations (originally sponsored by Alvarado, Tharinger, Berry, Lekanoff, Reed, Leavitt, Fitzgibbon, Callan, Santos, Chopp, Ortiz-Self, Senn, Taylor, Pollet, Macri, Riccelli and Simmons)

AN ACT Relating to addressing home care workforce shortages; amending RCW 18.88B.021, 18.88B.031, 74.39A.341, 18.88B.041, and 74.39A.076; reenacting and amending RCW 18.88B.010; adding new sections to chapter 18.88B RCW; adding a new section to chapter 74.39A RCW; creating new sections; and providing expiration dates.

Referred to Committee on Health & Long-Term Care.

EHB 1782 by Representatives McEntire and Fey
AN ACT Relating to the operating and maintenance deficit of the Wahkiakum county ferry; and amending RCW 47.56.720.

Referred to Committee on Transportation.

EHB 1823 by Representatives Timmons, Slatter and Ramel
AN ACT Relating to the Washington student loan program; and amending RCW 28B.93.005, 28B.93.010, 28B.93.020, 28B.93.030, 28B.93.040, and 28B.93.050.

Referred to Committee on Higher Education & Workforce Development.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

At 10:02 a.m., on motion of Senator Pedersen, the Senate was declared to be at ease subject to the call of the President.

Senator Hasegawa announced a meeting of the Democratic Caucus.

Senator Warnick announced a meeting of the Republican Caucus.

AFTERNOON SESSION

The Senate was called to order at 2 o'clock p.m. by the President Pro Tempore, Senator Keiser presiding.

MOTION

On motion of Senator Pedersen, the Senate advanced to the seventh order of business.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Hunt moved that Vicki L. Lowe, Senate Gubernatorial Appointment No. 9278, be confirmed as a member of the Washington State Women's Commission.

Senator Hunt spoke in favor of the motion.

MOTION

On motion of Senator Nobles, Senators Kuderer, Randall and Shewmake were excused.

APPOINTMENT OF VICKI L. LOWE

FIFTY SEVENTH DAY, MARCH 6, 2023

The President Pro Tempore declared the question before the Senate to be the confirmation of Vicki L. Lowe, Senate Gubernatorial Appointment No. 9278, as a member of the Washington State Women's Commission.

The Secretary called the roll on the confirmation of Vicki L. Lowe, Senate Gubernatorial Appointment No. 9278, as a member of the Washington State Women's Commission and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 2; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Absent: Senators Kauffman and Trudeau

Vicki L. Lowe, Senate Gubernatorial Appointment No. 9278, having received the constitutional majority was declared confirmed as a member of the Washington State Women's Commission.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Robinson moved that Yona Makowski, Senate Gubernatorial Appointment No. 9284, be confirmed as a member of the State Investment Board.

Senator Robinson spoke in favor of the motion.

MOTIONS

On motion of Senator Nobles, Senators Kauffman and Trudeau were excused.

On motion of Senator Wagoner, Senator Braun was excused.

APPOINTMENT OF YONA MAKOWSKI

The President Pro Tempore declared the question before the Senate to be the confirmation of Yona Makowski, Senate Gubernatorial Appointment No. 9284, as a member of the State Investment Board.

The Secretary called the roll on the confirmation of Yona Makowski, Senate Gubernatorial Appointment No. 9284, as a member of the State Investment Board and the appointment was confirmed by the following vote: Yeas, 42; Nays, 6; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Cleveland, Conway, Dhingra, Dozier, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Wellman, Wilson, C. and Wilson, J.

Voting nay: Senators Fortunato, McCune, Padden, Schoesler, Warnick and Wilson, L.

Excused: Senator Braun

Yona Makowski, Senate Gubernatorial Appointment No. 9284, having received the constitutional majority was declared confirmed as a member of the State Investment Board.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Nguyen moved that Elyse M. Balmert, Senate Gubernatorial Appointment No. 9288, be confirmed as a member of the Intermediate Sentence Review Committee.

Senator Nguyen spoke in favor of the motion.

APPOINTMENT OF ELYSE M. BALMERT

The President Pro Tempore declared the question before the Senate to be the confirmation of Elyse M. Balmert, Senate Gubernatorial Appointment No. 9288, as a member of the Intermediate Sentence Review Committee.

The Secretary called the roll on the confirmation of Elyse M. Balmert, Senate Gubernatorial Appointment No. 9288, as a member of the Intermediate Sentence Review Committee and the appointment was confirmed by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Elyse M. Balmert, Senate Gubernatorial Appointment No. 9288, having received the constitutional majority was declared confirmed as a member of the Intermediate Sentence Review Committee.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Hunt moved that Quinn R. Dalan, Senate Gubernatorial Appointment No. 9292, be confirmed as a member of the Washington State Women's Commission.

Senators Hunt and Wilson, J. spoke in favor of passage of the motion.

MOTION

On motion of Senator Nobles, Senator Van De Wege was excused.

APPOINTMENT OF QUINN R. DALAN

The President Pro Tempore declared the question before the Senate to be the confirmation of Quinn R. Dalan, Senate Gubernatorial Appointment No. 9292, as a member of the Washington State Women's Commission.

The Secretary called the roll on the confirmation of Quinn R. Dalan, Senate Gubernatorial Appointment No. 9292, as a member of the Washington State Women's Commission and the

appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Van De Wege

Quinn R. Dalan, Senate Gubernatorial Appointment No. 9292, having received the constitutional majority was declared confirmed as a member of the Washington State Women's Commission.

PERSONAL PRIVILEGE

Senator Hunt: "Thank you Madam President. Well, this has been a historic week for WSU Athletics. Yesterday, the WSU women won the PAC-12 Conference basketball championship under the leadership of Cami Etheridge, the coach who came in four years ago when they won nine games and they've won, I think, twenty-three games now. They beat UCLA, 65-61. And, I think, a special shout-out to Charisse Leger-Walker who was the Most Valuable Player in the tournament and Bella Murekatete who is just an amazing basketball player and emotional leader. And it's really great to wish them the best as they head off to the NCAA tournament and, oh yeah, there was another game last Thursday night when the WSU men walked all over the UW Huskies. So, it's a good week for the Cougs!"

MOTION

On motion of Senator Pedersen, the Senate reverted to the sixth order of business.

PERSONAL PRIVILEGE

Senator Schoesler: "Madam President, I was very concerned today that due to my friend Senator Hunt's shy nature he would have missed that right after we voted on a Women's Commission member. Fortunately, he still remembers the important things. But he didn't add that last week it was the first time that WSU women had beaten a top three-ranked national opponent, Utah, which put them in the championship game, among the many good things Senator Hunt brought to the chamber today. Thank you."

SECOND READING

SENATE BILL NO. 5334, by Senators Lovelett, Kuderer, Frame, Hasegawa, Nguyen, Nobles and Wilson, C.

Providing a local government option for the funding of essential affordable housing programs.

MOTIONS

On motion of Senator Lovelett, Substitute Senate Bill No. 5334 was substituted for Senate Bill No. 5334 and the substitute bill was placed on the second reading and read the second time.

Senator Lovelett moved that the following amendment no. 0182 by Senator Lovelett be adopted:

On page 1, line 17, after "82.08 RCW." insert "The rate of tax may not exceed 10 percent on the sale of or charge made for the furnishing of lodging of short-term rentals."

Senator Lovelett spoke in favor of adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 0182 by Senator Lovelett on page 1, line 17 to Substitute Senate Bill No. 5334.

The motion by Senator Lovelett carried and amendment no. 0182 was adopted by voice vote.

MOTION

On motion of Senator Lovelett, the rules were suspended, Engrossed Substitute Senate Bill No. 5334 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Lovelett and Torres spoke in favor of passage of the bill.

Senator King spoke against passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5334.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5334 and the bill passed the Senate by the following vote: Yeas, 29; Nays, 20; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hasegawa, Hawkins, Hunt, Keiser, Kuderer, Liias, Lovelett, Lovick, Nguyen, Nobles, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Holy, Kauffman, King, MacEwen, McCune, Mullet, Muzzall, Padden, Rivers, Schoesler, Short, Wagoner, Warnick, Wilson, J. and Wilson, L.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5334, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5412, by Senators Salomon, Liias, Kuderer, Lovelett, Mullet and Pedersen

Reducing local governments' land use permitting workloads.

MOTIONS

On motion of Senator Salomon, Second Substitute Senate Bill No. 5412 was substituted for Senate Bill No. 5412 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Salomon, the rules were suspended, Second Substitute Senate Bill No. 5412 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Salomon, Torres and Mullet spoke in favor of passage of the bill.

FIFTY SEVENTH DAY, MARCH 6, 2023

The President Pro Tempore declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 5412.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5412 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SECOND SUBSTITUTE SENATE BILL NO. 5412, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5732, by Senators Randall, Rolfes, Conway, Hasegawa, Hunt, Kuderer, Lovelett, Shewmake, Stanford, Valdez and Wilson, C.

Protecting senior citizens' and disabled veterans' property tax exemption eligibility.

The measure was read the second time.

MOTION

On motion of Senator Randall, the rules were suspended, Senate Bill No. 5732 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Randall and Wilson, L. spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5732.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5732 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SENATE BILL NO. 5732, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5290, by Senators Mullet, Kuderer, Fortunato, Lias, Nobles, Saldaña and Wilson, C.

Concerning consolidating local permit review processes.

MOTIONS

On motion of Senator Mullet, Second Substitute Senate Bill No. 5290 was substituted for Senate Bill No. 5290 and the second substitute bill was placed on the second reading and read the second time.

On motion of Senator Mullet, the rules were suspended, Second Substitute Senate Bill No. 5290 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Mullet, Torres and Fortunato spoke in favor of passage of the bill.

Senator Rivers spoke on passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 5290.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5290 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SECOND SUBSTITUTE SENATE BILL NO. 5290, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5621, by Senators Muzzall, Robinson, Keiser, Lovelett, Rolfes, Schoesler, Short, Wagoner and Warnick

Protecting workers displaced due to finfish aquaculture facility closure.

The measure was read the second time.

MOTION

On motion of Senator Muzzall, the rules were suspended, Senate Bill No. 5621 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Muzzall, Conway and Warnick spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5621.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5621 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SENATE BILL NO. 5621, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5318, by Senators Nobles, Kuderer, Nguyen and Wilson, C.

Limiting estate recovery.

MOTIONS

On motion of Senator Nobles, Substitute Senate Bill No. 5318 was substituted for Senate Bill No. 5318 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Nobles, the rules were suspended, Substitute Senate Bill No. 5318 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Nobles spoke in favor of passage of the bill.

Senator Boehnke spoke against passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5318.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5318 and the bill passed the Senate by the following vote: Yeas, 28; Nays, 21; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Lias, Lovelett, Lovick, Nguyen, Nobles, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Mullet, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

SUBSTITUTE SENATE BILL NO. 5318, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5330, by Senators Torres, Muzzall, Shewmake, Van De Wege, Warnick, Kuderer and Lovick

Concerning the Washington pesticide application act.

The measure was read the second time.

MOTION

On motion of Senator Torres, the rules were suspended, Senate Bill No. 5330 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Torres and Muzzall spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5330.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5330 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SENATE BILL NO. 5330, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5415, by Senators Trudeau, Pedersen, Dhingra, Saldaña, Valdez and Wilson, C.

Concerning public defense services for persons committed as not guilty by reason of insanity.

MOTIONS

On motion of Senator Trudeau, Substitute Senate Bill No. 5415 was substituted for Senate Bill No. 5415 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Trudeau, the rules were suspended, Substitute Senate Bill No. 5415 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Trudeau and Padden spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5415.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5415 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford,

FIFTY SEVENTH DAY, MARCH 6, 2023

Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SUBSTITUTE SENATE BILL NO. 5415, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5134, by Senators Wilson, C., Dhingra, Frame, Hasegawa, Kuderer, Nguyen, Nobles, Randall, Saldaña and Wellman

Concerning reentry services and supports.

MOTIONS

On motion of Senator Wilson, C., Second Substitute Senate Bill No. 5134 was substituted for Senate Bill No. 5134 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Wilson, C., the rules were suspended, Second Substitute Senate Bill No. 5134 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Wilson, C. spoke in favor of passage of the bill.

Senators Boehnke and Padden spoke against passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 5134.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5134 and the bill passed the Senate by the following vote: Yeas, 37; Nays, 12; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Gildon, Hasegawa, Hawkins, Hunt, Kauffman, Keiser, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman, Wilson, C. and Wilson, J.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Holy, King, Padden, Short, Torres, Wagoner, Warnick and Wilson, L.

SECOND SUBSTITUTE SENATE BILL NO. 5134, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5358, by Senators Gildon, Nobles, Conway, Holy, Lovelett, Nguyen, Randall, Torres, Wagoner, Wellman, Wilson, C. and Wilson, L.

Expanding veterans' services and programs.

MOTIONS

On motion of Senator Gildon, Substitute Senate Bill No. 5358 was substituted for Senate Bill No. 5358 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Gildon, the rules were suspended, Substitute Senate Bill No. 5358 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Gildon and Hunt spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5358.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5358 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 1; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Absent: Senator Liias

SUBSTITUTE SENATE BILL NO. 5358, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE JOINT MEMORIAL NO. 8006, by Senators Hasegawa, Cleveland, Billig, Kuderer, Lovelett, Nguyen, Shewmake, Stanford, Valdez and Wilson, C.

Requesting that the federal government create a universal health care program.

The measure was read the second time.

MOTION

On motion of Senator Hasegawa, the rules were suspended, Senate Joint Memorial No. 8006 was advanced to third reading, the second reading considered the third and the memorial was placed on final passage.

Senators Hasegawa, Cleveland, Trudeau and Conway spoke in favor of passage of the memorial.

Senators Rivers, Fortunato and Wilson, J. spoke against passage of the memorial.

MOTION

On motion of Senator Nobles, Senator Liias was excused.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Joint Memorial No. 8006.

ROLL CALL

The Secretary called the roll on the final passage of Senate Joint Memorial No. 8006 and the memorial passed the Senate by the following vote: Yeas, 27; Nays, 21; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Lovelett, Lovick, Nguyen, Nobles, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Mullet, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

Excused: Senator Liias

SENATE JOINT MEMORIAL NO. 8006, having received the constitutional majority, was declared passed. There being no objection, the title of the memorial was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5389, by Senators Cleveland, Rivers, Robinson, Van De Wege, Conway, Holy, Schoesler, Wilson, L., Lovick, Randall and Wilson, C.

Concerning the practice of optometry.

MOTIONS

On motion of Senator Cleveland, Substitute Senate Bill No. 5389 was substituted for Senate Bill No. 5389 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Cleveland, the rules were suspended, Substitute Senate Bill No. 5389 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Cleveland and Muzzall spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5389.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5389 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 2; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, King, Kuderer, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senators Keiser and Warnick

Excused: Senator Liias

SUBSTITUTE SENATE BILL NO. 5389, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5388, by Senators Rivers, Cleveland, Muzzall, Conway, Frame, Hasegawa, Keiser, Lovelett, Lovick, Pedersen, Rolfes, Saldaña, Valdez and Wilson, C.

Concerning improving diversity in clinical trials.

MOTIONS

On motion of Senator Rivers, Substitute Senate Bill No. 5388 was substituted for Senate Bill No. 5388 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Rivers, the rules were suspended, Substitute Senate Bill No. 5388 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Rivers, Cleveland and Wilson, J. spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5388.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5388 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Liias

SUBSTITUTE SENATE BILL NO. 5388, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5454, by Senators Cleveland, Robinson, King, Keiser, Van De Wege, Conway, Kuderer, Liias, Nguyen, Shewmake, Stanford and Valdez

Concerning industrial insurance coverage for posttraumatic stress disorders affecting registered nurses.

MOTIONS

On motion of Senator Cleveland, Second Substitute Senate Bill No. 5454 was substituted for Senate Bill No. 5454 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Cleveland, the rules were suspended, Second Substitute Senate Bill No. 5454 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Cleveland and Rivers spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 5454.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5454 and the bill passed the Senate by the following vote: Yeas, 35; Nays, 13; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hasegawa, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lovelett, Lovick, MacEwen, McCune, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, Mullet, Padden, Schoesler, Short, Torres, Wagoner and Warnick

Excused: Senator Liias

SECOND SUBSTITUTE SENATE BILL NO. 5454, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5547, by Senators Robinson, Muzzall, Hasegawa and Mullet

Concerning nursing pool transparency.

MOTIONS

On motion of Senator Robinson, Substitute Senate Bill No. 5547 was substituted for Senate Bill No. 5547 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Robinson, the rules were suspended, Substitute Senate Bill No. 5547 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Robinson and Rivers spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5547.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5547 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Liias

SUBSTITUTE SENATE BILL NO. 5547, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5538, by Senators Cleveland, Dhingra and Wilson, C.

Concerning postretirement employment in nursing positions for a state agency.

MOTIONS

On motion of Senator Cleveland, Substitute Senate Bill No. 5538 was substituted for Senate Bill No. 5538 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Cleveland, the rules were suspended, Substitute Senate Bill No. 5538 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Cleveland and Wilson, L. spoke in favor of passage of the bill.

Senator Schoesler spoke against passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5538.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5538 and the bill passed the Senate by the following vote: Yeas, 41; Nays, 7; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Cleveland, Conway, Dhingra, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senators Braun, Dozier, Padden, Schoesler, Short, Wagoner and Warnick

Excused: Senator Liias

SUBSTITUTE SENATE BILL NO. 5538, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5236, by Senators Robinson, Keiser, Conway, Frame, Hunt, Kauffman, Lovelett, Nguyen, Nobles, Pedersen, Shewmake, Stanford, Trudeau, Valdez and Wilson, C.

Concerning hospital staffing standards.

MOTION

On motion of Senator Robinson, Second Substitute Senate Bill No. 5236 was substituted for Senate Bill No. 5236 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Mullet moved that the following striking amendment no. 0180 by Senator Mullet be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 43.70 RCW to read as follows:

(1) The department, in consultation with the department of labor and industries, must establish an advisory committee on hospital staffing by September 1, 2023.

(2) Appointments to the advisory committee on hospital staffing shall be jointly made by the secretary and the director of labor and industries. Members of the committee must have expertise in hospital staffing and working conditions and should reflect a diversity of hospital settings.

(3) The advisory committee membership includes:

(a) Six members representing hospitals and hospital systems and their alternates, selected from a list of nominees submitted by the Washington state hospital association; and

(b) Six members representing frontline hospital patient care staff and their alternates, selected from a list of nominees submitted by collective bargaining representatives of frontline hospital nursing staff.

(4) Any list submitted to the departments for the initial appointment under this section must be provided by August 4, 2023.

(5) If any member of the advisory committee is unable to continue to serve on the committee the secretary and the director of labor and industries shall select a new member based on the recommendations of either the hospital association for members appointed under subsection (3)(a) of this section or the collective bargaining representative for members appointed under subsection (3)(b) of this section.

(6) The advisory committee on hospital staffing shall meet at least once per month until the hospital staffing plan uniform form is developed.

(7) The advisory committee on hospital staffing shall advise the department on its development of the uniform hospital staffing plan form.

(8) The department and the department of labor and industries shall provide any necessary documentation to the advisory committee on hospital staffing in advance of the meetings to discuss technical assistance so that the advisory committee may consider areas of needed information.

(9) The advisory committee on hospital staffing must consider innovative hospital staffing and care delivery models, such as those that integrate on-site team-based care delivery, use of patient monitoring equipment and technology, and virtual or remote care delivery. This includes identifying and analyzing innovative hospital staffing and care delivery models including those explored by national organizations and evaluating feasibility of broad-based implementation of identified models. The advisory committee may consider disseminating this information and analysis.

(10) The department and the department of labor and industries must provide the advisory committee on hospital staffing with data on a quarterly basis related to compliance with this chapter, complaint filing and disposition trends, and notification of corrective plans of action plans and adherence to those plans.

(11) By December 1, 2023, the Washington state hospital association shall survey hospitals in Washington state and report to the advisory committee on hospital staffing on Washington hospitals' existing use of innovative hospital staffing and care delivery models including, but not limited to, integration of patient monitoring equipment, remote patient monitoring, team-based care models, apprenticeship and career ladder programs, and virtual or remote care delivery models, and any challenges with implementing the models.

(12) By December 1, 2024, the advisory committee on hospital staffing must review the report prepared by the Washington state institute for public policy as required by section 15 of this act.

(13) After January 1, 2027, when the forms are developed and effective, the advisory committee on hospital staffing may meet if it is determined by the department of health and committee members that such meetings are necessary.

(14) No earlier than July 1, 2029, the advisory committee on hospital staffing must discuss the issues related to applicability of RCW 70.41.420(7)(b) (i) and (ii) for hospitals listed under RCW 70.41.420(7)(b)(iv). This must include possible data collection options, potential costs, sources of funding, and implementation timeline.

(15) The advisory committee on hospital staffing must advise the department of labor and industries on the department's development by March 1, 2024, of a uniform form for reporting under RCW 49.12.480(2).

(16) This section expires July 1, 2030.

Sec. 2. RCW 70.41.410 and 2008 c 47 s 2 are each amended to read as follows:

The definitions in this section apply throughout this section (~~and~~), RCW 70.41.420, and 70.41.425 unless the context clearly requires otherwise.

(1) "Hospital" has the same meaning as defined in RCW 70.41.020, and also includes state hospitals as defined in RCW 72.23.010.

(2) "Hospital staffing committee" means the committee established by a hospital under RCW 70.41.420.

(3) "Intensity" means the level of patient need for nursing care, as determined by the nursing assessment.

~~((3))~~ (4) "Nursing assistant-certified" means an individual certified under chapter 18.88A RCW who provides direct care to patients.

(5) "Nursing (~~personnel~~) staff" means registered nurses, licensed practical nurses, nursing assistants-certified, and unlicensed assistive nursing personnel providing direct patient care.

~~((4))~~ "Nurse staffing committee" means the committee established by a hospital under RCW 70.41.420.

~~((5))~~ (6) "Patient care staff" means a person who is providing direct care or supportive services to patients but who is not:

(a) Nursing staff as defined in this section;

(b) A physician licensed under chapter 18.71 or 18.57 RCW;

(c) A physician's assistant licensed under chapter 18.71A RCW; or

(d) An advanced registered nurse practitioner licensed under RCW 18.79.250, unless working as a direct care registered nurse.

(7) "Patient care unit" means any unit or area of the hospital that provides patient care by registered nurses.

~~((6))~~ (8) "Reasonable efforts" means that the employer exhausts and documents all of the following but is unable to obtain staffing coverage:

(a) Seeks individuals to consent to work additional time from all available qualified staff who are working;

(b) Contacts qualified employees who have made themselves available to work additional time;

(c) Seeks the use of per diem staff; and

(d) When practical, seeks personnel from a contracted temporary agency when such staffing is permitted by law or an applicable collective bargaining agreement, and when the employer regularly uses a contracted temporary agency.

(9) "Registered nurse" means an individual licensed as a nurse under chapter 18.79 RCW who provides direct care to patients.

(10) "Skill mix" means the experience of, and number and relative percentages of (~~registered nurses, licensed practical~~

FIFTY SEVENTH DAY, MARCH 6, 2023

~~nurses, and unlicensed assistive personnel among the total number of nursing personnel)), nursing and patient care staff.~~

(11) "Unforeseeable emergent circumstance" means:

(a) Any unforeseen declared national, state, or municipal emergency;

(b) When a hospital disaster plan is activated;

(c) Any unforeseen disaster or other catastrophic event that substantially affects or increases the need for health care services; or

(d) When a hospital is diverting patients to another hospital or hospitals for treatment.

Sec. 3. RCW 70.41.420 and 2017 c 249 s 2 are each amended to read as follows:

(1) By ~~((September))~~ January 1, ((2008)) 2024, each hospital shall establish a ~~((nurse))~~ hospital staffing committee, either by creating a new committee or assigning the functions of ~~((a))~~ the hospital staffing committee to an existing nurse staffing committee ((to an existing committee)).

(2) Hospital staffing committees must be comprised of:

(a) At least ~~((one-half))~~ 50 percent of the voting members of the ((nurse)) hospital staffing committee shall be ((registered nurses)) nursing staff, who are nonsupervisory and nonmanagerial, currently providing direct patient care ((and up to one-half of the members shall be determined by the hospital administration)). The selection of the ((registered nurses providing direct patient care)) nursing staff shall be according to the collective bargaining ((agreement)) representative or representatives if there is one ((in effect)) or more at the hospital. If there is no ((applicable)) collective bargaining ((agreement)) representative, the members of the ((nurse)) hospital staffing committee who are ((registered nurses)) nursing staff providing direct patient care shall be selected by their peers.

((2)) (b) 50 percent of the members of the hospital staffing committee shall be determined by the hospital administration and shall include but not be limited to the chief financial officer, the chief nursing officers, and patient care unit directors or managers or their designees.

(3) Participation in the ((nurse)) hospital staffing committee by a hospital employee shall be on scheduled work time and compensated at the appropriate rate of pay. ((Nurse)) Hospital staffing committee members shall be relieved of all other work duties during meetings of the committee. Additional staffing relief must be provided if necessary to ensure committee members are able to attend hospital staffing committee meetings.

((3)) (4) Primary responsibilities of the ((nurse)) hospital staffing committee shall include:

(a) Development and oversight of an annual patient care unit and shift-based ((nurse)) hospital staffing plan, based on the needs of patients, to be used as the primary component of the staffing budget. The hospital staffing committee shall use a uniform format or form, created by the department in consultation with the advisory committee established in section 1 of this act and the department of labor and industries, for complying with the requirement to submit the annual staffing plan. The uniform format or form must allow for variations in service offerings, facility design, and other differences between hospitals, but must allow patients and the public to clearly understand and compare staffing plans. Hospitals may include a description of additional resources available to support unit-level patient care and a description of the hospital, including the size and type of facility. Factors to be considered in the development of the plan should include, but are not limited to:

(i) Census, including total numbers of patients on the unit on each shift and activity such as patient discharges, admissions, and transfers;

(ii) ((Level of intensity of all patients and nature of the)) Patient acuity level, intensity of care needs, and the type of care to be delivered on each shift;

(iii) Skill mix;

(iv) Level of experience and specialty certification or training of nursing ((personnel)) and patient care staff providing care;

(v) The need for specialized or intensive equipment;

(vi) The architecture and geography of the patient care unit, including but not limited to placement of patient rooms, treatment areas, nursing stations, medication preparation areas, and equipment;

(vii) Staffing guidelines adopted or published by national nursing professional associations, specialty nursing organizations, and other health professional organizations;

(viii) Availability of other personnel and patient care staff supporting nursing services on the unit; and

(ix) ((Strategies to enable registered nurses to take meal and rest breaks as required by law or)) Compliance with the terms of an applicable collective bargaining agreement, if any, ((between the hospital and a representative of the nursing staff)) and relevant state and federal laws and rules, including those regarding meal and rest breaks and use of overtime and on-call shifts;

(b) Semiannual review of the staffing plan against patient need and known evidence-based staffing information, including the nursing sensitive quality indicators collected by the hospital; and

(c) Review, assessment, and response to staffing variations or ((concerns)) complaints presented to the committee.

((4)) (5) In addition to the factors listed in subsection ((3)) (4)(a) of this section, hospital finances and resources must be taken into account in the development of the ((nurse)) hospital staffing plan.

((5) The staffing plan must not diminish other standards contained in state or federal law and rules, or the terms of an applicable collective bargaining agreement, if any, between the hospital and a representative of the nursing staff.)

(6)(a) The committee ((will)) shall produce the hospital's annual ((nurse)) hospital staffing plan.

((If this staffing plan is not adopted by the hospital, the chief executive officer shall provide a written explanation of the reasons why the plan was not adopted to the committee. The chief executive officer must then either: (a) Identify those elements of the proposed plan being changed prior to adoption of the plan by the hospital or (b) prepare an alternate annual staffing plan that must be adopted by the hospital.)

(b) The committee shall propose by a 50 percent plus one vote a draft of the hospital's annual staffing plan which must be delivered to the hospital's chief executive officer or their designee by July 1, 2024, and annually thereafter.

(c) The chief executive officer or their designee must provide written feedback to the hospital staffing committee on the proposed annual staffing plan. The feedback must:

(i) Identify those elements of the proposed staffing plan the chief executive officer requests to be changed to address elements identified by the chief executive officer, including subsection (4)(a) of this section, that could cause the chief executive officer concern regarding financial feasibility, concern regarding temporary or permanent closure of units, or patient care risk; and

(ii) Provide a status report on implementation of the staffing plan including nursing sensitive quality indicators collected by the hospital, patient surveys, and recruitment and retention efforts, including the hospital's success over the previous six months in filling approved open positions for employees covered by the staffing plan.

(d) The committee must review and consider any feedback required under (c)(i) of this subsection prior to approving by a 50 percent plus one vote a revised hospital staffing plan to provide to the chief executive officer.

(e) If this revised proposed staffing plan is not adopted by the hospital, the most recent of the following remains in effect:

(i) The staffing plan that was in effect January 1, 2023; or

(ii) The staffing plan last approved by a 50 percent plus one vote of a duly constituted hospital staffing committee and adopted by the hospital, in accordance with all standards under this section.

(f) Beginning ~~((January 1, 2019))~~ January 1, 2025, each hospital shall submit its final staffing plan to the department and thereafter on an annual basis and at any time in between that the plan is updated.

(7)(a) Beginning ~~((January 1, 2019))~~ July 1, 2025, each hospital shall implement the staffing plan and assign nursing ~~((personnel))~~ staff to each patient care unit in accordance with the plan except in instances of unforeseeable emergent circumstances.

~~((a))~~ (b) Each hospital shall document when a patient care unit nursing staff assignment is out of compliance with the adopted hospital staffing plan. For purposes of this subsection, out of compliance means the number of patients assigned to the nursing staff exceeds the patient care unit assignment as directed by the nurse staffing plan. The hospital must adopt written policies and procedures under this subsection no later than October 1, 2024.

(i) Each hospital must report to the department on a semiannual basis the accurate percentage of nurse staffing assignments where the assignment in a patient care unit is out of compliance with the adopted nurse staffing plan. Beginning in 2026, semiannual reports are due on July 31st and January 31st each year. The first report is due January 31, 2026, and must cover the last six months of 2025.

(ii) Beginning in 2025, if a hospital is in compliance for less than 80 percent of the nurse staffing assignment in a month, the hospital must, within seven calendar days following the end of the month in which the hospital was out of compliance, report to the department regarding lack of compliance with the nurse staffing patient care unit assignments in the hospital staffing plan.

(iii) The department must develop a form or forms for the report to be made under this subsection by October 1, 2024. The form must include a checkbox for either cochair of the hospital staffing committee to indicate their belief that the validity of the report should be investigated by the department. If the checkbox on the form has been checked, the department may initiate an investigation as to the validity of the semiannual report under (b)(i) of this subsection.

(iv) This subsection (7)(b) does not apply to:

(A) Hospitals certified as critical access hospitals;

(B) Hospitals with fewer than 25 acute care licensed beds;

(C) Hospitals certified by the centers for medicare and medicaid services as sole community hospitals that are not owned or operated by a health system that owns or operates more than one acute hospital licensed under chapter 70.41 RCW; and

(D) Hospitals located on an island operating within a public hospital district in Skagit county.

(c) A ~~((registered nurse))~~ nursing staff may report to the hospital staffing committee any variations where the ~~((nurse personnel))~~ nursing staff assignment in a patient care unit is not in accordance with the adopted staffing plan and may make a complaint to the committee based on the variations.

~~((b))~~ (d) Shift-to-shift adjustments in staffing levels required by the plan may be made by the appropriate hospital personnel

overseeing patient care operations. If ~~((a registered nurse))~~ nursing staff on a patient care unit objects to a shift-to-shift adjustment, ~~((the registered nurse))~~ the nursing staff may submit the complaint to the hospital staffing committee.

~~((e Staffing))~~ (e) Hospital staffing committees shall develop a process to examine and respond to data submitted under ~~((a))~~ (b) and ~~((b))~~ (c) of this subsection, including the ability to determine if a specific complaint is resolved or dismissing a complaint based on unsubstantiated data. All written complaints submitted to the hospital staffing committee must be reviewed by the staffing committee, regardless of what format the complainant uses to submit the complaint.

(f) In the event of an unforeseeable emergent circumstance lasting for 15 days or more, the hospital incident command shall report within 30 days to the cochairs of the hospital staffing committee an assessment of the staffing needs arising from the unforeseeable emergent circumstance and the hospital's plan to address those identified staffing needs. Upon receipt of the report, the hospital staffing committee shall convene to develop a contingency staffing plan to address the needs arising from the unforeseeable emergent circumstance. The hospital's deviation from its staffing plan may not be in effect for more than 90 days without the review of the hospital staffing committee. Within 90 days of an initial deviation under this section the hospital must report to the department the basis for the deviation and must report to the department again once the deviation under this section is no longer in effect.

(g) A direct care registered nurse or direct care nursing assistant-certified may not be assigned by hospitals to a nursing unit or clinical area unless that nurse has first received orientation in that clinical area sufficient to provide competent care to patients in that area and has demonstrated current competence in providing care in that area. The hospital must adopt written policies and procedures under this subsection no later than July 1, 2025.

(8) Each hospital shall post, in a public area on each patient care unit, the ~~((nurse))~~ staffing plan and the ~~((nurse))~~ staffing schedule for that shift on that unit, as well as the relevant clinical staffing for that shift. The staffing plan and current staffing levels must also be made available to patients and visitors upon request. The hospital must also post in a public area on each patient care unit any corrective action plan relevant to that patient care unit as required under RCW 70.41.425(4).

(9) A hospital may not retaliate against or engage in any form of intimidation ~~((or))~~ or otherwise take any adverse action against:

(a) An employee for performing any duties or responsibilities in connection with the ~~((nurse))~~ hospital staffing committee; or

(b) An employee, patient, or other individual who notifies the ~~((nurse))~~ hospital staffing committee or the hospital administration of his or her concerns on nurse staffing.

(10) This section is not intended to create unreasonable burdens on critical access hospitals under 42 U.S.C. Sec. 1395i-4. Critical access hospitals may develop flexible approaches to accomplish the requirements of this section that may include but are not limited to having ~~((nurse))~~ hospital staffing committees work by video conference, telephone, or email.

(11) By July 1, 2024, the hospital staffing committee shall file with the department a charter that must include, but is not limited to:

(a) A process for electing cochairs and their terms;

(b) Roles, responsibilities, and processes by which the hospital staffing committee functions, including which patient care staff job classes will be represented on the committee as nonvoting members, how many members will serve on the committee,

FIFTY SEVENTH DAY, MARCH 6, 2023

processes to ensure adequate quorum and ability of committee members to attend, and processes for replacing members who do not regularly attend;

(c) Schedule for monthly meetings with more frequent meetings as needed that ensures committee members have 30 days' notice of meetings;

(d) Processes by which all staffing complaints will be reviewed, investigated, and resolved, noting the date received as well as initial, contingent, and final disposition of complaints and corrective action plan where applicable;

(e) Processes by which complaints will be resolved within 90 days of receipt, or longer with majority approval of the committee, and processes to ensure the complainant receives a letter stating the outcome of the complaint;

(f) Processes for attendance by any employee, and a labor representative if requested by the employee, who is involved in a complaint;

(g) Processes for the hospital staffing committee to conduct quarterly reviews of: Staff turnover rates including new hire turnover rates during first year of employment; anonymized aggregate exit interview data on an annual basis; and hospital plans regarding workforce development;

(h) Standards for hospital staffing committee approval of meeting documentation including meeting minutes, attendance, and actions taken;

(i) Policies for retention of meeting documentation for a minimum of three years and consistent with each hospital's document retention policies;

(j) Processes for the hospital to provide the hospital staffing committee with information regarding patient complaints involving staffing made to the hospital through the patient grievance process required under 42 C.F.R. 482.13(a)(2); and

(k) Processes for how the information from the reports required under subsection (7) of this section will be used to inform the development and semiannual review of the staffing plan.

(12) The department and the department of labor and industries must provide technical assistance to hospital staffing committees to assist with compliance with this section. Technical assistance may not be provided during an inspection, or during the time between when an investigation of a hospital has been initiated and when such investigation is resolved.

Sec. 4. RCW 70.41.425 and 2017 c 249 s 3 are each amended to read as follows:

(1)(a) The department shall investigate a complaint submitted under this section for violation of RCW 70.41.420 following receipt of a complaint with documented evidence of failure to:

- (i) Form or establish a hospital staffing committee;
- (ii) Conduct a semiannual review of a ~~((nurse))~~ staffing plan;
- (iii) Submit a ~~((nurse))~~ staffing plan on an annual basis and any updates; or

(iv)(A) Follow the nursing ~~((personnel))~~ staff assignments in a patient care unit in violation of RCW 70.41.420(7)~~((a) or shift to shift adjustments in staffing levels in violation of RCW 70.41.420(7)(b))~~ (c) or (d).

(B) Based on their formal agreement required under sections 5 and 6 of this act, the department and the department of labor and industries shall investigate complaints under this subsection (1)(a)(iv). The departments may only investigate a complaint under this subsection (1)(a)(iv) ~~((after making an assessment that the submitted evidence indicates a continuing pattern of unresolved))~~ for violations of RCW 70.41.420(7) ~~((a) or (b))~~ (c) or (d), that were submitted to the ~~((nurse))~~ hospital staffing committee and remain unresolved for 60 days after receipt by the hospital staffing committee, excluding complaints determined by the ~~((nurse))~~ hospital staffing committee to be resolved or

dismissed. ~~((The submitted evidence must include the aggregate data contained in the complaints submitted to the hospital's nurse staffing committee that indicate a continuing pattern of unresolved violations for a minimum sixty day continuous period leading up to receipt of the complaint by the department.~~

~~(C) The department may not investigate a complaint under this subsection (1)(a)(iv) in the event of unforeseeable emergency circumstances or if the hospital, after consultation with the nurse staffing committee, documents it has made reasonable efforts to obtain staffing to meet required assignments but has been unable to do so.~~

~~(b) After an investigation conducted under (a) of this subsection, if the department determines that there has been a violation, the department shall require the hospital to submit a corrective plan of action within forty five days of the presentation of findings from the department to the hospital.)~~

(b) The department and the department of labor and industries may investigate and take appropriate enforcement action without any complaint if either department discovers data in the course of an investigation or inspection suggesting any violation of RCW 70.41.420.

(c) After an investigation conducted under (a) of this subsection, if the department and the department of labor and industries, pursuant to their formal agreement under sections 5 and 6 of this act, determine that there has been multiple unresolved violations of RCW 70.41.420(7) (c) and (d) of a similar nature within 30 days prior to the receipt of the complaint by the department, the department shall require the hospital to submit for their approval a corrective plan of action within 45 days of the presentation of findings from the department to the hospital.

(d) Hospitals will not be found in violation of RCW 70.41.420 if it has been determined, following an investigation, that:

(i) There were unforeseeable emergent circumstances and the process under RCW 70.41.420(7)(f) has been followed, if applicable;

(ii) The hospital, after consultation with the hospital staffing committee, documents that the hospital has made reasonable efforts to obtain and retain staffing to meet required personnel assignments but has been unable to do so; or

(iii) Per documentation provided by the hospital, an individual admission of a patient in need of critical care to sustain their life or prevent disability received from another hospital caused the staffing plan violation alleged in the complaint.

(2)(a) The department shall review each hospital staffing plan submitted by a hospital to ensure it is received by the appropriate deadline and is completed on the department-issued staffing plan form.

(b) The hospital must complete all applicable portions of the staffing plan form. The department may determine that a hospital has failed to timely submit its staffing plan if the staffing plan form is incomplete.

(3) Beginning January 1, 2027, the department shall review all reports submitted under RCW 70.41.420(7)(b)(i) to ensure:

- (a) The forms are received by the appropriate deadline;
- (b) The forms are completed on the department-issued form; and

(c) The checkbox under RCW 70.41.420(7)(b)(iii) has not been checked.

(4) Beginning January 1, 2027, the department, in consultation with the department of labor and industries, must require a hospital to submit for their approval a corrective plan of action within 45 calendar days of a report to the department under RCW 70.41.420(7)(b)(ii) of this section or after an investigation under

RCW 70.41.420(7)(b)(iii) of this section finds that the hospital is not in compliance.

(5)(a) Pursuant to their formal agreement under sections 5 and 6 of this act the department and the department of labor and industries must review and approve a hospital's proposed corrective plan of action under subsection (1)(c) or (4) of this section. As necessary, the department will require the hospital to revise the plan for it to adequately address issues identified by the department and the department of labor and industries prior to approving the plan.

(b) The department may review any corrective plan of action under subsection (1)(c) or (4) of this section that adversely impact provision of health care services or patient safety, and may require revisions to the corrective plan of action to ensure patient safety is maintained.

(c) A corrective plan of action may include, but is not limited to, the following elements:

- (i) Exercising efforts to obtain additional staff;
- (ii) Implementing actions to improve staffing plan variation or shift-to-shift adjustment planning;
- (iii) Delaying the addition of new services or procedure areas;
- (iv) Requiring minimum staffing standards;
- (v) Reducing hospital beds or services; or
- (vi) Closing the hospital emergency department to ambulance transport, except for patients in need of critical care to sustain their life or prevent disability.

(d) A corrective plan of action must be of a duration long enough to demonstrate the hospital's ability to sustain compliance with the requirements of this section.

(e) In the event that the hospital follows a corrective plan of action under this subsection but remains in compliance for less than 80 percent of the nurse staffing assignments in the month following completion of the corrective plan of action, the hospital is required to submit a revised corrective plan of action with new elements that are likely to produce a minimum of 80 percent of the nurse staffing assignments in a month.

(6)(a) In the event that a hospital fails to submit a staffing plan, staffing committee charter, or a corrective plan of action by the relevant deadline, the department may take administrative action with penalties up to \$10,000 per 30 days of failure to comply.

(b)(i) In the event that a hospital (~~fails to submit or~~) submits but fails to follow (~~such~~) a corrective plan of action (~~in response to a violation or violations found by the department based on a complaint filed pursuant to subsection (1) of this section~~) required under subsection (1)(c) or (4) of this section, the department of labor and industries may impose(~~, for all violations asserted against a hospital at any time,~~) a civil penalty of (~~one hundred dollars~~) \$50,000 per (~~day~~) 30 days. Civil penalties apply until the hospital (~~submits or begins to follow~~) begins to follow a corrective plan of action (~~or takes other action agreed to~~) that has been approved by the department. Revenue from these fines must be deposited into the supplemental pension fund established under RCW 51.44.033.

(~~(3) The~~) (ii) If the department of labor and industries finds a violation after an investigation pursuant to subsection (1)(a)(iv)(B) of this section or assesses or imposes any penalty pursuant to this section, the employer may appeal the department's finding or assessment of penalties according to the procedures under sections 12 through 14 of this act.

(7)(a) As resources allow, the department (~~shall maintain for public inspection~~) must make records of any civil penalties(~~,~~) and administrative actions(~~,~~) or license suspensions or revocations imposed on hospitals, or any notices of resolution under this section available to the public.

(b) The department must post hospital staffing plans, hospital staffing committee charters, and the semi-annual compliance reports required under RCW 70.41.420 on its website.

(~~(4)~~) For purposes of this section, "unforeseeable emergency circumstance" means:

- (a) Any unforeseen national, state, or municipal emergency;
- (b) When a hospital disaster plan is activated;
- (c) Any unforeseen disaster or other catastrophic event that substantially affects or increases the need for health care services; or
- (d) When a hospital is diverting patients to another hospital or hospitals for treatment or the hospital is receiving patients who are from another hospital or hospitals.

(~~5~~) (8) Nothing in this section shall be construed to preclude the ability to otherwise submit a complaint to the department for failure to follow RCW 70.41.420.

(~~(6)~~) The department shall submit a report to the legislature on December 31, 2020. This report shall include the number of complaints submitted to the department under this section, the disposition of these complaints, the number of investigations conducted, the associated costs for complaint investigations, and recommendations for any needed statutory changes. The department shall also project, based on experience, the impact, if any, on hospital licensing fees over the next four years. Prior to the submission of the report, the secretary shall convene a stakeholder group consisting of the Washington state hospital association, the Washington state nurses association, service employees international union healthcare 1199NW, and united food and commercial workers 21. The stakeholder group shall review the report prior to its submission to review findings and jointly develop any legislative recommendations to be included in the report.

(7) No fees shall be increased to implement chapter 249, Laws of 2017 prior to July 1, 2021.)

NEW SECTION. Sec. 5. A new section is added to chapter 70.41 RCW to read as follows:

By July 1, 2024, the department and the department of labor and industries must jointly establish a formal agreement that identifies the roles of each of the two agencies with respect to the oversight and enforcement of RCW 70.41.420 (4)(a) and (12) and 70.41.425 (1), (4), (5), (6)(b), and (7), as follows:

- (1) To the extent feasible, provide for oversight and enforcement actions by a single agency, and must include measures to avoid multiple citations for the same violation; and
- (2) Include provisions that allow for data sharing, including hospital staffing plans, reports submitted under RCW 70.41.420(8), and hospital staffing committee complaints submitted to the department.

NEW SECTION. Sec. 6. A new section is added to chapter 49.12 RCW to read as follows:

By July 1, 2024, the department and the department of health must jointly establish a formal agreement that identifies the roles of each of the two agencies with respect to the oversight and enforcement of RCW 70.41.420(7) and 70.41.425 (1) and (5)(b), as follows:

- (1) To the extent feasible, provide for oversight and enforcement actions by a single agency, and must include measures to avoid multiple citations for the same violation; and
- (2) Include provisions that allow for data sharing, including hospital staffing plans, reports submitted under RCW 70.41.420(8), and hospital staffing committee complaints submitted to the department of health.

Sec. 7. RCW 70.41.130 and 2021 c 61 s 2 are each amended to read as follows:

FIFTY SEVENTH DAY, MARCH 6, 2023

(1) The department is authorized to take any of the actions identified in this section against a hospital's license or provisional license in any case in which it finds that there has been a failure or refusal to comply with the requirements of this chapter or the standards or rules adopted under this chapter or the requirements of RCW 71.34.375 on the basis of findings by the department of labor and industries under RCW 70.41.425(6)(b).

(a) When the department determines the hospital has previously been subject to an enforcement action for the same or similar type of violation of the same statute or rule, or has been given any previous statement of deficiency that included the same or similar type of violation of the same or similar statute or rule, or when the hospital failed to correct noncompliance with a statute or rule by a date established or agreed to by the department, the department may impose reasonable conditions on a license. Conditions may include correction within a specified amount of time, training, or hiring a department-approved consultant if the hospital cannot demonstrate to the department that it has access to sufficient internal expertise. If the department determines that the violations constitute immediate jeopardy, the conditions may be imposed immediately in accordance with subsection (3) of this section.

(b)(i) In accordance with the authority the department has under RCW 43.70.095, the department may assess a civil fine of up to \$10,000 per violation, not to exceed a total fine of \$1,000,000, on a hospital licensed under this chapter when the department determines the hospital has previously been subject to an enforcement action for the same or similar type of violation of the same statute or rule, or has been given any previous statement of deficiency that included the same or similar type of violation of the same or similar statute or rule, or when the hospital failed to correct noncompliance with a statute or rule by a date established or agreed to by the department.

(ii) Proceeds from these fines may only be used by the department to offset costs associated with licensing hospitals.

(iii) The department shall adopt in rules under this chapter specific fine amounts in relation to:

(A) The severity of the noncompliance and at an adequate level to be a deterrent to future noncompliance; and

(B) The number of licensed beds and the operation size of the hospital. The licensed hospital beds will be categorized as:

(I) Up to 25 beds;

(II) 26 to 99 beds;

(III) 100 to 299 beds; and

(IV) 300 beds or greater.

(iv) If a licensee is aggrieved by the department's action of assessing civil fines, the licensee has the right to appeal under RCW 43.70.095.

(c) The department may suspend a specific category or categories of services or care or recovery units within the hospital as related to the violation by imposing a limited stop service. This may only be done if the department finds that noncompliance results in immediate jeopardy.

(i) Prior to imposing a limited stop service, the department shall provide a hospital written notification upon identifying deficient practices or conditions that constitute an immediate jeopardy, and upon the review and approval of the notification by the secretary or the secretary's designee. The hospital shall have 24 hours from notification to develop and implement a department-approved plan to correct the deficient practices or conditions that constitute an immediate jeopardy. If the deficient practice or conditions that constitute immediate jeopardy are not verified by the department as having been corrected within the same 24 hour period, the department may issue the limited stop service.

(ii) When the department imposes a limited stop service, the hospital may not admit any new patients to the units in the category or categories subject to the limited stop service until the limited stop service order is terminated.

(iii) The department shall conduct a follow-up inspection within five business days or within the time period requested by the hospital if more than five business days is needed to verify the violation necessitating the limited stop service has been corrected.

(iv) The limited stop service shall be terminated when:

(A) The department verifies the violation necessitating the limited stop service has been corrected or the department determines that the hospital has taken intermediate action to address the immediate jeopardy; and

(B) The hospital establishes the ability to maintain correction of the violation previously found deficient.

(d) The department may suspend new admissions to the hospital by imposing a stop placement. This may only be done if the department finds that noncompliance results in immediate jeopardy and is not confined to a specific category or categories of patients or a specific area of the hospital.

(i) Prior to imposing a stop placement, the department shall provide a hospital written notification upon identifying deficient practices or conditions that constitute an immediate jeopardy, and upon the review and approval of the notification by the secretary or the secretary's designee. The hospital shall have 24 hours from notification to develop and implement a department-approved plan to correct the deficient practices or conditions that constitute an immediate jeopardy. If the deficient practice or conditions that constitute immediate jeopardy are not verified by the department as having been corrected within the same 24 hour period, the department may issue the stop placement.

(ii) When the department imposes a stop placement, the hospital may not admit any new patients until the stop placement order is terminated.

(iii) The department shall conduct a follow-up inspection within five business days or within the time period requested by the hospital if more than five business days is needed to verify the violation necessitating the stop placement has been corrected.

(iv) The stop placement order shall be terminated when:

(A) The department verifies the violation necessitating the stop placement has been corrected or the department determines that the hospital has taken intermediate action to address the immediate jeopardy; and

(B) The hospital establishes the ability to maintain correction of the violation previously found deficient.

(e) The department may deny an application for a license or suspend, revoke, or refuse to renew a license.

(2) The department shall adopt in rules under this chapter a fee methodology that includes funding expenditures to implement subsection (1) of this section. The fee methodology must consider:

(a) The operational size of the hospital; and

(b) The number of licensed beds of the hospital.

(3)(a) Except as otherwise provided, RCW 43.70.115 governs notice of actions taken by the department under subsection (1) of this section and provides the right to an adjudicative proceeding. Adjudicative proceedings and hearings under this section are governed by the administrative procedure act, chapter 34.05 RCW. The application for an adjudicative proceeding must be in writing, state the basis for contesting the adverse action, including a copy of the department's notice, be served on and received by the department within 28 days of the licensee's receipt of the adverse notice, and be served in a manner that shows proof of receipt.

(b) When the department determines a licensee's noncompliance results in immediate jeopardy, the department may make the imposition of conditions on a licensee, a limited stop placement, stop placement, or the suspension of a license effective immediately upon receipt of the notice by the licensee, pending any adjudicative proceeding.

(i) When the department makes the suspension of a license or imposition of conditions on a license effective immediately, a licensee is entitled to a show cause hearing before a presiding officer within 14 days of making the request. The licensee must request the show cause hearing within 28 days of receipt of the notice of immediate suspension or immediate imposition of conditions. At the show cause hearing the department has the burden of demonstrating that more probably than not there is an immediate jeopardy.

(ii) At the show cause hearing, the presiding officer may consider the notice and documents supporting the immediate suspension or immediate imposition of conditions and the licensee's response and must provide the parties with an opportunity to provide documentary evidence and written testimony, and to be represented by counsel. Prior to the show cause hearing, the department must provide the licensee with all documentation that supports the department's immediate suspension or imposition of conditions.

(iii) If the presiding officer determines there is no immediate jeopardy, the presiding officer may overturn the immediate suspension or immediate imposition of conditions.

(iv) If the presiding officer determines there is immediate jeopardy, the immediate suspension or immediate imposition of conditions shall remain in effect pending a full hearing.

(v) If the presiding officer sustains the immediate suspension or immediate imposition of conditions, the licensee may request an expedited full hearing on the merits of the department's action. A full hearing must be provided within 90 days of the licensee's request.

Sec. 8. RCW 49.12.480 and 2019 c 296 s 1 are each amended to read as follows:

(1) An employer shall provide employees with meal and rest periods as required by law, subject to the following:

(a) Rest periods must be scheduled at any point during each work period during which the employee is required to receive a rest period;

(b) Employers must provide employees with uninterrupted meal and rest breaks. This subsection (1)(b) does not apply in the case of:

(i) An unforeseeable emergent circumstance, as defined in RCW 49.28.130; or

(ii) ~~((A clinical circumstance, as determined by the employee, employer, or employer's designee, that may lead to a significant adverse effect on the patient's condition:~~

~~(A) Without the knowledge, specific skill, or ability of the employee on break; or~~

~~(B) Due to an unforeseen or unavoidable event relating to patient care delivery requiring immediate action that could not be planned for by an employer;~~

~~(c) For any rest break that is interrupted before ten complete minutes by an employer or employer's designee under the provisions of (b)(ii) of this subsection, the employee must be given an additional ten minute uninterrupted rest break at the earliest reasonable time during the work period during which the employee is required to receive a rest period. If the elements of this subsection are met, a rest break shall be considered taken for the purposes of the minimum wage act as defined by chapter 49.46 RCW.)~~ An unforeseeable clinical circumstance, as determined by the employee that may lead to a significant adverse

effect on the patient's condition, unless the employer or employer's designee determines that the patient may suffer life-threatening adverse effects;

(c) For any work period for which an employee is entitled to one or more meal periods and more than one rest period, the employee and the employer may agree that a meal period may be combined with a rest period. This agreement may be revoked at any time by the employee. If the employee is required to remain on duty during the combined meal and rest period, the time shall be paid. If the employee is released from duty for an uninterrupted combined meal and rest period, the time corresponding to the meal period shall be unpaid, but the time corresponding to the rest period shall be paid.

(2)(a) The employer shall provide a mechanism to record when an employee misses a meal or rest period and maintain these records.

(b) The employer must provide a quarterly report to the department of the total meals and rest periods missed in violation of this section during the quarter covered by the report, and the total number of meals and rest periods required during the quarter. The reports are due to the department 30 calendar days after the conclusion of the calendar quarter.

(c) The provisions of (b) in this subsection (2) do not apply to hospitals defined in RCW 70.41.420(7)(b)(iv) until July 1, 2026.

(3) For purposes of this section, the following terms have the following meanings:

(a) "Employee" means a person who:

(i) Is employed by ~~((a health care facility))~~ an employer;

(ii) Is involved in direct patient care activities or clinical services; and

(iii) Receives an hourly wage or is covered by a collective bargaining agreement ~~((; and~~

~~(iv) Is a licensed practical nurse or registered nurse licensed under chapter 18.79 RCW, a surgical technologist registered under chapter 18.215 RCW, a diagnostic radiologic technologist or cardiovascular invasive specialist certified under chapter 18.84 RCW, a respiratory care practitioner licensed under chapter 18.89 RCW, or a nursing assistant certified as defined in RCW 18.88A.020).~~

(b) "Employer" means hospitals licensed under chapter 70.41 RCW ~~((; except that the following hospitals are excluded until July 1, 2021:~~

~~(i) Hospitals certified as critical access hospitals under 42 U.S.C. Sec. 1395i 4;~~

~~(ii) Hospitals with fewer than twenty five acute care beds in operation; and~~

~~(iii) Hospitals certified by the centers for medicare and medicaid services as sole community hospitals as of January 1, 2013, that: Have had less than one hundred fifty acute care licensed beds in fiscal year 2011; have a level III adult trauma service designation from the department of health as of January 1, 2014; and are owned and operated by the state or a political subdivision).~~

NEW SECTION. Sec. 9. A new section is added to chapter 49.12 RCW to read as follows:

(1) The department must enforce the provisions of RCW 49.12.480, including reviewing reports submitted under RCW 49.12.480(2) to ensure they are timely, complete, and on the department-issued form.

(2)(a) Upon the department's review of the employer's report due under RCW 49.12.480(2), if the department determines that 80 percent or less of meals and rest periods were not missed in violation of RCW 49.12.480, or if an employer fails to properly submit a report, the department may offer to provide technical

FIFTY SEVENTH DAY, MARCH 6, 2023

assistance to the employer, although until June 30, 2026, the department must offer technical assistance to the employer.

(b) Beginning July 1, 2026, if the department finds that an employer has exceeded the quarterly threshold in (a) of this subsection for missed meals and rest periods, the department must impose a penalty. The provisions of this subsection do not apply to employers who are hospitals defined in RCW 70.41.420(7)(b)(iv) until July 1, 2028.

(c)(i) The penalties assessed by the department each time the department imposes a penalty under (b) of this subsection are as follows:

(A) For hospitals certified as critical access hospitals under 42 U.S.C. Sec. 1395i-4, or with up to 25 licensed beds: \$5,000;

(B) For hospitals with 26 to 99 licensed beds: \$10,000;

(C) For hospitals with 100 to 299 beds: \$15,000; and

(D) For hospitals with 300 or more beds: \$20,000.

(ii) If the department imposes a penalty in a third consecutive quarter, the department must double the penalty amounts in (c)(i) of this subsection for subsequent consecutive quarters. An employer in compliance for a single quarter is no longer subject to the penalties for subsequent violations under this subsection (c)(ii).

(3)(a) An employer may not take any adverse action against employees for exercising any right under RCW 49.12.480. An adverse action means any action taken or threatened by an employer against an employee for exercising the employee's rights under RCW 49.12.480 or this section, but does not include noncoercive counseling, coaching, training, or other resources offered to an employee.

(b) The department must investigate complaints related to compliance with (a) of this subsection. The director may require the testimony of witnesses and the production of documents as part of the director's investigation.

(c) If the director determines that an employer has violated (a) of this subsection, the director may:

(i) Order payment to the department of a civil penalty of not more than \$1,000 for an employer's first violation and not more than \$5,000 for any subsequent related violation;

(ii) Order appropriate relief under this subsection (3) that includes any earnings the employee did not receive due to the employer's adverse action, including interest of one percent per month on all earnings owed. The earnings and interest owed will be calculated from the first date earnings were owed to the employee; or

(iii) Order the employer to restore the employee to the position of employment held by the employee when the retaliation occurred, or restore the employee to an equivalent position with equivalent employment hours, work schedule, benefits, pay, and other terms and conditions of employment.

(4)(a)(i) An employer must provide valid data in reports required under RCW 49.12.480(2). Valid data means that the data included in the reports is attested to by an employer's designee and has not been inappropriately manipulated or modified; and

(ii) Employees must be free from coercion into inaccurate recording of their meal and rest periods under RCW 49.12.480.

(b) The department must investigate complaints related to compliance with (a) of this subsection that are facially based on the actual knowledge of the complaining party. The director may require the testimony of witnesses and the production of documents as part of the director's investigation.

(c) If the director determines that an employer has violated (a) of this subsection, the director may:

(i) Order the employer to pay the department a civil penalty of not more than \$1,000 for an employer's first violation and not more than \$5,000 for any subsequent related violation; and

(ii) Order appropriate relief that includes any earnings the employee did not receive due to the employer's adverse action, including interest of one percent per month on all earnings owed. The earnings and interest owed will be calculated from the first date earnings were owed to the employee.

(5) The department may investigate and take appropriate enforcement action under this section without any complaint if the department discovers data in the course of an investigation or inspection.

(6) Any appeals of the department's decisions, including assessed penalties, and collection or deposit of civil penalties under this section must be pursuant to sections 12 through 14 of this act.

(7) For the purposes of this section, "coercion" means compelling or inducing an employee to engage in conduct which the employee has a legal right to abstain from or to abstain from the conduct which the employee has a legal right to engage in.

Sec. 10. RCW 49.28.140 and 2019 c 296 s 3 are each amended to read as follows:

(1) No employee of a health care facility may be required to work overtime. Attempts to compel or force employees to work overtime are contrary to public policy, and any such requirement contained in a contract, agreement, or understanding is void.

(2) The acceptance by any employee of overtime is strictly voluntary, and the refusal of an employee to accept such overtime work is not grounds for discrimination, dismissal, discharge, or any other penalty, threat of reports for discipline, or employment decision adverse to the employee.

(3) This section does not apply to overtime work that occurs:

(a) Because of any unforeseeable emergent circumstance;

(b) Because of prescheduled on-call time, subject to the following:

(i) Mandatory prescheduled on-call time may not be used in lieu of scheduling employees to work regularly scheduled shifts when a staffing plan indicates the need for a scheduled shift; ~~(and)~~

(ii) Mandatory prescheduled on-call time may not be used to address regular changes in patient census or acuity or expected increases in the number of employees not reporting for predetermined scheduled shifts; and

(iii) Mandatory, prescheduled on-call time may not be used to begin at a time when the duration of the procedure is expected to exceed the employee's regular scheduled hours of work, except for the case of a nonemergent patient procedure for which, in the judgment of the provider responsible for the procedure, a delay would cause a worse clinical outcome;

(c) When the employer documents that the employer has used reasonable efforts to obtain staffing. An employer has not used reasonable efforts if overtime work is used to fill vacancies resulting from chronic staff shortages; or

(d) When an employee is required to work overtime to complete a patient care procedure already in progress where the absence of the employee could have an adverse effect on the patient.

(4) An employee accepting overtime who works more than twelve consecutive hours shall be provided the option to have at least eight consecutive hours of uninterrupted time off from work following the time worked.

Sec. 11. RCW 49.28.150 and 2002 c 112 s 4 are each amended to read as follows:

The department of labor and industries shall investigate complaints of violations of RCW 49.28.140 and 70.41.420(9) as provided under sections 12 through 14 of this act. ~~((A violation of RCW 49.28.140 is a class 1 civil infraction in accordance with chapter 7.80 RCW, except that the maximum penalty is one~~

~~thousand dollars for each infraction up to three infractions. If there are four or more violations of RCW 49.28.140 for a health care facility, the employer is subject to a fine of two thousand five hundred dollars for the fourth violation, and five thousand dollars for each subsequent violation. The department of labor and industries is authorized to issue and enforce civil infractions according to chapter 7.80 RCW.)~~

NEW SECTION. Sec. 12. A new section is added to chapter 49.12 RCW to read as follows:

(1)(a) If a complainant files a complaint with the department of labor and industries alleging a violation of this chapter or RCW 70.41.420(9), the department shall investigate the complaint.

(b) The department may not investigate any such alleged violation of rights that occurred more than three years before the date that the complainant filed the complaint.

(c) Upon the investigation of a complaint, the department shall issue either a citation and notice of assessment or a determination of compliance, within 90 days after the date on which the department received the complaint, unless the complaint is otherwise resolved. The department may extend the period by providing advance written notice to the complainant and the employer setting forth good cause for an extension of the period and specifying the duration of the extension.

(d) The department shall send a citation and notice of assessment or the determination of compliance to both the employer and the complainant by service of process or using a method by which the mailing can be tracked, or the delivery can be confirmed to their last known addresses.

(2) If the department of labor and industries investigation finds that the complainant's allegation cannot be substantiated, the department shall issue a closure letter to the complainant and the employer detailing such finding.

(3)(a) If the department of labor and industries finds a violation of this chapter, the department shall order the employer to pay the department a civil penalty.

(b) Except as provided otherwise in this chapter, the maximum penalty is \$1,000 for each violation, up to three violations. If there are four or more violations of this chapter for a health care facility, the employer is subject to a civil penalty of \$2,500 for the fourth violation, and \$5,000 for each subsequent violation.

(c) The department may not assess a civil penalty if the employer reasonably relied on: (i) A rule related to any of the requirements of this chapter; (ii) a written order, ruling, approval, opinion, advice, determination, or interpretation of the director; or (iii) an interpretive or administrative policy issued by the department and filed with the office of the code reviser. In accordance with the department's retention schedule obligations under chapter 40.14 RCW, the department shall maintain a complete and accurate record of all written orders, rulings, approvals, opinions, advice, determinations, and interpretations for purposes of determining whether an employer is immune from civil penalties under (b) of this subsection.

(4) The department of labor and industries may, at any time, waive or reduce a civil penalty assessed under this section if the director of the department determines that the employer has taken corrective action to resolve the violation.

(5) The department of labor and industries shall deposit all civil penalties paid under this chapter in the supplemental pension fund established under RCW 51.44.033.

NEW SECTION. Sec. 13. A new section is added to chapter 49.12 RCW to read as follows:

(1) A person, firm, or corporation aggrieved by a citation and notice of assessment or a determination of compliance by the department of labor and industries under section 12 of this act may appeal the citation and notice of assessment to the director of

the department by filing a notice of appeal with the director within 30 days of the department's issuance of the citation and notice of assessment. A citation and notice of assessment or a determination of compliance not appealed within 30 days is final and binding, and not subject to further appeal.

(2) A notice of appeal filed with the director of the department of labor and industries under this section shall stay the effectiveness of the citation and notice of assessment or the determination of compliance pending final review of the appeal by the director as provided for in chapter 34.05 RCW.

(3) Upon receipt of a notice of appeal, the director of the department of labor and industries shall assign the hearing to an administrative law judge of the office of administrative hearings to conduct the hearing and issue an initial order. The hearing and review procedures shall be conducted in accordance with chapter 34.05 RCW, and the standard of review by the administrative law judge of an appealed citation and notice of assessment or determination of compliance shall be de novo. Any party who seeks to challenge an initial order shall file a petition for administrative review with the director within 30 days after service of the initial order. The director shall conduct administrative review in accordance with chapter 34.05 RCW.

(4) The director of the department of labor and industries shall issue all final orders after appeal of the initial order. The final order of the director is subject to judicial review in accordance with chapter 34.05 RCW.

(5) Orders that are not appealed within the time period specified in this section and chapter 34.05 RCW are final and binding, and not subject to further appeal.

(6) An employer who fails to allow adequate inspection of records in an investigation by the department of labor and industries under this section within a reasonable time period may not use such records in any appeal under this section to challenge the correctness of any determination by the department of the penalty assessed.

NEW SECTION. Sec. 14. A new section is added to chapter 49.12 RCW to read as follows:

Collections of unpaid citations assessing civil penalties under sections 11 through 13 of this act will be pursuant to RCW 49.48.086.

NEW SECTION. Sec. 15. The Washington state institute for public policy shall conduct a study on hospital staffing standards for direct care registered nurses and direct care nursing assistants.

(1) The institute must review current and historical staffing plans filed with the department of health under chapter 70.41 RCW and describe:

(a) Timeliness and completeness of filed forms;

(b) Format of filed forms;

(c) Patient care unit nursing staff assignments related to the maximum number of patients to which a direct care nursing or nursing assistant may be assigned;

(d) Descriptive statistics on submissions by hospital unit type;

(e) Trends over time, if any;

(f) Legal minimum staffing standards for registered nurses and nursing assistants in other jurisdictions; and

(g) Relevant professional association guidance, recommendations, or best practices.

(2) The department of health shall cooperate with the institute to facilitate access to data or other resources necessary to complete the analysis required under this section.

(3) The institute must provide a report on its findings to the department and relevant committees of the legislature by June 30, 2024.

FIFTY SEVENTH DAY, MARCH 6, 2023

NEW SECTION. Sec. 16. 2017 c 249 s 4 (uncodified) is repealed.

NEW SECTION. Sec. 17. Except for sections 1, 3, 15, and 16 of this act, this act takes effect July 1, 2024.

NEW SECTION. Sec. 18. Section 16 of this act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect June 1, 2023."

On page 1, line 1 of the title, after "Relating to;" strike the remainder of the title and insert "improving workplace standards for certain hospital staff by expanding staffing committees to include additional nursing staff, modifying staffing committee requirements, and clarifying standards and enforcement regarding mandatory overtime and uninterrupted meal and rest breaks; amending RCW 70.41.410, 70.41.420, 70.41.425, 70.41.130, 49.12.480, 49.28.140, and 49.28.150; adding a new section to chapter 43.70 RCW; adding a new section to chapter 70.41 RCW; adding new sections to chapter 49.12 RCW; creating a new section; repealing 2017 c 249 s 4 (uncodified); prescribing penalties; providing effective dates; providing an expiration date; and declaring an emergency."

Senator Mullet spoke in favor of adoption of the striking amendment.

MOTION

Senator Mullet moved that the following amendment no. 0186 by Senator Mullet be adopted:

On page 8, line 11, after "Beginning" strike "in" and insert "July 1."

On page 9, line 6, after "~~((a))~~" strike "(b)" and insert "(c)"

On page 9, line 7, after "~~((b))~~" strike "(c)" and insert "(d)"

On page 14, line 25, after "percent" strike "of" and insert "compliance with"

On page 16, line 19, after "RCW" strike "70.41.420(8)" and insert "70.41.420(7)"

On page 16, line 33, after "RCW" strike "70.41.420(8)" and insert "70.41.420(7)"

On page 23, beginning on line 4, after "(a)" strike all material through "employer" on line 10 and insert "Upon the department's review of the employer's report due under RCW 49.12.480(2), if the department determines that an employer is not 80 percent compliant with the meal and rest break requirements under RCW 49.12.480, and more than 20 percent of the required meals and rest periods were missed, or if an employer fails to properly submit a report, the department may offer to provide technical assistance to the employer, although until June 30, 2026, the department must offer technical assistance to the employer"

On page 26, line 11, after "RCW 49.28.410" strike "and 70.41.420(9)"

On page 26, beginning on line 25, after "of" strike "this chapter or RCW 70.41.420(9)" and insert "RCW 49.28.140"

On page 27, line 11, after "of" strike "this chapter" and insert "RCW 49.28.140"

On page 27, line 20, after "of" strike "this chapter" and insert "RCW 49.28.140"

On page 27, line 34, after "this" strike "chapter" and insert "section"

Senator Mullet spoke in favor of adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0186 by Senator Mullet on page 8, line 11 to striking amendment no. 0180.

The motion by Senator Mullet carried and amendment no. 0186 was adopted by voice vote.

The President Pro Tempore declared the question before the Senate to be the adoption of striking amendment no. 0180 by Senator Mullet as amended to Second Substitute Senate Bill No. 5236.

The motion by Senator Mullet carried and striking amendment no. 0180 as amended was adopted by voice vote.

MOTION

On motion of Senator Robinson, the rules were suspended, Engrossed Second Substitute Senate Bill No. 5236 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Robinson, Rivers, Saldaña and King spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 5236.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5236 and the bill passed the Senate by the following vote: Yeas, 35; Nays, 13; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Cleveland, Conway, Dhingra, Frame, Gildon, Hasegawa, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lovelett, Lovick, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Stanford, Torres, Trudeau, Valdez, Wellman, Wilson, C. and Wilson, J.

Voting nay: Senators Braun, Dozier, Fortunato, Hawkins, MacEwen, McCune, Padden, Schoesler, Short, Van De Wege, Wagoner, Warnick and Wilson, L.

Excused: Senator Liias

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5236, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5499, by Senators Mullet, Rivers, King, Cleveland, Braun, Muzzall, Gildon, Hunt and Padden

Concerning the multistate nurse licensure compact.

MOTIONS

On motion of Senator Mullet, Substitute Senate Bill No. 5499 was substituted for Senate Bill No. 5499 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Mullet, the rules were suspended, Substitute Senate Bill No. 5499 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Mullet spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5499.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5499 and the bill passed the Senate by the following vote: Yeas, 40; Nays, 8; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Dhingra, Dozier, Fortunato, Frame, Gildon, Hawkins, Holy, Hunt, King, Kuderer, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nobles, Padden, Pedersen, Rivers, Robinson, Rolfes, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senators Conway, Hasegawa, Kauffman, Keiser, Nguyen, Randall, Saldaña and Van De Wege

Excused: Senator Liias

SUBSTITUTE SENATE BILL NO. 5499, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5582, by Senators Holy, Randall, Rivers, Robinson, Dozier, King, Conway, Shewmake, Padden, Lovick, Gildon, Muzzall, Lovelett, Mullet, Nobles, Saldaña, Valdez, Van De Wege, Wellman, Wilson, C. and Wilson, L.

Reducing barriers and expanding educational opportunities to increase the supply of nurses in Washington.

MOTION

On motion of Senator Holy, Second Substitute Senate Bill No. 5582 was substituted for Senate Bill No. 5582 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Conway moved that the following amendment no. 0188 by Senator Conway be adopted:

On page 2, line 8, after "employers" insert ", local workforce development councils,"

Senators Conway and Holy spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0188 by Senator Conway on page 2, line 8 to Second Substitute Senate Bill No. 5582.

The motion by Senator Conway carried and amendment no. 0188 was adopted by voice vote.

MOTION

Senator Holy moved that the following amendment no. 0189 by Senator Holy be adopted:

On page 4, line 1, after "The" strike "office of financial management" and insert "state board for community and technical colleges"

On page 4, line 6, after "The" strike "office of financial management" and insert "state board for community and technical colleges"

Senators Holy and Randall spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0189 by Senator Holy on page 4, line 1 to Second Substitute Senate Bill No. 5582.

The motion by Senator Holy carried and amendment no. 0189 was adopted by voice vote.

MOTION

On motion of Senator Holy, the rules were suspended, Engrossed Second Substitute Senate Bill No. 5582 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Holy and Randall spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 5582.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5582 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Liias

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5582, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5700, by Senators Van De Wege, Cleveland and Dhingra

Modernizing state health care authority related laws.

The measure was read the second time.

MOTION

On motion of Senator Van De Wege, the rules were suspended, Senate Bill No. 5700 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Van De Wege spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5700.

FIFTY SEVENTH DAY, MARCH 6, 2023
ROLL CALL

SECOND READING

The Secretary called the roll on the final passage of Senate Bill No. 5700 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Liias

SENATE BILL NO. 5700, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The President of the Senate, Lt. Governor Heck presiding, resumed the chair.

SECOND READING

SENATE BILL NO. 5532, by Senators King, Cleveland, Lovelett, Warnick and Wellman

Providing enhanced payment to low volume, small rural hospitals.

MOTIONS

On motion of Senator King, Second Substitute Senate Bill No. 5532 was substituted for Senate Bill No. 5532 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator King, the rules were suspended, Second Substitute Senate Bill No. 5532 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators King and Cleveland spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 5532.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5532 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Liias

SECOND SUBSTITUTE SENATE BILL NO. 5532, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 5523, by Senators Dhingra, Conway, Nobles, Shewmake, Trudeau and Wilson, C.

Addressing the forensic pathologist shortage.

MOTIONS

On motion of Senator Dhingra, Substitute Senate Bill No. 5523 was substituted for Senate Bill No. 5523 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Dhingra, the rules were suspended, Substitute Senate Bill No. 5523 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Dhingra, Holy and Padden spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5523.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5523 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Liias

SUBSTITUTE SENATE BILL NO. 5523, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5390, by Senators Shewmake, Warnick, Rolfes, Stanford, Nguyen and Wilson, C.

Establishing a programmatic safe harbor agreement on forestlands.

The measure was read the second time.

MOTION

On motion of Senator Shewmake, the rules were suspended, Senate Bill No. 5390 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Shewmake and Muzzall spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5390.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5390 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Liias

SENATE BILL NO. 5390, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5268, by Senators Hasegawa, Warnick, Hunt, Keiser, Kuderer, Nguyen, Nobles, Saldaña, Valdez, Wagoner and Wilson, C.

Addressing equity and efficiencies in public works procurement including modifying small works roster requirements.

MOTIONS

On motion of Senator Hasegawa, Second Substitute Senate Bill No. 5268 was substituted for Senate Bill No. 5268 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Hasegawa, the rules were suspended, Second Substitute Senate Bill No. 5268 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hasegawa and Wilson, J. spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 5268.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5268 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Liias

SECOND SUBSTITUTE SENATE BILL NO. 5268, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5102, by Senators Wellman, Frame, Hunt, Liias, Saldaña, Trudeau, Valdez and Wilson, C.

Concerning school library information and technology programs.

MOTIONS

On motion of Senator Wellman, Substitute Senate Bill No. 5102 was substituted for Senate Bill No. 5102 and the substitute bill was placed on the second reading and read the second time.

Senator Wellman moved that the following amendment no. 0088 by Senator Wellman be adopted:

On page 3, beginning on line 7, after "~~instruction~~")" strike all material through "section" on line 9 and insert ". Each student shall have access to a school library information and technology program, as determined by the board of directors and consistent with the requirements of this section"

On page 3, line 14, after "is" strike "staffed" and insert "~~((staffed))~~ overseen"

On page 4, line 12, after "resources;" strike "and" and insert "~~((and))~~"

On page 4, line 17, after "students" insert "; and (f) Oversee classified staff, including library technicians, library assistants, and others, to implement the school library information technology program"

MOTION

Senator Hawkins moved that the following amendment no. 0185 by Senator Hawkins be adopted:

On page 1, line 4, after "directors" strike "and" and insert "or"

Senator Hawkins spoke in favor of adoption of the amendment to the amendment.

Senator Wellman spoke against adoption of the amendment to the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0185 by Senator Hawkins on page 1, line 4 to amendment no. 0088.

The motion by Senator Hawkins did not carry and amendment no. 0185 was not adopted by voice vote.

Senator Wellman spoke in favor of adoption of the amendment.

Senator Hawkins spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0088 by Senator Wellman on page 3, line 7 to Substitute Senate Bill No. 5102.

The motion by Senator Wellman carried and amendment no. 0088 was adopted by voice vote.

MOTION

On motion of Senator Wellman, the rules were suspended, Engrossed Substitute Senate Bill No. 5102 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Wellman spoke in favor of passage of the bill.

Senators Hawkins, Warnick and Braun spoke against passage of the bill.

FIFTY SEVENTH DAY, MARCH 6, 2023

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5102.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5102 and the bill passed the Senate by the following vote: Yeas, 28; Nays, 20; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Lovelett, Lovick, Mullet, Nguyen, Nobles, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

Excused: Senator Liias

ENGROSSED SUBSTITUTE SENATE BILL NO. 5102, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5433, by Senators Muzzall, Shewmake, Liias, Lovelett, MacEwen, Nguyen and Salomon

Concerning the removal of derelict aquatic structures and restoration of aquatic lands.

MOTIONS

On motion of Senator Muzzall, Substitute Senate Bill No. 5433 was substituted for Senate Bill No. 5433 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Muzzall, the rules were suspended, Substitute Senate Bill No. 5433 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Muzzall and Lovelett spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5433.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5433 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Liias

SUBSTITUTE SENATE BILL NO. 5433, having received the constitutional majority, was declared passed. There being no

objection, the title of the bill was ordered to stand as the title of the act.

PERSONAL PRIVILEGE

Senator Hasegawa: "Thank you Mr. President. Before we move on the last bill this evening, I just wanted to share a little bit of good news about a personal joy and blessing. I just became what you might, well we used to call ojisan which is grandpa for the third time late last night. I am very proud. Logan Robert was born late last night. Mother and child are both doing well. Thank you."

REMARKS BY THE PRESIDENT

President Heck: "Congratulations Senator Hasegawa. The President inquires as to how old is the oldest of your three grandchildren?"

Senator Hasegawa: "Two and a half."

President Heck: "Three grandchildren under the age of two and a half. Blessings on your house."

PERSONAL PRIVILEGE

Senator Rolfes: "Somebody – the birthday girl herself – told me it was Senator Wilson, 'L.'s' birthday today. So, I just wanted to make sure everyone knew that."

REMARKS BY THE PRESIDENT

President Heck: "Senator Wilson will you please stand and be acknowledged by the House on this joyous occasion."

[The Senate performed a rendition of *Happy Birthday* on the occasion of Senator Lynda Wilson's birthday.]

PERSONAL PRIVILEGE

Senator Wilson, L.: "I just wanted to say it's another milestone. I know what the alternative is but, and it is crazy to say, that I qualify for Medicare today. Thank you so much."

SECOND READING

SENATE BILL NO. 5178, by Senators Fortunato and Gildon

Concerning large debris removal from interstate highways.

MOTIONS

On motion of Senator Fortunato, Substitute Senate Bill No. 5178 was substituted for Senate Bill No. 5178 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5178, by Committee on Transportation (originally sponsored by Senators Fortunato and Gildon)

Revised for first Substitute: Concerning large debris removal from state highways.

On motion of Senator Fortunato, the rules were suspended, Substitute Senate Bill No. 5178 was advanced to third reading,

the second reading considered the third and the bill was placed on final passage.

Senator Fortunato spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5178.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5178 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Liias

SUBSTITUTE SENATE BILL NO. 5178, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 6:04 p.m., on motion of Senator Pedersen, the Senate adjourned until 9 o'clock a.m. Tuesday, March 7, 2023.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

FIFTY EIGHTH DAY

MORNING SESSION

Senate Chamber, Olympia
Tuesday, March 7, 2023

The Senate was called to order at 9 o'clock a.m. by the President of the Senate, Lt. Governor Heck presiding. The Secretary called the roll and announced to the President that all Senators were present with the exception of Senator Kauffman.

The Sergeant at Arms Color Guard consisting of Pages Miss Sofia Hunter and Mr. James Byrd, presented the Colors. Page Miss Clairese Snyder led the Senate in the Pledge of Allegiance.

The prayer was offered by The Rev. Robert (R.C.) Laird, Rector, St. John's Episcopal Church, Olympia.

MOTIONS

On motion of Senator Pedersen, the reading of the Journal of the previous day was dispensed with and it was approved.

On motion of Senator Pedersen, the Senate advanced to the fourth order of business.

MESSAGE FROM THE HOUSE

March 6, 2023

MR. PRESIDENT:

The House has passed:

- SECOND SUBSTITUTE HOUSE BILL NO. 1028,
- HOUSE BILL NO. 1055,
- SUBSTITUTE HOUSE BILL NO. 1105,
- ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1134,
- SUBSTITUTE HOUSE BILL NO. 1163,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1187,
- SECOND SUBSTITUTE HOUSE BILL NO. 1205,
- SUBSTITUTE HOUSE BILL NO. 1255,
- HOUSE BILL NO. 1265,
- SUBSTITUTE HOUSE BILL NO. 1268,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1311,
- ENGROSSED HOUSE BILL NO. 1324,
- SUBSTITUTE HOUSE BILL NO. 1378,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1508,
- HOUSE BILL NO. 1527,
- HOUSE BILL NO. 1530,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1533,
- SECOND SUBSTITUTE HOUSE BILL NO. 1550,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1554,
- SECOND SUBSTITUTE HOUSE BILL NO. 1578,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1589,
- SECOND SUBSTITUTE HOUSE BILL NO. 1639,
- ENGROSSED HOUSE BILL NO. 1663,
- HOUSE BILL NO. 1712,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1744,
- SECOND SUBSTITUTE HOUSE BILL NO. 1745,
- SECOND SUBSTITUTE HOUSE BILL NO. 1762,
- HOUSE BILL NO. 1763,
- HOUSE BILL NO. 1824,

SUBSTITUTE HOUSE JOINT MEMORIAL NO. 4001, and the same are herewith transmitted.

Melissa Palmer, Deputy Chief Clerk

MOTION

On motion of Senator Pedersen, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

2SHB 1010 by House Committee on Appropriations (originally sponsored by Chapman, McEntire, Dent, Reed, Griffey, Reeves and Kloba)

AN ACT Relating to the sanitary control of shellfish; adding a new section to chapter 69.30 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

2SHB 1032 by House Committee on Appropriations (originally sponsored by Dent, Chapman, Ryu, Reed, Graham, Ramel, Pollet, Griffey, Reeves, Tharinger, Wylie, Springer, Kloba and Donaghy)

AN ACT Relating to mitigating the risk of wildfires through electric utility planning and identification of best management practices appropriate to each electric utility's circumstances; amending RCW 76.04.780; adding a new section to chapter 76.04 RCW; adding a new section to chapter 80.28 RCW; adding a new section to chapter 19.29A RCW; and creating new sections.

Referred to Committee on Environment, Energy & Technology.

ESHB 1048 by House Committee on State Government & Tribal Relations (originally sponsored by Mena, Simmons, Goodman, Berry, Ramel, Peterson, Pollet, Doglio, Macri, Morgan, Wylie, Gregerson, Bergquist, Street, Cortes, Santos, Ormsby and Farivar)

AN ACT Relating to enhancing the Washington voting rights act; amending RCW 29A.92.010, 29A.92.030, 29A.92.040, 29A.92.060, 29A.92.090, 29A.92.110, 29A.92.070, 29A.92.080, 29A.92.130, and 36.32.020; adding new sections to chapter 29A.92 RCW; and providing an effective date.

Referred to Committee on State Government & Elections.

SHB 1104 by House Committee on Transportation (originally sponsored by Goodman, Wylie, Davis and Ormsby)

AN ACT Relating to eligibility and requirements for deferred prosecutions; amending RCW 10.05.010, 10.05.015, 10.05.020, 10.05.030, 10.05.040, 10.05.050, 10.05.060, 10.05.090, 10.05.100, 10.05.120, 10.05.140, 10.05.150, 10.05.155, 10.05.170, and 9.94A.525; adding a new section to chapter 10.05 RCW; and providing an effective date.

Referred to Committee on Law & Justice.

ESHB 1106 by House Committee on Labor & Workplace Standards (originally sponsored by Fosse, Reeves, Reed, Berry, Doglio, Wylie, Kloba, Santos and Ormsby)

AN ACT Relating to qualifications for unemployment insurance when an individual voluntarily leaves work;

amending RCW 50.20.050 and 50.29.021; adding a new section to chapter 50.04 RCW; and creating a new section.

Referred to Committee on Labor & Commerce.

SHB 1117 by House Committee on Environment & Energy (originally sponsored by Mosbrucker, Dye, Leavitt, Schmidt, Christian and Walsh)

AN ACT Relating to addressing the extent to which Washington residents are at risk of rolling blackouts and power supply inadequacy events; amending RCW 19.280.065; creating a new section; and providing an expiration date.

Referred to Committee on Environment, Energy & Technology.

2SHB 1122 by House Committee on Appropriations (originally sponsored by Doglio, Berry, Reed, Ramel, Simmons, Reeves, Lekanoff, Bergquist, Kloba, Pollet, Donaghy, Fosse and Ormsby)

AN ACT Relating to granting Washington management service employees the right to collectively bargain; amending RCW 41.06.022 and 41.80.005; adding a new section to chapter 41.80 RCW; and providing an effective date.

Referred to Committee on Labor & Commerce.

ESHB 1155 by House Committee on Civil Rights & Judiciary (originally sponsored by Slatter, Street, Reed, Ryu, Berg, Alvarado, Taylor, Bateman, Ramel, Senn, Goodman, Fitzgibbon, Macri, Simmons, Reeves, Lekanoff, Orwall, Duerr, Thai, Gregerson, Wylie, Ortiz-Self, Stonier, Pollet, Riccelli, Donaghy, Fosse and Ormsby)

AN ACT Relating to the collection, sharing, and selling of consumer health data; and adding a new chapter to Title 19 RCW.

Referred to Committee on Law & Justice.

E2SHB 1167 by House Committee on Appropriations (originally sponsored by Duerr, Low, Walen, Reed, Bateman, Ramel, Fitzgibbon, Taylor, Macri, Gregerson, Wylie, Pollet, Kloba and Tharinger)

AN ACT Relating to residential housing regulations; amending RCW 43.21C.229; adding new sections to chapter 36.70A RCW; adding a new section to chapter 19.27 RCW; and creating new sections.

Referred to Committee on Local Government, Land Use & Tribal Affairs.

SHB 1171 by House Committee on Transportation (originally sponsored by Mosbrucker and Graham)

AN ACT Relating to modifying the motorcycle safety education advisory board; and amending RCW 46.20.520.

Referred to Committee on Transportation.

E2SHB 1181 by House Committee on Appropriations (originally sponsored by Duerr, Fitzgibbon, Berry, Peterson, Ryu, Alvarado, Taylor, Reed, Walen, Bateman, Ramel, Goodman, Doglio, Macri, Callan,

Simmons, Lekanoff, Gregerson, Bergquist, Stonier, Pollet, Davis, Kloba, Riccelli, Mena and Tharinger)

AN ACT Relating to improving the state's climate response through updates to the state's planning framework; amending 36.70A.020, 36.70A.480, 36.70A.280, 36.70A.320, 36.70A.190, 86.12.200, 36.70A.030, and 70A.125.180; reenacting and amending RCW 36.70A.070 and 36.70A.130; adding new sections to chapter 36.70A RCW; adding a new section to chapter 70A.45 RCW; adding a new section to chapter 47.80 RCW; adding a new section to chapter 90.58 RCW; adding a new section to chapter 43.21C RCW; adding a new section to chapter 43.20 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Local Government, Land Use & Tribal Affairs.

E2SHB 1189 by House Committee on Appropriations (originally sponsored by Hackney, Reed, Simmons, Wylie, Santos and Ormsby)

AN ACT Relating to the release of incarcerated individuals from total confinement prior to the expiration of a sentence; amending RCW 9.94A.501, 9.94A.565, 9.94A.633, and 9.94A.880; reenacting and amending RCW 9.94A.728 and 9.94A.885; adding new sections to chapter 9.94A RCW; and creating a new section.

Referred to Committee on Law & Justice.

ESHB 1203 by House Committee on Appropriations (originally sponsored by Ormsby and Macri)

AN ACT Relating to improving the fiscal process by updating accounts administered by the office of financial management, creating new accounts including one for the opioid litigation settlement and one for the receipt of federal funds, and reenacting accounts created in the supplemental budget bill; amending RCW 43.41.450, 41.06.280, 41.06.285, 43.84.092, and 43.84.092; reenacting RCW 43.79.567 and 43.330.365; adding new sections to chapter 43.79 RCW; adding a new section to chapter 38.52 RCW; providing effective dates; providing an expiration date; and declaring an emergency.

Referred to Committee on Ways & Means.

E2SHB 1216 by House Committee on Appropriations (originally sponsored by Fitzgibbon, Doglio, Berry, Reed, Simmons, Macri, Fosse and Pollet)

AN ACT Relating to clean energy siting; amending RCW 44.39.010 and 44.39.012; adding new sections to chapter 43.21C RCW; adding a new section to chapter 36.70B RCW; adding a new section to chapter 36.01 RCW; adding new chapters to Title 43 RCW; creating new sections; prescribing penalties; and providing an expiration date.

Referred to Committee on Environment, Energy & Technology.

SHB 1217 by House Committee on Labor & Workplace Standards (originally sponsored by Ortiz-Self, Fosse, Berry, Reed, Simmons, Gregerson, Ramel, Macri and Pollet)

AN ACT Relating to improving worker recovery in wage complaints by authorizing the collection of interest and

FIFTY EIGHTH DAY, MARCH 7, 2023

studying other options; amending RCW 49.48.083; creating a new section; and providing an expiration date.

Referred to Committee on Labor & Commerce.

SHB 1271 by House Committee on Transportation (originally sponsored by Low, Eslick, Bronoske, Hackney, Goehner, Hutchins, Berry, Reed, Christian and Schmidt)

AN ACT Relating to organ transport vehicles; amending RCW 68.64.010, 46.37.190, 46.37.380, 46.37.670, 46.61.210, 46.61.165, 47.52.025, 18.73.140, 18.73.081, and 18.73.030; adding a new section to chapter 46.04 RCW; and adding a new section to chapter 18.73 RCW.

Referred to Committee on Transportation.

EHB 1274 by Representatives Couture, Lekanoff, Eslick, Waters, Walsh, Griffey, Low, Hutchins, Dent, Taylor, Barnard, Connors, Rude, Sandlin, Slatter, Stonier, Harris, Reeves, Abbarno, Robertson, Senn, Davis, Gregerson, Christian, Schmidt, Orwall, Ramel and Pollet

AN ACT Relating to creating a child malnutrition field guide for the department of children, youth, and families; and adding a new section to chapter 74.13 RCW.

Referred to Committee on Human Services.

HB 1301 by Representatives McClintock and Cheney

AN ACT Relating to creating a review process for professional licensing regulations and requiring a report to the legislature; and adding a new chapter to Title 18 RCW.

Referred to Committee on Labor & Commerce.

2SHB 1316 by House Committee on Appropriations (originally sponsored by Paul, Ortiz-Self, Stonier, Bergquist, Lekanoff, Ramel, Santos, Reed, Pollet, Leavitt, Timmons, Chapman and Ormsby)

AN ACT Relating to expanding access to dual credit programs; amending RCW 28A.600.390 and 28A.600.400; reenacting and amending RCW 28A.600.310; adding a new section to chapter 28A.600 RCW; and creating a new section.

Referred to Committee on Early Learning & K-12 Education.

E2SHB 1357 by House Committee on Appropriations (originally sponsored by Simmons, Schmick, Stonier, Cortes, Reed, Bateman, Harris, Alvarado, Pollet and Caldier)

AN ACT Relating to modernizing the prior authorization process; amending RCW 48.43.420, 48.43.0161, and 48.43.400; adding a new section to chapter 48.43 RCW; adding a new section to chapter 41.05 RCW; adding a new section to chapter 74.09 RCW; creating a new section; repealing RCW 48.43.410; and providing an effective date.

Referred to Committee on Health & Long-Term Care.

ESHB 1369 by House Committee on Community Safety, Justice, & Reentry (originally sponsored by Griffey,

Bronoske, Riccelli, Maycumber, Couture, Abbarno, Volz, Barkis, Christian and Leavitt)

AN ACT Relating to off-duty employment of fish and wildlife officers; adding a new section to chapter 77.15 RCW; and adding a new section to chapter 4.92 RCW.

Referred to Committee on Law & Justice.

HB 1370 by Representatives Reeves, Corry, Reed, Morgan, Ramel, Pollet and Leavitt

AN ACT Relating to the payment of awards to whistleblowers who report violations of state or federal securities laws and providing protection to whistleblowers and internal reporters; amending RCW 42.56.400 and 43.320.115; and adding a new chapter to Title 21 RCW.

Referred to Committee on Business, Financial Services, Gaming & Trade.

ESHB 1387 by House Committee on Community Safety, Justice, & Reentry (originally sponsored by Ramos, Goodman, Callan, Ryu, Ramel and Pollet)

AN ACT Relating to requiring the criminal justice training commission to establish a program to recruit and train a pool of applicants who may be employed by certain law enforcement agencies in the state; creating a new section; and providing an expiration date.

Referred to Committee on Law & Justice.

E2SHB 1392 by House Committee on Appropriations (originally sponsored by Gregerson, Kretz, Ryu, Dent, Berry, Fitzgibbon, Reed, Ramel, Pollet and Macri)

AN ACT Relating to promoting the fair servicing and repair of digital electronic equipment in a safe, secure, reliable, and sustainable manner to increase access to appropriate and affordable digital electronic equipment, support small businesses and jobs, and enhance digital connectivity in Washington state; adding a new chapter to Title 19 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Environment, Energy & Technology.

ESHB 1394 by House Committee on Human Services, Youth, & Early Learning (originally sponsored by Senn, Goodman, Simmons, Lekanoff and Doglio)

AN ACT Relating to creating a developmentally appropriate response to youth who commit sexual offenses; amending RCW 18.155.020, 9A.44.128, 9A.44.130, 9A.44.132, 9A.44.140, 13.40.162, and 9A.44.145; adding a new section to chapter 13.40 RCW; adding a new section to chapter 9A.44 RCW; creating a new section; prescribing penalties; and providing an effective date.

Referred to Committee on Human Services.

2SHB 1405 by House Committee on Appropriations (originally sponsored by Alvarado, Farivar, Taylor, Reeves, Senn, Mena, Berg, Cortes, Simmons, Berry, Ortiz-Self, Goodman, Lekanoff, Gregerson, Ramel, Macri, Reed, Ormsby, Doglio, Chopp and Santos)

AN ACT Relating to preserving public benefit payments to people in the care of the department of children, youth, and

families; adding a new section to chapter 43.216 RCW; creating new sections; and providing an expiration date.

Referred to Committee on Human Services.

HB 1421 by Representatives Chambers, Rule, Jacobsen, Dent, Taylor, Barkis, Christian, Springer, Lekanoff, Berg, Schmick, Klicker, Goehner, Eslick and Robertson
AN ACT Relating to adding counties to the voluntary stewardship program; and amending RCW 36.70A.710 and 36.70A.740.

Referred to Committee on Local Government, Land Use & Tribal Affairs.

2SHB 1425 by House Committee on Finance (originally sponsored by Berg, Low, Eslick, Ryu, Stonier, Duerr, Ortiz-Self, Cortes, Peterson, Fosse, Donaghy and Pollet)
AN ACT Relating to facilitating municipal annexations; and amending RCW 35.13.470 and 82.14.415.

Referred to Committee on Local Government, Land Use & Tribal Affairs.

ESHB 1466 by House Committee on Health Care & Wellness (originally sponsored by Riccelli, Leavitt and Morgan)
AN ACT Relating to currently credentialed dental auxiliaries; and amending RCW 18.29.190.

Referred to Committee on Health & Long-Term Care.

2SHB 1477 by House Committee on Appropriations (originally sponsored by Thai, Street, Doglio, Berry, Chapman, Santos, Ryu, Alvarado, Ramel, Macri, Ormsby, Leavitt, Pollet and Fey)
AN ACT Relating to making changes to the working families' tax credit that clarify program qualification requirements, allow applications to be submitted for up to three years, and require a biennial program report from the department of revenue; amending RCW 82.08.02061; amending 2021 c 195 s 4 (uncodified); reenacting and amending RCW 82.08.0206; creating new sections; providing an effective date; and providing a contingent expiration date.

Referred to Committee on Ways & Means.

HB 1514 by Representatives Robertson, Berry, Schmidt, Ormsby, Doglio, Reed and Fosse
AN ACT Relating to the purchase and distribution of insignia to manufacturers of recreational vehicles and/or park trailers; and amending RCW 43.22.350.

Referred to Committee on Labor & Commerce.

HB 1542 by Representatives Bronoske, Fosse, Berry, Hackney, Abbarno, Griffey, Walsh, Ortiz-Self, Taylor, Ramel, Simmons, Jacobsen, Schmidt, Graham, Ormsby, Pollet, Kloba, Doglio, Bateman, Macri, Leavitt and Timmons
AN ACT Relating to requiring automated external defibrillators to be available and accessible when work is being performed on high voltage lines and equipment;

adding a new section to chapter 49.17 RCW; and providing an effective date.

Referred to Committee on Labor & Commerce.

2SHB 1559 by House Committee on Appropriations (originally sponsored by Entenman, Fitzgibbon, Stonier, Paul, Riccelli, Bergquist, Pollet and Leavitt)
AN ACT Relating to the student basic needs at public postsecondary institutions act; adding a new section to chapter 28B.10 RCW; adding a new section to chapter 28B.50 RCW; creating new sections; and providing an expiration date.

Referred to Committee on Higher Education & Workforce Development.

HB 1563 by Representatives Kloba, Simmons, Cheney, Peterson, Ramel, Ormsby, Reeves, Reed, Macri, Fitzgibbon, Gregerson, Rude and Wylie
AN ACT Relating to arrest protections for the medical use of cannabis; amending RCW 69.51A.040, 69.51A.055, and 69.51A.060; and repealing RCW 69.51A.043.

Referred to Committee on Labor & Commerce.

HB 1575 by Representatives Reed, Berry, Berg, Taylor, Farivar, Stonier, Peterson, Senn, Doglio, Cortes, Ryu, Fosse, Springer, Bateman, Goodman, Ramel, Bergquist and Pollet
AN ACT Relating to modifying the sales and use tax for cultural access programs by allowing the tax to be imposed by a councilmanic or commission authority and defining timelines and priorities for action; amending RCW 82.14.525; and creating a new section.

Referred to Committee on Local Government, Land Use & Tribal Affairs.

ESHB 1576 by House Committee on Postsecondary Education & Workforce (originally sponsored by Caldier, Schmidt, Leavitt and Volz)
AN ACT Relating to the dentist and dental hygienist compact; adding a new chapter to Title 18 RCW; and providing a contingent effective date.

Referred to Committee on Health & Long-Term Care.

2SHB 1579 by House Committee on Appropriations (originally sponsored by Stonier, Bateman, Lekanoff, Reed, Pollet and Macri)
AN ACT Relating to establishing a mechanism for independent prosecutions within the office of the attorney general of criminal conduct arising from police use of force; amending RCW 43.10.230, 43.10.232, 43.10.234, 36.27.020, 36.27.030, 43.102.080, 41.80.400, and 10.114.011; adding a new section to chapter 36.27 RCW; adding new sections to chapter 43.10 RCW; creating a new section; and providing an effective date.

Referred to Committee on Law & Justice.

HB 1599 by Representatives Goodman, Berry, Ramel and Pollet
AN ACT Relating to court files and records exemptions for firearm background checks; and amending RCW 71.05.620.

Referred to Committee on Law & Justice.

SHB 1621 by House Committee on Local Government (originally sponsored by Ryu, Duerr, Pollet, Kloba and Senn)

AN ACT Relating to standardizing local government procurement rules among special purpose districts, first-class and second-class cities, and public utility districts; and amending RCW 54.04.070, 35.23.352, 35.22.620, 57.08.050, and 52.14.110.

Referred to Committee on Local Government, Land Use & Tribal Affairs.

HB 1622 by Representatives Fey, Rude, Simmons, Schmidt, Cortes, Senn, Slatter, Alvarado, Ryu, Wylie, Bergquist, Paul, Gregerson, Morgan, Macri, Pollet, Doglio, Timmons and Leavitt

AN ACT Relating to supporting the needs of students experiencing homelessness; amending RCW 28A.300.542; and reenacting and amending RCW 43.185C.340.

Referred to Committee on Early Learning & K-12 Education.

HB 1626 by Representatives Bronoske, Rude, Ryu, Griffey, Callan, Fosse, Senn, Macri, Pollet, Graham, Leavitt and Reed

AN ACT Relating to coverage for colorectal screening tests under medical assistance programs; and amending RCW 74.09.520.

Referred to Committee on Health & Long-Term Care.

HB 1645 by Representatives Barnard, Duerr, Connors, Riccelli, Cheney, Hutchins, McClintock, Chambers, McEntire, Sandlin, Eslick, Low, Street, Maycumber, Fitzgibbon, Macri, Reed, Rude, Lekanoff and Ramel

AN ACT Relating to meetings of county legislative authorities; and amending RCW 36.32.080.

Referred to Committee on Local Government, Land Use & Tribal Affairs.

ESHB 1652 by House Committee on Appropriations (originally sponsored by Taylor, Couture and Rule)

AN ACT Relating to child support pass through; amending RCW 26.23.035; adding a new section to chapter 74.08A RCW; creating a new section; and providing an effective date.

Referred to Committee on Law & Justice.

HB 1656 by Representatives Schmidt, Fosse, Berry, Robertson, Christian, Ormsby and Riccelli

AN ACT Relating to unemployment insurance benefits appeal procedures; amending RCW 50.32.040; and creating a new section.

Referred to Committee on Labor & Commerce.

ESHB 1678 by House Committee on Health Care & Wellness (originally sponsored by Riccelli, Lekanoff, Stonier, Morgan, Bateman, Macri, Ormsby, Slatter,

Entenman, Ramos, Peterson, Tharinger, Chopp, Ryu, Pollet, Davis, Harris, Taylor, Simmons, Kloba and Gregerson)

AN ACT Relating to establishing and authorizing the profession of dental therapy to practice in federally qualified health centers and look-alikes; amending RCW 18.32.030, 18.32.0351, 18.120.020, 18.130.040, 18.260.010, 18.260.040, 18.260.070, 18.260.080, 69.41.010, and 69.41.030; reenacting and amending RCW 43.70.442; adding a new chapter to Title 18 RCW; creating a new section; and providing an effective date.

Referred to Committee on Health & Long-Term Care.

SHB 1683 by House Committee on Health Care & Wellness (originally sponsored by Barnard, Macri, Harris, Walen, Caldier, Gregerson, Christian and Riccelli)

AN ACT Relating to health carriers offering dental only coverage; and adding a new section to chapter 48.43 RCW.

Referred to Committee on Health & Long-Term Care.

ESHB 1705 by House Committee on Local Government (originally sponsored by Griffey, Couture and Wylie)

AN ACT Relating to stormwater control facilities and county jurisdiction; and amending RCW 36.89.050 and 36.89.080.

Referred to Committee on Local Government, Land Use & Tribal Affairs.

HB 1707 by Representatives Kloba, Reed and Eslick

AN ACT Relating to bingo conducted by bona fide charitable or nonprofit organizations; and amending RCW 9.46.0205.

Referred to Committee on Business, Financial Services, Gaming & Trade.

SHB 1717 by House Committee on Appropriations (originally sponsored by Rule, Corry, Paul, Stonier, Chapman, Duerr and Timmons)

AN ACT Relating to supporting innovation at associate development organizations; adding new sections to chapter 43.330 RCW; and creating a new section.

Referred to Committee on Business, Financial Services, Gaming & Trade.

2SHB 1724 by House Committee on Appropriations (originally sponsored by Bateman, Macri, Taylor, Berry, Tharinger, Slatter, Callan, Leavitt, Reed and Shavers)

AN ACT Relating to increasing the trained behavioral health workforce; amending RCW 18.83.170, 18.205.140, 18.225.090, and 18.225.140; adding a new section to chapter 43.70 RCW; adding a new section to chapter 18.130 RCW; adding a new section to chapter 18.225 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Health & Long-Term Care.

2SHB 1728 by House Committee on Appropriations (originally sponsored by Donaghy, Rule, Reeves, Morgan, Ramel, Reed and Leavitt)
AN ACT Relating to creating a statewide resiliency program; adding a new section to chapter 38.52 RCW; and creating new sections.

Referred to Committee on State Government & Elections.

ESHB 1731 by House Committee on Regulated Substances & Gaming (originally sponsored by Waters, Stonier, Klicker, Low, Couture, Chambers, Ybarra, Barnard, Schmidt, McClintock, Santos and Hutchins)
AN ACT Relating to complimentary liquor by short-term rental operators; and amending RCW 66.20.010, 66.24.200, 43.384.040, and 66.08.170.

Referred to Committee on Labor & Commerce.

ESHB 1736 by House Committee on Transportation (originally sponsored by Cortes, Fey, Senn, Ryu, Wylie, Slatter, Reed and Pollet)
AN ACT Relating to requiring the department of licensing to collect vehicle odometer readings at the time of original vehicle registration and registration renewal; amending RCW 46.16A.040, 46.16A.110, and 42.56.330; creating a new section; and providing an effective date.

Referred to Committee on Transportation.

HB 1742 by Representative Wylie
AN ACT Relating to nontax statutes administered by the department of revenue by modifying provisions of the unclaimed property and business licensing service programs concerning penalty waivers, the department of revenue's express settlement authority, and making technical corrections; amending RCW 19.02.085, 19.150.060, 19.150.080, 19.240.080, 19.240.900, 59.18.312, 59.18.595, 63.30.040, 63.30.690, and 88.26.020; adding a new section to chapter 63.30 RCW; and creating a new section.

Referred to Committee on Law & Justice.

2SHB 1746 by House Committee on Capital Budget (originally sponsored by Ryu, Berry, Couture, Griffey, Thai, Reed, Gregerson, Sandlin, Tharinger, Walen, Paul, Kloba, Volz, Reeves, Rule and Ormsby)
AN ACT Relating to a state broadband map; amending RCW 43.155.160, 43.330.534, and 43.155.165; reenacting and amending RCW 42.56.270; adding a new section to chapter 43.330 RCW; and repealing RCW 43.330.400, 43.330.403, 43.330.406, and 43.330.409.

Referred to Committee on Environment, Energy & Technology.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

On motion of Senator Pedersen, the Senate advanced to the seventh order of business.

MOTIONS

On motion of Senator Dozier, Senator Hawkins was excused.
On motion of Senator Nobles, Senator Kauffman was excused.

THIRD READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Frame moved that Schuyler F. Hoss, Senate gubernatorial appointment No. 9300, be confirmed as a member of the Lottery Commission.

Senators Frame, Rivers and Cleveland spoke in favor of passage of the motion.

MOTION

On motion of Senator Nobles, Senators Hunt and Trudeau were excused.

APPOINTMENT OF SCHUYLER F. HOSS

The President declared the question before the Senate to be the confirmation of Schuyler F. Hoss, Senate gubernatorial appointment No. 9300, as a member of the Lottery Commission.

The Secretary called the roll on the confirmation of Schuyler F. Hoss, Senate gubernatorial appointment No. 9300, as a member of the Lottery Commission and the appointment was confirmed by the following vote: Yeas, 44; Nays, 0; Absent, 2; Excused, 3.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Holy, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Absent: Senators Saldaña and Salomon
Excused: Senators Hawkins, Hunt and Kauffman

Schuyler F. Hoss, Senate gubernatorial appointment No. 9300, having received the constitutional majority was declared confirmed as a member of the Lottery Commission.

THIRD READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Nguyen moved that Riddhi Mukhopadhyay, Senate gubernatorial appointment No. 9307, be confirmed as a member of the Washington State Women's Commission.

Senators Nguyen and Wilson, J. spoke in favor of passage of the motion.

APPOINTMENT OF RIDDHI MUKHOPADHYAY

The President declared the question before the Senate to be the confirmation of Riddhi Mukhopadhyay, Senate gubernatorial appointment No. 9307, as a member of the Washington State Women's Commission.

The Secretary called the roll on the confirmation of Riddhi Mukhopadhyay, Senate gubernatorial appointment No. 9307, as a member of the Washington State Women's Commission and the

FIFTY EIGHTH DAY, MARCH 7, 2023

appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 1; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Absent: Senator Salomon

Excused: Senator Kauffman

Riddhi Mukhopadhyay, Senate gubernatorial appointment No. 9307, having received the constitutional majority was declared confirmed as a member of the Washington State Women's Commission.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Frame moved that Kecia Rongen, Senate gubernatorial appointment No. 9310, be confirmed as a member of the Indeterminate Sentence Review Board.

Senator Frame spoke in favor of the motion.

APPOINTMENT OF KECIA RONGEN

The President declared the question before the Senate to be the confirmation of Kecia Rongen, Senate gubernatorial appointment No. 9310, as a member of the Indeterminate Sentence Review Board.

The Secretary called the roll on the confirmation of Kecia Rongen, Senate gubernatorial appointment No. 9310, as a member of the Indeterminate Sentence Review Board and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 1; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Absent: Senator Salomon

Excused: Senator Kauffman

Kecia Rongen, Senate gubernatorial appointment No. 9310, having received the constitutional majority was declared confirmed as a member of the Indeterminate Sentence Review Board.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Trudeau moved that Han Tran, Senate gubernatorial appointment No. 9316, be confirmed as a member of the Human Rights Commission.

Senators Trudeau and Nguyen spoke in favor of passage of the motion.

APPOINTMENT OF HAN TRAN

The President declared the question before the Senate to be the confirmation of Han Tran, Senate gubernatorial appointment No. 9316, as a member of the Human Rights Commission.

The Secretary called the roll on the confirmation of Han Tran, Senate gubernatorial appointment No. 9316, as a member of the Human Rights Commission and the appointment was confirmed by the following vote: Yeas, 46; Nays, 2; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senators McCune and Padden

Excused: Senator Kauffman

Han Tran, Senate gubernatorial appointment No. 9316, having received the constitutional majority was declared confirmed as a member of the Human Rights Commission.

MOTION

On motion of Senator Pedersen, the Senate reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 5186, by Senators Liias, Billig, Dhingra, Hunt, Keiser, Lovick, Nguyen, Nobles, Stanford, Valdez, Wellman and Wilson, C.

Requiring antidiscrimination clauses in public contracting.

MOTIONS

On motion of Senator Liias, Substitute Senate Bill No. 5186 was substituted for Senate Bill No. 5186 and the substitute bill was placed on the second reading and read the second time.

Senator Liias moved that the following striking amendment no. 0183 by Senator Liias be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** A new section is added to chapter 49.60 RCW to read as follows:

(1) After January 1, 2024, any contractor or prospective contractor, including subcontractors, with the state for public works or for goods or services is subject to the nondiscrimination requirements of this section and any rules and regulations to implement it.

(2) Every state contract and subcontract for public works or for goods or services must contain a nondiscrimination clause prohibiting discrimination on the bases enumerated in subsection (3) of this section. The nondiscrimination clause must contain a provision requiring contractors and subcontractors to give written notice of their obligations under that clause to labor organizations with which they have a collective bargaining or other agreement.

(3) The antidiscrimination clauses required by this section must prohibit any covered contractor or subcontractor from:

(a) Refusing to hire any person because of age, sex, marital status, sexual orientation, gender identity, race, creed, color, national origin, citizenship or immigration status, honorably discharged veteran or military status, the presence of any sensory, mental, or physical disability, or the use of a trained dog guide or service animal by a person with a disability, unless based upon a bona fide occupational qualification: PROVIDED, That the prohibition against discrimination because of such disability shall not apply if the particular disability prevents the proper performance of the particular worker involved: PROVIDED, That this section shall not be construed to require an employer to establish employment goals or quotas based on sexual orientation;

(b) Discharging or barring any person from employment because of age, sex, marital status, sexual orientation, gender identity, race, creed, color, national origin, citizenship or immigration status, honorably discharged veteran or military status, the presence of any sensory, mental, or physical disability, or the use of a trained dog guide or service animal by a person with a disability;

(c) Discriminating against any person in compensation or in other terms or conditions of employment because of age, sex, marital status, sexual orientation, gender identity, race, creed, color, national origin, citizenship or immigration status, honorably discharged veteran or military status, the presence of any sensory, mental, or physical disability, the use of a trained dog guide or service animal by a person with a disability: PROVIDED, That it shall not be an unfair practice for an employer to segregate washrooms or locker facilities on the basis of sex, or to base other terms and conditions of employment on the sex of employees where the commission by regulation or ruling in a particular instance has found the employment practice to be appropriate for the practical realization of equality of opportunity between the sexes; or

(d) Printing or circulating, or causing to be printed or circulated, any statement, advertisement, or publication, or to use any form of application for employment, or to make any inquiry in connection with prospective employment, which expresses any limitation, specification, or discrimination as to age, sex, marital status, sexual orientation, gender identity, race, creed, color, national origin, citizenship or immigration status, honorably discharged veteran or military status, or the presence of any sensory, mental, or physical disability, the use of a trained dog guide or service animal by a person with a disability, or any intent to make any such limitation, specification, or discrimination, unless based upon a bona fide occupational qualification: PROVIDED, That nothing contained herein shall prohibit advertising in a foreign language.

(4) The department of enterprise services, in collaboration with the office of minority and women's business enterprises, the office of equity, and the commission, must develop a standard template for public works and goods and services contracts to meet the provisions of this section.

Sec. 2. RCW 39.26.245 and 2010 c 5 s 6 are each amended to read as follows:

(1) All contracts entered into and purchases made, including leasing or renting, under this chapter on or after September 1, 1983, are subject to the requirements established under chapter 39.19 RCW.

(2) All procurement contracts entered into under this chapter on or after June 10, 2010, are subject to the requirements established under RCW 43.60A.200.

(3) All contracts with the state for goods or services entered into under this chapter on or after January 1, 2024, are subject to the requirements established under section 1 of this act.

Sec. 3. RCW 39.04.160 and 1983 c 120 s 11 are each amended to read as follows:

(1) All contracts entered into under this chapter by the state on or after September 1, 1983, are subject to the requirements established under chapter 39.19 RCW.

(2) All contracts entered into under this chapter by the state on or after January 1, 2024, are subject to the requirements established under section 1 of this act."

On page 1, line 2 of the title, after "contracting;" strike the remainder of the title and insert "amending RCW 39.26.245 and 39.04.160; and adding a new section to chapter 49.60 RCW."

Senators Liias and King spoke in favor of adoption of the striking amendment.

The President declared the question before the Senate to be the adoption of striking amendment no. 0183 by Senator Liias to Substitute Senate Bill No. 5186.

The motion by Senator Liias carried and striking amendment no. 0183 was adopted by voice vote.

MOTION

On motion of Senator Liias, the rules were suspended, Engrossed Substitute Senate Bill No. 5186 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Liias and King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5186.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5186 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 1; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Absent: Senator Salomon

Excused: Senator Kauffman

ENGROSSED SUBSTITUTE SENATE BILL NO. 5186, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5316, by Senators Wilson, C., Billig and Nobles

Concerning background check and licensing fees for programs administered by the department of children, youth, and families.

The measure was read the second time.

MOTION

On motion of Senator Wilson, C., the rules were suspended, Senate Bill No. 5316 was advanced to third reading, the second

FIFTY EIGHTH DAY, MARCH 7, 2023

reading considered the third and the bill was placed on final passage.

Senator Wilson, C. spoke in favor of passage of the bill.

Senators Hawkins and Gildon spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5316.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5316 and the bill passed the Senate by the following vote: Yeas, 30; Nays, 18; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Frame, Hasegawa, Hunt, Keiser, Kuderer, Liias, Lovelett, Lovick, Mullet, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Muzzall, Padden, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

Excused: Senator Kauffman

SENATE BILL NO. 5316, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

INTRODUCTION OF GUEST

The President welcomed and introduced Mr. Brad Hendrickson, former Secretary of the Senate, who was seated in the gallery.

SECOND READING

SENATE BILL NO. 5145, by Senators Short, Salomon, McCune and Warnick

Clarifying existing law regarding liability protections associated with public recreational use of lands or waters under a hydroelectric license issued by the federal energy regulatory commission.

MOTIONS

On motion of Senator Short, Substitute Senate Bill No. 5145 was substituted for Senate Bill No. 5145 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Short, the rules were suspended, Substitute Senate Bill No. 5145 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Short, Dhingra and Padden spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5145.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5145 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Kauffman

SUBSTITUTE SENATE BILL NO. 5145, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5592, by Senators Hunt, Cleveland, Conway, Lovick, Randall, Valdez, Van De Wege and Wilson, C.

Requiring semiautomatic external defibrillator at fitness centers.

The measure was read the second time.

MOTION

Senator Randall moved that the following amendment no. 0175 by Senator Randall be adopted:

On page 2, after line 12, insert the following:

"NEW SECTION. Sec. 2. (1) Subject to the availability of amounts appropriated for this specific purpose, by July 1, 2024, the department of commerce shall establish a four-year grant program for the purpose of assisting fitness centers with complying with the requirements of acquiring and maintaining at least one semiautomatic external defibrillator as referenced in section 1 of this act.

(2) The department of commerce may adopt rules to implement the grant program referenced in this section."

On page 1, beginning on line 2 of the title, after "centers," strike all material through "RCW" on line 3 and insert "adding a new section to chapter 70.54 RCW; and creating a new section"

Senator Randall spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0175 by Senator Randall on page 2, after line 12 to Senate Bill No. 5592.

The motion by Senator Randall carried and amendment no. 0175 was adopted by voice vote.

MOTION

On motion of Senator Hunt, the rules were suspended, Engrossed Senate Bill No. 5592 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Hunt spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5592.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5592 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Kauffman

ENGROSSED SENATE BILL NO. 5592, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5725, by Senators Keiser, Conway, Nguyen and Valdez

Clarifying the application of the industrial welfare act and minimum wage act to airline cabin crews.

The measure was read the second time.

MOTION

On motion of Senator Keiser, the rules were suspended, Senate Bill No. 5725 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Keiser and King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5725.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5725 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Kauffman

SENATE BILL NO. 5725, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5460, by Senators Warnick and Van De Wege

Concerning collection of assessments for irrigation and rehabilitation districts.

MOTIONS

On motion of Senator Warnick, Substitute Senate Bill No. 5460 was substituted for Senate Bill No. 5460 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Warnick, the rules were suspended, Substitute Senate Bill No. 5460 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Warnick spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5460.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5460 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Kauffman

SUBSTITUTE SENATE BILL NO. 5460, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 9:59 a.m., on motion of Senator Pedersen, the Senate was declared to be at ease subject to the call of the President.

Senator Hasegawa announced a meeting of the Democratic Caucus.

Senator Warnick announced a meeting of the Republican Caucus.

AFTERNOON SESSION

The Senate was called to order at 2 o'clock p.m. by the President of the Senate, Lt. Governor Heck presiding.

SECOND READING

SENATE BILL NO. 5650, by Senators Rolfes, Robinson, Kuderer, Nguyen, Saldaña, Valdez and Wellman

Concerning salary inflationary increases for K-12 employees.

The measure was read the second time.

MOTION

Senator Pedersen moved that the following amendment no. 0195 by Senator Rolfes be adopted:

On page 2, line 11, after "year." strike "3.8" and insert "3.7"

Senator Pedersen spoke in favor of adoption of the amendment.

FIFTY EIGHTH DAY, MARCH 7, 2023

The President declared the question before the Senate to be the adoption of amendment no. 0195 by Senator Rolfes on page 2, line 11 to Engrossed Senate Bill No. 5650.

The motion by Senator Pedersen carried and amendment no. 0195 was adopted by voice vote.

MOTION

On motion of Senator Pedersen, the rules were suspended, Engrossed Senate Bill No. 5650 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Rolfes spoke in favor of passage of the bill.

Senator Wilson, L. spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5650.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5650 and the bill passed the Senate by the following vote: Yeas, 30; Nays, 18; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hasegawa, Hunt, Keiser, Kuderer, Liias, Lovelett, Lovick, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Padden, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

Excused: Senator Kauffman

ENGROSSED SENATE BILL NO. 5650, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5683, by Senators Kauffman, Hasegawa, Kuderer, Liias, Lovelett, Lovick, Nguyen, Nobles, Pedersen, Saldaña, Schoesler, Stanford, Valdez and Wilson, C.

Concerning child-specific foster care licenses for placement of Indian children.

The measure was read the second time.

MOTION

On motion of Senator Wilson, C., the rules were suspended, Senate Bill No. 5683 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wilson, C. and Boehnke spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5683.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5683 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Kauffman

SENATE BILL NO. 5683, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5315, by Senators Wilson, C., Billig, Hasegawa, Keiser, Kuderer, Nguyen, Nobles, Pedersen and Valdez

Concerning nonpublic agencies operating special education programs for students with disabilities.

MOTIONS

On motion of Senator Wilson, C., Second Substitute Senate Bill No. 5315 was substituted for Senate Bill No. 5315 and the substitute bill was placed on the second reading and read the second time.

Senator Wilson, C. moved that the following amendment no. 0169 by Senator Wilson, C. be adopted:

On page 3, line 30, after "competencies:" insert "and"

On page 3, beginning on line 31, after "(vii)" strike all material through "(viii)" on line 33

On page 5, line 29, after "requirements:" strike "and"

On page 5, line 32, after "diploma" insert "; and (iv) Provided at least the minimum instructional hours and days required under RCW 28A.150.220"

Senator Wilson, C. spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0169 by Senator Wilson, C. on page 3, line 30 to Second Substitute Senate Bill No. 5315.

The motion by Senator Wilson, C. carried, and amendment no. 0169 was adopted by voice vote.

MOTION

On motion of Senator Wilson, C., the rules were suspended, Engrossed Second Substitute Senate Bill No. 5315 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wilson, C. and Hawkins spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 5315.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5315 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Kauffman

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5315, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5022, by Senators Muzzall, Cleveland, Dhingra, Gildon, Hunt, Keiser, Kuderer, Mullet, Nobles, Van De Wege, Wilson, J. and Wilson, L.

Exempting fentanyl testing equipment from the definition of drug paraphernalia.

The measure was read the second time.

MOTION

Senator Muzzall moved that the following striking amendment no. 0032 by Senator Muzzall be adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 69.50.102 and 2022 c 16 s 52 are each amended to read as follows:

(a) As used in this chapter, "drug paraphernalia" means all equipment, products, and materials of any kind which are used, intended for use, or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, ~~((testing,))~~ analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance. It includes, but is not limited to:

(1) Kits used, intended for use, or designed for use in planting, propagating, cultivating, growing, or harvesting of any species of plant which is a controlled substance or from which a controlled substance can be derived;

(2) Kits used, intended for use, or designed for use in manufacturing, compounding, converting, producing, processing, or preparing controlled substances;

(3) Isomerization devices used, intended for use, or designed for use in increasing the potency of any species of plant which is a controlled substance;

(4) ~~((Testing equipment used, intended for use, or designed for use in identifying or in analyzing the strength, effectiveness, or purity of controlled substances;~~

~~(5))~~ Scales and balances used, intended for use, or designed for use in weighing or measuring controlled substances;

~~((6))~~ (5) Diluents and adulterants, such as quinine hydrochloride, mannitol, mannite, dextrose, and lactose, used,

intended for use, or designed for use in cutting controlled substances;

~~((7))~~ (6) Separation gins and sifters used, intended for use, or designed for use in removing twigs and seeds from, or in otherwise cleaning or refining, cannabis;

~~((8))~~ (7) Blenders, bowls, containers, spoons, and mixing devices used, intended for use, or designed for use in compounding controlled substances;

~~((9))~~ (8) Capsules, balloons, envelopes, and other containers used, intended for use, or designed for use in packaging small quantities of controlled substances;

~~((10))~~ (9) Containers and other objects used, intended for use, or designed for use in storing or concealing controlled substances;

~~((11))~~ (10) Hypodermic syringes, needles, and other objects used, intended for use, or designed for use in parenterally injecting controlled substances into the human body;

~~((12))~~ (11) Objects used, intended for use, or designed for use in ingesting, inhaling, or otherwise introducing cannabis, cocaine, hashish, or hashish oil into the human body, such as:

(i) Metal, wooden, acrylic, glass, stone, plastic, or ceramic pipes with or without screens, permanent screens, hashish heads, or punctured metal bowls;

(ii) Water pipes;

(iii) Carburetion tubes and devices;

(iv) Smoking and carburetion masks;

(v) Roach clips: Meaning objects used to hold burning material, such as a cannabis cigarette, that has become too small or too short to be held in the hand;

(vi) Miniature cocaine spoons, and cocaine vials;

(vii) Chamber pipes;

(viii) Carburetor pipes;

(ix) Electric pipes;

(x) Air-driven pipes;

(xi) Chillums;

(xii) Bongs; and

(xiii) Ice pipes or chillers.

(b) In determining whether an object is drug paraphernalia under this section, a court or other authority should consider, in addition to all other logically relevant factors, the following:

(1) Statements by an owner or by anyone in control of the object concerning its use;

(2) Prior convictions, if any, of an owner, or of anyone in control of the object, under any state or federal law relating to any controlled substance;

(3) The proximity of the object, in time and space, to a direct violation of this chapter;

(4) The proximity of the object to controlled substances;

(5) The existence of any residue of controlled substances on the object;

(6) Direct or circumstantial evidence of the intent of an owner, or of anyone in control of the object, to deliver it to persons whom he or she knows, or should reasonably know, intend to use the object to facilitate a violation of this chapter; the innocence of an owner, or of anyone in control of the object, as to a direct violation of this chapter shall not prevent a finding that the object is intended or designed for use as drug paraphernalia;

(7) Instructions, oral or written, provided with the object concerning its use;

(8) Descriptive materials accompanying the object which explain or depict its use;

(9) National and local advertising concerning its use;

(10) The manner in which the object is displayed for sale;

FIFTY EIGHTH DAY, MARCH 7, 2023

(11) Whether the owner, or anyone in control of the object, is a legitimate supplier of like or related items to the community, such as a licensed distributor or dealer of tobacco products;

(12) Direct or circumstantial evidence of the ratio of sales of the object(s) to the total sales of the business enterprise;

(13) The existence and scope of legitimate uses for the object in the community; and

(14) Expert testimony concerning its use.

Sec. 2. RCW 69.50.4121 and 2022 c 16 s 92 are each amended to read as follows:

(1) Every person who sells or gives, or permits to be sold or given to any person any drug paraphernalia in any form commits a class I civil infraction under chapter 7.80 RCW. For purposes of this subsection, "drug paraphernalia" means all equipment, products, and materials of any kind which are used, intended for use, or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, ~~((testing,))~~ analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance other than cannabis. Drug paraphernalia includes, but is not limited to objects used, intended for use, or designed for use in ingesting, inhaling, or otherwise introducing cocaine into the human body, such as:

(a) Metal, wooden, acrylic, glass, stone, plastic, or ceramic pipes with or without screens, permanent screens, hashish heads, or punctured metal bowls;

(b) Water pipes;

(c) Carburetion tubes and devices;

(d) Smoking and carburetion masks;

(e) Miniature cocaine spoons and cocaine vials;

(f) Chamber pipes;

(g) Carburetor pipes;

(h) Electric pipes;

(i) Air-driven pipes; and

(j) Ice pipes or chillers.

(2) It shall be no defense to a prosecution for a violation of this section that the person acted, or was believed by the defendant to act, as agent or representative of another.

(3) Nothing in subsection (1) of this section prohibits ~~((legal distribution))~~ selling or giving of injection syringe or testing equipment through public health and community-based HIV prevention programs, and pharmacies."

On page 1, line 1 of the title, after "Relating to" strike the remainder of the title and insert "expanding access to drug testing equipment to promote community safety; and amending RCW 69.50.102 and 69.50.4121."

Senator Muzzall spoke in favor of adoption of the striking amendment.

The President declared the question before the Senate to be the adoption of striking amendment no. 0032 by Senator Muzzall to Senate Bill No. 5022.

The motion by Senator Muzzall carried and striking amendment no. 0032 was adopted by voice vote.

MOTION

On motion of Senator Muzzall, the rules were suspended, Engrossed Senate Bill No. 5022 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Muzzall, Dhingra and Padden spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5022.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5022 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Kauffman

ENGROSSED SENATE BILL NO. 5022, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5263, by Senators Salomon, Rivers, Saldaña, Nobles, Lovick, Lovelett, Hunt, Hasegawa, Mullet, Trudeau, Robinson, Pedersen, Wellman, Muzzall, Wilson, C., Kuderer, Keiser, Liias, Van De Wege, Billig, Conway and Frame

Concerning access to psilocybin services by individuals 21 years of age and older.

MOTIONS

On motion of Senator Salomon, Second Substitute Senate Bill No. 5263 was substituted for Senate Bill No. 5263 and the substitute bill was placed on the second reading and read the second time.

WITHDRAWAL OF AMENDMENT

On motion of Senator Salomon and without objection, amendment no. 0197 by Senator Salomon on page 8, line 5 to Second Substitute Senate Bill No. 5263 was withdrawn.

On motion of Senator Salomon, the rules were suspended, Second Substitute Senate Bill No. 5263 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Salomon, Keiser, Rivers, King and Wilson, L. spoke in favor of passage of the bill.

Senator Lovelett spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 5263.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5263 and the bill passed the Senate by the following vote: Yeas, 41; Nays, 7; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Fortunato, Frame, Hasegawa, Hawkins, Holy, Hunt, Keiser, King, Kuderer, Liias, Lovick, MacEwen, Mullet,

Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senators Dhingra, Dozier, Gildon, Lovelett, McCune, Padden and Wagoner

Excused: Senator Kauffman

SECOND SUBSTITUTE SENATE BILL NO. 5263, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5438, by Senators Warnick, Boehnke, Braun, Dhingra, Van De Wege and Wilson, J.

Facilitating supportive relationships with family and significant individuals within the behavioral health system.

MOTIONS

On motion of Senator Warnick, Second Substitute Senate Bill No. 5438 was substituted for Senate Bill No. 5438 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Warnick, the rules were suspended, Second Substitute Senate Bill No. 5438 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Warnick and Wilson, C. spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 5438.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5438 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 2; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senators Padden and Rivers

Excused: Senator Kauffman

SECOND SUBSTITUTE SENATE BILL NO. 5438, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5228, by Senators Dhingra, Hunt, Keiser, Lovelett, Lovick, Nguyen, Valdez and Wilson, C.

Providing occupational therapy services for persons with behavioral health disorders.

The measure was read the second time.

MOTION

On motion of Senator Dhingra, the rules were suspended, Senate Bill No. 5228 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Dhingra spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5228.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5228 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Kauffman

SENATE BILL NO. 5228, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5269, by Senators Shewmake, Keiser, Nguyen, Randall, Valdez and Wellman

Concerning Washington state manufacturing.

The measure was read the second time.

MOTION

On motion of Senator Conway, the rules were suspended, Senate Bill No. 5269 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Conway spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5269.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5269 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Kauffman

SECOND READING

SENATE BILL NO. 5269, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5589, by Senator Stanford

Concerning probate.

MOTIONS

On motion of Senator Stanford, Substitute Senate Bill No. 5589 was substituted for Senate Bill No. 5589 and the substitute bill was placed on the second reading and read the second time.

Senator Padden moved that the following amendment no. 0181 by Senator Padden be adopted:

On page 6, beginning on line 1, after "6.13.030(1)(a)" strike all material through "subsection (3) of this section" on line 2

On page 6, beginning on line 11, after "section" strike all material through "applied" on line 35

Senator Padden spoke in favor of adoption of the amendment.

Senator Stanford spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0181 by Senator Padden on page 6, line 1 to Substitute Senate Bill No. 5589.

The motion by Senator Padden did not carry and amendment no. 0181 was not adopted by voice vote.

MOTION

On motion of Senator Stanford, the rules were suspended, Substitute Senate Bill No. 5589 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Stanford and Padden spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5589.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5589 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Kauffman

SUBSTITUTE SENATE BILL NO. 5589, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 5180, by Senators Hunt, Hawkins and Mullet

Adopting the interstate teacher mobility compact.

The measure was read the second time.

MOTION

On motion of Senator Hunt, the rules were suspended, Senate Bill No. 5180 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hunt and Hawkins spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5180.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5180 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Kauffman

SENATE BILL NO. 5180, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5171, by Senators Dhingra, Trudeau, Hunt, Lovelett, Cleveland, Keiser, Wilson, C., Hasegawa, Saldaña, Conway, Frame, Kuderer, Nguyen, Nobles, Pedersen, Stanford, Valdez and Wellman

Addressing consumer gender discrimination.

MOTION

On motion of Senator Dhingra, Substitute Senate Bill No. 5171 was substituted for Senate Bill No. 5171 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Wilson, L. moved that the following amendment no. 0198 by Senator Wilson, L. be adopted:

On page 2, beginning on line 13, after "any" strike all material through "distributors" on line 16 and insert "manufacturer acting within the state of Washington that sells goods to any individual or entity"

Senators Wilson, L., Padden, Fortunato and Wagoner spoke in favor of adoption of the amendment.

Senator Dhingra spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0198 by Senator Wilson, L. on page 2, line 13 to Substitute Senate Bill No. 5171.

The motion by Senator Wilson, L. did not carry and amendment no. 0198 was not adopted by voice vote.

On motion of Senator Dhingra, the rules were suspended, Substitute Senate Bill No. 5171 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Dhingra spoke in favor of passage of the bill.

Senator Wilson, L. spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5171.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5171 and the bill passed the Senate by the following vote: Yeas, 27; Nays, 21; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hasegawa, Hunt, Keiser, Kuderer, Lias, Lovelett, Lovick, Mullet, Nguyen, Nobles, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Muzzall, Padden, Rivers, Schoesler, Shewmake, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

Excused: Senator Kauffman

SUBSTITUTE SENATE BILL NO. 5171, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5649, by Senator Braun

Concerning floodproofing improvements to residential structures undertaken in accordance with the Chehalis basin strategy.

MOTIONS

On motion of Senator Braun, Substitute Senate Bill No. 5649 was substituted for Senate Bill No. 5649 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Braun, the rules were suspended, Substitute Senate Bill No. 5649 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Braun and Lovelett spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5649.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5649 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Kauffman

SUBSTITUTE SENATE BILL NO. 5649, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5283, by Senator Van De Wege

Authorizing the state board of registration for professional engineers and land surveyors to waive the fundamentals examination for professional engineer or professional land surveyor comity applicants.

The measure was read the second time.

MOTION

On motion of Senator Van De Wege, the rules were suspended, Senate Bill No. 5283 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Van De Wege and King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5283.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5283 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Kauffman

SENATE BILL NO. 5283, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5104, by Senators Salomon, Rolfes, Lias, Nobles, Pedersen and Stanford

Surveying Puget Sound marine shoreline habitat.

The measure was read the second time.

MOTION

On motion of Senator Salomon, the rules were suspended, Senate Bill No. 5104 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Salomon spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5104.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5104 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senator Wagoner

Excused: Senator Kauffman

SENATE BILL NO. 5104, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5144, by Senators Stanford, Nguyen, Cleveland, Frame, Hasegawa, Hunt, Keiser, Kuderer, Lovelett, Nobles, Pedersen, Rolfes, Valdez and Wilson, C.

Providing for responsible environmental management of batteries.

MOTIONS

On motion of Senator Stanford, Second Substitute Senate Bill No. 5144 was substituted for Senate Bill No. 5144 and the substitute bill was placed on the second reading and read the second time.

Senator Stanford moved that the following amendment no. 0177 by Senator Stanford be adopted:

On page 3, line 27, after "coverage" insert "that is commercially practicable"

On page 5, line 27, after "chapter" strike "and has provided" and insert ". Such a producer of covered batteries that are included in a battery-containing product must provide"

On page 6, line 13, after "components" insert "and materials"

On page 6, line 19, after "for use" insert "by the customer"

On page 8, beginning on line 5, after "(1)" strike all material through "department" on line 6 and insert "By July 1, 2026"

On page 9, beginning on line 19, after "governments" strike ", for local governments"

On page 12, line 36, after "costs" insert ", as defined by rules adopted by the department,"

On page 16, at the beginning of line 10, strike "retailers, and curbside services," and insert "and retailers,"

On page 21, line 10, after "chapter" insert "and allocates costs between battery stewardship organizations, if applicable"

On page 22, after line 39, insert the following:

"(b) A battery stewardship organization may bring a civil action against a producer of a recalled battery to recover costs associated with handling a recalled battery."

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

On page 24, line 36, after "customers" insert ", or to the retailer if the retailer is not the customer,"

Senators Stanford and MacEwen spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0177 by Senator Stanford on page 3, line 27 to Second Substitute Senate Bill No. 5144.

The motion by Senator Stanford carried and amendment no. 0177 was adopted by voice vote.

MOTION

On motion of Senator Stanford, the rules were suspended, Engrossed Second Substitute Senate Bill No. 5144 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Stanford, MacEwen and King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 5144.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5144 and the bill passed the Senate by the following vote: Yeas, 42; Nays, 6; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Stanford, Torres, Trudeau, Valdez, Van De Wege, Warnick, Wellman, Wilson, C. and Wilson, J.

Voting nay: Senators McCune, Padden, Schoesler, Short, Wagoner and Wilson, L.

Excused: Senator Kauffman

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5144, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5094, by Senators Rolfes, Hasegawa, Kuderer, Nguyen, Pedersen and Salomon

Adding a climate resilience element to water system plans.

MOTIONS

On motion of Senator Rolfes, Substitute Senate Bill No. 5094 was substituted for Senate Bill No. 5094 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Rolfes, the rules were suspended, Substitute Senate Bill No. 5094 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Rolfes and Muzzall spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5094.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5094 and the bill passed the Senate by the following vote: Yeas, 43; Nays, 5; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senators McCune, Padden, Short, Torres and Wagoner

Excused: Senator Kauffman

SUBSTITUTE SENATE BILL NO. 5094, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5716, by Senator Rivers

Removing the department of health's authorization to perform certain validation surveys.

MOTIONS

On motion of Senator Rivers, Substitute Senate Bill No. 5716 was substituted for Senate Bill No. 5716 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5716, by Committee on Health and Long Term Care (originally sponsored by Senator Rivers)

Revised for 1st Substitute: Concerning certain surveys performed on in-home services agencies.

Senator Rivers moved that the following striking amendment no. 0199 by Senator Rivers be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) By October 1, 2024, the joint legislative audit and review committee in consultation with the department of health, the department of social and health services, and other appropriate stakeholders, shall conduct a performance audit analyzing the on-site monitoring, state licensure, and validation surveys performed on in-home services

agencies as referenced in chapter 70.127 RCW. The analysis must include, at a minimum, the following components:

(a) An evaluation of:

(i) The current process that the department of health, the department of social and health services, and area agencies on aging use to perform oversight and surveys on in-home services agencies including, but not limited to: The in-home services agencies subject to surveys, the frequency of the surveys, and who is performing the surveys; and

(ii) Auditing and monitoring assessment tools utilized during the on-site monitoring, state licensure, and validation surveys with a focus on analyzing how surveys are performed, the length of the surveys, and the differences between the tools;

(b) A determination of whether the current auditing and monitoring assessment tools are ensuring that in-home services agencies are complying with state and federal laws and regulations;

(c) A determination if the current process and compliance models are the most efficient available and accurately measured, do not duplicate survey efforts, and ensure in-home services agencies are complying with state and federal laws and regulations; and

(d) A review of any duplication of surveys conducted while ensuring that the in-home services agencies are meeting the standards outlined in state and federal law.

(2) The joint legislative audit and review committee shall submit a final report on their findings to the appropriate committees of the legislature by October 1, 2024, and shall submit a progress report by December 1, 2023.

(3) This section expires December 31, 2025."

On page 1, line 2 of the title, after "agencies;" strike the remainder of the title and insert "creating a new section; and providing an expiration date."

Senators Rivers and Cleveland spoke in favor of adoption of the striking amendment.

The President declared the question before the Senate to be the adoption of striking amendment no. 0199 by Senator Rivers to Substitute Senate Bill No. 5716.

The motion by Senator Rivers carried and striking amendment no. 0199 was adopted by voice vote.

MOTION

On motion of Senator Rivers, the rules were suspended, Engrossed Substitute Senate Bill No. 5716 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Rivers and Cleveland spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5716.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5716 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres,

FIFTY EIGHTH DAY, MARCH 7, 2023

Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Kauffman

ENGROSSED SUBSTITUTE SENATE BILL NO. 5716, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5153, by Senators Valdez, Hunt, Nguyen and Wilson, C.

Concerning uniform disclosure of records related to future voters and making conforming amendments related to participation of future voters in state primaries.

The measure was read the second time.

MOTION

On motion of Senator Valdez, the rules were suspended, Senate Bill No. 5153 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Valdez and Wilson, J. spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5153.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5153 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Kauffman

SENATE BILL NO. 5153, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5561, by Senators Conway, Pedersen, Lovick, Dhingra, Hasegawa, Liias, Saldaña, Valdez and Wagoner

Extending the expiration date of the law enforcement community engagement grant project.

MOTIONS

On motion of Senator Conway, Substitute Senate Bill No. 5561 was substituted for Senate Bill No. 5561 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Conway, the rules were suspended, Substitute Senate Bill No. 5561 was advanced to third reading,

the second reading considered the third and the bill was placed on final passage.

Senators Conway and Padden spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5561.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5561 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Kauffman

SUBSTITUTE SENATE BILL NO. 5561, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5425, by Senators Salomon, Keiser, Boehnke, Wilson, J. and Conway

Concerning fire protection sprinkler system contractors.

MOTIONS

On motion of Senator Salomon, Second Substitute Senate Bill No. 5425 was substituted for Senate Bill No. 5425 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Salomon, the rules were suspended, Second Substitute Senate Bill No. 5425 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Salomon, King and Wagoner spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 5425.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5425 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Kauffman

SECOND SUBSTITUTE SENATE BILL NO. 5425, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5534, by Senators Randall, Holy, Nobles and Wellman

Concerning workforce education investment accountability and oversight board staffing changes.

The measure was read the second time.

MOTION

Senator Randall moved that the following amendment no. 0174 by Senator Randall be adopted:

On page 1, at the beginning of line 10, strike "17" and insert "18"

On page 2, line 10, after "institutions;" strike "and" and insert "~~(and)~~"

On page 2, line 11, after "(vi)" insert "One member representing the workforce training and education coordinating board created under RCW 28C.18.020; and
(vii)"

Senators Randall and Holy spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0174 by Senator Randall on page 1, line 10 to Senate Bill No. 5534.

The motion by Senator Randall carried and amendment no. 0174 was adopted by voice vote.

MOTION

On motion of Senator Randall, the rules were suspended, Engrossed Senate Bill No. 5534 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Randall and Holy spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5534.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5534 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Kauffman

ENGROSSED SENATE BILL NO. 5534, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

PERSONAL PRIVILEGE

Senator Schoesler: "Mr. President, we have a very important anniversary which is bearing down on us. The hundredth anniversary of the Legislature moving into this building. Mr. President, in anticipation of that, I would like to read a very brief note which was found in the historical record about this very day."

President Heck: "Please proceed."

Senator Schoesler: "March 7, 1927. The Senate and the House were declared at recess to convene in joint session in the Senate Chamber of the new Capital Building at 10 o'clock a.m. The joint session was called to order in the Senate Chamber at 10 o'clock a.m. by President W. Long Johnson. The President of the Senate presided. The President announced the purpose of the joint session to formally open the session of the Legislature in the new Legislative Building. State Auditor C.W. Clausen, member of the State Capital Committee, addressed the joint session, welcoming the members of the legislature to their new home. Mr. President, the centennial event of this building is just around the corner. Thank you."

SECOND READING

SENATE BILL NO. 5714, by Senators Wagoner and Wilson, L.

Concerning payments made for property taxes or special assessments by an automated check processing service.

MOTIONS

On motion of Senator Wagoner, Substitute Senate Bill No. 5714 was substituted for Senate Bill No. 5714 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Wagoner, the rules were suspended, Substitute Senate Bill No. 5714 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wagoner and Lovelett spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5714.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5714 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

FIFTY EIGHTH DAY, MARCH 7, 2023

Excused: Senator Kauffman

SUBSTITUTE SENATE BILL NO. 5714, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 4:41 p.m., on motion of Senator Pedersen, the Senate adjourned until 9 o'clock a.m. Wednesday, March 8, 2023.

Senator Hasegawa announced a meeting of the Democratic Caucus immediately upon adjournment.

Senator Warnick announced a meeting of the Republican Caucus immediately upon adjournment.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

FIFTY NINTH DAY

MORNING SESSION

Senate Chamber, Olympia
Wednesday, March 8, 2023

March 6, 2023

The Senate was called to order at 9 o'clock a.m. by the President of the Senate, Lt. Governor Heck presiding. The Secretary called the roll and announced to the President that all Senators were present.

The Sergeant at Arms Color Guard consisting of Pages Mr. Miles Yost and Mr. Jack Fisher, presented the Colors. Page Miss Sophie Tanaka led the Senate in the Pledge of Allegiance. Miss Violet Madson performed the National Anthem. Miss Madson, guest of Senator Hawkins, won Wenatchee Valley Symphony Orchestra's 2023 Young Musician Competition.

INTRODUCTION OF SPECIAL GUESTS

The President thanked Miss Madson for her performance and welcomed and introduced Miss Madson's family and friends including Mr. Brant Madson, her father; Mr. & Mrs. Dan and Cindy Titterness, her grandparents; and Mr. Oscar Lavergne, who were seated in the gallery.

The prayer was offered by Pastor Marlando Jordan, Sozo Church in Kennewick, guest of Senator Boehnke.

MOTIONS

On motion of Senator Pedersen, the reading of the Journal of the previous day was dispensed with and it was approved.

On motion of Senator Pedersen, the Senate advanced to the fourth order of business.

MESSAGES FROM THE HOUSE

March 7, 2023

MR. PRESIDENT:
The House has passed:

- HOUSE BILL NO. 1004,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1019,
- HOUSE BILL NO. 1023,
- HOUSE BILL NO. 1052,
- SUBSTITUTE HOUSE BILL NO. 1084,
- SECOND SUBSTITUTE HOUSE BILL NO. 1151,
- SECOND SUBSTITUTE HOUSE BILL NO. 1168,
- HOUSE BILL NO. 1197,
- ENGROSSED HOUSE BILL NO. 1209,
- SUBSTITUTE HOUSE BILL NO. 1275,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1362,
- HOUSE BILL NO. 1455,
- ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1541,
- SUBSTITUTE HOUSE BILL NO. 1682,
- HOUSE BILL NO. 1684,
- ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1715,
- SUBSTITUTE HOUSE BILL NO. 1764,
- SUBSTITUTE HOUSE BILL NO. 1779,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1789,
- SUBSTITUTE HOUSE BILL NO. 1833,

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

MR. PRESIDENT:
The House has passed:

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1110,

and the same is herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

MOTION

On motion of Senator Pedersen, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

2SHB 1028 by House Committee on Appropriations (originally sponsored by Orwall, Mosbrucker, Ryu, Simmons, Goodman, Reed, Lekanoff, Pollet, Callan, Doglio, Macri, Caldier, Reeves, Wylie, Gregerson, Davis, Ormsby and Fosse)

AN ACT Relating to supporting crime victims and witnesses by promoting victim-centered, trauma-informed responses in the legal system; amending RCW 43.101.272, 43.101.276, 43.101.278, and 9A.04.080; adding a new section to chapter 43.10 RCW; adding new sections to chapter 43.101 RCW; adding a new section to chapter 70.02 RCW; creating a new section; providing an effective date; and providing an expiration date.

Referred to Committee on Law & Justice.

HB 1055 by Representatives Stokesbary, Ormsby, Leavitt, Simmons, Goodman, Lekanoff, Rule, Robertson, Bronoske, Bergquist and Davis

AN ACT Relating to public safety employees' retirement plan membership for public safety telecommunicators; amending RCW 41.37.005 and 41.37.010; adding a new section to chapter 41.37 RCW; creating a new section; and providing an effective date.

Referred to Committee on Ways & Means.

SHB 1105 by House Committee on State Government & Tribal Relations (originally sponsored by Kloba, Abbarno and Thai)

AN ACT Relating to requiring public agencies to provide notice for public comment that includes the last date by which such public comment must be submitted; and adding a new section to chapter 42.30 RCW.

Referred to Committee on State Government & Elections.

E2SHB 1110 by House Committee on Appropriations (originally sponsored by Bateman, Barkis, Reed, Taylor, Riccelli, Berry, Fitzgibbon, Peterson, Duerr, Lekanoff, Alvarado, Street, Ryu, Ramel, Cortes, Doglio, Macri, Mena, Gregerson, Thai, Bergquist, Farivar, Wylie, Stonier, Pollet, Santos, Fosse and Ormsby)

AN ACT Relating to creating more homes for Washington by increasing middle housing in areas traditionally dedicated to single-family detached housing; amending RCW 36.70A.030, 36.70A.280, 43.21C.495, and

FIFTY NINTH DAY, MARCH 8, 2023

43.21C.229; adding new sections to chapter 36.70A RCW; adding a new section to chapter 64.34 RCW; adding a new section to chapter 64.32 RCW; adding a new section to chapter 64.38 RCW; adding new sections to chapter 64.90 RCW; and creating new sections.

Referred to Committee on Housing.

E2SHB 1134 by House Committee on Appropriations (originally sponsored by Orwall, Bronoske, Peterson, Berry, Ramel, Leavitt, Callan, Doglio, Macri, Calder, Simmons, Timmons, Reeves, Chopp, Lekanoff, Gregerson, Thai, Paul, Wylie, Stonier, Davis, Kloba, Riccelli, Fosse and Farivar)

AN ACT Relating to implementing the 988 behavioral health crisis response and suicide prevention system; amending RCW 71.24.890, 71.24.892, 71.24.896, and 82.86.050; reenacting and amending RCW 71.24.025, 71.24.037, and 43.70.442; adding new sections to chapter 71.24 RCW; adding a new section to chapter 28B.20 RCW; adding a new section to chapter 38.60 RCW; and creating a new section.

Referred to Committee on Health & Long-Term Care.

SHB 1163 by House Committee on Finance (originally sponsored by Fey)

AN ACT Relating to exempting certain leasehold interests in arenas with a seating capacity of more than 2,000 from the leasehold excise tax; amending RCW 82.29A.130 and 82.29A.130; creating a new section; providing effective dates; and providing an expiration date.

Referred to Committee on Business, Financial Services, Gaming & Trade.

ESHB 1187 by House Committee on Civil Rights & Judiciary (originally sponsored by Hackney, Berry, Bateman, Ramel, Doglio, Simmons, Lekanoff, Bronoske, Wylie, Stonier, Pollet and Ormsby)

AN ACT Relating to privileged communication between employees and the unions that represent them; reenacting and amending RCW 5.60.060; adding a new section to chapter 28B.52 RCW; adding a new section to chapter 41.56 RCW; adding a new section to chapter 41.59 RCW; adding a new section to chapter 41.76 RCW; adding a new section to chapter 41.80 RCW; adding a new section to chapter 47.64 RCW; adding a new section to chapter 49.36 RCW; adding a new section to chapter 53.18 RCW; and creating a new section.

Referred to Committee on Law & Justice.

2SHB 1205 by House Committee on Appropriations (originally sponsored by Taylor, Reed and Senn)

AN ACT Relating to responsibility for providing service by publication of a summons or notice in dependency and termination of parental rights cases; amending RCW 13.34.080; creating a new section; and providing an effective date.

Referred to Committee on Law & Justice.

SHB 1255 by House Committee on Health Care & Wellness (originally sponsored by Simmons, Harris, Peterson, Reed, Riccelli, Macri, Bateman and Doglio)
AN ACT Relating to reducing stigma and incentivizing health care professionals licensed by the Washington state nursing care quality assurance commission to participate in a substance use disorder monitoring and treatment program; and adding a new section to chapter 18.79 RCW.

Referred to Committee on Health & Long-Term Care.

HB 1265 by Representatives Ramos, Goehner, Chapman, Robertson, Kloba, Chambers, Slatter, Callan, Donaghy, Ryu, Reeves, Chopp, Senn, Reed, Couture, Simmons, Fey, Jacobsen, Macri, Peterson, Ramel and Pollet

AN ACT Relating to establishing a property tax exemption for adult family homes that serve people with intellectual or developmental disabilities and are owned by a nonprofit; amending RCW 84.36.042 and 84.36.805; reenacting and amending RCW 84.36.805; creating new sections; providing an effective date; and providing an expiration date.

Referred to Committee on Human Services.

SHB 1268 by House Committee on Community Safety, Justice, & Reentry (originally sponsored by Goodman, Simmons, Walen and Eslick)

AN ACT Relating to sentencing enhancements; amending RCW 9.94A.030, 9.94A.599, 9.94A.729, 10.01.210, and 72.01.410; reenacting and amending RCW 9.94A.533; and repealing RCW 9.94A.833 and 69.50.435.

Referred to Committee on Law & Justice.

ESHB 1311 by House Committee on Consumer Protection & Business (originally sponsored by Reeves, Corry, Chapman, Reed and Cheney)

AN ACT Relating to credit repair services performed by a credit services organization; amending RCW 19.134.010, 19.134.020, 19.134.040, 19.134.050, 19.134.060, 19.134.070, and 19.134.080; and creating new sections.

Referred to Committee on Business, Financial Services, Gaming & Trade.

EHB 1324 by Representatives Hackney, Senn, Simmons, Reed, Lekanoff, Doglio, Pollet and Macri

AN ACT Relating to the scoring of prior juvenile offenses in sentencing range calculations; amending RCW 9.94A.525; adding a new section to chapter 9.94A RCW; creating a new section; and providing an expiration date.

Referred to Committee on Law & Justice.

SHB 1378 by House Committee on Agriculture and Natural Resources (originally sponsored by Reeves, Dent, Berry, Ramel, Gregerson and Leavitt)

AN ACT Relating to derelict aquatic structures; and adding a new chapter to Title 79 RCW.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

ESHB 1508 by House Committee on Appropriations (originally sponsored by Macri, Riccelli, Simmons,

Fitzgibbon, Berry, Alvarado, Bateman, Ormsby, Doglio, Reed, Callan, Stonier, Tharinger and Bergquist)

AN ACT Relating to improving consumer affordability through the health care cost transparency board; amending RCW 70.390.020, 70.390.040, 70.390.050, 70.390.070, 43.71C.030, and 70.405.030; adding new sections to chapter 70.390 RCW; creating new sections; and providing an expiration date.

Referred to Committee on Health & Long-Term Care.

HB 1527 by Representatives Wylie, Sandlin, Duerr, Barnard, Connors, Chapman, Waters, Springer, Harris and Gregerson

AN ACT Relating to making technical corrections to the local tax increment financing program under chapter 39.114 RCW by applying the definition of real property to ensure private investments made on state and local government-owned land are included in the increment value, ensuring that the relocation and construction of a government-owned facility is included as an eligible project, ensuring that acquisition costs include appurtenant rights, providing clarification to definitions of increment value and tax allocation base value for consistency with current law, clarifying notice requirements for the creation of a tax increment area, and creating consistency with current law for add-on levies codified in RCW 84.55.010; amending RCW 39.114.010, 39.114.020, 39.114.040, 39.114.050, 84.55.015, 84.55.020, and 84.55.030; and declaring an emergency.

Referred to Committee on Business, Financial Services, Gaming & Trade.

HB 1530 by Representatives Cortes, Mena, Simmons, Ryu, Davis and Fosse

AN ACT Relating to expanding eligibility for employment to lawful permanent residents for positions with general authority Washington law enforcement agencies, limited authority Washington law enforcement agencies, and prosecuting attorney offices; amending RCW 36.27.040; and adding a new section to chapter 10.93 RCW.

Referred to Committee on Law & Justice.

ESHB 1533 by House Committee on State Government & Tribal Relations (originally sponsored by Mena, Davis, Reed, Doglio, Fosse, Berg, Taylor, Ryu, Peterson, Berry, Walen, Alvarado, Ramel, Simmons, Griffey, Morgan, Gregerson, Shavers, Ormsby, Pollet, Fey, Kloba, Bateman and Macri)

AN ACT Relating to exempting the disclosure of certain information of agency employees or their dependents who are survivors of domestic violence, sexual assault, harassment, or stalking; amending RCW 42.56.250; and declaring an emergency.

Referred to Committee on State Government & Elections.

2SHB 1550 by House Committee on Appropriations (originally sponsored by Santos, Senn, Ortiz-Self, Berry, Goodman, Ramel, Simmons, Stonier, Bergquist, Pollet, Fosse and Doglio)

AN ACT Relating to assisting eligible children in need of additional preparation to be successful in kindergarten by replacing transitional kindergarten with a legislatively established and authorized transition to kindergarten program; amending RCW 28A.225.160, 43.216.085, and 43.216.655; adding new sections to chapter 28A.300 RCW; adding new sections to chapter 43.216 RCW; creating new sections; and providing an expiration date.

Referred to Committee on Early Learning & K-12 Education.

ESHB 1554 by House Committee on Environment & Energy (originally sponsored by Doglio, Pollet, Fitzgibbon, Berry, Ramel, Orwall, Ryu, Fosse, Kloba, Macri and Duerr)

AN ACT Relating to reducing public health and environmental impacts from lead; amending RCW 43.21B.110 and 43.21B.300; adding a new section to chapter 43.70 RCW; adding a new section to chapter 70A.15 RCW; adding a new chapter to Title 70A RCW; prescribing penalties; and declaring an emergency.

Referred to Committee on Environment, Energy & Technology.

2SHB 1578 by House Committee on Appropriations (originally sponsored by Springer, Kretz, Reeves, Leavitt, Ramel, Lekanoff, Reed, Pollet and Kloba)

AN ACT Relating to improving community preparedness, response, recovery, and resilience to wildland fire health and safety impacts in areas of increasing population density, including in the wildland urban interface; adding a new section to chapter 76.04 RCW; and creating new sections.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

ESHB 1589 by House Committee on Environment & Energy (originally sponsored by Doglio, Fitzgibbon, Berry, Alvarado, Bateman, Ramel, Peterson, Lekanoff, Hackney, Macri and Kloba)

AN ACT Relating to supporting Washington's clean energy economy and transitioning to a clean, affordable, and reliable energy future; amending RCW 80.28.010; adding a new chapter to Title 80 RCW; creating a new section; prescribing penalties; and declaring an emergency.

Referred to Committee on Environment, Energy & Technology.

2SHB 1639 by House Committee on Appropriations (originally sponsored by Lekanoff, Ramel, Gregerson and Santos)

AN ACT Relating to the Billy Frank Jr. national statutory hall selection committee; amending RCW 1.16.050; amending 2021 c 20 s 3 (uncodified); reenacting and amending RCW 43.79A.040; adding a new section to chapter 42.52 RCW; and creating a new section.

Referred to Committee on State Government & Elections.

EHB 1663 by Representatives Goehner and Steele

FIFTY NINTH DAY, MARCH 8, 2023

AN ACT Relating to allowing port districts that have been functionally consolidated to adopt a unified levy; and adding a new section to chapter 53.08 RCW.

Referred to Committee on Local Government, Land Use & Tribal Affairs.

HB 1712 by Representatives Schmick and Chapman

AN ACT Relating to protecting workers displaced as a result of finfish aquaculture facility closures; and amending RCW 50.04.075.

Referred to Committee on Labor & Commerce.

ESHB 1744 by House Committee on Education (originally sponsored by Rude, Santos, Schmidt and Pollet)

AN ACT Relating to clarifying the responsibilities and accountability for the effective delivery and oversight of public education services to charter school students; amending RCW 28A.710.030, 28A.710.040, 28A.710.070, 28A.710.100, 28A.710.120, 28A.710.140, 28A.710.180, and 28A.710.190; adding a new section to chapter 28A.710 RCW; and creating a new section.

Referred to Committee on Early Learning & K-12 Education.

2SHB 1745 by House Committee on Appropriations (originally sponsored by Thai, Duerr, Doglio, Ormsby and Macri)

AN ACT Relating to improving diversity in clinical trials; amending RCW 43.348.040; reenacting and amending RCW 43.348.010; adding a new section to chapter 28B.20 RCW; adding a new section to chapter 28B.30 RCW; adding a new section to chapter 70.41 RCW; adding a new chapter to Title 69 RCW; and creating a new section.

Referred to Committee on Health & Long-Term Care.

2SHB 1762 by House Committee on Appropriations (originally sponsored by Doglio, Berry, Ramel, Fosse, Reed, Alvarado, Peterson and Pollet)

AN ACT Relating to protecting employees of warehouses; adding a new chapter to Title 49 RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Labor & Commerce.

HB 1763 by Representatives Eslick, Leavitt, Senn, Callan, Schmidt and Pollet

AN ACT Relating to ensuring completion of conditional scholarship obligations and reducing penalties for excusable incomplete obligations; and amending RCW 28B.115.120.

Referred to Committee on Higher Education & Workforce Development.

HB 1824 by Representatives Eslick, Chapman and Volz

AN ACT Relating to authorizing bona fide charitable or nonprofit organizations to conduct shooting sports and activities sweepstakes; and adding a new section to chapter 9.46 RCW.

Referred to Committee on Business, Financial Services, Gaming & Trade.

SHJM 4001 by House Committee on Transportation (originally sponsored by Orcutt, Walsh, McEntire, Abbarno, Christian and McClintock)

Requesting the transportation commission to designate a section of Interstate 5 the Cowlitz County Deputy Sheriff Justin DeRosier memorial highway. Revised for 1st Substitute: Requesting the transportation commission to designate a section of state route number 411 the Cowlitz County Deputy Sheriff Justin DeRosier memorial highway.

Referred to Committee on Transportation.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

On motion of Senator Pedersen, the Senate advanced to the seventh order of business.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Stanford moved that Judith Giniger, Senate Gubernatorial Appointment No. 9101, be confirmed as a member of the Lottery Commission.

Senators Stanford and Dozier spoke in favor of passage of the motion.

MOTIONS

On motion of Senator Nobles, Senator Salomon was excused.

On motion of Senator Wagoner, Senator Schoesler was excused.

APPOINTMENT OF JUDITH GINIGER

The President declared the question before the Senate to be the confirmation of Judith Giniger, Senate Gubernatorial Appointment No. 9101, as a member of the Lottery Commission.

The Secretary called the roll on the confirmation of Judith Giniger, Senate Gubernatorial Appointment No. 9101, as a member of the Lottery Commission and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Salomon

Judith Giniger, Senate Gubernatorial Appointment No. 9101, having received the constitutional majority was declared confirmed as a member of the Lottery Commission.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Cleveland moved that Kenneth W. Kenyon, Jr., Senate Gubernatorial Appointment No. 9112, be confirmed as a member of the Pharmacy Quality Assurance Commission.

Senator Cleveland spoke in favor of the motion.

APPOINTMENT OF KENNETH W. KENYON, JR.

The President declared the question before the Senate to be the confirmation of Kenneth W. Kenyon, Jr., Senate Gubernatorial Appointment No. 9112, as a member of the Pharmacy Quality Assurance Commission.

The Secretary called the roll on the confirmation of Kenneth W. Kenyon, Jr., Senate Gubernatorial Appointment No. 9112, as a member of the Pharmacy Quality Assurance Commission and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Salomon

Kenneth W. Kenyon, Jr., Senate Gubernatorial Appointment No. 9112, having received the constitutional majority was declared confirmed as a member of the Pharmacy Quality Assurance Commission.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Cleveland moved that Hoang Uyen R. Thorstensen, Senate Gubernatorial Appointment No. 9121, be confirmed as a member of the Pharmacy Quality Assurance Commission.

Senator Cleveland spoke in favor of the motion.

MOTION

On motion of Senator Wagoner, Senator Fortunato was excused.

APPOINTMENT OF HOANG UYEN R. THORSTENSEN

The President declared the question before the Senate to be the confirmation of Hoang Uyen R. Thorstensen, Senate Gubernatorial Appointment No. 9121, as a member of the Pharmacy Quality Assurance Commission.

The Secretary called the roll on the confirmation of Hoang Uyen R. Thorstensen, Senate Gubernatorial Appointment No. 9121, as a member of the Pharmacy Quality Assurance Commission and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett,

Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Fortunato and Salomon

Hoang Uyen R. Thorstensen, Senate Gubernatorial Appointment No. 9121, having received the constitutional majority was declared confirmed as a member of the Pharmacy Quality Assurance Commission.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Trudeau moved that Norrie Gregoire, Senate Gubernatorial Appointment No. 9271, be confirmed as a member of the Sentencing Guidelines Commission.

Senators Trudeau and Dozier spoke in favor of the motion.

APPOINTMENT OF NORRIE GREGOIRE

The President declared the question before the Senate to be the confirmation of Norrie Gregoire, Senate Gubernatorial Appointment No. 9271, as a member of the Sentencing Guidelines Commission.

The Secretary called the roll on the confirmation of Norrie Gregoire, Senate Gubernatorial Appointment No. 9271, as a member of the Sentencing Guidelines Commission and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Salomon

Norrie Gregoire, Senate Gubernatorial Appointment No. 9271, having received the constitutional majority was declared confirmed as a member of the Sentencing Guidelines Commission.

MOTIONS

On motion of Senator Pedersen and without objection, pursuant to Rule 18, Senate Bill No. 5600, an act relating to removing the expiration date for the state universal communications services program, was made a special order of business to be considered at 4:55 p.m.

On motion of Senator Pedersen, the Senate reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 5304, by Senators Saldaña, Nguyen, Nobles, Valdez and Wilson, C.

FIFTY NINTH DAY, MARCH 8, 2023

Testing individuals who provide language access to state services.

MOTIONS

On motion of Senator Saldaña, Substitute Senate Bill No. 5304 was substituted for Senate Bill No. 5304 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Saldaña, the rules were suspended, Substitute Senate Bill No. 5304 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Saldaña and Boehnke spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5304.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5304 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Salomon

SUBSTITUTE SENATE BILL NO. 5304, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5175, by Senators Wellman, Mullet, Hunt and Wilson, C.

Concerning written contracts between school boards and principals.

The measure was read the second time.

MOTION

Senator Hawkins moved that the following amendment no. 0165 by Senator Hawkins be adopted:

On page 2, line 8, after "years." insert "A written contract made by a board with a principal under (a) of this subsection for a term of three years may not be renewed before the final year of the contract."

Senators Hawkins and Wellman spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0165 by Senator Hawkins on page 2, line 8 to Senate Bill No. 5175.

The motion by Senator Hawkins carried and amendment no. 0165 was adopted by voice vote.

MOTION

Senator McCune moved that the following amendment no. 0170 by Senator McCune be adopted:

On page 2, line 8, after "years" insert "and is contingent upon the successful completion of an updated record check under RCW 28A.400.303"

Senators McCune and Wellman spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0170 by Senator McCune on page 2, line 8 to Senate Bill No. 5175.

The motion by Senator McCune carried and amendment no. 0170 was adopted by voice vote.

MOTION

Senator McCune moved that the following striking amendment no. 0172 by Senator McCune be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) Subject to the availability of amounts appropriated for this specific purpose, the superintendent of public instruction shall convene a work group by September 1, 2023, to research, study, and report on contract length-related employment issues with respect to the employment of principals and assistant principals in Washington state.

(2) The work group, at a minimum, must include representatives of school districts, persons with relevant experience in principal-related employment issues, and an association representing school principals in Washington state.

(3) Staff support for the work group must be provided by the office of the superintendent of public instruction.

(4) The work group must meet at least four times and, in accordance with RCW 43.01.036, provide a report of findings and recommendations to the education committees of the legislature by June 30, 2024.

(5) This section expires August 31, 2024."

On page 1, line 2 of the title, after "principals;" strike the remainder of the title and insert "creating a new section; and providing an expiration date."

Senators McCune and Hawkins spoke in favor of adoption of the striking amendment.

Senator Wellman spoke against adoption of the striking amendment.

The President declared the question before the Senate to be the adoption of striking amendment no. 0172 by Senator McCune to Senate Bill No. 5175.

The motion by Senator McCune did not carry and striking amendment no. 0172 was not adopted by voice vote.

MOTION

On motion of Senator Wellman, the rules were suspended, Engrossed Senate Bill No. 5175 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Wellman spoke in favor of passage of the bill.

Senator Hawkins spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5175.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5175 and the bill passed the Senate by the following vote: Yeas, 30; Nays, 18; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Liias, Lovelett, Lovick, MacEwen, Mullet, Nguyen, Nobles, Pedersen, Randall, Robinson, Rolfes, Saldaña, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wagoner, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, McCune, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Warnick, Wilson, J. and Wilson, L.

Excused: Senator Salomon

ENGROSSED SENATE BILL NO. 5175, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5048, by Senators Mullet, Rolfes, Billig, Hasegawa, Hawkins, Holy, Liias, Nguyen, Pedersen, Valdez, Wagoner, Warnick, Wellman and Wilson, C.

Eliminating college in the high school fees.

MOTIONS

On motion of Senator Mullet, Second Substitute Senate Bill No. 5048 was substituted for Senate Bill No. 5048 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Mullet, the rules were suspended, Second Substitute Senate Bill No. 5048 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Mullet, Holy, Wellman, Hawkins and Gildon spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 5048.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5048 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Salomon

SECOND SUBSTITUTE SENATE BILL NO. 5048, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5491, by Senators Salomon, Shewmake, Frame, Liias and Stanford

Allowing for residential buildings of a certain height to be served by a single exit under certain conditions.

MOTIONS

On motion of Senator Lovelett, Substitute Senate Bill No. 5491 was substituted for Senate Bill No. 5491 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Lovelett, the rules were suspended, Substitute Senate Bill No. 5491 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Lovelett and Torres spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5491.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5491 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 2; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

Voting nay: Senators Van De Wege and Wilson, L.

Excused: Senator Salomon

SUBSTITUTE SENATE BILL NO. 5491, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5580, by Senators Muzzall, Cleveland, Braun, Rivers, Warnick, Hasegawa, Kuderer, Lovelett, Randall, Shewmake and Wilson, J.

Improving maternal health outcomes.

MOTIONS

On motion of Senator Muzzall, Second Substitute Senate Bill No. 5580 was substituted for Senate Bill No. 5580 and the substitute bill was placed on the second reading and read the second time.

Senator Muzzall moved that the following amendment no. 0179 by Senator Muzzall be adopted:

FIFTY NINTH DAY, MARCH 8, 2023

On page 3, at the beginning of line 1, strike "The" and insert "By November 1, 2023, the"

Senators Muzzall and Cleveland spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0179 by Senator Muzzall on page 3, line 1 to Substitute Senate Bill No. 5580.

The motion by Senator Muzzall carried and amendment no. 0179 was adopted by voice vote.

On motion of Senator Muzzall, the rules were suspended, Engrossed Second Substitute Senate Bill No. 5580 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Muzzall and Cleveland spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 5580.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5580 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Salomon

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5580, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5274, by Senators Valdez, Dhingra, Keiser, Kuderer, Liias, Nguyen, Nobles, Saldaña, Stanford, Wellman and Wilson, C.

Expanding eligibility in certain public employment positions for lawful permanent residents.

The measure was read the second time.

MOTION

Senator Wilson, J. moved that the following amendment no. 0201 by Senator Wilson, J. be adopted:

On page 1, line 12, after "agency." insert "Preference shall be given to bilingual or trilingual applicants."

On page 2, line 3, after "resident" insert ". Preference shall be given to bilingual or trilingual applicants"

On page 2, line 35, after "resident" strike "~~((who can read and write the English language))~~." and insert "who can read and write

the English language. Preference shall be given to bilingual or trilingual applicants."

On page 3, line 7, after "resident" strike "~~((who can read and write the English language))~~." and insert "who can read and write the English language. Preference shall be given to bilingual or trilingual applicants."

On page 3, line 24, after "resident" strike "~~((who can read and write the English language))~~." and insert "who can read and write the English language. Preference shall be given to bilingual or trilingual applicants."

On page 4, line 3, after "resident" strike "~~((who can read and write the English language))~~." and insert "who can read and write the English language. Preference shall be given to bilingual or trilingual applicants."

Senators Wilson, J. and Dozier spoke in favor of adoption of the amendment.

Senator Dhingra spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0201 by Senator Wilson, J. on page 1, line 12 to Senate Bill No. 5274.

The motion by Senator Wilson, J. did not carry, and amendment no. 0201 was not adopted by voice vote.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced students, teachers, and parents from East Olympia Elementary School who were seated in the gallery. The students were guests of Senator MacEwen.

MOTION

On motion of Senator Valdez, the rules were suspended, Senate Bill No. 5274 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Valdez spoke in favor of passage of the bill.

Senator Wilson, J. spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5274.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5274 and the bill passed the Senate by the following vote: Yeas, 29; Nays, 19; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Liias, Lovelett, Lovick, Mullet, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Muzzall, Padden, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

Excused: Senator Salomon

SENATE BILL NO. 5274, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

REMARKS BY THE PRESIDENT

President Heck: “Senator Billing state your point of personal privilege.”

PERSONAL PRIVILEGE

Senator Billig: “Thank you Mr. President. That was some incredible foresight that you had, that I was about to stand up for a point of personal privilege. So, thank you for that. I, Mr. President, would like, am standing actually to invite you to say a few words of a point of personal privilege. And I know you are shy about speaking in front of the body, but I want to encourage you to. It’s significant moment for our state and the city of Spokane and for the 3rd Legislative District, and for fans of Gonzaga University men’s basketball team winning the West Coast Conference title. But please, I yield my time to you sir.”

REMARKS BY THE PRESIDENT

President Heck: “Thank you Senator Billig. America’s Team, the 9th ranked team in the United States, crushed their conference rivals to win the tournament championship last night. On to the big dance. That is all.”

SECOND READING

SENATE BILL NO. 5672, by Senators Wilson, L., Rolfes, Conway, Dozier, Gildon, Kuderer and Nobles

Concerning the Washington auto theft prevention authority account.

MOTIONS

On motion of Senator Wilson, L., Substitute Senate Bill No. 5672 was substituted for Senate Bill No. 5672 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Wilson, L., the rules were suspended, Substitute Senate Bill No. 5672 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wilson, L., Rolfes, Rivers, Padden, Muzzall, Billig and Wilson, J. spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5672.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5672 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Salomon

SUBSTITUTE SENATE BILL NO. 5672, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

PERSONAL PRIVILEGE

Senator Cleveland: “Thank you Mr. President. Today is International Women’s Day and I think that it is as important as ever that we pause for just a moment to recognize the progress that’s been made over the past 114 years since the first observance of this day. And yet, also need to remind ourselves that there is more work to be done. A recent report by the United Nations actually indicates that gender equality is actually growing more distant in our world and in fact currently we aren’t on track, Mr. President, to achieve world-wide gender equality for three hundred more years. Three hundred more years Mr. President. So we must continue to do our part, continue our efforts to ensure that there is access to education, to equal pay equal opportunities, and we must continue to promote equity and participation in leadership in science and technology. From governments to board rooms and classrooms we must continue to create a safe digital environment for women and girls as well. Mr. President I will say that, as the first woman to serve here in the Senate representing the 49th Legislative District, I do know that there are many more firsts to be accomplished and I look forward to working with each one, each and every one of my colleagues in this body to continue that work. So, I am pleased to stand together today as mothers, as fathers, as sisters, as brothers, as uncles, as aunts, as grandmothers and grandfathers in celebration of all the social, economic and cultural and political achievements of women today. Happy International Women’s Day.”

PERSONAL PRIVILEGE

Senator Keiser: “It was 5 years ago today that the gentlelady from the 49th District and I were able to get our state’s equal pay act passed into law. It was a long road. And we are still not at the end of it. We are still working on it. And we are going to get there. So, I hope we all join together and celebrate our goals and our achievements.”

MOTION

At 10:48 a.m., on motion of Senator Pedersen, the Senate was declared to be at ease subject to the call of the President.

Senator Hasegawa announced a meeting of the Democratic Caucus.

Senator Warnick announced a meeting of the Republican Caucus.

The Senate was called to order at 11:01 a.m. by President Heck.

MOTION

On motion of Senator Pedersen and without objection, the Committee on Law and Justice was relieved of further consideration of Senate Bill No. 5352, an act relating to vehicular pursuits, and the measure was placed on the day’s Second Reading Calendar.

SECOND READING

SENATE BILL NO. 5504, by Senators Saldaña, Lias, Valdez and Wilson, C.

Addressing open motor vehicle safety recalls.

MOTIONS

On motion of Senator Saldaña, Substitute Senate Bill No. 5504 was substituted for Senate Bill No. 5504 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Saldaña, the rules were suspended, Substitute Senate Bill No. 5504 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Saldaña and King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5504.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5504 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SUBSTITUTE SENATE BILL NO. 5504, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5634, by Senators Conway, Keiser, Hasegawa, Nguyen, Nobles and Stanford

Concerning problem gambling.

MOTIONS

On motion of Senator Conway, Second Substitute Senate Bill No. 5634 was substituted for Senate Bill No. 5634 and the substitute bill was placed on the second reading and read the second time.

Senator Conway moved that the following amendment no. 0187 by Senator Conway be adopted:

On page 2, line 21, after "(a)" strike "the prevention and" and insert "~~((the prevention and))~~ year-round integrated problem gambling prevention efforts that include community engagement and the"

On page 3, line 2, after "~~disorder;~~" strike "and"

On page 3, line 4, after "treatment" insert "; and

(c) Be unable to afford treatment"

Senator Conway spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0187 by Senator Conway on page 2, line 21 to Second Substitute Senate Bill No. 5634.

The motion by Senator Conway carried and amendment no. 0187 was adopted by voice vote.

MOTION

On motion of Senator Conway, the rules were suspended, Engrossed Second Substitute Senate Bill No. 5634 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Conway spoke in favor of passage of the bill.

Senator Schoesler spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 5634.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5634 and the bill passed the Senate by the following vote: Yeas, 31; Nays, 18; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Cleveland, Conway, Dhingra, Frame, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Lias, Lovelett, Lovick, MacEwen, Mullet, Nguyen, Nobles, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, McCune, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5634, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5352, by Senators Lovick, MacEwen, Cleveland, Conway, Gildon, Holy, Hunt, Mullet, Rolfes, Salomon, Short, Torres, Van De Wege, Warnick and Wilson, L.

Concerning vehicular pursuits.

The measure was read the second time.

MOTION

Senator Dhingra moved that the following striking amendment no. 0215 by Senator Dhingra be adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 10.116.060 and 2021 c 320 s 7 are each amended to read as follows:

(1) A peace officer may not engage in a vehicular pursuit, unless:

(a) ~~((+))~~ There is ~~((probable cause))~~ reasonable suspicion to believe that a person in the vehicle has committed or is committing ~~((+))~~;

(i) A violent offense ~~((+))~~ as defined in RCW 9.94A.030;

(ii) A sex offense as defined in RCW 9.94A.030~~((+ or an))~~;

(iii) A vehicular assault offense under RCW 46.61.522;

(iv) An assault in the first, second, third, or fourth degree offense under chapter 9A.36 RCW only if the assault involves domestic violence as defined in RCW 10.99.020;

(v) An escape under chapter 9A.76 RCW; or
~~((iii) There is reasonable suspicion a person in the vehicle has committed or is committing a)~~ (vi) A driving under the influence offense under RCW 46.61.502;
 (b) The pursuit is necessary for the purpose of identifying or apprehending the person;
 (c) The person poses ~~((an imminent threat to the safety of))~~ a serious risk of harm to others and the safety risks of failing to apprehend or identify the person are considered to be greater than the safety risks of the vehicular pursuit under the circumstances; and
 (d)(i) Except as provided in (d)(ii) of this subsection, the ~~((officer has received authorization to engage in the pursuit from))~~ pursuing officer notifies a supervising officer ~~((and))~~ immediately upon initiating the vehicular pursuit; there is supervisory ~~((control))~~ oversight of the pursuit~~((The))~~; and the pursuing officer, in consultation with the supervising officer ((must consider)), considers alternatives to the vehicular pursuit~~((The supervisor must consider)),~~ the justification for the vehicular pursuit and other safety considerations, including but not limited to speed, weather, traffic, road conditions, and the known presence of minors in the vehicle~~((and the vehicular pursuit must be terminated if any of the requirements of this subsection are not met));~~
 (ii) For those jurisdictions with fewer than 10 commissioned officers, if a supervisor is not on duty at the time, the pursuing officer ((will request)) requests the on-call supervisor be notified of the pursuit according to the agency's procedures~~((The)), and~~ and the pursuing officer ((must consider)) considers alternatives to the vehicular pursuit, the justification for the vehicular pursuit, and other safety considerations, including but not limited to speed, weather, traffic, road conditions, and the known presence of minors in the vehicle. ~~((The officer must terminate the vehicular pursuit if any of the requirements of this subsection are not met.))~~
 (2) ~~((A pursuing))~~ In any vehicular pursuit under this section:
 (a) The pursuing officer and the supervising officer, if applicable, shall comply with any agency procedures for designating the primary pursuit vehicle and determining the appropriate number of vehicles permitted to participate in the vehicular pursuit ((and comply));
 (b) The supervising officer, the pursuing officer, or dispatcher shall notify other law enforcement agencies or surrounding jurisdictions that may be impacted by the vehicular pursuit or called upon to assist with the vehicular pursuit, and the pursuing officer and the supervising officer, if applicable, shall comply with any agency procedures for coordinating operations with other jurisdictions, including available tribal police departments when applicable;
 (c) The pursuing officer must be able to directly communicate with other officers engaging in the pursuit, the supervising officer, if applicable, and the dispatch agency, such as being on a common radio channel or having other direct means of communication;
 (d) As soon as practicable after initiating a vehicular pursuit, the pursuing officer, supervising officer, if applicable, or responsible agency shall develop a plan to end the pursuit through the use of available pursuit intervention options, such as the use of the pursuit intervention technique, deployment of spike strips or other tire deflation devices, or other department authorized pursuit intervention tactics; and
 (e) The pursuing officer must have completed an emergency vehicle operator's course, must have completed updated emergency vehicle operator training in the previous two years,

where applicable, and must be certified in at least one pursuit intervention option.
(3) A vehicle pursuit not meeting the requirements under this section must be terminated.
~~((3))~~ (4) A peace officer may not fire a weapon upon a moving vehicle unless necessary to protect against an imminent threat of serious physical harm resulting from the operator's or a passenger's use of a deadly weapon. For the purposes of this subsection, a vehicle is not considered a deadly weapon unless the operator is using the vehicle as a deadly weapon and no other reasonable means to avoid potential serious harm are immediately available to the officer.
~~((4))~~ (5) For purposes of this section, "vehicular pursuit" means an attempt by a uniformed peace officer in a vehicle equipped with emergency lights and a siren to stop a moving vehicle where the operator of the moving vehicle appears to be aware that the officer is signaling the operator to stop the vehicle and the operator of the moving vehicle appears to be willfully resisting or ignoring the officer's attempt to stop the vehicle by increasing vehicle speed, making evasive maneuvers, or operating the vehicle in a reckless manner that endangers the safety of the community or the officer.
NEW SECTION. Sec. 2. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."
 On page 1, line 1 of the title, after "Relating to" strike the remainder of the title and insert "permitting peace officers to engage in a vehicular pursuit only when there is reasonable suspicion to believe that a person in the vehicle has committed or is committing a violent offense as defined in RCW 9.94A.030, a sex offense under RCW 9.94A.030, a vehicular assault offense under RCW 46.61.522, an assault in the first, second, third, or fourth degree offense under chapter 9A.36 RCW only if the assault involves domestic violence as defined in RCW 10.99.020, an escape under chapter 9A.76 RCW, or a driving under the influence offense under RCW 46.61.502, and imposing training requirements on pursuing officers, and modifying safety and supervision requirements on vehicular pursuits; amending RCW 10.116.060; and declaring an emergency."

MOTION

Senator Gildon moved that the following amendment no. 0218 by Senator Gildon be adopted:

On page 1, beginning on line 16, after "RCW;" strike all material through "~~((ii))~~" on line 17 and insert "~~((~~
~~((ii))~~"
 On page 1, line 19, after "RCW 46.61.502;" insert "or
(vii) A reckless driving offense as defined in RCW 46.61.500;"
 On page 4, line 6, after "RCW," strike "or a driving under the influence offense under RCW 46.61.502" and insert "a driving under the influence offense under RCW 46.61.502, or a reckless driving offense under RCW 46.61.500"

Senators Gildon, Short, MacEwen, Padden, Muzzall, Wagoner, Braun, Wilson, J., Dozier, Holy and McCune spoke in favor of adoption of the amendment to the striking amendment.

Senator Dhingra spoke against adoption of the amendment to the striking amendment.

MOTION

Senator Short demanded a roll call.

The President declared that one-sixth of the members supported the demand, and the demand was sustained.

The President declared the question before the Senate to be the adoption of the amendment by Senator Gildon on page 1, line 16 to the striking amendment.

ROLL CALL

The Secretary called the roll on the adoption of the amendment by Senator Gildon and the amendment was not adopted by the following vote: Yeas, 20; Nays, 29; Absent, 0; Excused, 0.

Voting yea: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

Voting nay: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Lias, Lovelett, Lovick, Mullet, Nguyen, Nobles, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

MOTION

Senator Padden moved that the following amendment no. 0219 by Senator Padden be adopted:

On page 1, beginning on line 16, after "RCW;" strike all material through "~~((ii))~~" on line 17 and insert "~~((~~

~~((ii))~~"
On page 1, line 19, after "RCW 46.61.502;" insert "or (vii) A theft of a motor vehicle offense as defined in RCW 9A.56.065;"

On page 4, line 6, after "RCW," strike "or a driving under the influence offense under RCW 46.61.502" and insert "a driving under the influence offense under RCW 46.61.502, or a theft of a motor vehicle offense under RCW 9A.56.065"

Senators Padden, Short, Wilson, L., Gildon, Fortunato, Wilson, J. and MacEwen spoke in favor of adoption of the amendment to the striking amendment.

Senators Dhingra and Trudeau spoke against adoption of the amendment to the striking amendment.

MOTION

Senator Short demanded a roll call.

The President declared that one-sixth of the members supported the demand, and the demand was sustained.

The President declared the question before the Senate to be the adoption of the amendment by Senator Padden on page 1, line 16 to the striking amendment.

ROLL CALL

The Secretary called the roll on the adoption of the amendment by Senator Padden and the amendment was not adopted by the following vote: Yeas, 20; Nays, 29; Absent, 0; Excused, 0.

Voting yea: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

Voting nay: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Lias,

Lovelett, Lovick, Mullet, Nguyen, Nobles, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

MOTION

Senator Short moved that the following amendment no. 0220 by Senator Short be adopted:

On page 1, beginning on line 16, after "RCW;" strike all material through "~~((ii))~~" on line 17 and insert "~~((~~

~~((ii))~~"
On page 1, line 19, after "RCW 46.61.502;" insert "or (vii) Any offense that involves an act that is reasonably likely to cause physical pain or injury or any other act exerted upon a person's body to compel, constrain, or restrain the person's movement;"

On page 4, line 6, after "RCW," strike all material through RCW 46.61.502 and insert "a driving under the influence offense under RCW 46.61.502, and any offense that involves an act that is reasonably likely to cause physical pain or injury or any other act exerted upon a person's body to compel, constrain, or restrain the person's movement"

Senator Short spoke in favor of adoption of the amendment to the striking amendment.

Senator Dhingra spoke against adoption of the amendment to the striking amendment.

MOTION

Senator Short demanded a roll call.

The President declared that one-sixth of the members supported the demand, and the demand was sustained.

The President declared the question before the Senate to be the adoption of the amendment by Senator Short on page 1, line 16 to the striking amendment.

ROLL CALL

The Secretary called the roll on the adoption of the amendment by Senator Short and the amendment was not adopted by the following vote: Yeas, 20; Nays, 29; Absent, 0; Excused, 0.

Voting yea: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

Voting nay: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Lias, Lovelett, Lovick, Mullet, Nguyen, Nobles, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Senator Dhingra spoke in favor of adoption of the striking amendment.

Senator Padden spoke against adoption of the striking amendment.

The President declared the question before the Senate to be the adoption of striking amendment no. 0215 by Senator Dhingra to Senate Bill No. 5352.

The motion by Senator Dhingra carried and striking amendment no. 0215 was adopted by voice vote.

MOTION

On motion of Senator Lovick, the rules were suspended, Engrossed Senate Bill No. 5352 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Lovick, Rivers, Mullet and Hawkins spoke in favor of passage of the bill.

Senators Wagoner, Trudeau, Dozier, Nobles and Braun spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5352.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5352 and the bill passed the Senate by the following vote: Yeas, 26; Nays, 23; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Fortunato, Gildon, Hawkins, Holy, Kauffman, Keiser, King, Liias, Lovick, MacEwen, Mullet, Muzzall, Randall, Rivers, Robinson, Rolfes, Salomon, Shewmake, Torres, Van De Wege, Wellman and Wilson, J.

Voting nay: Senators Boehnke, Braun, Dozier, Frame, Hasegawa, Hunt, Kuderer, Lovelett, McCune, Nguyen, Nobles, Padden, Pedersen, Saldaña, Schoesler, Short, Stanford, Trudeau, Valdez, Wagoner, Warnick, Wilson, C. and Wilson, L.

ENGROSSED SENATE BILL NO. 5352, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5448, by Senators MacEwen, Mullet, Nguyen and Shewmake

Concerning liquor licensee privileges for the delivery of alcohol.

MOTIONS

On motion of Senator MacEwen, Substitute Senate Bill No. 5448 was substituted for Senate Bill No. 5448 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator MacEwen, the rules were suspended, Substitute Senate Bill No. 5448 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators MacEwen, Keiser, Mullet and Rivers spoke in favor of passage of the bill.

Senators Stanford and Liias spoke against passage of the bill.

MOTION

On motion of Senator Nobles, Senator Trudeau was excused.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5448.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5448 and the bill passed the Senate by the following vote: Yeas, 38; Nays, 10; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Dhingra, Dozier, Fortunato, Frame, Gildon, Hawkins, Holy, Hunt, Keiser, King, Kuderer, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Salomon, Schoesler, Shewmake, Short, Torres, Wagoner, Warnick, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senators Conway, Hasegawa, Kauffman, Liias, Nobles, Saldaña, Stanford, Valdez, Van De Wege and Wellman
Excused: Senator Trudeau

SUBSTITUTE SENATE BILL NO. 5448, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5032, by Senators Padden, Lovick, Conway, Dhingra, Kuderer, Liias, Wagoner and Wilson, L.

Extending the felony driving under the influence lookback to 15 years while providing additional treatment options through the creation of a drug offender sentencing alternative for driving under the influence.

The measure was read the second time.

MOTION

On motion of Senator Padden, the rules were suspended, Senate Bill No. 5032 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Padden and Dhingra spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5032.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5032 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senator Saldaña

SENATE BILL NO. 5032, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5487, by Senator King

Concerning parking at rest areas.

The measure was read the second time.

MOTION

On motion of Senator King, the rules were suspended, Senate Bill No. 5487 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators King, Liias, Randall and Boehnke spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5487.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5487 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SENATE BILL NO. 5487, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5269, by Senators Shewmake, Keiser, Nguyen, Randall, Valdez and Wellman

Concerning Washington state manufacturing.

MOTIONS

On motion of Senator Shewmake, Second Substitute Senate Bill No. 5269 was substituted for Senate Bill No. 5269 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Shewmake, the rules were suspended, Second Substitute Senate Bill No. 5269 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Shewmake spoke in favor of passage of the bill.

Senator Braun spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 5269.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5269 and the bill passed the Senate by the following vote: Yeas, 28; Nays, 20; Absent, 1; Excused, 0.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Liias, Lovelett, Lovick, Nguyen, Nobles, Pedersen, Randall, Robinson,

Rolfes, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

Absent: Senator Mullet

SECOND SUBSTITUTE SENATE BILL NO. 5269, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5528, by Senator Stanford

Concerning the retainage percentage withheld by prime contractors.

MOTIONS

On motion of Senator Stanford, Substitute Senate Bill No. 5528 was substituted for Senate Bill No. 5528 and the substitute bill was placed on the second reading and read the second time. Revised for first Substitute: Concerning retainage requirements for private construction projects.

Senator Stanford moved that the following amendment no. 0205 by Senator Stanford be adopted:

On page 2, line 3, after "contract" insert "or subcontract"

On page 2, line 7, after "period." insert "A contractor may provide notice under this subsection to an owner or upper-tier contractor for release of retainage due to a subcontractor whose work is complete. If an owner or upper-tier contractor does not accept the subcontractor's work or does not notify the contractor of work yet to be performed by the subcontractor within 15 days after receiving the notice, the interest required under this section shall commence 30 days after the end of the 15-day period. A contractor's obligation to pay interest to a subcontractor under this section does not begin until the contractor has received payment for the subcontractor's retainage provided that the contractor has submitted the subcontractor's retainage request to the owner or upper-tier contractor within 30 days after receipt from the subcontractor."

On page 2, beginning on line 10, strike all of section 2

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

On page 3, line 17, after "sections 1" strike "through 3" and insert "and 2"

Senator Stanford spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0205 by Senator Stanford on page 2, line 3 to Substitute Senate Bill No. 5528.

The motion by Senator Stanford carried and amendment no. 0205 was adopted by voice vote.

MOTION

On motion of Senator Stanford, the rules were suspended, Engrossed Substitute Senate Bill No. 5528 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Stanford and King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5528.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5528 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5528, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5084, by Senators Braun, Keiser and Mullet

Creating a separate fund for the purposes of self-insured pensions and assessments.

The measure was read the second time.

MOTION

On motion of Senator Braun, the rules were suspended, Senate Bill No. 5084 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Braun and Keiser spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5084.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5084 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 2; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hawkins, Holy, Hunt, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senators Hasegawa and Kauffman

SENATE BILL NO. 5084, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5546, by Senators Shewmake, Lovick, Keiser, King, Stanford, Conway and Wilson, C.

Establishing a Washington state cannabis commission.

MOTIONS

On motion of Senator Shewmake, Substitute Senate Bill No. 5546 was substituted for Senate Bill No. 5546 and the substitute bill was placed on the second reading and read the second time.

Senator Schoesler moved that the following striking amendment no. 0196 by Senator Schoesler be adopted:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. (1) The legislature finds that the Washington state liquor and cannabis board exists to promote safe communities and public safety, and that there is no state entity to oversee research and education of the state's cannabis industry.

(2) The legislature therefore declares:

(a) The Washington state cannabis commission is established to benefit the people of the state of Washington and its economy;

(b) The general welfare of the people of the state will be served by the research and development of best practices surrounding safe cultivation and processing activities of cannabis so the industry is therefore affected with the public interest; and

(c) Creating a Washington state cannabis commission for the public purpose of administering the revenue of the commission serves the public interest by materially advancing the producing and processing of cannabis and improving sustainability in the cannabis producing and processing sectors.

(3) To complement the development of a comprehensive regulatory scheme for the production and processing of cannabis and cannabis products, the legislature further declares that:

(a) It is in the overriding public interest that the state support responsible agricultural production of cannabis in order to:

(i) Protect the public by providing research and education in reference to the quality, care, and methods used in the production of cannabis and cannabis products; and

(ii) Support and engage in programs or activities that benefit the safe production, handling, processing, and uses of cannabis and cannabis products; and

(b) Cannabis production and processing is a highly regulated industry and that this chapter and the rules adopted under it are only one aspect of the regulated industry. Other applicable laws include:

(i) Chapter 15.130 RCW, the food safety and security act;

(ii) Chapter 15.125 RCW, cannabis and cannabis products;

(iii) Title 69 RCW, food, drugs, cosmetics, and poisons; and

(iv) Chapter 82.08 RCW, retail sales tax.

(4) This chapter and any rules adopted under this chapter are for the purpose of fostering responsible and orderly agricultural production of cannabis. Nothing in this chapter should be interpreted to conflict with or supersede the overriding regulatory authority the legislature has already granted to other state agencies.

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

(1) "Active cannabis producer" means a cannabis producer who reported gross income that is subject to tax under chapter 82.04 RCW in the calendar year before the date of a referendum under section 3 of this act.

FIFTY NINTH DAY, MARCH 8, 2023

(2) "Active cannabis producer/processor" means a cannabis producer/processor who reported gross income that is subject to tax under chapter 82.04 RCW in the calendar year before the date of a referendum under section 3 of this act.

(3) "Board" means the Washington state liquor and cannabis board.

(4) "Cannabis" has the meaning provided in RCW 69.50.101.

(5) "Cannabis producer" has the meaning provided in RCW 69.50.101.

(6) "Cannabis products" has the meaning provided in RCW 69.50.101.

(7) "Cannabis processor" has the meaning provided in RCW 69.50.101.

(8) "Cannabis producer/processor" means any person or legal entity holding both a cannabis producer license and a cannabis processor license as defined in RCW 69.50.101.

(9) "Cannabis researcher" has the same meaning provided in RCW 69.50.101.

(10) "Cannabis retailer" has the same meaning provided in RCW 69.50.101.

(11) "Commission" means the Washington state cannabis commission established in this chapter.

(12) "Cooperative" means a cannabis cooperative formed by qualifying patients, designated providers, or both, which meets the requirements of RCW 69.51A.250 and rules adopted under that section.

(13) "District" means each of the geographical areas of the state of Washington defined in subsections (14) through (17) of this section.

(14) "District 1" means the geographical area including the counties of Clallum, Island, Jefferson, King, San Juan, Skagit, Snohomish, and Whatcom.

(15) "District 2" means the geographical area including the counties of Chelan, Douglas, Ferry, Grant, Kittitas, Okanogan, Pend Oreille, and Stevens.

(16) "District 3" means the geographical area including the counties of Adams, Asotin, Benton, Columbia, Franklin, Garfield, Lincoln, Spokane, Walla Walla, Whitman, and Yakima.

(17) "District 4" means the geographical area including the counties of Clark, Cowlitz, Grays Harbor, Kitsap, Klickitat, Lewis, Mason, Pacific, Pierce, Skamania, Thurston, and Wahkiakum.

(18) "Fiscal year" means the 12-month period beginning July 1st of any year and ending June 30th.

(19) "Interested parties" means governmental departments, agencies, and bodies at the federal, state, or local levels. "Interested parties" includes tribal governments, universities, national and international associations, and other public or private sector organizations with an interest in cannabis-related matters.

(20) "Tier" means any of the production licensing categories established by rule of the board.

NEW SECTION. Sec. 3. (1) Upon receipt of a petition containing the signatures of five active cannabis producers or active cannabis producer/processors, to implement this chapter and to determine participation in the commission and assessment under this chapter, the director must conduct a referendum of active cannabis producers and active cannabis producer/processors.

(a) The referendum must be conducted within 60 days of receipt of the petition.

(b) The department must establish a list of active cannabis producers and active cannabis producer/processors eligible to vote in the referendum in collaboration with the board and the department of revenue. Inadvertent failure to notify an active

cannabis producer or active cannabis producer/processor does not invalidate a proceeding conducted under this chapter.

(2) The requirements of assent or approval of a referendum under subsection (1) of this section are met if:

(a) At least 51 percent by numbers of the participants in the referendum vote affirmatively; and

(b) At least 40 percent of the active cannabis producers and 40 percent of the active cannabis producer/processors have been represented in the referendum to determine assent or approval of participation and assessment.

(3) If the director determines that the requisite assent has not been given in the referendum conducted under subsection (1) of this section, the director must take no further action to implement or enforce this chapter.

(4) Upon completion of the referendum conducted under subsection (1) of this section, the department must tally the results of the vote and provide the results to participants. The department must create rules for an active cannabis producer or an active cannabis producer/processor to dispute the results of a vote within 60 days from the announced results.

(5) The director is not required to hold a referendum under subsection (1) of this section more than once in any 12-month period.

(6) The director may conduct voting on a referendum under this chapter by electronic means, paper ballots, or both.

NEW SECTION. Sec. 4. Within 60 days of the director determining that requisite assent has been given in a referendum conducted under section 3 of this act, the director must establish the Washington state cannabis commission to:

(1) Plan and conduct programs for cannabis-related matters;

(2) Provide funding for conducting research in accordance with commission rules;

(3) Coordinate with and advise interested parties regarding cannabis-related matters within the scope of the powers and purposes of the commission in accordance with commission rules;

(4) Coordinate with interested parties to standardize methods by which to identify and determine the genetics, strains, cultivars, phenotypes, standards, and grades of cannabis, and advise on cannabis packaging and labeling requirements;

(5) Conduct reviews, surveys, and inquiries regarding market metrics and analytics, including trends, revenues, profitability, projections, production, business practices, and other economic drivers of the cannabis industry;

(6) Inform and advise cannabis producers and cannabis producer/processors on cannabis-related matters, including, without limitation, educational information on cannabis cultivation, usage, risks, and related technical and scientific developments;

(7) Provide cannabis-related education and training to cannabis producers, cannabis producer/processors, cannabis researchers, and their employees, which may include education and training on cannabis health and safety information;

(8) Provide information and services for meeting resource conservation objectives of cannabis producers and cannabis producer/processors;

(9) Assist and cooperate with federal, state, and local government agencies in the investigation and control of pests, diseases, and other factors that could adversely affect the cultivation, quality, and safety of cannabis produced in this state;

(10) Advance the knowledge and practices of cannabis production in this state through research and testing methods to improve pest management, worker protection, safety training, energy efficiency, and environmental protection;

(11) Foster conditions favorable to investment in cannabis produced in this state in accordance with state and federal laws;

(12) Limit youth access and youth exposure to cannabis;

(13) Enable cannabis producers and cannabis producer/processors, in cooperation with the commission, to:

(a) Develop and engage in research, including, without limitation, discovering better and more efficient production, irrigation, odor mitigation, processing, transportation, handling, packaging, and use of cannabis and cannabis products; and

(b) Discover and develop new and improved cultivars to ensure reliable and economical cannabis production in this state;

(14) Establish uniform grading and proper preparation of cannabis products for market;

(15) Protect the interest of consumers and the state by advising on the overall production of cannabis to ensure a balanced and sufficient supply of cannabis and cannabis products of good quality during all seasons and at all times; and

(16) Advance the knowledge and practices of processing cannabis in this state.

NEW SECTION. Sec. 5. (1) The commission must:

(a) Elect a chair and other officers by a majority vote of the commission or in accordance with bylaws adopted by the commission;

(b) Adopt, rescind, and amend bylaws and other internal rules necessary for the administration and operation of the commission and for carrying out its duties in this chapter;

(c) Administer and enforce the provisions of this chapter;

(d) Designate a public records officer, rules coordinator, and other representatives required under laws governing state agencies and commissions;

(e) Comply with all other laws applicable to state agencies and commissions;

(f) Institute and maintain in its own name any legal actions, including actions by injunction, mandatory injunction, civil recovery, or proceedings before administrative tribunals or other governmental authorities necessary to carry out this chapter, and to sue and be sued as a commission, without individual liability for acts of the commission within the scope of the powers conferred by this chapter; and

(g) Keep accurate records of all receipts and disbursements, which must be open to inspection and audit by the state auditor or its designee at least every five years and at any time by a duly appointed internal auditor by majority vote of the commission.

(2) The commission may:

(a) Employ and discharge, in its discretion, managers, secretaries, agents, attorneys, and employees, and engage the services of independent contractors as the commission deems necessary to fulfill duties, and to fix compensation. However, until assessment collections in section 15 of this act equal at least \$1,000,000, the commission must contract for staff support;

(b) Acquire and transfer personal and real property, establish offices, incur expenses, enter into contracts and cooperative agreements, and create such debt and other liabilities as may be reasonable to fulfill its duties under this chapter;

(c) Make necessary disbursements for routine operating expenses;

(d) Expend funds for all activities permitted under this chapter;

(e) Cooperate with interested parties to fulfill its duties under this chapter;

(f) Serve as a liaison on behalf of the general cannabis producing and processing industries to the board and other interested parties, and not on behalf of any individual cannabis producer or cannabis producer/processor;

(g) Solicit, accept, retain, and expend any gifts, bequests, contributions, or grants from private persons or public agencies to carry out this chapter;

(h) Retain the services of private legal counsel, which is subject to the appointment and approval by the office of the state attorney general;

(i) Engage in appropriate activities and events to support commission activities authorized by this chapter;

(j) Participate in meetings, hearings, and other proceedings regarding cannabis, including, without limitation, the production, irrigation, manufacture, regulation, transportation, distribution, sale, or use of cannabis, including activities authorized under RCW 42.17A.635 and the reporting of such activities to the public disclosure commission;

(k) Obtain from the board, a list of the names and addresses of cannabis producers, cannabis processors, cannabis producer/processors, and cannabis retailers, and other available data from the state as requested by the commission relative to its duties under this chapter;

(l) Acquire, create, develop, and own intellectual property rights, licenses, and patents, and to collect royalties resulting from the sale or licensing of commission-funded research. However, results and recommendations from research conducted or funded by the commission must be available to all cannabis producers and cannabis producer/processors without charge, except for reasonable costs as the commission may determine;

(m) Speak on behalf of the Washington state government regarding agricultural production of cannabis in this state, subject to oversight of both the director and the director of the board;

(n) Possess cannabis products for the limited purposes of this chapter;

(o) Adopt rules to implement this chapter; and

(p) Exercise other powers and duties reasonably necessary to carry out this chapter.

NEW SECTION. Sec. 6. The department must serve as the commission's rules coordinator. Rules adopted by the commission must be approved by the director.

NEW SECTION. Sec. 7. (1) The commission is composed of the following 13 voting members:

(a) Eight cannabis producer or cannabis producer/processor members, two each from district 1, district 2, district 3, and district 4;

(b) One statewide at-large cannabis producer or cannabis producer/processor member from any district;

(c) One statewide tier one cannabis producer or cannabis producer/processor member from any district;

(d) One statewide tier two cannabis producer or cannabis producer/processor member from any district;

(e) One statewide tier three cannabis producer or cannabis producer/processor member from any district; and

(f) The director.

(2) Each member of the commission other than the director must:

(a) Be 21 years of age or older;

(b) Be a citizen and resident of this state;

(c) Directly hold or be named an owner in whole or majority part of an entity holding the relevant business license issued by the board. This license must not be suspended at the time of nomination, election, or appointment and must not be suspended at any time during the member's term;

(d) Be an officer or employee of a corporation, firm, partnership, association, or cooperative engaged in the active production of cannabis within this state for a period of three years and have, during that period, derived a substantial portion of his or her income from cannabis production; and

FIFTY NINTH DAY, MARCH 8, 2023

(e) Continue to meet all membership qualifications throughout the member's term.

(3) Seven voting members constitute a quorum of the commission.

(4) Commission members must be reimbursed for expenses incurred in the performance of their duties under this chapter in accordance with RCW 43.03.050 and 43.03.060.

NEW SECTION. Sec. 8. (1) The director must select initial members to appoint to the commission from a pool of self-nominated cannabis producers or cannabis producer/processors from district 1, district 2, district 3, and district 4.

(2) The director has discretion in determining which members are appointed to the term limits in (a) through (c) of this subsection but, within 90 days after the effective date of this section, must appoint the initial commission members in accordance with the following:

- (a) Four members must be appointed for a one-year term;
- (b) Four members must be appointed for a two-year term; and
- (c) Four members must be appointed for a three-year term.

(3) The commission must establish by rule the process by which commission members are elected and any vacancy appointments are made.

(4) When making initial and replacement appointments, the director must give priority to persons representing the diverse communities of the state to maintain a balanced representation of members where practicable.

NEW SECTION. Sec. 9. (1) On a fiscal year basis and before each fiscal year beginning, the commission must develop and submit, to the director, each of the following:

- (a) A budget; and
- (b) Any plans concerning, without limitation:
 - (i) The establishment, issuance, effectuation, or administration of commission governance issues; and
 - (ii) The initiation or establishment of any rule making.

(2) The director must timely review and approve or deny each submission in this section.

(3) The director must review the commission's education program to ensure its consistency with applicable state and federal laws.

NEW SECTION. Sec. 10. The commission must deposit moneys collected under this chapter and section 15 of this act in a separate account in the name of the commission in any bank that is a state depository. All expenditures and disbursements made from this account under this chapter may be made without the necessity of a specific legislative appropriation. None of the provisions of RCW 43.01.050 and 69.50.540 apply to this account or to the moneys received, collected, or expended under this chapter.

NEW SECTION. Sec. 11. The fee levied under section 15 of this act constitutes a personal debt of every person charged or who otherwise owes the fee, and the fee is due and payable to the commission.

NEW SECTION. Sec. 12. (1) Financial and commercial information and records submitted to the board or the commission to administer this chapter may be shared between the board and the commission. The information or records may also be used, if required, in any action or administrative hearing relative to this chapter.

(2) This section does not prohibit:

(a) The issuance of general statements based upon the reports of a cannabis producer or cannabis producer/processor under this chapter if the statements do not identify a specific licensee; or

(b) The publication by the director or the commission of the name of a cannabis producer or cannabis producer/processor violating this chapter and a statement of the violation.

NEW SECTION. Sec. 13. Obligations incurred by the commission and any other liabilities or claims against the commission must be enforced only against the assets of the commission and, except to the extent of such assets, no liability for the debts or actions of the commission exists against either the state of Washington or any subdivision or instrumentality thereof or against any member, employee, or agent of the commission or the state of Washington in his or her individual capacity. Except as otherwise provided in this chapter, neither the commission members, nor its employees, may be held individually responsible for errors in judgment, mistakes, or other acts, either of commission or omission, as principal, agent, person, or employee, except for their own individual acts of dishonesty or crime. No person or employee may be held individually responsible for any act or omission of any other commission members. The liability of the commission members shall be several and not joint, and no member is liable for the default of any other member. This provision confirms that commission members have been and continue to be, state officers or volunteers for purposes of RCW 4.92.075 and are entitled to the defenses, indemnifications, limitations of liability, and other protections and benefits of chapter 4.92 RCW.

NEW SECTION. Sec. 14. All costs incurred by the board and the department, including staff support and the adoption of rules or other actions necessary to carry out this chapter must be reimbursed by the commission. Costs incurred under this section must include initial estimates of work and line-item accounting of the costs incurred.

NEW SECTION. Sec. 15. A new section is added to chapter 69.50 RCW to read as follows:

(1) Pursuant to referendum under section 3 of this act, to provide for permanent funding of the Washington state cannabis commission, the board must impose and collect an assessment from all cannabis producers and cannabis producer/processors.

(2) The initial rate of assessment is:

(a) 0.29 percent of all sales revenue conducted by a cannabis producer who is not a cannabis producer/processor subject to an assessment under (b) of this subsection; and

(b) 0.145 percent of all sales revenue conducted by a cannabis producer/processor.

(3) After the initial assessment is approved, the commission may modify the assessment if submitted for approval by referendum. The requirements of assent or approval of a referendum under this subsection are met if:

(a) At least 60 percent by numbers of the participants in the referendum vote affirmatively to approve the modification; and

(b) At least 40 percent of the active cannabis producers and 40 percent of the active cannabis producer/processors have been represented in the referendum to determine assent or approval of the modification.

(4) Assessments collected under this section must be disbursed at least quarterly to the Washington state cannabis commission established in section 4 of this act for use in carrying out the purposes of chapter 15.--- RCW (the new chapter created in section 17 of this act).

(5) Until October 31, 2028, the assessments in this section do not apply to a cannabis producer or cannabis producer/processor licensed under the social equity program in this chapter.

Sec. 16. RCW 41.06.070 and 2019 c 146 s 3 are each amended to read as follows:

(1) The provisions of this chapter do not apply to:

(a) The members of the legislature or to any employee of, or position in, the legislative branch of the state government including members, officers, and employees of the legislative council, joint legislative audit and review committee, statute law committee, and any interim committee of the legislature;

(b) The justices of the supreme court, judges of the court of appeals, judges of the superior courts or of the inferior courts, or to any employee of, or position in the judicial branch of state government;

(c) Officers, academic personnel, and employees of technical colleges;

(d) The officers of the Washington state patrol;

(e) Elective officers of the state;

(f) The chief executive officer of each agency;

(g) In the departments of employment security and social and health services, the director and the director's confidential secretary; in all other departments, the executive head of which is an individual appointed by the governor, the director, his or her confidential secretary, and his or her statutory assistant directors;

(h) In the case of a multimember board, commission, or committee, whether the members thereof are elected, appointed by the governor or other authority, serve ex officio, or are otherwise chosen:

(i) All members of such boards, commissions, or committees;

(ii) If the members of the board, commission, or committee serve on a part-time basis and there is a statutory executive officer: The secretary of the board, commission, or committee; the chief executive officer of the board, commission, or committee; and the confidential secretary of the chief executive officer of the board, commission, or committee;

(iii) If the members of the board, commission, or committee serve on a full-time basis: The chief executive officer or administrative officer as designated by the board, commission, or committee; and a confidential secretary to the chair of the board, commission, or committee;

(iv) If all members of the board, commission, or committee serve ex officio: The chief executive officer; and the confidential secretary of such chief executive officer;

(i) The confidential secretaries and administrative assistants in the immediate offices of the elective officers of the state;

(j) Assistant attorneys general;

(k) Commissioned and enlisted personnel in the military service of the state;

(l) Inmate, student, and temporary employees, and part-time professional consultants, as defined by the director;

(m) Officers and employees of the Washington state fruit commission;

(n) Officers and employees of the Washington apple commission;

(o) Officers and employees of the Washington state dairy products commission;

(p) Officers and employees of the Washington tree fruit research commission;

(q) Officers and employees of the Washington state beef commission;

(r) Officers and employees of the Washington grain commission;

(s) Officers and employees of any commission formed under chapter 15.66 RCW;

(t) Officers and employees of agricultural commissions formed under chapter 15.65 RCW;

(u) Executive assistants for personnel administration and labor relations in all state agencies employing such executive assistants including but not limited to all departments, offices, commissions, committees, boards, or other bodies subject to the

provisions of this chapter and this subsection shall prevail over any provision of law inconsistent herewith unless specific exception is made in such law;

(v) In each agency with fifty or more employees: Deputy agency heads, assistant directors or division directors, and not more than three principal policy assistants who report directly to the agency head or deputy agency heads;

(w) Staff employed by the department of commerce to administer energy policy functions;

(x) The manager of the energy facility site evaluation council;

(y) A maximum of ten staff employed by the department of commerce to administer innovation and policy functions, including the three principal policy assistants exempted under (v) of this subsection;

(z) Staff employed by Washington State University to administer energy education, applied research, and technology transfer programs under RCW 43.21F.045 as provided in RCW 28B.30.900(5);

(aa) Officers and employees of the consolidated technology services agency created in RCW 43.105.006 that perform the following functions or duties: Systems integration; data center engineering and management; network systems engineering and management; information technology contracting; information technology customer relations management; and network and systems security;

(bb) The executive director of the Washington statewide reentry council; and

(cc) Officers and employees of the Washington state cannabis commission under chapter 15.--- RCW (the new chapter created in section 17 of this act).

(2) The following classifications, positions, and employees of institutions of higher education and related boards are hereby exempted from coverage of this chapter:

(a) Members of the governing board of each institution of higher education and related boards, all presidents, vice presidents, and their confidential secretaries, administrative, and personal assistants; deans, directors, and chairs; academic personnel; and executive heads of major administrative or academic divisions employed by institutions of higher education; principal assistants to executive heads of major administrative or academic divisions; other managerial or professional employees in an institution or related board having substantial responsibility for directing or controlling program operations and accountable for allocation of resources and program results, or for the formulation of institutional policy, or for carrying out personnel administration or labor relations functions, legislative relations, public information, development, senior computer systems and network programming, or internal audits and investigations; and any employee of a community college district whose place of work is one which is physically located outside the state of Washington and who is employed pursuant to RCW 28B.50.092 and assigned to an educational program operating outside of the state of Washington;

(b) The governing board of each institution, and related boards, may also exempt from this chapter classifications involving research activities, counseling of students, extension or continuing education activities, graphic arts or publications activities requiring prescribed academic preparation or special training as determined by the board: PROVIDED, That no nonacademic employee engaged in office, clerical, maintenance, or food and trade services may be exempted by the board under this provision;

(c) Printing craft employees in the department of printing at the University of Washington.

FIFTY NINTH DAY, MARCH 8, 2023

(3) In addition to the exemptions specifically provided by this chapter, the director may provide for further exemptions pursuant to the following procedures. The governor or other appropriate elected official may submit requests for exemption to the office of financial management stating the reasons for requesting such exemptions. The director shall hold a public hearing, after proper notice, on requests submitted pursuant to this subsection. If the director determines that the position for which exemption is requested is one involving substantial responsibility for the formulation of basic agency or executive policy or one involving directing and controlling program operations of an agency or a major administrative division thereof, or is a senior expert in enterprise information technology infrastructure, engineering, or systems, the director shall grant the request. The total number of additional exemptions permitted under this subsection shall not exceed one percent of the number of employees in the classified service not including employees of institutions of higher education and related boards for those agencies not directly under the authority of any elected public official other than the governor, and shall not exceed a total of twenty-five for all agencies under the authority of elected public officials other than the governor.

(4) The salary and fringe benefits of all positions presently or hereafter exempted except for the chief executive officer of each agency, full-time members of boards and commissions, administrative assistants and confidential secretaries in the immediate office of an elected state official, and the personnel listed in subsections (1)(j) through (t), (cc), and (2) of this section, shall be determined by the director. Changes to the classification plan affecting exempt salaries must meet the same provisions for classified salary increases resulting from adjustments to the classification plan as outlined in RCW 41.06.152.

(5)(a) Any person holding a classified position subject to the provisions of this chapter shall, when and if such position is subsequently exempted from the application of this chapter, be afforded the following rights: If such person previously held permanent status in another classified position, such person shall have a right of reversion to the highest class of position previously held, or to a position of similar nature and salary.

(b) Any classified employee having civil service status in a classified position who accepts an appointment in an exempt position shall have the right of reversion to the highest class of position previously held, or to a position of similar nature and salary.

(c) A person occupying an exempt position who is terminated from the position for gross misconduct or malfeasance does not have the right of reversion to a classified position as provided for in this section.

NEW SECTION. Sec. 17. Sections 1 through 14 of this act constitute a new chapter in Title 15 RCW."

On page 1, line 2 of the title, after "commission;" strike the remainder of the title and insert "amending RCW 41.06.070; adding a new section to chapter 69.50 RCW; and adding a new chapter to Title 15 RCW."

Senators Schoesler and Shewmake spoke in favor of adoption of the striking amendment.

The President declared the question before the Senate to be the adoption of striking amendment no. 0196 by Senator Schoesler to Substitute Senate Bill No. 5546.

The motion by Senator Schoesler carried and striking amendment no. 0196 was adopted by voice vote.

MOTION

On motion of Senator Shewmake, the rules were suspended, Engrossed Substitute Senate Bill No. 5546 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Shewmake spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5546.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5546 and the bill passed the Senate by the following vote: Yeas, 40; Nays, 9; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Hasegawa, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, McCune, Mullet, Nguyen, Nobles, Padden, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Warnick, Wellman, Wilson, C. and Wilson, J.

Voting nay: Senators Braun, Gildon, Hawkins, Holy, MacEwen, Muzzall, Rivers, Wagoner and Wilson, L.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5546, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5691, by Senators Warnick and Shewmake

Concerning resource and assessment centers.

The measure was read the second time.

MOTION

Senator Warnick moved that the following amendment no. 0193 by Senator Warnick be adopted:

On page 2, line 12, after "for up to" strike "seven" and insert "three business"

On page 2, line 12, after "or up to" strike "14" and insert "seven business"

On page 2, beginning on line 14, after "((address))" strike all material through "Provide" on line 15 and insert "provide"

On page 2, beginning on line 16, after "care;" strike all material through "care;" on line 17

On page 2, beginning on line 18, after "children" strike all material through "concerns))" on line 19 and insert "who have not been removed from a foster home because of the child's behavior or safety concerns"

Senators Warnick and Wilson, C. spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0193 by Senator Warnick on page 2, line 12 to Senate Bill No. 5691.

The motion by Senator Warnick carried and amendment no. 0193 was adopted by voice vote.

MOTION

On motion of Senator Warnick, the rules were suspended, Engrossed Senate Bill No. 5691 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Warnick and Wilson, C. spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5691.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5691 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

ENGROSSED SENATE BILL NO. 5691, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 4:04 p.m., on motion of Senator Pedersen, the Senate was declared to be at ease subject to the call of the President.

The Senate was called to order at 4:10 p.m. by President Heck.

SECOND READING

SENATE BILL NO. 5340, by Senator King

Regarding limits on the sale and possession of retail cannabis products.

The measure was read the second time.

MOTION

On motion of Senator King, the rules were suspended, Senate Bill No. 5340 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators King and Keiser spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5340.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5340 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 1; Absent, 1; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen,

Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senator Salomon

Absent: Senator Gildon

SENATE BILL NO. 5340, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5015, by Senators Fortunato, Gildon, Kuderer and Valdez

Reestablishing the productivity board.

The measure was read the second time.

MOTION

Senator Fortunato moved that the following amendment no. 0206 by Senators Fortunato and Hunt be adopted:

On page 1, line 21, after "by" strike "July 31, 2024" and insert "January 1, 2025, or as soon as practicable"

On page 2, line 7, after "by" strike "July 31, 2024" and insert "January 1, 2025, or as soon as practicable"

Senators Fortunato and Hunt spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0206 by Senators Fortunato and Hunt on page 1, line 21 to Senate Bill No. 5015.

The motion by Senator Fortunato carried and amendment no. 0206 was adopted by voice vote.

MOTION

On motion of Senator Fortunato, the rules were suspended, Engrossed Senate Bill No. 5015 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Fortunato and Hunt spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5015.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5015 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

ENGROSSED SENATE BILL NO. 5015, having received the constitutional majority, was declared passed. There being no

FIFTY NINTH DAY, MARCH 8, 2023

objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5652, by Senators Lovick, Dozier, Hawkins, Hunt, Saldaña, Short and Stanford

Addressing compensation for tow truck operators for keeping the public roadways clear.

MOTIONS

On motion of Senator Lovick, Substitute Senate Bill No. 5652 was substituted for Senate Bill No. 5652 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5652, by Committee on Transportation (originally sponsored by Senators Lovick, Dozier, Hawkins, Hunt, Saldaña, Short and Stanford)

Revised for first Substitute: Providing compensation for tow truck operators for keeping the public roadways clear.

On motion of Senator Lovick, the rules were suspended, Substitute Senate Bill No. 5652 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Lovick spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5652.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5652 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SUBSTITUTE SENATE BILL NO. 5652, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5696, by Senators Robinson and Hunt

Concerning eligibility for participation in the public employees' benefits board for retired or disabled employees of counties, municipalities, and other political subdivisions.

MOTIONS

On motion of Senator Robinson, Substitute Senate Bill No. 5696 was substituted for Senate Bill No. 5696 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Robinson, the rules were suspended, Substitute Senate Bill No. 5696 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Robinson spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5696.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5696 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SUBSTITUTE SENATE BILL NO. 5696, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5363, by Senators MacEwen and Stanford

Concerning cannabis retailer advertising.

The measure was read the second time.

MOTION

On motion of Senator MacEwen, the rules were suspended, Senate Bill No. 5363 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator MacEwen spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5363.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5363 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SENATE BILL NO. 5363, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5103, by Senators Muzzall, Cleveland and Rivers

Concerning payment to acute care hospitals for difficult to discharge medicaid patients.

MOTIONS

On motion of Senator Muzzall, Second Substitute Senate Bill No. 5103 was substituted for Senate Bill No. 5103 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Muzzall, the rules were suspended, Second Substitute Senate Bill No. 5103 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Muzzall and Cleveland spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 5103.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5103 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SECOND SUBSTITUTE SENATE BILL NO. 5103, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5437, by Senators MacEwen and Hunt

Concerning vacancies of the governing body of special purpose districts.

MOTION

On motion of Senator MacEwen, Substitute Senate Bill No. 5437 was substituted for Senate Bill No. 5437 and the substitute bill was placed on the second reading and read the second time.

WITHDRAWAL OF AMENDMENT

On motion of Senator MacEwen and without objection, amendment no. 0118 by Senator MacEwen on page 1, line 11 to Substitute Senate Bill No. 5437 was withdrawn.

MOTION

On motion of Senator MacEwen, the rules were suspended, Substitute Senate Bill No. 5437 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators MacEwen and Lovelett spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5437.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5437 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SUBSTITUTE SENATE BILL NO. 5437, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5267, by Senators Kuderer, Stanford, Conway, Frame, Hasegawa, Hunt, Keiser, Lovelett, Lovick, Nguyen, Nobles, Pedersen, Saldaña, Shewmake, Trudeau, Wellman and Wilson, C.

Safeguarding the public safety by protecting railroad workers.

MOTION

On motion of Senator Kuderer, Substitute Senate Bill No. 5267 was substituted for Senate Bill No. 5267 and the substitute bill was placed on the second reading and read the second time.

WITHDRAWAL OF AMENDMENT

On motion of Senator Stanford and without objection, striking amendment no. 0192 by Senator Stanford to Substitute Senate Bill No. 5267 was withdrawn.

MOTION

Senator Keiser moved that the following striking amendment no. 0223 by Senators Keiser, King and Kuderer be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** The legislature finds that railroad employees are susceptible to illness and infectious diseases from working in confined spaces, as well as the illnesses and injuries that affect the general population, yet have no protections for unpaid leave, and may be subjected to discipline and termination

FIFTY NINTH DAY, MARCH 8, 2023

for unpaid absences from duty due to illnesses and injuries of themselves and their family members, or for bereavement.

The legislature further finds that railroad employees may report to work while ill to avoid disciplinary action by railroad companies, pursuant to their corporate attendance and availability policies.

The provisions of this chapter are enacted in the exercise of the police power of the state for the purpose of protecting the immediate and future health, safety, and welfare of the people of this state.

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

(1) The following terms have the same meaning as provided in RCW 50A.05.010: "Child," "family leave," "family member," "health care provider," "medical leave," "period of incapacity," "serious health condition," and "spouse."

(2) "Department" means the department of labor and industries.

(3) "Director" means the director of the department of labor and industries, or the director's authorized representative.

(4) "Employee" means a person who has been employed by a railroad carrier.

(5) "Employer" means any person, firm, corporation, partnership, business trust, legal representative, or other business entity, including any unit of local government including, but not limited to, a county, city, town, municipal corporation, quasi-municipal corporation, or political subdivision, which engages in business as a railroad carrier.

(6) "Employment benefits" means all benefits provided or made available to employees by an employer, including group life insurance, health insurance, disability insurance, sick leave, annual leave, educational benefits, and pensions except benefits that are provided by a practice or written policy of an employer or through an employee benefit plan as defined in 29 U.S.C. Sec. 1002(3).

(7) "Intermittent leave" is leave taken in separate blocks of time due to a single qualifying reason.

(8) "Operating craft employee" means any employee of a railroad carrier who performs service in an operating craft on a railroad or directs the work of an operating craft employee as a scheduled employee, and includes any other employee of a railroad carrier who performs safety sensitive tasks associated with railroad operations.

(9) "Railroad carrier" means any employer subject to the jurisdiction of the surface transportation board under 49 U.S.C. Sec. 1301 through 1326, as it exists on the effective date of this section. "Railroad carrier" includes the officers and agents of the railroad operations regardless of physical location. "Railroad carrier" does not include class III carriers.

(10) "Unpaid" means a period of leave undertaken without receiving payment of lost wages from an employing railroad company.

NEW SECTION. Sec. 3. The department shall administer the provisions of this chapter.

NEW SECTION. Sec. 4. (1) No railroad carrier may dismiss, suspend, lay off, demote, engage in any adverse action against, or otherwise discipline an employee for unpaid absences pursuant to the provisions of this section if:

(a) The employee has completed three consecutive months of continuous employment by the railroad carrier prior to the absence;

(b) No consecutive period of unpaid absence pursuant to the provisions of this section exceeds 15 days;

(c) The total number of unpaid absences the employee has taken pursuant to the provisions of this section, including railroad employer paid sick leave, is less than 91 days in the current calendar year; and

(d) The unpaid absence is taken pursuant to subsection (2) of this section.

(2) An employee's unpaid absence under this section is due to any of the following reasons:

(a) An absence resulting from an employee's mental or physical illness, injury, or health condition including fatigue; to accommodate the employee's need for medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition; or an employee's need for preventive medical care;

(b) To allow the employee to provide care for a family member with a mental or physical illness, injury, or health condition; care of a family member who needs medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition; or care for a family member who needs preventive medical care; and

(c) When the employee or their spouse or registered domestic partner's place of business has been closed by order of a public official for any health-related reason, or when an employee's child's school or place of care has been closed for such a reason.

(3) An employer may permit employees to use any accrued leave, including vacation time or personal leave, while absent pursuant to the provisions of this section. An employer may not require an employee to use paid leave while absent pursuant to the provisions of this section.

(4) For employee absences under this section exceeding five consecutive days, the employer may, within 10 days of the employee's return to work, request verification that the employee's unpaid absence was for a specific purpose pursuant to this section.

(a) If verification is requested by an employer, the employer must provide the employee no fewer than 30 days to obtain and provide any requested verification. An employer's requirements for verification may not result in an unreasonable burden or expense on the employee and may not exceed privacy or verification requirements otherwise established by law.

(b) If an employer requires an employee to provide verification from a health care provider identifying the need for use of their unpaid leave for a specific purpose pursuant to this section, the employer must not require that the information provided explain the nature of the condition. If the employer obtains any health information about an employee or an employee's family member, the employer must treat such information in a confidential manner consistent with applicable privacy laws.

(5) Any employee absences pursuant to this section are not subject to any type of carrier availability or attendance policy and are separate from any protected leave under Title 50A RCW and section 4 of this act.

NEW SECTION. Sec. 5. (1) It is unlawful for any employer to:

(a) Interfere with, restrain, or deny the exercise of, or the attempt to exercise, any right provided under this chapter; or

(b) Discharge or in any other manner discriminate against any individual for opposing any practice made unlawful by this chapter.

(2) It is unlawful for any person to discharge or in any other manner discriminate against any individual because the individual has:

(a) Filed any complaint or charge, or has instituted or caused to be instituted any proceeding, under or related to this chapter;

(b) Given, or is about to give, any information in connection with any inquiry or proceeding relating to any right provided under this chapter; or

(c) Testified, or is about to testify, in any inquiry or proceeding relating to any right provided under this chapter.

NEW SECTION. Sec. 6. (1)(a) Upon receipt of a complaint by an employee of a railroad carrier, the department shall investigate to determine if there has been noncompliance with this chapter and related rules and issue either a citation and notice of assessment or a closure letter within 90 days after the date on which the department received the complaint, unless the complaint is otherwise resolved. The department may extend the period by providing advance written notice to the employee and the employer setting forth good cause for an extension of the period, and specifying the duration of the extension.

(b) The department shall send the citation and notice of assessment or the closure letter to both the employer and the employee by service of process or using a method by which the mailing can be tracked or the delivery can be confirmed to their last known addresses.

(c) If the department's investigation finds that the employee's allegation cannot be substantiated, the department shall issue a closure letter to the employee and the employer detailing such finding.

(2)(a) If the department's investigation finds that a railroad carrier violated this chapter or related rules, the department may order the employer to pay the department a civil penalty. Civil penalties may be assessed as follows:

(i) For a class I carrier and any class II or III carrier owned by a class I carrier, up to \$5,000 for the first violation, up to \$25,000 for the second violation within a three-year period following any previous violation, and up to \$100,000 for the third or subsequent violation within a three-year period following any previous violation;

(ii) For a class II carrier, up to \$1,000 for the first violation, up to \$5,000 for the second violation within a three-year period following any previous violation, and up to \$10,000 for the third or subsequent violation within a three-year period following any previous violation.

(b) The department may, at any time, waive or reduce any civil penalty assessed against an employer under this section if the department determines that the employer has taken corrective action to remedy the retaliatory action.

(3) The director may also order other remedies such as back pay and reinstatement, and may increase the fines by rule based on changing economic conditions.

(4) The department shall deposit civil penalties paid under this section in the supplemental pension fund established under RCW 51.44.033.

NEW SECTION. Sec. 7. (1) A person, firm, or corporation aggrieved by a citation and notice of assessment by the department under this chapter, or any rules adopted under this chapter, may appeal the citation and notice of assessment to the director by filing a notice of appeal with the director within 30 days of the department's issuance of the citation and notice of assessment. A citation and notice of assessment not appealed within 30 days is final and binding, and not subject to further appeal.

(2) A notice of appeal filed with the director under this section shall stay the effectiveness of the citation and notice of assessment pending final review of the appeal by the director as provided for in chapter 34.05 RCW.

(3) Upon receipt of a notice of appeal, the director shall assign the hearing to an administrative law judge of the office of administrative hearings to conduct the hearing and issue an initial

order. The hearing and review procedures shall be conducted in accordance with chapter 34.05 RCW, and the standard of review by the administrative law judge of an appealed citation and notice of assessment shall be de novo. Any party who seeks to challenge an initial order shall file a petition for administrative review with the director within 30 days after service of the initial order. The director shall conduct an administrative review in accordance with chapter 34.05 RCW.

(4) The director shall issue all final orders after appeal of the initial order. The final order of the director is subject to judicial review in accordance with chapter 34.05 RCW.

(5) Orders that are not appealed within the time period specified in this section and chapter 34.05 RCW are final and binding, and not subject to further appeal.

(6) An employer who fails to allow adequate inspection of records in an investigation by the department under this chapter within a reasonable time period may not use such records in any appeal under this section to challenge the correctness of any determination by the department of the penalty assessed.

NEW SECTION. Sec. 8. If any person fails to pay an assessment under this chapter, or under any rule under this chapter, after it has become a final and unappealable order, or after the court has entered final judgment in favor of the agency, the director may initiate collection procedures in accordance with section 9 of this act.

NEW SECTION. Sec. 9. (1) After a final order is issued under this chapter, or any rules under this chapter, if an employer defaults in the payment of: (a) Any amount determined by the department to be owed to an employee, including interest; or (b) any civil penalty ordered by the department under this chapter, or any rules under this chapter, the director may file with the clerk of any county within the state a warrant in the amount of the payment plus any filing fees. The clerk of the county in which the warrant is filed shall immediately designate a superior court cause number for the warrant, and the clerk shall cause to be entered in the judgment docket under the superior court cause number assigned to the warrant, the name of the employer mentioned in the warrant, the amount of payment due on it plus any filing fees, and the date when the warrant was filed. The aggregate amount of the warrant as docketed becomes a lien upon the title to, and interest in, all real and personal property of the employer against whom the warrant is issued, the same as a judgment in a civil case docketed in the office of the clerk. The sheriff shall proceed upon the warrant in all respects and with like effect as prescribed by law with respect to execution or other process issued against rights or property upon judgment in a court of competent jurisdiction. The warrant so docketed is sufficient to support the issuance of writs of garnishment in favor of the state in a manner provided by law in case of judgment, wholly or partially unsatisfied. The clerk of the court is entitled to a filing fee which shall be added to the amount of the warrant. A copy of the warrant shall be mailed to the employer within three days of filing with the clerk.

(2)(a) The director may issue to any person, firm, corporation, other entity, municipal corporation, political subdivision of the state, a public corporation, or any agency of the state, a notice and order to withhold and deliver property of any kind when they have reason to believe that there is in the possession of the person, firm, corporation, other entity, municipal corporation, political subdivision of the state, public corporation, or agency of the state, property that is or will become due, owing, or belonging to an employer upon whom a notice of assessment has been served by the department for payments or civil penalties due to the department. The effect of a notice and order is continuous from the date the notice and order is first made until the liability out of

FIFTY NINTH DAY, MARCH 8, 2023

which the notice and order arose is satisfied or becomes unenforceable because of lapse of time. The department shall release the notice and order when the liability out of which the notice and order arose is satisfied or becomes unenforceable by reason of lapse of time and shall notify the person against whom the notice and order was made that the notice and order has been released.

(b) The notice and order to withhold and deliver must be served by the sheriff of the county or by the sheriff's deputy, by certified mail, return receipt requested, or by the director. A person, firm, corporation, other entity, municipal corporation, political subdivision of the state, public corporation, or agency of the state upon whom service has been made shall answer the notice within 20 days exclusive of the day of service, under oath and in writing, and shall make true answers to the matters inquired of in the notice and order. Upon service of the notice and order, if the party served possesses any property that may be subject to the claim of the department, the party shall promptly deliver the property to the director. The director shall hold the property in trust for application on the employer's indebtedness to the department, or for return without interest, in accordance with a final determination of a petition for review. In the alternative, the party shall furnish a good and sufficient surety bond satisfactory to the director conditioned upon final determination of liability. If a party served and named in the notice fails to answer the notice within the time prescribed in this section, the court may render judgment by default against the party for the full amount claimed by the director in the notice, together with costs. If a notice is served upon an employer and the property subject to the notice is wages, the employer may assert in the answer all exemptions provided for by chapter 6.27 RCW to which the wage earner is entitled.

(c) As an alternative to the methods of service described in this section, the department may electronically serve a financial institution with a notice and order to withhold and deliver by providing a list of its outstanding warrants, except those for which a payment agreement is in good standing, to the department of revenue. The department of revenue may include the warrants provided by the department in a notice and order to withhold and deliver served under RCW 82.32.235(3). A financial institution that is served with a notice and order to withhold and deliver under this subsection (2)(c) must answer the notice within the time period applicable to service under RCW 82.32.235(3). The department and the department of revenue may adopt rules to implement this subsection (2)(c).

(3) In addition to the procedure for collection of amounts owed, including interest, and civil penalties as set forth in this section, the department may recover amounts owed, including interest, and civil penalties assessed under this chapter, and any rules under this chapter, in a civil action brought in a court of competent jurisdiction of the county where the violation is alleged to have occurred.

(4) Whenever any employer quits business, sells out, exchanges, or otherwise disposes of the employer's business or stock of goods, any person who becomes a successor to the business becomes liable for the full amount of any outstanding citation and notice of assessment or penalty against the employer's business under this chapter if, at the time of the conveyance of the business, the successor has: (a) Actual knowledge of the fact and amount of the outstanding citation and notice of assessment; or (b) a prompt, reasonable, and effective means of accessing and verifying the fact and amount of the outstanding citation and notice of assessment from the department. If the citation and notice of assessment or penalty is not paid in full by the employer within 10 days of the date of the

sale, exchange, or disposal, the successor is liable for the payment of the full amount of the citation and notice of assessment or penalty, and payment thereof by the successor must, to the extent thereof, be deemed a payment upon the purchase price. If the payment is greater in amount than the purchase price, the amount of the difference becomes a debt due to the successor from the employer.

(5) This section does not affect other collection remedies that are otherwise provided by law.

NEW SECTION. Sec. 10. Each employer shall post and keep posted, in conspicuous places on the premises of the employer where notices to employees and applicants for employment are customarily posted, a notice, to be prepared or approved by the director, setting forth excerpts from, or summaries of, the pertinent provisions of this chapter and information pertaining to the filing of a charge. Any employer that willfully violates this section may be subject to a civil penalty of not more than \$1,000 for each separate offense. Any penalties collected by the department under this section shall be deposited into the supplemental pension fund established under RCW 51.44.033.

NEW SECTION. Sec. 11. Nothing in this chapter shall be construed:

(1) To modify or affect any state or local law prohibiting discrimination on the basis of race, religion, color, national origin, sex, sexual orientation, gender identity, age, or disability; or

(2) To supersede any provision of any local law that provides greater family or medical leave rights than the rights established under this chapter.

NEW SECTION. Sec. 12. Nothing in this chapter diminishes the obligation of an employer to comply with any collective bargaining agreement or any employment benefit program or plan that provides greater family or medical leave rights to employees than the rights established under this chapter. The rights established for employees under this chapter may not be diminished by any collective bargaining agreement or any employment benefit program or plan.

NEW SECTION. Sec. 13. Nothing in this chapter shall be construed to discourage employers from adopting or retaining leave policies more generous than any policies that comply with the requirements under this chapter.

NEW SECTION. Sec. 14. The director may adopt rules as necessary to implement this chapter.

NEW SECTION. Sec. 15. This act may be known and cited as the Shahraim C. Allen safe leave act for Washington railroad workers.

NEW SECTION. Sec. 16. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 17. Sections 1 through 15 of this act constitute a new chapter in Title 49 RCW.

NEW SECTION. Sec. 18. Except for sections 6 through 10 of this act, which take effect January 1, 2024, this act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions and takes effect immediately."

On page 1, line 2 of the title, after "workers;" strike the remainder of the title and insert "adding a new chapter to Title 49 RCW; prescribing penalties; providing an effective date; and declaring an emergency."

Senators Keiser and King spoke in favor of adoption of the striking amendment.

Senator Stanford spoke against adoption of the striking amendment.

The President declared the question before the Senate to be the adoption of striking amendment no. 0223 by Senators Keiser, King and Kuderer to Substitute Senate Bill No. 5267.

The motion by Senator Keiser carried and striking amendment no. 0223 was adopted by voice vote.

MOTION

On motion of Senator Kuderer, the rules were suspended, Engrossed Substitute Senate Bill No. 5267 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Kuderer and King spoke in favor of passage of the bill.

Senator Stanford spoke on passage of the bill.

SPECIAL ORDER OF BUSINESS

Pursuant to Rule 18, the hour fixed for consideration of the special order of business having arrived, the President called the Senate to order and announced Senate Bill No. 5600 to be before the Senate and the measure was immediately considered.

SECOND READING

SENATE BILL NO. 5600, by Senators Wellman, Braun, Lovick, Schoesler and Short

Removing the expiration date for the state universal communications services program.

MOTIONS

On motion of Senator Wellman, Substitute Senate Bill No. 5600 was substituted for Senate Bill No. 5600 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5600, by Committee on Energy, Technology and Environment (originally sponsored by Senators Wellman, Braun, Lovick, Schoesler and Short)

Revised for first Substitute: Extending the expiration date for the state universal communications services program.

On motion of Senator Wellman, the rules were suspended, Substitute Senate Bill No. 5600 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Wellman spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5600.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5600 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña,

Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senator Hasegawa

SUBSTITUTE SENATE BILL NO. 5600, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Senate resumed consideration of Engrossed Substitute Senate Bill No. 5267 which had been deferred by the special order of business.

Senators Stanford and Hasegawa spoke on of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5267.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5267 and the bill passed the Senate by the following vote: Yeas, 42; Nays, 7; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Warnick, Wellman, Wilson, C. and Wilson, L.

Voting nay: Senators Boehnke, Dozier, McCune, Padden, Schoesler, Wagoner and Wilson, J.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5267, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

PERSONAL PRIVILEGE

Senator Cleveland: "Thank you Mr. President. I know we are near the end of a long difficult day and unfortunately, I do have some sad news to share with the body. I learned this afternoon that my former seatmate has passed away. Former 49th Representative Jim Moeller passed away today. He served in the Legislature for fourteen years and I know that many here on this floor served with him in the other body. He will be missed, and I do send warm thoughts and prayers to his family. Thank you."

President Heck: "Rest in Peace, Jim."

[The Honorable Jim Moeller, July 2, 1955 – March 8, 2023]

MOTION

At 5:12 p.m., on motion of Senator Pedersen, the Senate adjourned until 12:30 p.m. Thursday, March 9, 2023.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

SIXTIETH DAY

AFTERNOON SESSION

Senate Chamber, Olympia
Thursday, March 9, 2023

The Senate was called to order at 12:30 p.m. by the President of the Senate, Lt. Governor Heck presiding. No roll call was taken.

MOTIONS

On motion of Senator Pedersen, the reading of the Journal of the previous day was dispensed with and it was approved.

On motion of Senator Pedersen, the Senate advanced to the fourth order of business.

MESSAGES FROM THE HOUSE

March 7, 2023

MR. PRESIDENT:

The House has passed:

ENGROSSED SECOND SUBSTITUTE
HOUSE BILL NO. 1143,
ENGROSSED SECOND SUBSTITUTE
HOUSE BILL NO. 1479,

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1547,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1568,
and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

March 8, 2023

MR. PRESIDENT:

The House has passed:

SUBSTITUTE HOUSE BILL NO. 1044,
HOUSE BILL NO. 1112,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1235,
SUBSTITUTE HOUSE BILL NO. 1240,
SUBSTITUTE HOUSE BILL NO. 1241,
HOUSE BILL NO. 1243,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1282,
HOUSE BILL NO. 1303,
HOUSE BILL NO. 1317,

SECOND SUBSTITUTE HOUSE BILL NO. 1332,
SUBSTITUTE HOUSE BILL NO. 1493,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1498,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1503,
SECOND SUBSTITUTE HOUSE BILL NO. 1522,
SECOND SUBSTITUTE HOUSE BILL NO. 1534,

SUBSTITUTE HOUSE BILL NO. 1562,
ENGROSSED HOUSE BILL NO. 1636,
SUBSTITUTE HOUSE BILL NO. 1700,
ENGROSSED HOUSE BILL NO. 1714,
HOUSE BILL NO. 1730,
HOUSE BILL NO. 1750,

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1766,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1791,
SUBSTITUTE HOUSE BILL NO. 1804,

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1838,
and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

MOTION

On motion of Senator Pedersen, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

HB 1004 by Representatives Abbarno, Orcutt, Berry, Simmons, Graham, Schmidt, Christian, Lekanoff, Griffey, Dye, Klicker, Wylie, Cheney, Davis and Riccelli

AN ACT Relating to installing signs on or near bridges to provide information to deter jumping; amending RCW 36.86.040, 47.36.030, and 81.36.100; adding a new section to chapter 35.21 RCW; adding a new section to chapter 47.04 RCW; adding a new section to chapter 47.36 RCW; adding a new section to chapter 53.08 RCW; adding a new section to chapter 77.12 RCW; adding a new section to chapter 79.10 RCW; adding a new section to chapter 79A.05 RCW; and creating new sections.

Referred to Committee on Transportation.

ESHB 1019 by House Committee on Agriculture and Natural Resources (originally sponsored by Dent, Chapman, Ryu, Corry, Sandlin, Reeves, Springer, Schmick and Davis)

AN ACT Relating to creating the pesticide advisory board; adding new sections to chapter 17.21 RCW; and creating a new section.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

HB 1023 by Representatives Walen, Goodman, Reeves, Thai and Ormsby

AN ACT Relating to the elimination of wire tap authorization reporting to the administrative office of the courts; and repealing RCW 9.73.120.

Referred to Committee on Law & Justice.

HB 1052 by Representatives Ramel, Lekanoff, Bateman, Reed, Pollet, Walen, Doglio and Kloba

AN ACT Relating to providing a property tax exemption for qualified real and personal property owned or used by a nonprofit entity in providing qualified housing funded in whole or part through a local real estate excise tax; amending RCW 84.36.560; and creating a new section.

Referred to Committee on Housing.

SHB 1084 by House Committee on Transportation (originally sponsored by Fey, Ramos, Ryu, Ramel, Leavitt, Timmons and Wylie)

AN ACT Relating to freight mobility prioritization; amending RCW 47.06A.010, 47.06A.001, 47.06A.020, 47.06A.030, 47.06.045, 47.06.070, 46.68.300, 46.68.310, and 47.06A.080; adding a new section to chapter 53.20 RCW; adding a new section to chapter 47.04 RCW; creating a new section; recodifying RCW 47.06A.080 and 47.06A.090; and repealing RCW 47.06A.045, 47.06A.050, and 47.06A.060.

Referred to Committee on Transportation.

2SHB 1151 by House Committee on Appropriations (originally sponsored by Stonier, Macri, Reed, Peterson, Berry, Ramel, Fitzgibbon, Cortes, Callan, Simmons, Reeves, Lekanoff, Bergquist, Fosse and Ormsby)

AN ACT Relating to mandating health plans to provide coverage for the diagnosis of infertility, treatment for infertility, and standard fertility preservation services; adding a new section to chapter 48.43 RCW; adding a new section to chapter 41.05 RCW; and creating new sections.

Referred to Committee on Health & Long-Term Care.

2SHB 1168 by House Committee on Appropriations (originally sponsored by Simmons, Ramel, Callan, Wylie, Davis and Ormsby)

AN ACT Relating to providing prevention services, diagnoses, treatment, and support for prenatal substance exposure; amending RCW 71.24.610; adding a new section to chapter 43.216 RCW; adding new sections to chapter 71.24 RCW; and creating new sections.

Referred to Committee on Health & Long-Term Care.

HB 1197 by Representatives Bronoske, Berry, Bateman, Simmons, Fosse, Davis and Pollet

AN ACT Relating to defining attending provider and clarifying other provider functions for workers' compensation claims, and adding psychologists as attending providers for mental health only claims; amending RCW 51.04.050, 51.28.010, 51.28.020, 51.28.030, 51.32.055, 51.32.090, 51.32.095, 51.36.010, 51.36.022, 51.36.060, and 51.36.070; adding a new section to chapter 51.08 RCW; and providing an effective date.

Referred to Committee on Labor & Commerce.

EHB 1209 by Representatives Leavitt, Griffey, Fey, Bronoske and Davis

AN ACT Relating to restricting the possession, purchase, delivery, and sale of certain equipment used to illegally process controlled substances; amending RCW 9.94A.518; adding a new section to chapter 69.50 RCW; and prescribing penalties.

Referred to Committee on Law & Justice.

SHB 1275 by House Committee on Health Care & Wellness (originally sponsored by Thai, Harris and Riccelli)

AN ACT Relating to athletic trainers; and amending RCW 18.250.010 and 18.250.110.

Referred to Committee on Health & Long-Term Care.

ESHB 1362 by House Committee on State Government & Tribal Relations (originally sponsored by Stearns, Reeves, Abbarno, Gregerson, Lekanoff and Tharinger)

AN ACT Relating to improving government efficiency related to reports by state agencies by eliminating reports, changing the frequency of reports, and providing an alternative method for having information publicly available in place of reports; amending RCW 43.43.545, 43.63A.510, 43.280.100, 61.24.163, 70A.420.050, 72.09.620, 77.135.090, 28B.77.220, 35.90.020, 43.21A.150,

43.60A.240, 43.61.040, 43.63A.068, 43.105.369, 47.01.330, 54.16.425, 72.09.765, 77.32.555, 82.14.470, and 82.32.765; creating a new section; and repealing RCW 13.32A.045, 19.02.055, 19.280.060, 43.31.980, 43.60A.101, and 62A.9A-527.

Referred to Committee on State Government & Elections.

HB 1455 by Representatives Stonier, Berry, Farivar, Rude, Fey, Reed, Morgan, Thai, Fosse, Pollet, Macri and Bateman

AN ACT Relating to eliminating child marriage; amending RCW 26.04.010, 26.04.130, and 26.04.210; and creating a new section.

Referred to Committee on Law & Justice.

E2SHB 1541 by House Committee on Appropriations (originally sponsored by Farivar, Couture, Mena, Pollet, Taylor, Ortiz-Self, Street, Thai, Reed, Waters, Fosse, Caldier, Simmons, Davis, Alvarado, Schmidt, Ryu, Griffey, Ramel, Barnard, Orwall, Hackney, Bergquist, Walen, Berry, Tharinger, Peterson, Goodman, Volz, Eslick, Stonier, Gregerson, Riccelli, Ormsby, Kloba, Doglio, Bateman, Macri and Duerr)

AN ACT Relating to increasing access and representation in policy-making processes for people with direct lived experience; adding a new chapter to Title 43 RCW; creating new sections; providing an effective date; and providing an expiration date.

Referred to Committee on State Government & Elections.

SHB 1682 by House Committee on Appropriations (originally sponsored by Maycumber, Chapman, Barnard, Reeves, Riccelli, Bateman, Springer, Volz, Chambers, Mosbrucker, Robertson, Leavitt, Jacobsen, Christian and Rule)

AN ACT Relating to the Washington auto theft prevention authority account; amending RCW 46.66.080; and creating a new section.

Referred to Committee on Ways & Means.

HB 1684 by Representatives Slatter and Lekanoff

AN ACT Relating to clarifying procedures for federally recognized tribes to report standard occupational classifications or job titles of workers under the employment security act; and amending RCW 50.12.070.

Referred to Committee on Labor & Commerce.

E2SHB 1715 by House Committee on Appropriations (originally sponsored by Davis, Mosbrucker, Duerr, Grandffey, Walen, Lekanoff, Morgan, Callan, Ramel, Thai, Rule, Ryu, Kloba, Chopp, Pollet, Chapman, Mena, Cortes, Eslick, Bergquist, Fey)

AN ACT Relating to enacting comprehensive protections for victims of domestic violence and other violence involving family members or intimate partners; amending RCW 10.97.050, 10.21.050, 42.56.240, 7.105.155, 7.105.255, 7.105.450, 7.105.500, 4.16.040, 10.99.020, 10.99.033, 10.99.040, 10.99.045, 10.99.100, 9.41.340, 9.41.345, 9.41.800, 9.41.801, 9.41.804, 7.105.340, 40.24.030, 42.17A.710, 59.18.575, 10.31.100, and 36.28A.410; reenacting and amending RCW 7.105.310 and

SIXTIETH DAY, MARCH 9, 2023

10.99.030; adding a new section to chapter 10.99 RCW; adding new sections to chapter 2.56 RCW; adding new sections to chapter 43.101 RCW; adding new sections to chapter 2.53 RCW; adding a new section to chapter 7.105 RCW; adding a new section to chapter 4.24 RCW; adding new sections to chapter 43.330 RCW; adding a new section to chapter 28B.20 RCW; creating new sections; and providing expiration dates.

Referred to Committee on Law & Justice.

SHB 1764 by House Committee on Finance (originally sponsored by Wylie and Orcutt)

AN ACT Relating to establishing a method of valuing asphalt and aggregate used in public road construction for purposes of taxation; amending RCW 82.12.010 and 82.04.450; creating new sections; and providing an effective date.

Referred to Committee on Ways & Means.

SHB 1779 by House Committee on Environment & Energy (originally sponsored by Mosbrucker, Dye and Pollet)

AN ACT Relating to reducing toxic air pollution that threatens human health; creating new sections; and providing an expiration date.

Referred to Committee on Environment, Energy & Technology.

ESHB 1789 by House Committee on Agriculture and Natural Resources (originally sponsored by Reeves, Fitzgibbon, Chapman, Kloba, Ramel, Pollet and Fosse)

AN ACT Relating to expanding revenue generation and economic opportunities from natural climate solutions and ecosystem services; amending RCW 79.02.010 and 79.105.150; reenacting and amending RCW 79.64.110 and 79.22.050; and adding a new chapter to Title 79 RCW.

Referred to Committee on Environment, Energy & Technology.

SHB 1833 by House Committee on Transportation (originally sponsored by Paul, Hutchins and Ramel)

AN ACT Relating to setting ferry fuel surcharges; amending RCW 47.60.315; and declaring an emergency.

Referred to Committee on Transportation.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

On motion of Senator Pedersen, the Senate advanced to the eighth order of business.

MOTION

Senator Shewmake moved adoption of the following resolution:

SENATE RESOLUTION 8622

By Senator Shewmake

WHEREAS, The Washington State commercial fishing fleet will set off for the Pacific in May of 2023; and

WHEREAS, The blessing of the fleet will occur in Blaine Harbor on May 7th, 2023; and

WHEREAS, The commercial and tribal fishing industries have been a long-standing tradition in our state, and are vital to the economic well-being of many Washington families; and

WHEREAS, The adversity that fishers encounter on the seas demands immense bravery, courage, and determination, and fishers deserve our admiration and respect; and

WHEREAS, The treacherous seas too often take the lives of the valiant souls who take on great risks for our benefit, and the grief of this loss is felt not only in their families and communities, but across our entire state;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate extend its condolences to the families and friends of all our fishers who have lost their lives at sea, wish the entire commercial fishing fleet a safe and prosperous season, and express its hope that all our fishers will return home safely to their families, friends, and communities.

Senator Shewmake spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8622.

The motion by Senator Shewmake carried and the resolution was adopted by voice vote.

MOTION

At 12:34 p.m., on motion of Senator Pedersen, the Senate adjourned until 11:45 a.m. Friday, March 10, 2023.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

SIXTY FIRST DAY

MORNING SESSION

Senate Chamber, Olympia
Friday, March 10, 2023

The Senate was called to order at 11:45 a.m. by the President of the Senate, Lt. Governor Heck presiding. No roll call was taken.

MOTIONS

On motion of Senator Pedersen, the reading of the Journal of the previous day was dispensed with and it was approved.

There being no objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

March 9, 2023
ESHB 1051 Prime Sponsor, Committee on Consumer Protection & Business: Concerning robocalling and telephone scams. Reported by Committee on Law & Justice

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Business, Financial Services, Gaming & Trade.

March 9, 2023
SHB 1060 Prime Sponsor, Committee on Consumer Protection & Business: Concerning reorganization of domestic mutual insurers. Reported by Committee on Business, Financial Services, Gaming & Trade

MAJORITY recommendation: Do pass. Signed by Senators Stanford, Chair; Frame, Vice Chair; Dozier, Ranking Member; Boehnke; Gildon; Lovick; MacEwen and Mullet.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Hasegawa.

Referred to Committee on Rules for second reading.

March 9, 2023
HB 1061 Prime Sponsor, Representative Ryu: Eliminating preclicensing education requirements for licensed insurance producers. Reported by Committee on Business, Financial Services, Gaming & Trade

MAJORITY recommendation: Do pass. Signed by Senators Stanford, Chair; Frame, Vice Chair; Dozier, Ranking Member; Boehnke; Gildon; Lovick; MacEwen and Mullet.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Hasegawa.

Referred to Committee on Rules for second reading.

March 9, 2023

SHB 1101 Prime Sponsor, Committee on Housing: Providing for tenant screening in common interest communities. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

March 9, 2023

HB 1102 Prime Sponsor, Representative Taylor: Concerning judge pro tempore compensation. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

March 9, 2023

ESHB 1424 Prime Sponsor, Committee on Consumer Protection & Business: Concerning consumer protection with respect to the sale and adoption of dogs and cats. Reported by Committee on Law & Justice

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; Torres; Valdez; Wagoner and Wilson, L.

MINORITY recommendation: Do not pass. Signed by Senator McCune.

Referred to Committee on Business, Financial Services, Gaming & Trade.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Standing Committee report were referred to the committees as designated.

On motion of Senator Pedersen, the Senate advanced to the third order of business.

**MESSAGE FROM THE GOVERNOR
GUBERNATORIAL APPOINTMENTS**

March 2, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON
Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

ROBERT DECOTEAU, appointed March 2, 2023, for the term ending September 30, 2023, as Member of the Bellingham Technical College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

SIXTY FIRST DAY, MARCH 10, 2023

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9337.

March 3, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

BARBARA BAKER, appointed March 1, 2023, for the term ending December 31, 2028, as Member of the Fish and Wildlife Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Agriculture, Water, Natural Resources & Parks as Senate Gubernatorial Appointment No. 9338.

March 7, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

MARCUS J. GLASPER, appointed April 1, 2023, for the term ending January 1, 2025, as a Director of the Department of Licensing - Agency Head.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on State Government & Elections as Senate Gubernatorial Appointment No. 9339.

MOTION

On motion of Senator Pedersen, all appointees listed on the Gubernatorial Appointments report were referred to the committees as designated.

MESSAGE FROM OTHER STATE OFFICERS

The following reports were submitted to and received by the office of the Secretary of the Senate:

Commerce, Department of – *“Lewis County Dig-Once Pilot Project Review Recommendations for Statewide Policy”*, in accordance with Senate Bill No. 5651; *“Foreclosure Fairness Program 2022 Report”*, pursuant to 61.24.163 RCW; *“Clean Buildings Legislative Report”*, pursuant to 19.27A.210 RCW; *“School Directors’ Compensation Study”*, in accordance with Engrossed Substitute Senate Bill No. 5693; *“Evaluation of Planning Costs”*, pursuant to 36.70A RCW; *“Low-Income Energy Assistance 2023 Legislative Report”*, pursuant to 19.405.120 RCW; *“Rising Strong West Master Plan Phase 2”*, in accordance with Substitute Senate Bill No. 5651; *“A Review of Condominium Conversions in Washington”*, in accordance with Engrossed Substitute Senate Bill No. 5758; *“Staff Safety, 2022 Annual Report”*, pursuant to 72.09.680 RCW; *“Unexpected Fatality Review Committee Report UFR-22-035”*, pursuant to 72.09.770 RCW; *“Unexpected Fatality Review Committee Report UFR-22-033”*, pursuant to 72.09.770 RCW; *“Unexpected Fatality Review Committee Report UFR-22-032”*, pursuant to 72.09.770 RCW; *“Unexpected Fatality Review Committee Report UFR-22-031”*, pursuant to 72.09.770 RCW;

Criminal Justice Training Commission, Washington State – *“Law Enforcement and Correctional Officers Permissible Uses*

of Force”, in accordance with Engrossed Second Substitute House Bill No. 1310;

Ecology, Department of – *“Cleanup Settlement Account Annual Report, FY2022”*, pursuant to 70A.305.130 RCW;

Enterprise Services, Department of – *“Energy Star Portfolio Manager Benchmarking Performance Rating 2022 Report Transmittal Letter”*, pursuant to 19.27A RCW; *“Energy Star Portfolio Manager Benchmarking Performance Rating 2022 Report”*, pursuant to 19.27A.210 RCW;

Financial Management, Office of – *“One Washington Quarterly Report, October - December 2022”*, in accordance with Substitute Senate Bill No. 5883; *“One Washington Overview - Expenditure Report, October - December 2022”*, in accordance with Substitute Senate Bill No. 5883; *“One Washington Performance Metrics Quarterly Report, October - December 2022”*, in accordance with Substitute Senate Bill No. 5883;

Fish and Wildlife, Department of – *“European Green Crab Quarterly Progress Report - Winter 2022 (October 1 to December 31, 2022)”*, in accordance with Engrossed Substitute Senate Bill No. 5693;

Health Care Authority – *“Implementation Plan to Continue the Expansion of Civil Long-Term Inpatient Capacity Status Report”*, in accordance with Engrossed Substitute Senate Bill No. 5092; *“Increasing Access to Behavioral Health For Minors, Implementation of Behavioral Health 360 (BH360)”*, in accordance with Substitute House Bill No. 1800; *“Intensive Outpatient and Partial Hospitalization Services Progress Report”*, in accordance with Engrossed Substitute Senate Bill No. 5092; *“Enhancement for Community-Based Behavioral Health Services - Funding Extended to Fiscal Year 2022 (July 2021 to June 2022)”*, in accordance with Engrossed Substitute Senate Bill No. 5092; *“Teaching Clinic Enhancement Rate”*, in accordance with Engrossed Substitute Senate Bill No. 5092; *“Access to Behavioral Health Service for Children and Youth”*, in accordance with Engrossed Second Substitute Senate Bill No. 5432; *“Opioid Overdose Reversal Medication Bulk Purchasing and Distribution Program - Second Preliminary Progress Report”*, in accordance with Second Substitute Senate Bill No. 5195; *“Funding Certified Community Behavioral Health Clinics in Washington State”*, in accordance with Engrossed Substitute Senate Bill No. 5693;

Natural Resources, Department of – *“Monthly Fire Suppression Report, December 2022”*, in accordance with Engrossed Substitute Senate Bill No. 5092; *“Monthly Fire Suppression Report Letter, November 2022”*, in accordance with Engrossed Substitute Senate Bill No. 5092; *“Monthly Fire Suppression Report, November 2022”*, in accordance with Engrossed Substitute Senate Bill No. 5092; *“Lease Extension Legislative Report”*; pursuant to 79.13.060 RCW; *“Lease Extension Legislative Report”*, pursuant to 79.13.060 RCW;

Public Instruction, Office of the Superintendent of – *“UPDATE: Online Learning 2023”*, pursuant to 28A.250.040 RCW; *“Innovative Learning Pilot Program 2022”*, pursuant to 28A.300.810 RCW;

Sheriffs and Police Chiefs, Washington Association of – *“Washington’s Sexual Assault Kits Status Updates”*, pursuant to 5.70.060 RCW;

Social & Health Services, Department of – *“Expansion of the Basic Food Employment and Training (BFET) Program”*, pursuant to 74.04.535 RCW; *“Redesign State-Operated Intermediate Care Facilities to Provide Short-Term Stabilization and Intervention Services Report”*; pursuant to 74.39A.275 RCW; *“WorkFirst Maintenance of Effort and Work Participation Rate - 2022 Second Quarter”*, in accordance with Engrossed

Substitute Senate Bill No. 5092; “*Options for Relocation Fircrest School's Adult Training Program*”, in accordance with Substitute Senate Bill No. 5651; “*WorkFirst Spending Plan Monitoring Report - SFY 2023 Quarter 1*”, pursuant to 74.39A.275 RCW; “*Forensic Admissions and Evaluations-Performance Targets 2022 Third Quarter (July 1, 2022-September 30, 2022)*”, in accordance with Substitute Senate Bill No. 6492; “*Financial Eligibility FTE Use & Associated Outcomes*”, in accordance with Engrossed Substitute Senate Bill No. 5693; “*Service Experiences and Characteristics of Persons Receiving Medicaid-Funded Long-Term Services and Supports*”, in accordance with Engrossed Substitute Senate Bill No. 5693; “*Service Rate Increase and Utilization: Community Engagement; Supported Parenting; Hourly Waiver Respite*”, in accordance with Engrossed Substitute Senate Bill No. 5693;

Traffic Safety Commission – “*Kitsap Transit HOV Enforcement Program, 2023 Report*”, in accordance with Engrossed Substitute Senate Bill No. 5689.

MOTION

On motion of Senator Pedersen, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SHB 1044 by House Committee on Capital Budget (originally sponsored by McEntire, Graham, Couture, Sandlin, Walsh, Rude, Caldier and Santos)

AN ACT Relating to capital financial assistance to small school districts with demonstrated funding challenges; amending RCW 28A.525.159; adding a new section to chapter 28A.525 RCW; and creating a new section.

Referred to Committee on Early Learning & K-12 Education.

HB 1112 by Representatives Harris, Santos, Ramel, Fitzgibbon, Kloba and Donaghy

AN ACT Relating to imposing criminal penalties for negligent driving involving the death of a vulnerable user victim; amending RCW 46.61.526, 46.20.342, 46.61.110, 46.61.145, 46.61.180, 46.61.185, 46.61.190, 46.61.205, and 46.63.020; adding a new section to chapter 46.61 RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Law & Justice.

E2SHB 1143 by House Committee on Appropriations (originally sponsored by Berry, Walen, Reed, Peterson, Street, Bateman, Ramel, Senn, Callan, Doglio, Macri, Lekanoff, Duerr, Pollet, Davis, Kloba, Fosse and Ormsby)

AN ACT Relating to enhancing requirements for the purchase or transfer of firearms by requiring a permit to purchase firearms, firearms safety training, and a 10-day waiting period, prohibiting firearms transfers prior to completion of a background check, and updating and creating consistency in firearms transfer and background check procedures; amending RCW 9.41.090, 43.43.590, 9.41.047, 9.41.049, 9.41.092, 9.41.094, 9.41.097, 9.41.0975, 9.41.110, 9.41.1135, 9.41.129, 9.41.345, 9.41.270, 9.41.280, 9.41.282, 9.41.284, 9.41.800, 9.41.801, 9.41.802, 9.41.804, 9.41.815, 7.105.305, 7.105.330, 7.105.335, 7.105.340, 7.105.350, 7.105.570, 10.31.100,

10.99.033, 10.99.040, 11.130.257, 26.09.060, 71.05.182, and 72.23.080; reenacting and amending RCW 7.105.310 and 10.99.030; adding new sections to chapter 9.41 RCW; adding a new section to chapter 43.43 RCW; creating a new section; repealing 2019 c 244 s 1; and providing an effective date.

Referred to Committee on Law & Justice.

ESHB 1235 by House Committee on Agriculture and Natural Resources (originally sponsored by Chapman, Kretz, Tharinger and Lekanoff)

AN ACT Relating to modifying miscellaneous provisions impacting department of fish and wildlife licensing requirements; amending RCW 77.08.010, 77.08.075, 77.32.090, 77.32.155, 77.32.470, 77.32.480, 77.32.520, and 79A.80.040; and adding a new section to chapter 77.32 RCW.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SHB 1240 by House Committee on Civil Rights & Judiciary (originally sponsored by Peterson, Senn, Alvarado, Walen, Street, Springer, Simmons, Reeves, Reed, Ormsby, Kloba, Fitzgibbon, Duerr, Doglio, Berry, Bateman, Fey, Davis, Ramel, Bergquist, Fosse, Pollet, Lekanoff, Macri, Gregerson and Santos)

AN ACT Relating to establishing firearms-related safety measures to increase public safety by prohibiting the manufacture, importation, distribution, selling, and offering for sale of assault weapons, and by providing limited exemptions applicable to licensed firearm manufacturers and dealers for purposes of sale to armed forces branches and law enforcement agencies and for purposes of sale or transfer outside the state, and to inheritors; reenacting and amending RCW 9.41.010; adding new sections to chapter 9.41 RCW; creating a new section; prescribing penalties; and declaring an emergency.

Referred to Committee on Law & Justice.

SHB 1241 by House Committee on Community Safety, Justice, & Reentry (originally sponsored by Leavitt, Reeves, Reed, Morgan and Bronoske)

AN ACT Relating to harassment; and amending RCW 9A.46.020 and 40.24.030.

Referred to Committee on Law & Justice.

HB 1243 by Representatives Dent, Riccelli, Christian and Eslick
AN ACT Relating to municipal airport commissions; and amending RCW 14.08.120.

Referred to Committee on Local Government, Land Use & Tribal Affairs.

ESHB 1282 by House Committee on Capital Budget (originally sponsored by Duerr, Hackney, Berry, Ramel, Doglio, Reed and Pollet)

AN ACT Relating to environmental and labor reporting for public building construction and renovation material; amending RCW 43.88.0301; adding a new chapter to Title 39 RCW; creating new sections; and providing an expiration date.

Referred to Committee on Environment, Energy & Technology.

HB 1303 by Representatives Street, Ramel and Reed
AN ACT Relating to the administration of property taxes; amending RCW 82.03.140, 84.40.370, 84.52.010, 84.52.010, 84.52.043, 84.52.043, 84.52.085, 84.55.015, and 84.55.020; creating new sections; providing an effective date; and providing an expiration date.

Referred to Committee on Ways & Means.

HB 1317 by Representatives Pollet and Gregerson
AN ACT Relating to improving transparency in grassroots lobbying disclosure; and amending RCW 42.17A.640.

Referred to Committee on State Government & Elections.

2SHB 1332 by House Committee on Appropriations (originally sponsored by Lekanoff, Berry, Ramel, Rude, Reed, Donaghy, Pollet and Macri)
AN ACT Relating to supporting public school instruction in tribal sovereignty and federally recognized Indian tribes; amending RCW 28A.300.105 and 28A.320.170; adding a new section to chapter 28A.305 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Early Learning & K-12 Education.

E2SHB 1479 by House Committee on Appropriations (originally sponsored by Callan, Santos, Goodman, Ramel, Ormsby and Pollet)
AN ACT Relating to restraint or isolation of students in public schools and educational programs; amending RCW 28A.155.210 and 28A.310.515; adding a new section to chapter 28A.600 RCW; adding a new section to chapter 28A.300 RCW; creating new sections; repealing RCW 28A.600.485; and providing expiration dates.

Referred to Committee on Early Learning & K-12 Education.

SHB 1493 by House Committee on Community Safety, Justice, & Reentry (originally sponsored by Goodman)
AN ACT Relating to impaired driving; amending RCW 9.94A.030, 10.05.060, 46.20.355, 46.20.385, 46.20.720, 46.20.740, 46.52.130, and 46.61.5055; and prescribing penalties.

Referred to Committee on Law & Justice.

ESHB 1498 by House Committee on Agriculture and Natural Resources (originally sponsored by Dye, Dent, Christian, Schmidt, Eslick, Graham and Volz)
AN ACT Relating to aviation assurance funding in response to wildland fires; adding new sections to chapter 76.04 RCW; and creating new sections.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

ESHB 1503 by House Committee on Postsecondary Education & Workforce (originally sponsored by Riccelli, Santos, Reeves, Macri and Reed)
AN ACT Relating to the collection of health care professionals' information at the time of license application and license renewal; and adding a new section to chapter 18.130 RCW.

Referred to Committee on Health & Long-Term Care.

2SHB 1522 by House Committee on Appropriations (originally sponsored by Pollet, Leavitt, Berry and Macri)
AN ACT Relating to addressing sexual misconduct at scholarly or professional associations; amending RCW 28B.112.040 and 28B.112.080; and creating a new section.

Referred to Committee on Higher Education & Workforce Development.

2SHB 1534 by House Committee on Appropriations (originally sponsored by Orwall, Berry and Fosse)
AN ACT Relating to strengthening protections for consumers in the construction industry; amending RCW 18.27.010, 18.27.030, 18.27.040, 18.27.340, 18.27.400, and 51.44.190; reenacting and amending RCW 43.79A.040; adding new sections to chapter 18.27 RCW; providing effective dates; and declaring an emergency.

Referred to Committee on Labor & Commerce.

ESHB 1547 by House Committee on Health Care & Wellness (originally sponsored by Caldier, Christian, Volz, Eslick, Hutchins and Graham)
AN ACT Relating to increasing the health care workforce by authorizing out-of-state providers to practice immediately; and adding a new section to chapter 18.79 RCW.

Referred to Committee on Health & Long-Term Care.

SHB 1562 by House Committee on Civil Rights & Judiciary (originally sponsored by Thai, Lekanoff, Taylor, Berry, Ryu, Reed, Kloba, Entenman, Walen, Doglio, Davis, Wylie, Ramel, Ormsby, Pollet and Duerr)
AN ACT Relating to reducing the risks of lethality and other harm associated with gun violence, gender-based violence, and other types of violence by clarifying and updating laws relating to the unlawful possession of firearms and restoration of firearm rights; amending RCW 9.41.040, 9.41.047, 9.41.042, 13.40.160, 13.40.193, 13.40.265, 70.02.230, and 70.02.240; reenacting and amending RCW 9.41.010 and 13.40.0357; adding a new section to chapter 9.41 RCW; and creating a new section.

Referred to Committee on Law & Justice.

ESHB 1568 by House Committee on Postsecondary Education & Workforce (originally sponsored by Chambers, Tharinger, Schmick, Leavitt, Harris, Klicker, Schmidt, Caldier, Bateman, Christian, Doglio, Lekanoff, Pollet and Macri)
AN ACT Relating to the credentialing of certified health care professionals providing long-term care services; amending RCW 18.88B.021, 18.88B.031, 18.88B.041,

18.88A.130, 18.88B.035, and 74.39A.074; adding a new section to chapter 18.88B RCW; creating new sections; and providing expiration dates.

Referred to Committee on Health & Long-Term Care.

EHB 1636 by Representatives Orwall, Walsh and Timmons

AN ACT Relating to foreclosure protections for homeowners in common interest communities; amending RCW 64.32.200, 64.32.200, 64.34.364, 64.34.364, 64.38.100, 64.38.100, 64.90.485, and 64.90.485; amending 2021 c 222 ss 9 and 10 (uncodified); providing an effective date; and providing an expiration date.

Referred to Committee on Law & Justice.

SHB 1700 by House Committee on State Government & Tribal Relations (originally sponsored by Kretz, Chapman, Dent, Barnard, Ormsby and Timmons)

AN ACT Relating to establishing a memorial on the capitol campus to commemorate eastern Washington; and adding new sections to chapter 43.34 RCW.

Referred to Committee on State Government & Elections.

EHB 1714 by Representatives Stonier, Senn, Callan, Kloba, Santos, Bergquist and Timmons

AN ACT Relating to allowing school districts to apply for financial literacy education professional development grants for three or fewer school years; and amending RCW 28A.300.466.

Referred to Committee on Early Learning & K-12 Education.

HB 1730 by Representatives Waters, Stonier, Klicker, Low, Couture, Chambers, Ybarra, Barnard, Schmidt, Street, McClintock, Walen, Hutchins, Caldier and Cheney

AN ACT Relating to allowing youth ages 18 and older to work in establishments traditionally classified as off-limits to persons under the age of 21 in certain specific and limited circumstances; amending RCW 66.44.316; creating a new section; and declaring an emergency.

Referred to Committee on Labor & Commerce.

HB 1750 by Representatives Berg, Reed, Taylor, Cortes, Street, Ramel, Leavitt, Kloba, Tharinger, Fosse, Gregerson, Stonier, Entenman, Reeves, Slatter, Donaghy, Santos, Hackney, Morgan, Timmons, Ormsby, Orwall, Callan, Duerr, Berry, Davis, Chapman, Abbarno, Thai, Senn, Alvarado, Walen, Rule, Doglio, Ryu and Pollet

AN ACT Relating to establishing Yori's law to promote education around water safety and drowning prevention; amending RCW 1.16.050; adding a new section to chapter 1.20 RCW; and creating new sections.

Referred to Committee on State Government & Elections.

ESHB 1766 by House Committee on Civil Rights & Judiciary (originally sponsored by Griffey, Davis, Senn, Dent, Callan and Cheney)

AN ACT Relating to the creation of a hope card program; adding a new section to chapter 7.105 RCW; and creating a new section.

Referred to Committee on Law & Justice.

ESHB 1791 by House Committee on Transportation (originally sponsored by Fey, Dent, Morgan, Barkis, Mena, Couture, Griffey, Bronoske, Ybarra, Christian, Timmons, Donaghy, Berg and Doglio)

AN ACT Relating to studying the need for increased commercial aviation services; amending 2022 c 186 s 213 (uncodified); adding a new chapter to Title 14 RCW; repealing 2021 c 333 ss 718 and 719 and 2022 c 186 s 707 (uncodified); and declaring an emergency.

Referred to Committee on Transportation.

SHB 1804 by House Committee on Appropriations (originally sponsored by Steele)

AN ACT Relating to eligibility for participation in the public employees' benefits board for retired or disabled employees of counties, municipalities, and other political subdivisions; amending RCW 41.05.080; adding a new section to chapter 41.05; and declaring an emergency.

Referred to Committee on Ways & Means.

ESHB 1838 by House Committee on Transportation (originally sponsored by Fey, Barkis, Berg and Ortiz-Self)

AN ACT Relating to transferring the responsibilities for the transportation revenue forecast for the transportation budget to the economic and revenue forecast council; amending RCW 82.33.010 and 82.33.040; reenacting and amending RCW 82.33.020; and repealing RCW 43.88.125.

Referred to Committee on Transportation.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

On motion of Senator Pedersen, and without objection, the rules were suspended, and the following measures listed on the document entitled "Bill Dispositions – March 10, 2023" were referred from the Second Reading Calendar to the Committee on Rules and placed in the Committee's "X-file":

- | | |
|-----------------------|-----------------------|
| Senate Bill No. 5002, | Senate Bill No. 5690, |
| Senate Bill No. 5057, | Senate Bill No. 5056, |
| Senate Bill No. 5085, | Senate Bill No. 5071, |
| Senate Bill No. 5151, | Senate Bill No. 5129, |
| Senate Bill No. 5160, | Senate Bill No. 5158, |
| Senate Bill No. 5205, | Senate Bill No. 5181, |
| Senate Bill No. 5216, | Senate Bill No. 5213, |
| Senate Bill No. 5254, | Senate Bill No. 5245, |
| Senate Bill No. 5291, | Senate Bill No. 5271, |
| Senate Bill No. 5344, | Senate Bill No. 5299, |
| Senate Bill No. 5368, | Senate Bill No. 5348, |
| Senate Bill No. 5382, | Senate Bill No. 5377, |
| Senate Bill No. 5417, | Senate Bill No. 5393, |
| Senate Bill No. 5503, | Senate Bill No. 5471, |
| Senate Bill No. 5588, | Senate Bill No. 5578, |
| Senate Bill No. 5635, | Senate Bill No. 5631, |
| Senate Bill No. 5657, | Senate Bill No. 5640, |

SIXTY FIRST DAY, MARCH 10, 2023

Senate Bill No. 5677, Senate Bill No. 5670,
Senate Bill No. 5684,
Senate Joint Resolution No. 8201,
and Senate Joint Resolution No. 8203.

The following measure was referred from the Second Reading Consent Calendar to the Committee on Rules and placed in the Committee's "X-file":

Senate Bill No. 5478.

The following measures that were under consideration by the Committee on Rules were placed in the Committees "X-file":

Senate Bill No. 5047,	Senate Bill No. 5051,
Senate Bill No. 5053,	Senate Bill No. 5086,
Senate Bill No. 5093,	Senate Bill No. 5095,
Senate Bill No. 5195,	Senate Bill No. 5209,
Senate Bill No. 5214,	Senate Bill No. 5220,
Senate Bill No. 5221,	Senate Bill No. 5241,
Senate Bill No. 5251,	Senate Bill No. 5285,
Senate Bill No. 5302,	Senate Bill No. 5308,
Senate Bill No. 5310,	Senate Bill No. 5328,
Senate Bill No. 5349,	Senate Bill No. 5364,
Senate Bill No. 5366,	Senate Bill No. 5376,
Senate Bill No. 5378,	Senate Bill No. 5379,
Senate Bill No. 5383,	Senate Bill No. 5428,
Senate Bill No. 5432,	Senate Bill No. 5468,
Senate Bill No. 5481,	Senate Bill No. 5489,
Senate Bill No. 5524,	Senate Bill No. 5527,
Senate Bill No. 5602,	Senate Bill No. 5603,
Senate Bill No. 5610,	Senate Bill No. 5647,
Senate Bill No. 5655,	Senate Bill No. 5674,
Senate Bill No. 5722,	Senate Bill No. 5723,
Senate Bill No. 5730,	Senate Bill No. 5736,
Senate Bill No. 5750,	Senate Bill No. 5751,
	Senate Joint Resolution No. 8202,
	and Senate Concurrent Resolution No. 8402.

MOTION

At 11:48 a.m., on motion of Senator Pedersen, the Senate adjourned until 12:30 p.m. Monday, March 13, 2023.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

SIXTY FOURTH DAY

AFTERNOON SESSION

Senate Chamber, Olympia
Monday, March 13, 2023

The Senate was called to order at 12:30 p.m. by the President of the Senate, Lt. Governor Heck presiding. No roll call was taken.

MOTIONS

On motion of Senator Pedersen, the reading of the Journal of the previous day was dispensed with and it was approved.

On motion of Senator Pedersen, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

March 9, 2023

SB 5333 Prime Sponsor, Senator Lovick: Creating the state sport special license plate. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Lias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Cleveland; Fortunato; Kauffman; Lovelett; Nobles; Padden; Randall; Valdez; Wilson, C. and Wilson, J.

Referred to Committee on Rules for second reading.

March 9, 2023

SB 5590 Prime Sponsor, Senator Wilson, L.: Creating Mount St. Helens special license plates. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Lias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Cleveland; Fortunato; Kauffman; Lovelett; Nobles; Padden; Randall; Valdez; Wilson, C. and Wilson, J.

Referred to Committee on Rules for second reading.

March 9, 2023

SB 5738 Prime Sponsor, Senator Conway: Creating the LeMay-America's Car Museum special license plate. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5738 be substituted therefor, and the substitute bill do pass. Signed by Senators Lias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Cleveland; Fortunato; Kauffman; Lovelett; Nobles; Padden; Randall; Valdez; Wilson, C. and Wilson, J.

Referred to Committee on Rules for second reading.

March 9, 2023

HB 1049 Prime Sponsor, Representative Doglio: Updating timelines for adopting county commissioner district boundaries following expansion from three to five commissioners. Reported by Committee on Local Government, Land Use & Tribal Affairs

MAJORITY recommendation: Do pass as amended. Signed by Senators Lovelett, Chair; Torres, Ranking Member; Kauffman and Short.

Referred to Committee on Rules for second reading.

March 9, 2023

HB 1058 Prime Sponsor, Representative Paul: Streamlining the licensing process for a commercial driver's license by allowing the department to waive requirements for applicants that previously surrendered the license, allowing the license to be renewed online, and modifying the license test fees. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Lias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Cleveland; Fortunato; Kauffman; Lovelett; Nobles; Padden; Randall; Valdez; Wilson, C. and Wilson, J.

Referred to Committee on Rules for second reading.

March 9, 2023

HB 1319 Prime Sponsor, Representative Reed: Addressing collision reporting criteria triggering driver's license reexamination. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Lias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Cleveland; Fortunato; Kauffman; Lovelett; Nobles; Padden; Randall; Valdez; Wilson, C. and Wilson, J.

Referred to Committee on Rules for second reading.

March 9, 2023

SHB 1500 Prime Sponsor, Committee on Agriculture and Natural Resources: Increasing the cap on gross sales for cottage food operations. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass as amended. Signed by Senators Muzzall, Ranking Member; Van De Wege, Chair; Rolfes; Shewmake; Short; Stanford; Wagoner and Warnick.

Referred to Committee on Rules for second reading.

March 9, 2023

HB 1540 Prime Sponsor, Representative Hutchins: Requiring driver training curriculum to include instruction on sharing the road with large vehicles, including commercial motor vehicles and buses. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Lias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Cleveland; Fortunato; Kauffman; Lovelett; Nobles; Padden; Randall; Valdez; Wilson, C. and Wilson, J.

Referred to Committee on Rules for second reading.

SIXTY FOURTH DAY, MARCH 13, 2023

March 9, 2023

HB 1544 Prime Sponsor, Representative Alvarado:
Concerning shoreline master program review schedules.
Reported by Committee on Local Government, Land Use &
Tribal Affairs

MAJORITY recommendation: Do pass. Signed by
Senators Lovelett, Chair; Torres, Ranking Member;
Kauffman and Short.

Referred to Committee on Rules for second reading.

March 10, 2023

SGA 9117 STEVEN R. JACOBS, appointed on
February 12, 2021, for the term ending February 11, 2025, as
Member of the Health Care Facilities Authority. Reported by
Committee on Health & Long-Term Care

MAJORITY recommendation: That said appointment be
confirmed. Signed by Senators Robinson, Vice Chair;
Muzzall, Assistant Ranking Member; Cleveland, Chair;
Conway; Dhingra; Padden; Randall and Van De Wege.

Referred to Committee on Rules for second reading.

MOTIONS

On motion of Pedersen, all measures listed on the Standing
Committee report were referred to the committees as designated
with the exception of Substitute House Bill No. 1500 which had
been designated to the Committee on Ways & Means and was
referred to the Committee on Rules.

On motion of Senator Pedersen, the Senate advanced to the
first order of business.

INTRODUCTION AND FIRST READING

SB 5759 by Senators MacEwen and Nguyen

AN ACT Relating to establishing the development of
renewable energy for Washington revolving loan program
and account; amending RCW 43.84.092 and 43.84.092;
adding new sections to chapter 43.21F RCW; creating a new
section; providing an effective date; and providing an
expiration date.

Referred to Committee on Environment, Energy &
Technology.

MOTIONS

On motion of Senator Pedersen, the measure listed on the
Introduction and First Reading report was referred to the
committee designated.

At 12:32 p.m., on motion of Senator Pedersen, the Senate
adjourned until 12:30 p.m. Tuesday, March 14, 2023.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

SIXTY FIFTH DAY

AFTERNOON SESSION

Senate Chamber, Olympia
Tuesday, March 14, 2023

The Senate was called to order at 12:30 p.m. by the President of the Senate, Lt. Governor Heck presiding. No roll call was taken.

MOTIONS

Pursuant to Rule 46, on motion of Senator Pedersen, and without objection, committees were granted special leave to continue to meet during the day's floor session.

On motion of Senator Pedersen, the reading of the Journal of the previous day was dispensed with and it was approved.

There being no objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

March 13, 2023

SHB 1007 Prime Sponsor, Committee on Appropriations: Concerning interruptive military service credit for members of the state retirement systems. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

March 13, 2023

HB 1008 Prime Sponsor, Representative Bronoske: Concerning participating in insurance plans and contracts by separated plan 2 members of certain retirement systems. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

March 13, 2023

HB 1055 Prime Sponsor, Representative Stokesbary: Concerning public safety employees' retirement plan membership

for public safety telecommunicators. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Rivers, Assistant Ranking Member, Capital; Billig; Boehnke; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege and Wellman.

MINORITY recommendation: Do not pass. Signed by Senator Schoesler, Ranking Member, Capital.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Warnick, Assistant Ranking Member, Capital; Braun and Wagoner.

Referred to Committee on Rules for second reading.

March 13, 2023

ESHB 1057 Prime Sponsor, Committee on Appropriations: Providing a benefit increase to certain retirees of the public employees' retirement system plan 1 and the teachers' retirement system plan 1. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

March 9, 2023

HB 1179 Prime Sponsor, Representative Ramos: Authorizing the state auditor to receive nonconviction data. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Kuderer; Pedersen; Salomon and Valdez.

MINORITY recommendation: Do not pass. Signed by Senators Padden, Ranking Member; Torres; Wagoner and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator McCune.

Referred to Committee on Rules for second reading.

March 13, 2023

HB 1218 Prime Sponsor, Representative Bergquist: Adding a new caseload for the official caseload forecast for the number of people eligible for the working families' tax credit

SIXTY FIFTH DAY, MARCH 14, 2023

under RCW 82.08.0206. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

March 13, 2023

SHB 1254 Prime Sponsor, Committee on Finance: Clarifying ambiguities in statutory provisions administered by the department of revenue relating to periodic adjustments. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

March 13, 2023

HB 1303 Prime Sponsor, Representative Street: Concerning the administration of property taxes. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Standing Committee report were referred to the committees as designated.

On motion of Senator Pedersen, the Senate advanced to the eighth order of business.

On motion of Senator Pedersen, Senate Rule 20 was suspended for the remainder of the day to allow consideration of additional floor resolutions.

EDITOR'S NOTE: Senate Rule 20 limits consideration of floor resolutions not essential to the operation of the Senate to one per day during regular daily sessions.

MOTION

Senator Gildon moved adoption of the following resolution:

SENATE RESOLUTION 8609

By Senators Gildon, Conway, Nobles, and Pedersen

WHEREAS, For 90 years the annual Daffodil Festival has been a cherished tradition for the people of Pierce County; and

WHEREAS, The Daffodil Festival has been an anticipated event that continues to bring communities together to celebrate unity within our diverse community; and

WHEREAS, Since its inception in the 1920s as a modest garden party, it has grown into the festival that we all know and love today and this year celebrates its 90th anniversary; and

WHEREAS, Each year, 24 young women pass through a rigorous selection process to represent their schools as well as Pierce County communities through ambassadorship, community service, and civic pride; and

WHEREAS, Members of the Daffodil Festival royal court serve as role models for youth around our region. Their volunteerism, civic responsibility, and willingness to be ambassadors for Pierce County serve as a light for youth to look up to; and

WHEREAS, This year's Daffodil Festival royal court includes: Alena Haynes, Puyallup High School; Vivian Llorens Hernandez, Lakes High School; Kiana Kniest, Bonney Lake High School; Kiara Ramos-Carrillo, Sumner High School; Anna Kuepker, Orting High School; Aurora Sieverson, Curtis High School; Audrey Spencer, White River High School; Mariya Startseva, Foss IB High School; Oluebube Ndugba, Fife High School; Emma Holmes, Stadium High School; Kyona Fox-Flores, Silas High School; Hope Isom, Rogers High School; Kaitlyn Cotton, Emerald Ridge High School; Katelyn Schwanz, Franklin Pierce High School; Melony Bridgeman, Bethel High School; Hannah Kralik, Eatonville High School; Kaitlyn Nguyen, Lincoln High School; Adrianna Bhan, Clover Park High School; Carissa Milton, Graham Kapowsin High School; Sarah-Angeles Edmonson, Spanaway Lake High School; Marissa Romero, Washington High School; Breannah Bartlett, Mount Tahoma High School; Kayliana Young, Chief Leschi High School; and Melody Molina-Vazquez, Harrison Preparatory;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate recognize and honor the many contributions made to our state by the Daffodil Festival, its organizers, and its royal court for the past 90 years; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to the 2023 Daffodil Festival officers and to the 24 members of the 2023 Daffodil Festival royalty.

Senators Gildon, Conway and Pedersen spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8609.

The motion by Senator Gildon carried and the resolution was adopted by voice vote.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced the Queen and Princesses of the Daffodil Festival's 2023 Daffodil Royal Court and Daffodilians who were seated in the gallery.

MOTION

At 12:38 p.m., on motion of Senator Pedersen, the Senate adjourned until 10:30 a.m. Wednesday, March 15, 2023.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

SIXTY SIXTH DAY

MORNING SESSION

Senate Chamber, Olympia
Wednesday, March 15, 2023

The Senate was called to order at 10:30 a.m. by the President of the Senate, Lt. Governor Heck presiding.

MOTION

At 10:30 a.m., on motion of Senator Pedersen, the Senate was declared to be at ease for the purpose of the Joint Session.

JOINT SESSION

The Sergeant at Arms, Mr. Andy Staubitz, announced the presence of the House of Representatives at the Chamber door.

The President called upon the Sergeant at Arms of the Senate and the Sergeant at Arms of the House to escort the Honorable Laurie Jenkins, Speaker of the House to a seat on the rostrum, members of the House were invited to seats within the Chamber.

Pursuant to Senate Concurrent Resolution No. 8403, the President called the Joint Session to order. The Secretary called the roll of the members of the Senate. The Secretary called the roll of the members of the House of Representatives. The President declared that a quorum of the Legislature was present.

The President welcomed and introduced the following honored guests and elected officials who were present at the dais: Supreme Court Justice Sheryl Gordon McCloud; Supreme Court Justice Mary Yu; Secretary of State Steve Hobbs; State Auditor Pat McCarthy; and Insurance Commissioner Mike Kreidler.

The Sergeant at Arms Color Guard consisting of Pages Mr. Loren Hensley and Mr. Luke Hawkins, presented the Colors. The President led the Senate in the Pledge of Allegiance.

Pastor Chris Rule of the Orting Community Baptist Church offered the invocation.

INVOCATION

Pastor Rule: "Our Heavenly Father, You are so good to us. We thank You for Your mercies and compassions which are new each and every single day. Thank You for Your provision and blessing that You shower around us. You are truly a gracious and a loving God. Thank You for allowing us to live in this great state!

Lord, we understand that You are a Sovereign God. And in that, we ask that You help us to rely on Your wisdom. Lord, You said, If we lack wisdom, to ask of You and that You would give it to us. We ask for that wisdom today. Lord, help us to make the right decisions. Help us to seek after righteousness.

Lord, we do pray that you would bless the men and women of this body. We are so grateful for their service to our country. We ask that You provide for their welfare and safekeeping, and that of their families. We ask that You guide them into all truth. Give them a discerning spirit and a bold commitment to integrity.

Lord, we thank You for Your life, the gift of life and on a day like this, when we do pray, that You would comfort hearts. We again thank You for who You are, the All-Wise and All-Mighty God, the wonderful Counselor and certainly Prince of Peace. We

thank You for the concern You have for the affairs of man. Thank You for being our God. We pray this in Jesus' name, Amen."

REMARKS BY THE PRESIDENT

President Heck: "Honored statewide elected officials, justices of the court and members of the Legislature, Ladies and Gentlemen: The purpose of this joint session is to conduct a memorial service in memory of members of the legislature who have passed from among us. This has been our longstanding custom. For more than a century the Senate and House have met as we meet today -- to pay special and fitting tribute to the lives and service of these valued public servants.

Despite the abundant work we have here before us, we pause upon this sad occasion and reflect upon the course we have traveled and pay homage to the disappearing generations of men and women who aided in strengthening and multiplying the powers and opportunities, the pleasures and possibilities of the people who constitute this great state.

On behalf of the Senate and the House of Representatives, I would like to extend a warm welcome to the family members, friends and colleagues who have joined us today and offer our deep sympathies."

Mr. Garvaundo Hamilton performed "*Amazing Grace*."

The President introduced Speaker Laurie Jenkins.

REMARKS BY THE SPEAKER

Speaker Laurie Jenkins: "We gather today to commemorate the lives of the distinguished former members of the Washington State Senate and House of Representatives who have passed from among us. The people of our state are grateful for their public service.

The Sixty-Eighth Legislature conveys its respects to these deceased legislators. They once sat in these chambers, answered roll calls on critical bills, attended committee meetings, and through it sought always to make our state a better place to live. While their journey in this life is complete, their achievements, public record, and valued service are recorded in the journals of the Senate and House and are forever a permanent part of our state's history.

We express our sympathies to the families, friends, and colleagues of these public servants. We also share with them on this memorable occasion the fond and happy memories of these legislators. They leave a legacy of dedicated service that remains always in our hearts, our memories, and the history of our state."

The Speaker introduced Nisqually Tribal Councilwoman Chay Squally, who offered the memorial prayer.

MEMORIAL PRAYER

Councilwoman Qually: "dxʷʔal hikʷ sqəlalitut
ʃaʔʃaʔ kʷaxʷatubuf, ʔukʷədicut čəʔ, ʔəskʷədicut čəʔ
dxʷʔal bəkʷ siʔiʔab dʔiišəd
sqʷaliʔabš čəʔ
šəqačičəʔ čəʔ dxʷʔal tiif luʔluʔčəʔ
ʔəshikʷtəb tiif luʔluʔ gʷəsəshaydxʷ gʷəl gʷəbəkʷ stab
ʔukʷədicut čəʔ
dəy haʔʔ ti səsqʷuʔčəʔ ʔal ti sləxi(l)

ʔəskʷədicut čəʔ ʔə tə bəkʷakʷbixʷ ʔal tə dišəʔ
 ʔukʷədicut čəʔ ʔə tə yayus ʔal ti sləxi(l)
 ʔušəbic, tiḫtxʷ ti ʔiišəddčəʔ yəxʷ ti syəyaʔyaʔčəʔ
 ʔušəbic labtxʷ həlgʷəʔ čəqaqid, gʷələ biqʷid
 haʔ həliʔil, hiiʔbid
 gʷələ haʔ ʔiʔabil ʔal tə həlgʷəʔ
 bəkʷ dʔiišəʔ

Oh, Great Spirit, Sacred One above, guide us. To all my honorable relatives, we are the Squalli Absch. We raise our hands to those who have passed on. We give thanks for their service. It is good we can gather on this day. We are thankful for each and every one of you here. We give thanks for the work on this day. Please keep our family and friends safe. Please watch over them and let good health, happiness and good fortune befall them. All my relations.”

The Speaker and the President, in turn, called the roll of the deceased former members of the Senate and House of Representatives. After each name, a bell tolled and for each of the deceased former members, in turn, were memorialized by senators and representatives who lit a candle at the bar.

Member	District Memorialist
John E. Ahern	6 th District, House Memorialized by Representative Christian
James A. "Jimmy" Andersen	48 th District, House, Senate & Supreme Court Memorialized by Senator Robinson
Clifford "Cliff" Bailey	39 th District, Senate Memorialized by Senator Wagoner
Richard H. Barrett	5 th District, House Memorialized by Senator Padden
Al Bauer	49 th & 17 th District, House & Senate Memorialized by Lt. Governor Heck
Delone "Del" Everett Bausch	22 nd District, House & Senate Memorialized by Senator Hunt
Jennifer Belcher	22 nd District, House & Commissioner of Public Lands Memorialized by Representative Doglio
Art Broback	28 th District, House Memorialized by Representative Leavitt
Nancy C. Buffington	34 th District, Senate Memorialized by Senator King
Vivian L. Caver	37 th District, House Memorialized by Representative Entenman
Donn Charnley	44 th & 1 st District, House & Senate Memorialized by Representative Ryu
Arthur "Art" Clemente	39 th District, House Memorialized by Representative Kloba
Robert L. "Bob" Curtis	12 th District, House Memorialized by Representative McClintock
Mark Lawton Doumit	19 th District, House & Senate Memorialized by Representative Orcutt
M. Keith Ellis	13 th District, House Memorialized by Senator Warnick
Douglas "Doug" Ericksen	42 nd District, House & Senate Memorialized by Senator Jeff Wilson
C.E. "Chuck" Evans	16 th District, House Memorialized by Representative Barnard
George Fleming	37 th District, House & Senate Memorialized by Representative Santos
Sally Flint	28 th District, Senate Memorialized by Representative Leavitt
Marshall Forrest	42 nd District, House

Member	District Memorialist
Thomas Slade Gorton III	46 th District, House, State Attorney General, & U.S. Senator Memorialized by Representative Mosbrucker
Gary Grant	47 th & 11 th District, House & Senate Memorialized by Senator Hunt
Emma Taylor Harman	31 st District, House Memorialized by Senator Claire Wilson
Edward Heavy	31 st District, House Memorialized by Senator Hunt
Joan Carol Houchen	10 th District, House Memorialized by Representative Orcutt
Gerard "Jerry" Hughes	5 th District, House & Senate Memorialized by Representative Donaghy
John Jovanovich	31 st District, House Memorialized by Senator Claire Wilson
Richard J. Kelley	28 th District, House Memorialized by Representative Bronoske
Charles E. "Chuck" Lind	42 nd District, House Memorialized by Representative Orcutt
Mark Litchman, Jr.	45 th District, House Memorialized by Senator Van De Wege
Eugene Victor "Gene" Lux	11 th & 35 th District, House & Senate Memorialized by Senator Hasegawa
Kenneth Madsen	2 nd District, House & Senate Memorialized by Senator Hunt
Lois Grace McMahan	26 th District, House Memorialized by Representative Robertson
Jim Moeller	49 th District, House Memorialized by Senator Cleveland & Representative Wylie
Joyce Mulliken	13 th District, House & Senate Memorialized by Representative Dent
Richard Perry Neher	16 th District, House Memorialized by Representative Klicker
Janice Niemi	43 rd District, House & Senate Memorialized by Senator Pedersen
Richard P. "Dick" Nelson	32 nd District, House Memorialized by Senator Valdez
Mike Parker	29 th District, House Memorialized by Senator Conway
Margarita Lopez Prentice	11 th District, House & Senate Memorialized by Representative Berquist
Dave Quall	40 th District, House Memorialized by Representative Orcutt
William H. "Bill" Reams	48 th District, House Memorialized by Senator Van De Wege
Walter Reese	16 th & 8 th District, House Memorialized by Representative Rude
Katherine Reid	3 rd District, Senate Memorialized by Senator Robinson
Robert C. "Bob" Ridder	35 th District, Senate Memorialized by Senator MacEwen
Wilma Rosbach Brown	20 th District, House Memorialized by Representative Orcutt
Robert M. "Bob" Schaefer	49 th District, House, Speaker Memorialized by Representative Wylie
Edward J. Seeberger	14 th District, House Memorialized by Representative Mosbrucker
Betti Louise Sheldon	23 rd District, Senate Memorialized by Senator Rolfes
Paull H. Shin	21 st District, House & Senate Memorialized by Senator Liias

SIXTY SIXTH DAY, MARCH 15, 2023

Member

William Conrad “Bill” Smitherman

Lois Stratton

Dan Swecker

Joseph A. “Joe” Taller

Patricia “Pat” Thibaudeau

Alan Thompson

Jolene Unsoeld

James Hunter Whiteside

Robert “Bob” Williams

Karla Wilson

Jeannette Wood

District**Memorialist**26th District

House & Senate

Memorialized by Senator Randall

3rd District, House & Senate

Memorialized by Representative Riccelli

20th District, Senate

Memorialized by Senator Braun

36th District, House

Memorialized by Senator Frame

43rd District, House & Senate

Memorialized by Senator Valdez

18th District, Senate, House & Chief Clerk

Memorialized by Senator Keiser

22nd District, House & US Representative

Memorialized by Senator Hunt & Representative Doglio

14th District, House

Memorialized by Representative Mosbrucker

19th District, House

Memorialized by Representative Sandlin

39th District, House

Memorialized by Representative Low

21st District, House & Senate

Memorialized by Senator King

Senator Jamie Pedersen performed “*Vocalise*” by Rachmaninoff on the flute.

The Speaker introduced Rabbi Yosef Schtroks, Director and Spiritual Leader of Chabad Jewish Center, Olympia, who offered the closing prayer.

CLOSING PRAYER

Rabbi Schtroks: “We have gathered here today to reflect and pray while celebrating the lives of dedicated public servants that are no longer physically with us. Dear God, at this moment we turn to you for strength to go forward. As Jewish wisdom often quotes the verse in *Ecclesiastes* regarding the loss of a loved one, ‘Vehachai Yiten el libo’ – The living should take to heart.”

Dear God, we strive to take to heart the examples set by these Washington state legislators and leaders. Dear God, we know that all human beings are created in the divine image, and while externally we seem to have great differences, at our core we share a common bond. Thus, we can find relevant the loss of any individual, however it is surely so when we reflect on the passing of those who were communal representatives, our legislators who are no longer with us.

And therefore, let us once more recall the words of scripture ‘Vehachai Yiten el libo’ - the living should take to heart.

Let us reflect on the following teaching taught by the great spiritual leader the Rabbe Rabbi Menachem M. Schneerson ‘Free choice and the ability to do good is only the hands of those who are physically living. Once we have passed, we are no longer able to preform those good deeds. But it is the good deeds that are preformed in our memories that carry on our legacy.’

As we pray together, let us resolve to continue what these distinguished public servants have started. In the shadow of their legacy let us find tangible ways to use these legislative halls as a conduit to create a more kind, moral, just and ethical society throughout our great state of Washington. We can be links in their chain to inspire the next generation of Washingtonians to live lives which are filled with doing for others, and pursuit of a higher purpose.

Dear God, comfort all those who mourn, and bring joy to the grieving family members in the knowledge that the selfless toil of their loved ones will continue to live on through the work of the senators and representatives gathered here today.

May we very soon merit the fulfillment of the words of the prophet Isaiah, a time when death will be erased forever; and God, the Lord, will wipe the tears away from every face.’ And let us say ‘Amen.’”

The Speaker thanked the President and the senate for their assistance and hospitality and retired from the chair.

REMARKS BY THE PRESIDENT

President Heck: “Thank you, Speaker Jinkins and Members of the House of Representatives. Our deepest gratitude to all who have participated in the service today.

Our special thanks to Trooper Kyle Flaig of the State Patrol, members of the clergy, Garvaundo Hamilton, and Senator Pedersen for their performances. A special thank you to Olivia and William Cain, the grandchildren of Representative Mike Parker, who performed *Amazing Grace* as families and friends were entering the galleries today. We very much appreciate your participation.

The President hopes that the loved ones of those we honor today will draw comfort from today’s observance.”

MOTION

On motion of Senator Pedersen, the Joint Session was dissolved.

The President announced that refreshments would be available for legislators, families, and guests in the Senate Rules Room immediately following the Joint Session. The traditional “Old Timers’ Reception” was held at Jean-Pierre’s Three16 in Tumwater from 5:30 p.m. to 8:30 p.m. that evening.

The President called upon the Sergeant at Arms of the Senate and the Sergeant at Arms of the House to escort the honored guests and statewide elected officials from the Senate Chamber.

The honored guests and statewide elected officials retired from the chamber.

The President called upon the Sergeant at Arms of the Senate and the Sergeant at Arms of the House to escort Speaker Laurie Jinkins and the members of the House of Representatives from the Senate Chamber.

The Speaker and members of the House retired from the chamber.

The Senate was called to order at 11:25 a.m. by President Heck.

MOTIONS

On motion of Senator Pedersen, the reading of the Journal of the previous day was dispensed with and it was approved.

There being no objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

March 13, 2023

SHB 1015 Prime Sponsor, Committee on Education: Concerning minimum employment requirements for paraeducators. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune; Mullet and Pedersen.

Referred to Committee on Rules for second reading.

March 14, 2023

HB 1017 Prime Sponsor, Representative Ryu: Expediting licensure for cosmetologists, hair designers, barbers, manicurists, and estheticians. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Braun; MacEwen; Robinson; Schoesler and Stanford.

Referred to Committee on Rules for second reading.

March 14, 2023

HB 1107 Prime Sponsor, Representative Fosse: Concerning removing the terms "master" and "servant" from Titles 50 and 50A. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Braun; MacEwen; Robinson; Schoesler and Stanford.

Referred to Committee on Rules for second reading.

March 14, 2023

HB 1120 Prime Sponsor, Representative Reeves: Concerning the best interest standard for annuity transactions. Reported by Committee on Business, Financial Services, Gaming & Trade

MAJORITY recommendation: Do pass. Signed by Senators Stanford, Chair; Frame, Vice Chair; Dozier, Ranking Member; Boehnke; Gildon; Hasegawa; Lovick; MacEwen and Mullet.

Referred to Committee on Rules for second reading.

March 14, 2023

2SHB 1122 Prime Sponsor, Committee on Appropriations: Granting Washington management service employees the right to collectively bargain. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; Robinson and Stanford.

MINORITY recommendation: Do not pass. Signed by Senators King, Ranking Member; Braun and Schoesler.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator MacEwen.

Referred to Committee on Ways & Means.

March 14, 2023

HB 1128 Prime Sponsor, Representative Bateman: Raising the residential personal needs allowance. Reported by Committee on Human Services

MAJORITY recommendation: Do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Boehnke, Ranking Member; Frame; Nguyen; Warnick and Wilson, J.

Referred to Committee on Ways & Means.

March 14, 2023

E2SHB 1188 Prime Sponsor, Committee on Appropriations: Concerning individuals with developmental disabilities that have also received child welfare services. Reported by Committee on Human Services

MAJORITY recommendation: Do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Boehnke, Ranking Member; Frame; Nguyen; Warnick and Wilson, J.

Referred to Committee on Ways & Means.

March 13, 2023

E2SHB 1189 Prime Sponsor, Committee on Appropriations: Concerning the release of incarcerated individuals from total confinement prior to the expiration of a sentence. Reported by Committee on Law & Justice

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; McCune; Pedersen; Salomon; Valdez and Wagoner.

Referred to Committee on Human Services.

March 14, 2023

2SHB 1204 Prime Sponsor, Committee on Appropriations: Implementing the family connections program. Reported by Committee on Human Services

MAJORITY recommendation: Do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Boehnke, Ranking Member; Frame; Nguyen; Warnick and Wilson, J.

Referred to Committee on Ways & Means.

March 14, 2023

HB 1265 Prime Sponsor, Representative Ramos: Establishing a property tax exemption for adult family homes that serve people with intellectual or developmental disabilities and are owned by a nonprofit. Reported by Committee on Human Services

MAJORITY recommendation: Do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Boehnke, Ranking Member; Frame; Nguyen; Warnick and Wilson, J.

Referred to Committee on Rules for second reading.

SIXTY SIXTH DAY, MARCH 15, 2023

March 14, 2023

SHB 1266 Prime Sponsor, Committee on Consumer Protection & Business: Concerning email communication by the office of the insurance commissioner. Reported by Committee on Business, Financial Services, Gaming & Trade

MAJORITY recommendation: Do pass. Signed by Senators Stanford, Chair; Frame, Vice Chair; Dozier, Ranking Member; Boehnke; Gildon; Hasegawa; Lovick; MacEwen and Mullet.

Referred to Committee on Rules for second reading.

March 14, 2023

SHB 1267 Prime Sponsor, Committee on Local Government: Concerning rural public facilities sales and use tax. Reported by Committee on Local Government, Land Use & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Senators Lovelett, Chair; Salomon, Vice Chair; Torres, Ranking Member; Kauffman and Short.

Referred to Committee on Ways & Means.

March 13, 2023

ESHB 1277 Prime Sponsor, Committee on Education: Improving the consistency and quality of the implementation of the fundamental course of study for paraeducators. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune; Mullet and Pedersen.

Referred to Committee on Rules for second reading.

March 14, 2023

HB 1407 Prime Sponsor, Representative Taylor: Maintaining eligibility for developmental disability services. Reported by Committee on Human Services

MAJORITY recommendation: Do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Boehnke, Ranking Member; Frame; Nguyen; Warnick and Wilson, J.

Referred to Committee on Ways & Means.

March 14, 2023

SHB 1457 Prime Sponsor, Committee on Transportation: Concerning a motor carrier's ability to access restroom facilities required by rules authorized under chapter 49.17 RCW. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Braun; MacEwen; Robinson; Schoesler and Stanford.

Referred to Committee on Ways & Means.

March 14, 2023

SHB 1458 Prime Sponsor, Committee on Labor & Workplace Standards: Concerning unemployment insurance

benefits for apprenticeship program participants. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; MacEwen; Robinson and Stanford.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun and Schoesler.

Referred to Committee on Rules for second reading.

March 14, 2023

SHB 1499 Prime Sponsor, Committee on Human Services, Youth, & Early Learning: Concerning food assistance funding. Reported by Committee on Human Services

MAJORITY recommendation: Do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Boehnke, Ranking Member; Frame; Nguyen; Warnick and Wilson, J.

Referred to Committee on Rules for second reading.

March 14, 2023

HB 1527 Prime Sponsor, Representative Wylie: Making technical corrections to the local tax increment financing program. Reported by Committee on Business, Financial Services, Gaming & Trade

MAJORITY recommendation: Do pass as amended. Signed by Senators Stanford, Chair; Frame, Vice Chair; Dozier, Ranking Member; Boehnke; Gildon; Lovick; MacEwen and Mullet.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Hasegawa.

Referred to Committee on Ways & Means.

March 14, 2023

HB 1645 Prime Sponsor, Representative Barnard: Concerning meetings of county legislative authorities. Reported by Committee on Local Government, Land Use & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Senators Lovelett, Chair; Salomon, Vice Chair; Torres, Ranking Member; Kauffman and Short.

Referred to Committee on Rules for second reading.

March 14, 2023

HB 1679 Prime Sponsor, Representative Rule: Modifying and extending requirements of a work group convened to address the needs of students in foster care, experiencing homelessness, or both. Reported by Committee on Human Services

MAJORITY recommendation: Do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Boehnke, Ranking Member; Frame; Nguyen; Warnick and Wilson, J.

Referred to Committee on Rules for second reading.

March 14, 2023

SGA 9330 DAVID PUENTE JR., appointed on February 1, 2023, for the term ending at the governors pleasure, as Director of the Department of Veterans Affairs - Agency Head. Reported by Committee on State Government & Elections

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Valdez, Vice Chair; Wilson, J., Ranking Member; Hunt, Chair; Dozier; Fortunato and Hasegawa.

Referred to Committee on Rules for second reading.

March 14, 2023

SGA 9339 MARCUS J. GLASPER, appointed on April 1, 2023, for the term ending January 1, 2075, as Director of the Department of Licensing - Agency Head. Reported by Committee on State Government & Elections

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Valdez, Vice Chair; Wilson, J., Ranking Member; Hunt, Chair; Dozier; Fortunato and Hasegawa.

Referred to Committee on Transportation.

MOTIONS

On motion of Pedersen, all measures and appointees listed on the Standing Committee report were referred to the committees as designated with the exception of House Bill No. 1407 which had been designated to the Committee on Rules and was referred to the Committee on Ways & Means.

At 11:26 a.m., on motion of Senator Pedersen, the Senate adjourned until 12:30 p.m. Thursday, March 16, 2023.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

SIXTY SEVENTH DAY

AFTERNOON SESSION

Senate Chamber, Olympia
Thursday, March 16, 2023

The Senate was called to order at 12:30 p.m. by the President of the Senate, Lt. Governor Heck presiding. No roll call was taken.

MOTIONS

On motion of Senator Pedersen, the reading of the Journal of the previous day was dispensed with and it was approved.

There being no objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

March 14, 2023

HB 1001 Prime Sponsor, Representative Leavitt: Concerning the audiology and speech-language pathology interstate compact. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Vice Chair; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Rules for second reading.

March 15, 2023

HB 1030 Prime Sponsor, Representative Leavitt: Concerning applied doctorate degree-granting authority. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: Do pass. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Rules for second reading.

March 14, 2023

HB 1082 Prime Sponsor, Representative Simmons: Expanding opportunities for physical therapy and occupational therapy professionals to form professional service corporations. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Vice Chair; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Rules for second reading.

March 15, 2023

2SHB 1176 Prime Sponsor, Committee on Appropriations: Developing opportunities for service and workforce programs to support climate-ready communities. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: Do pass. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Ways & Means.

March 15, 2023

HB 1232 Prime Sponsor, Representative Bergquist: Enhancing the college bound scholarship program. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: Do pass. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Ways & Means.

March 14, 2023

SHB 1247 Prime Sponsor, Committee on Health Care & Wellness: Licensing music therapists. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Vice Chair; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Randall and Van De Wege.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Padden.

Referred to Committee on Rules for second reading.

March 14, 2023

ESHB 1251 Prime Sponsor, Committee on Local Government: Concerning water systems' notice to customers of public health considerations. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Vice Chair; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Randall and Van De Wege.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Padden.

Referred to Committee on Rules for second reading.

March 14, 2023

HB 1287 Prime Sponsor, Representative Thai: Concerning dental hygienists. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Vice Chair; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Rules for second reading.

March 15, 2023

SHB 1289 Prime Sponsor, Committee on Postsecondary Education & Workforce: Concerning program administration for the Washington state opportunity scholarship program. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: Do pass as amended. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Rules for second reading.

March 14, 2023

ESHB 1340 Prime Sponsor, Committee on Health Care & Wellness: Concerning actions by health professions disciplining authorities against license applicants and license holders. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Vice Chair; Cleveland, Chair; Conway; Dhingra; Randall and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senators Holy and Padden.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Muzzall, Assistant Ranking Member.

Referred to Committee on Rules for second reading.

March 15, 2023

2SHB 1559 Prime Sponsor, Committee on Appropriations: Establishing the student basic needs at public postsecondary institutions act. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: Do pass. Signed by Senators Randall, Chair; Nobles, Vice Chair and Liias.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Holy, Ranking Member and Hawkins.

Referred to Committee on Ways & Means.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Standing Committee report were referred to the committees as designated.

At 12:30 p.m., on motion of Senator Pedersen, the Senate adjourned until 12:30 p.m. Friday, March 17, 2023.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

SIXTY EIGHTH DAY

AFTERNOON SESSION

Senate Chamber, Olympia
Friday, March 17, 2023

The Senate was called to order at 12:30 p.m. by the Vice President Pro Tempore of the Senate, Senator Lovick presiding. No roll call was taken.

MOTIONS

On motion of Senator Pedersen, the reading of the Journal of the previous day was dispensed with and it was approved.

There being no objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

March 16, 2023

ESHB 1073 Prime Sponsor, Committee on Health Care & Wellness: Concerning medical assistants. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Rules for second reading.

March 16, 2023

EHB 1086 Prime Sponsor, Representative Shavers: Increasing local governments' ability to contract with community service organizations. Reported by Committee on Local Government, Land Use & Tribal Affairs

MAJORITY recommendation: Do pass as amended. Signed by Senators Lovelett, Chair; Salomon, Vice Chair; Torres, Ranking Member and Kauffman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Short.

Referred to Committee on Rules for second reading.

March 16, 2023

HB 1100 Prime Sponsor, Representative Schmick: Concerning the disposition of the remains of a county resident who dies indigent in an adjacent county outside of Washington. Reported by Committee on Local Government, Land Use & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Senators Lovelett, Chair; Salomon, Vice Chair; Torres, Ranking Member; Kauffman and Short.

Referred to Committee on Rules for second reading.

March 16, 2023

E2SHB 1167 Prime Sponsor, Committee on Appropriations: Concerning residential housing regulations.

Reported by Committee on Local Government, Land Use & Tribal Affairs

MAJORITY recommendation: Do pass as amended. Signed by Senators Lovelett, Chair; Salomon, Vice Chair and Kauffman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Torres, Ranking Member and Short.

Referred to Committee on Ways & Means.

March 16, 2023

E2SHB 1181 Prime Sponsor, Committee on Appropriations: Improving the state's response to climate change by updating the state's planning framework. Reported by Committee on Local Government, Land Use & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Senators Lovelett, Chair; Salomon, Vice Chair and Kauffman.

MINORITY recommendation: Do not pass. Signed by Senators Torres, Ranking Member and Short.

Referred to Committee on Ways & Means.

March 16, 2023

ESHB 1222 Prime Sponsor, Committee on Health Care & Wellness: Requiring coverage for hearing instruments. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass as amended. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Rules for second reading.

March 16, 2023

ESHB 1260 Prime Sponsor, Committee on Appropriations: Accelerating stability for people with a work-limiting disability or incapacity. Reported by Committee on Human Services

MAJORITY recommendation: Do pass as amended. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Frame and Nguyen.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Boehnke, Ranking Member; Warnick and Wilson, J.

Referred to Committee on Ways & Means.

March 16, 2023

SHB 1326 Prime Sponsor, Committee on Local Government: Waiving municipal utility connection charges for certain properties. Reported by Committee on Local Government, Land Use & Tribal Affairs

MAJORITY recommendation: Do pass as amended. Signed by Senators Lovelett, Chair; Salomon, Vice Chair and Kauffman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Torres, Ranking Member and Short.

Referred to Committee on Rules for second reading.

March 16, 2023

HB 1334 Prime Sponsor, Representative Hutchins: Addressing the access of certain aquatic lands by a public transportation benefit area. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Muzzall, Ranking Member; Van De Wege, Chair; Salomon, Vice Chair; Rolfes; Shewmake; Short; Stanford; Wagoner and Warnick.

Referred to Committee on Rules for second reading.

March 16, 2023

SHB 1352 Prime Sponsor, Committee on Local Government: Authorizing tribal investment in county investment pools. Reported by Committee on Local Government, Land Use & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Senators Lovelett, Chair; Salomon, Vice Chair; Torres, Ranking Member; Kauffman and Short.

Referred to Committee on Rules for second reading.

March 15, 2023

ESHB 1377 Prime Sponsor, Committee on Education: Posting of approved courses and providers of continuing education. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass as amended. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune and Pedersen.

Referred to Committee on Ways & Means.

March 16, 2023

HB 1419 Prime Sponsor, Representative Chapman: Concerning county treasurers' duties. Reported by Committee on Local Government, Land Use & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Senators Lovelett, Chair; Salomon, Vice Chair; Torres, Ranking Member; Kauffman and Short.

Referred to Committee on Rules for second reading.

March 16, 2023

2SHB 1447 Prime Sponsor, Committee on Appropriations: Strengthening the ability of assistance programs to meet foundational needs of children, adults, and families. Reported by Committee on Human Services

MAJORITY recommendation: Do pass as amended. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Frame and Nguyen.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Boehnke, Ranking Member and Warnick.

MINORITY recommendation: Do not pass. Signed by Senator Wilson, J.

Referred to Committee on Ways & Means.

March 16, 2023

2SHB 1452 Prime Sponsor, Committee on Appropriations: Establishing a state medical reserve corps. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Vice Chair; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Randall and Van De Wege.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Rivers, Ranking Member; Holy and Padden.

Referred to Committee on Ways & Means.

March 16, 2023

SHB 1460 Prime Sponsor, Committee on Capital Budget: Concerning the department of natural resources land transactions, revenue distributions, and creation and management of a trust land transfer program. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass as amended. Signed by Senators Muzzall, Ranking Member; Van De Wege, Chair; Salomon, Vice Chair; Rolfes; Shewmake; Short; Stanford and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Wagoner.

Referred to Committee on Ways & Means.

March 16, 2023

ESHB 1503 Prime Sponsor, Committee on Postsecondary Education & Workforce: Collecting health care professionals' information at the time of license application and license renewal. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass as amended. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Rules for second reading.

March 15, 2023

2SHB 1525 Prime Sponsor, Committee on Appropriations: Concerning eligibility for working connections child care benefits for persons participating in state registered

SIXTY EIGHTH DAY, MARCH 17, 2023

apprenticeships. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass as amended. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hunt and Pedersen.

MINORITY recommendation: Do not pass. Signed by Senators Hawkins, Ranking Member and Dozier.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator McCune.

Referred to Committee on Ways & Means.

March 16, 2023

SHB 1620 Prime Sponsor, Committee on Local Government: Concerning the number of inhabitants required for incorporation as a city or town. Reported by Committee on Local Government, Land Use & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Senators Lovelett, Chair; Salomon, Vice Chair; Torres, Ranking Member; Kauffman and Short.

Referred to Committee on Rules for second reading.

March 15, 2023

HB 1624 Prime Sponsor, Representative Ybarra: Administering educational service district elections. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune and Pedersen.

Referred to Committee on Rules for second reading.

March 16, 2023

HB 1626 Prime Sponsor, Representative Bronoske: Concerning coverage for colorectal screening tests under medical assistance programs. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Vice Chair; Cleveland, Chair; Conway; Dhingra; Randall and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senator Rivers, Ranking Member.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Muzzall, Assistant Ranking Member; Holy and Padden.

Referred to Committee on Ways & Means.

March 16, 2023

ESHB 1758 Prime Sponsor, Committee on Environment & Energy: Concerning permitting for certain hatchery maintenance activities. Reported by Committee on Local Government, Land Use & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Senators Lovelett, Chair; Salomon, Vice Chair; Torres, Ranking Member; Kauffman and Short.

Referred to Committee on Rules for second reading.

March 16, 2023

SGA 9024 MOLLY F. LINVILLE, appointed on July 22, 2019, for the term ending December 31, 2024, as Member of the Fish and Wildlife Commission. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Muzzall, Ranking Member; Rolfes; Shewmake; Short; Stanford; Wagoner and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Van De Wege, Chair Salomon, Vice Chair.

Referred to Committee on Rules for second reading.

March 16, 2023

SGA 9025 JAMES R. ANDERSON, appointed on July 22, 2019, for the term ending December 31, 2024, as Member of the Fish and Wildlife Commission. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Muzzall, Ranking Member; Rolfes; Shewmake; Short; Stanford; Wagoner and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Van De Wege, Chair Salomon, Vice Chair.

Referred to Committee on Rules for second reading.

March 16, 2023

SGA 9032 CAROLINA T. SUN-WIDROW, appointed on September 18, 2019, for the term ending June 30, 2024, as Member of the Pollution Control/Shorelines Hearings Board. Reported by Committee on Local Government, Land Use & Tribal Affairs

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Lovelett, Chair; Salomon, Vice Chair; Torres, Ranking Member; Kauffman and Short.

Referred to Committee on Rules for second reading.

March 16, 2023

SGA 9214 TIMOTHY J. RAGEN, appointed on January 24, 2022, for the term ending December 31, 2024, as Member of the Fish and Wildlife Commission. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Muzzall, Ranking Member; Van De Wege, Chair; Salomon, Vice Chair; Rolfes; Shewmake; Short; Stanford; Wagoner and Warnick.

Referred to Committee on Rules for second reading.

March 16, 2023

SGA 9216 JOHN F. LEHMKUHL, appointed on January 24, 2022, for the term ending December 31, 2026, as Member of the Fish and Wildlife Commission. Reported by Committee on Agriculture, Water, Natural Resources & Parks

March 16, 2023

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Muzzall, Ranking Member; Van De Wege, Chair; Salomon, Vice Chair; Rolfes; Shewmake; Short; Stanford; Wagoner and Warnick.

MR. PRESIDENT:

The House has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1175,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1371,
ENGROSSED HOUSE BILL NO. 1812,

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

March 16, 2023

Referred to Committee on Rules for second reading.

March 16, 2023

SGA 9217 MELANIE J. ROWLAND, appointed on January 24, 2022, for the term ending December 31, 2026, as Member of the Fish and Wildlife Commission. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MR. PRESIDENT:

The House has passed:

HOUSE BILL NO. 1018,
SUBSTITUTE HOUSE BILL NO. 1318,
SUBSTITUTE HOUSE BILL NO. 1431,
HOUSE BILL NO. 1573,
SUBSTITUTE HOUSE BILL NO. 1711,
SUBSTITUTE HOUSE BILL NO. 1729,
SUBSTITUTE HOUSE BILL NO. 1756,
SUBSTITUTE HOUSE BILL NO. 1768,

and the same are herewith transmitted.

BERNARD DEAN, Chief Clerk

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Muzzall, Ranking Member; Van De Wege, Chair; Salomon, Vice Chair; Rolfes; Shewmake; Stanford; Wagoner and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Short.

MOTION

Referred to Committee on Rules for second reading.

On motion of Senator Pedersen, the Senate advanced to the fifth order of business.

March 16, 2023

SGA 9247 MICHELLE GONZALEZ, appointed on September 8, 2022, for the term ending June 30, 2028, as Member of the Pollution Control/Shorelines Hearings Board. Reported by Committee on Local Government, Land Use & Tribal Affairs

INTRODUCTION AND FIRST READING

SB 5760 by Senators Liias, King, Randall, Holy, Rolfes, Nguyen and Van De Wege

AN ACT Relating to addressing vessel procurement at the Washington state ferries; amending RCW 47.60.810, 47.60.010, and 47.56.030; adding a new section to chapter 47.60 RCW; creating a new section; and declaring an emergency.

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Lovelett, Chair; Salomon, Vice Chair; Torres, Ranking Member; Kauffman and Short.

Referred to Committee on Transportation.

Referred to Committee on Rules for second reading.

March 16, 2023

SGA 9335 WOODROW MYERS, appointed on March 1, 2023, for the term ending December 31, 2028, as Member of the Fish and Wildlife Commission. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MOTIONS

On motion of Senator Pedersen, all measure listed on the Introduction and First Reading report was referred to the committee as designated.

At 12:32 p.m., on motion of Senator Pedersen, the Senate adjourned until 12:30 p.m. Monday, March 20, 2023.

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Muzzall, Ranking Member; Van De Wege, Chair; Salomon, Vice Chair; Rolfes; Shewmake; Short; Stanford; Wagoner and Warnick.

JOHN LOVICK, Vice President Pro Tempore of the Senate

Referred to Committee on Rules for second reading.

SARAH BANNISTER, Secretary of the Senate

MOTIONS

On motion of Senator Pedersen, all measures and appointees listed on the Standing Committee report were referred to the committees as designated.

On motion of Senator Pedersen, the Senate advanced to the fourth order of business.

SEVENTY FIRST DAY

AFTERNOON SESSION

Senate Chamber, Olympia
Monday, March 20, 2023

The Senate was called to order at 12:30 p.m. by the President Pro Tempore, Senator Keiser presiding. No roll call was taken.

MOTIONS

Pursuant to Rule 46, on motion of Senator Pedersen, and without objection, the Committee on Law & Justice was granted special leave to continue to meet during the day's floor session.

On motion of Senator Pedersen, the reading of the Journal of the previous day was dispensed with and it was approved.

There being no objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

March 16, 2023

SB 5218 Prime Sponsor, Senator Padden: Providing a sales and use tax exemption for complex rehabilitation technology products. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5218 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

March 16, 2023

SB 5258 Prime Sponsor, Senator Shewmake: Increasing the supply and affordability of condominium units and townhouses as an option for homeownership. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5258 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Wagoner.

Referred to Committee on Rules for second reading.

March 16, 2023

SB 5277 Prime Sponsor, Senator Wilson, L.: Extending tax preferences for dairy, fruit and vegetable, and seafood processors. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: Do not pass. Signed by Senator Hasegawa.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Saldaña.

Referred to Committee on Rules for second reading.

March 16, 2023

SB 5663 Prime Sponsor, Senator Warnick: Concerning abandoned vehicles sold at auctions conducted by registered tow truck operators. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5663 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Hasegawa.

Referred to Committee on Rules for second reading.

March 16, 2023

SB 5689 Prime Sponsor, Senator Stanford: Providing a sales and use tax exemption related to internet and telecommunications infrastructure projects involving a federally recognized Indian tribe. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5689 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: Do not pass. Signed by Senator Schoesler, Ranking Member, Capital.

Referred to Committee on Rules for second reading.

March 16, 2023

SB 5748 Prime Sponsor, Senator Muzzall: Clarifying the excise tax treatment of meals furnished to tenants of senior living communities as part of their rental agreement. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5748 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

March 17, 2023

HB 1031 Prime Sponsor, Representative Low: Modifying medal of valor award presentation requirements. Reported by Committee on State Government & Elections

MAJORITY recommendation: Do pass. Signed by Senators Valdez, Vice Chair; Wilson, J., Ranking Member; Hunt, Chair; Dozier; Fortunato; Hasegawa and Kuderer.

Referred to Committee on Rules for second reading.

March 17, 2023

2SHB 1039 Prime Sponsor, Committee on Appropriations: Concerning physical therapists performing intramuscular needling. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass as amended. Signed by Senators Robinson, Vice Chair; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Rules for second reading.

March 17, 2023

EHB 1210 Prime Sponsor, Representative Rude: Concerning the recording of school board meetings. Reported by Committee on State Government & Elections

MAJORITY recommendation: Do pass. Signed by Senators Valdez, Vice Chair; Wilson, J., Ranking Member; Hunt, Chair; Dozier; Fortunato; Hasegawa and Kuderer.

Referred to Committee on Rules for second reading.

March 17, 2023

HB 1221 Prime Sponsor, Representative Stearns: Concerning the privacy of lottery players. Reported by Committee on State Government & Elections

MAJORITY recommendation: Do pass. Signed by Senators Valdez, Vice Chair; Wilson, J., Ranking Member; Hunt, Chair; Dozier; Fortunato; Hasegawa and Kuderer.

Referred to Committee on Rules for second reading.

March 17, 2023

HB 1259 Prime Sponsor, Representative Abbarno: Updating the executive team of the office of the secretary of state by adding signing authority to the chief of staff position. Reported by Committee on State Government & Elections

MAJORITY recommendation: Do pass. Signed by Senators Valdez, Vice Chair; Wilson, J., Ranking Member; Hunt, Chair; Dozier; Fortunato; Hasegawa and Kuderer.

Referred to Committee on Rules for second reading.

March 16, 2023

EHB 1336 Prime Sponsor, Representative Stokesbary: Splitting the volunteer firefighters' and reserve officers' relief and pension principal fund into two accounts. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

March 16, 2023

SHB 1346 Prime Sponsor, Committee on Education: Creating the purple star award. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass as amended. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune and Pedersen.

Referred to Committee on Rules for second reading.

March 17, 2023

ESHB 1361 Prime Sponsor, Committee on Appropriations: Updating statutes related to state employment by removing obsolete language, eliminating unnecessary reports, conforming a reporting period to fiscal year, and modernizing employee pay procedures. Reported by Committee on State Government & Elections

MAJORITY recommendation: Do pass. Signed by Senators Valdez, Vice Chair; Wilson, J., Ranking Member; Hunt, Chair; Dozier; Fortunato and Kuderer.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Hasegawa.

Referred to Committee on Rules for second reading.

March 17, 2023

HB 1471 Prime Sponsor, Representative Stearns: Modifying state procurement procedures for competitive, sole source, convenience, and emergency goods and services contracts. Reported by Committee on State Government & Elections

SEVENTY FIRST DAY, MARCH 20, 2023

MAJORITY recommendation: Do pass as amended. Signed by Senators Valdez, Vice Chair; Wilson, J., Ranking Member; Hunt, Chair; Dozier; Fortunato; Hasegawa and Kuderer.

Referred to Committee on Rules for second reading.

March 16, 2023

HB 1481 Prime Sponsor, Representative Cortes: Permitting general authority peace officers certificated by the criminal justice training commission and employed on a full-time basis by the government of a federally recognized tribe to participate in the law enforcement officers' and firefighters' retirement system plan 2. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

March 17, 2023

2SHB 1639 Prime Sponsor, Committee on Appropriations: Concerning the Billy Frank Jr. national statuary hall selection committee. Reported by Committee on State Government & Elections

MAJORITY recommendation: Do pass. Signed by Senators Valdez, Vice Chair; Wilson, J., Ranking Member; Hunt, Chair; Dozier; Fortunato; Hasegawa and Kuderer.

Referred to Committee on Ways & Means.

March 16, 2023

SHB 1764 Prime Sponsor, Committee on Finance: Establishing a method of valuing asphalt and aggregate used in public road construction for purposes of taxation. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: Do not pass. Signed by Senator Hasegawa.

Referred to Committee on Rules for second reading.

March 16, 2023

SHB 1784 Prime Sponsor, Committee on Appropriations: Concerning hunger relief. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

March 16, 2023

EHB 1797 Prime Sponsor, Representative Cheney: Concerning residential real estate appraisers being allowed to complete real property evaluations. Reported by Committee on Business, Financial Services, Gaming & Trade

MAJORITY recommendation: Do pass as amended. Signed by Senators Stanford, Chair; Frame, Vice Chair; Dozier, Ranking Member; Boehnke; Gildon; Hasegawa; Lovick and MacEwen.

Referred to Committee on Rules for second reading.

March 16, 2023

SHB 1804 Prime Sponsor, Committee on Appropriations: Concerning eligibility for participation in the public employees' benefits board for retired or disabled employees of counties, municipalities, and other political subdivisions. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

March 16, 2023

SGA 9332 MATTHEW V. RANDAZZO, appointed on March 2, 2023, for the term ending March 1, 2029, as Member of the Board of Tax Appeals. Reported by Committee on Ways & Means

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Schoesler, Ranking Member, Capital.

Referred to Committee on Rules for second reading.

MOTIONS

On motion of Senator Pedersen, all measures and the appointee listed on the Standing Committee report were referred to the committees as designated.

On motion of Senator Pedersen, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

HB 1018 by Representatives Tharinger, Chapman, Orcutt, Abbarno, Fey, Ryu and Wylie

AN ACT Relating to changing the expiration date for the sales and use tax exemption of hog fuel to comply with the 2045 deadline for fossil fuel-free electrical generation in Washington state and to protect jobs with health care and retirement benefits in economically distressed communities; amending RCW 82.08.956, 82.12.956, and 82.32.605; creating new sections; and providing expiration dates.

Referred to Committee on Ways & Means.

ESHB 1175 by House Committee on Appropriations (originally sponsored by Doglio, Dye and Leavitt)

AN ACT Relating to creating a state financial assurance program for petroleum underground storage tanks; amending RCW 82.23A.020; reenacting and amending RCW 70A.325.020 and 43.79A.040; adding a new chapter to Title 70A RCW; prescribing penalties; providing an effective date; and providing expiration dates.

Referred to Committee on Environment, Energy & Technology.

SHB 1318 by House Committee on Finance (originally sponsored by Ormsby, Springer, Volz, Graham, Riccelli, Reeves and Leavitt)

AN ACT Relating to retail sales tax exemptions for certain aircraft maintenance and repair; amending RCW 82.08.025661; creating a new section; and providing an expiration date.

Referred to Committee on Ways & Means.

ESHB 1371 by House Committee on Finance (originally sponsored by Barkis, Leavitt, Orcutt, Fey, Barnard, Chapman, Low, Connors, Goehner, Chambers, Chandler, Couture, Griffey, Hutchins, Robertson, Volz, Walsh, Christian, Doglio, Schmick and Gregerson)

AN ACT Relating to government incentives for improving freight railroad infrastructure; adding new sections to chapter 82.04 RCW; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; adding new sections to chapter 82.16 RCW; creating new sections; providing an effective date; and providing expiration dates.

Referred to Committee on Business, Financial Services, Gaming & Trade.

SHB 1431 by House Committee on Finance (originally sponsored by Timmons, Stokesbary, Springer, Corry, Stonier, Abbarno, Rule, Schmick, Street, Fitzgibbon, Jacobsen, Harris, Hutchins, Riccelli, McEntire, Maycumber, Bronoske, Ramel, Robertson, Taylor, Simmons, Tharinger, Berry, Caldier, Reeves, Ortiz-Self, Thai, Christian, Kloba, Bateman,

Gregerson, Barnard, Pollet, Reed, Ormsby, Doglio and Cheney)

AN ACT Relating to clarifying that meals furnished to tenants of senior living communities as part of their rental agreement are not subject to sales and use tax; amending RCW 82.04.040 and 82.04.040; adding a new section to chapter 82.12 RCW; creating a new section; providing an effective date; and providing an expiration date.

Referred to Committee on Ways & Means.

HB 1573 by Representatives Rule, Corry, Timmons, Leavitt, Walen, Shavers, Lekanoff, Chapman, Dye, Springer, Reeves, Barnard, Eslick and Sandlin

AN ACT Relating to extending tax preferences for dairy, fruit and vegetable, and seafood processors; amending RCW 82.04.4268, 82.04.4266, 82.04.4269, and 82.04.260; creating a new section; and providing expiration dates.

Referred to Committee on Ways & Means.

SHB 1711 by House Committee on Finance (originally sponsored by Chapman, Tharinger, Lekanoff, Ryu, Callan, Reed, Volz, Kloba, Stearns, Stokesbary and Santos)

AN ACT Relating to providing a sales and use tax exemption related to internet and telecommunications infrastructure projects involving a federally recognized Indian tribe; adding new sections to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; creating a new section; and providing expiration dates.

Referred to Committee on Ways & Means.

SHB 1729 by House Committee on Finance (originally sponsored by Abbarno, Klicker, Volz, Orcutt, Schmidt and Cheney)

AN ACT Relating to creating and expanding tax incentives for the research, development, production, and sale of hydrogen fuel products in Washington state; adding new sections to chapter 82.04 RCW; creating a new section; and providing expiration dates.

Referred to Committee on Environment, Energy & Technology.

SHB 1756 by House Committee on Finance (originally sponsored by Ramel, Klicker, Duerr, Rude, Schmidt, Reed, Kloba, Doglio, Senn, Ryu and Macri)

AN ACT Relating to supporting clean energy through tax changes that increase revenue to local governments, schools, and impacted communities; adding a new section to chapter 84.36 RCW; adding a new chapter to Title 82 RCW; and creating new sections.

Referred to Committee on Environment, Energy & Technology.

SHB 1768 by House Committee on Finance (originally sponsored by Shavers, Barnard, Chapman and Ramel)

AN ACT Relating to exempting certain sales of electricity to qualifying green businesses from the public utilities tax; adding a new section to chapter 82.16 RCW; creating a new section; providing an effective date; and providing an expiration date.

Referred to Committee on Environment, Energy & Technology.

EHB 1812 by Representatives Springer, Stokesbary, Chopp and Chapman

AN ACT Relating to continuing the business and occupation tax deduction for federal funds received from a medicaid transformation or demonstration project or medicaid quality improvement program or standard; and amending RCW 82.04.43395.

Referred to Committee on Health & Long-Term Care.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

At 12:32 p.m., on motion of Senator Pedersen, the Senate adjourned until 12:30 p.m. Tuesday, March 21, 2023.

KAREN KEISER, President Pro Tempore of the Senate

SARAH BANNISTER, Secretary of the Senate

SEVENTY SECOND DAY

AFTERNOON SESSION

Senate Chamber, Olympia
Tuesday, March 21, 2023

The Senate was called to order at 12:30 p.m. by the President of the Senate, Lt. Governor Heck presiding. No roll call was taken.

MOTIONS

Pursuant to Rule 46, on motion of Senator Pedersen, and without objection, the Committee were granted special leave to meet during the day's floor session.

On motion of Senator Pedersen, the reading of the Journal of the previous day was dispensed with and it was approved.

SIGNED BY THE PRESIDENT

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

SUBSTITUTE SENATE BILL NO. 5005,
SENATE BILL NO. 5036,
SUBSTITUTE SENATE BILL NO. 5121,
and SENATE BILL NO. 5122.

MOTION

There being no objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

March 20, 2023

2SHB 1009 Prime Sponsor, Committee on Appropriations: Concerning military spouse employment. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Braun; MacEwen; Robinson; Schoesler and Stanford.

Referred to Committee on Ways & Means.

March 20, 2023

SHB 1109 Prime Sponsor, Committee on Appropriations: Providing funding for school districts for special education. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune; Mullet and Pedersen.

Referred to Committee on Ways & Means.

March 20, 2023

E2SHB 1238 Prime Sponsor, Committee on Appropriations: Providing free school meals for all. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass as amended. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Hunt; Mullet and Pedersen.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Dozier and McCune.

Referred to Committee on Ways & Means.

March 20, 2023

HB 1514 Prime Sponsor, Representative Robertson: Addressing the purchase and distribution of insignia to manufacturers of recreational vehicles and/or park trailers. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Braun; MacEwen; Robinson; Schoesler and Stanford.

Referred to Committee on Rules for second reading.

March 20, 2023

HB 1542 Prime Sponsor, Representative Bronoske: Requiring automated external defibrillators to be available and accessible when work is being performed on high voltage lines and equipment. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass as amended. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Braun; MacEwen; Robinson; Schoesler and Stanford.

Referred to Committee on Rules for second reading.

March 20, 2023

HB 1622 Prime Sponsor, Representative Fey: Supporting the needs of students experiencing homelessness. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass as amended. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune; Mullet and Pedersen.

Referred to Committee on Rules for second reading.

March 20, 2023

SHB 1701 Prime Sponsor, Committee on Education: Concerning basic education services to youth who are served through institutional education programs. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune; Mullet and Pedersen.

Referred to Committee on Ways & Means.

March 20, 2023

SEVENTY SECOND DAY, MARCH 21, 2023

SGA 9018 PETER M. GAYTON, appointed on May 29, 2019, for the term ending January 1, 2025, as Member of the Personnel Resources Board. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Braun; MacEwen; Robinson and Stanford.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Schoesler.

Referred to Committee on Rules for second reading.

March 20, 2023

SGA 9131 DAVID POSTMAN, appointed on March 15, 2021, for the term ending January 15, 2027, as Chair of the Liquor and Cannabis Board. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Braun; MacEwen; Robinson; Schoesler and Stanford.

Referred to Committee on Rules for second reading.

March 20, 2023

SGA 9237 HOLLY A. KESSLER, appointed on June 1, 2022, for the term ending June 17, 2027, as Chair of the Board of Industrial Insurance Appeals. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Braun; MacEwen; Robinson and Stanford.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Schoesler.

Referred to Committee on Rules for second reading.

March 20, 2023

SGA 9264 ELIZABETH G. FORD, appointed on November 10, 2022, for the term ending September 8, 2023, as Member of the Public Employment Relations Commission. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; Robinson and Stanford.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator MacEwen.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators King, Ranking Member; Braun and Schoesler.

Referred to Committee on Rules for second reading.

March 20, 2023

SGA 9317 JAMES R. VOLLENDROFF, appointed on May 1, 2022, for the term ending January 15, 2025, as Member of the Liquor and Cannabis Board. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Braun; MacEwen; Robinson and Stanford.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Schoesler.

Referred to Committee on Rules for second reading.

March 20, 2023

SGA 9328 OLLIE A. GARRETT, appointed on February 1, 2023, for the term ending January 15, 2029, as Member of the Liquor and Cannabis Board. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Braun; MacEwen; Robinson and Stanford.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Schoesler.

Referred to Committee on Rules for second reading.

MOTIONS

On motion of Senator Pedersen, all measures and appointees listed on the Standing Committee report were referred to the committees as designated.

On motion of Senator Pedersen, the Senate advanced to the fourth order of business.

MESSAGE FROM THE HOUSE

March 20, 2023

MR. PRESIDENT:
The House has passed:

SUBSTITUTE SENATE BILL NO. 5005,
SENATE BILL NO. 5036,
SUBSTITUTE SENATE BILL NO. 5121,
SENATE BILL NO. 5122,
and the same are herewith transmitted.
MELISSA PALMER, Deputy Chief Clerk

MOTION

On motion of Senator Pedersen, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SCR 8405 by Senators Pedersen and Short
Returning bills to their house of origin.

SCR 8406 by Senators Pedersen and Short
Adjourning SINE DIE.

MOTIONS

On motion of Senator Pedersen, Senate Concurrent Resolution No. 8405 and Senate Concurrent Resolution No. 8406 were held at the desk.

At 12:33 p.m., on motion of Senator Pedersen, the Senate adjourned until 10:30 a.m. Wednesday, March 22, 2023.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

SEVENTY THIRD DAY

MORNING SESSION

Senate Chamber, Olympia
Wednesday, March 22, 2023

The Senate was called to order at 10:30 a.m. by the President of the Senate, Lt. Governor Heck presiding. The Secretary called the roll and announced to the President that all Senators were present.

The Sergeant at Arms Color Guard consisting of Pages Mr. Lincoln Smith and Mr. Sehab Bopari, presented the Colors. Page Miss Zoe Fields led the Senate in the Pledge of Allegiance.

The prayer was offered by Reverend Elizabeth Riley, Rector, Emmanuel Episcopal Church, Mercer Island.

MOTIONS

On motion of Senator Pedersen, the reading of the Journal of the previous day was dispensed with and it was approved.

There being no objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

March 20, 2023

HB 1004 Prime Sponsor, Representative Abbarno: Installing signs on or near bridges to provide information to deter jumping. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Lias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Holy, Assistant Ranking Member; Cleveland; Fortunato; Hawkins; Kauffman; Nobles; Padden; Randall; Valdez; Wilson, C. and Wilson, J.

Referred to Committee on Rules for second reading.

March 21, 2023

SHB 1069 Prime Sponsor, Committee on Postsecondary Education & Workforce: Adopting the mental health counselor compact. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Rules for second reading.

March 21, 2023

SHB 1079 Prime Sponsor, Committee on Health Care & Wellness: Concerning rapid whole genome sequencing. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Randall and Van De Wege.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Padden.

Referred to Committee on Rules for second reading.

March 21, 2023

HB 1197 Prime Sponsor, Representative Bronoske: Defining attending provider and clarifying other provider functions for workers' compensation claims, and adding psychologists as attending providers for mental health only claims. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; Robinson and Stanford.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators King, Ranking Member; Braun and MacEwen.

MINORITY recommendation: Do not pass. Signed by Senator Schoesler.

Referred to Committee on Rules for second reading.

March 20, 2023

SHB 1271 Prime Sponsor, Committee on Transportation: Concerning organ transport vehicles. Reported by Committee on Transportation

MAJORITY recommendation: Do pass as amended. Signed by Senators Lias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Holy, Assistant Ranking Member; Cleveland; Fortunato; Hawkins; Kauffman; Nobles; Padden; Randall; Valdez; Wilson, C. and Wilson, J.

Referred to Committee on Rules for second reading.

March 21, 2023

SHB 1275 Prime Sponsor, Committee on Health Care & Wellness: Concerning athletic trainers. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Rules for second reading.

March 21, 2023

HB 1301 Prime Sponsor, Representative McClintock: Creating license review and reporting requirements. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass as amended. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Braun; MacEwen; Robinson; Schoesler and Stanford.

Referred to Committee on Rules for second reading.

March 21, 2023

SHB 1435 Prime Sponsor, Committee on Health Care & Wellness: Developing a home care safety net assessment. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Randall and Van De Wege.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Padden.

Referred to Committee on Ways & Means.

March 21, 2023

2SHB 1534 Prime Sponsor, Committee on Appropriations: Strengthening protections for consumers in the construction industry. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass as amended. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; MacEwen; Robinson; Schoesler and Stanford.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Braun.

Referred to Committee on Ways & Means.

March 21, 2023

SHB 1570 Prime Sponsor, Committee on Labor & Workplace Standards: Concerning social insurance programs applicable to transportation network companies and drivers. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Robinson; Schoesler and Stanford.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun and MacEwen.

Referred to Committee on Rules for second reading.

March 21, 2023

HB 1656 Prime Sponsor, Representative Schmidt: Concerning unemployment insurance benefits appeal procedures. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Braun; MacEwen; Robinson; Schoesler and Stanford.

Referred to Committee on Rules for second reading.

March 21, 2023

HB 1730 Prime Sponsor, Representative Waters: Allowing people 18 years of age or older to work in certain 21 year and older establishments. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Braun; MacEwen; Robinson and Schoesler.

MINORITY recommendation: Do not pass. Signed by Senator Stanford.

Referred to Committee on Rules for second reading.

March 21, 2023

ESHB 1731 Prime Sponsor, Committee on Regulated Substances & Gaming: Concerning complimentary liquor by short-term rental operators. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Saldaña, Vice Chair; King, Ranking Member; Braun; MacEwen; Robinson and Schoesler.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Conway, Vice Chair and Stanford.

Referred to Committee on Rules for second reading.

March 21, 2023

HB 1772 Prime Sponsor, Representative Waters: Prohibiting products that combine alcohol and tetrahydrocannabinol. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Braun; MacEwen; Robinson; Schoesler and Stanford.

Referred to Committee on Rules for second reading.

March 20, 2023

EHB 1782 Prime Sponsor, Representative McEntire: Addressing the operating and maintenance deficit of the Wahkiakum county ferry. Reported by Committee on Transportation

MAJORITY recommendation: Do pass as amended. Signed by Senators Liias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Holy, Assistant Ranking Member; Cleveland; Fortunato; Hawkins; Kauffman; Nobles; Padden; Randall; Valdez; Wilson, C. and Wilson, J.

Referred to Committee on Rules for second reading.

March 21, 2023

EHB 1812 Prime Sponsor, Representative Springer: Continuing the business and occupation tax deduction for federal funds received from a medicaid transformation or demonstration project or medicaid quality improvement program or standard. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking

SEVENTY THIRD DAY, MARCH 22, 2023

Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Ways & Means.

March 21, 2023

SGA 9333 JILL K. MINSHALL, appointed on March 1, 2023, for the term ending April 15, 2026, as Member of the Indeterminate Sentence Review Board. Reported by Committee on Human Services

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Boehnke, Ranking Member; Nguyen; Warnick and Wilson, J.

Referred to Committee on Rules for second reading.

MOTIONS

On motion of Senator Pedersen, all measures and the appointee listed on the Standing Committee report were referred to the committees as designated.

On motion of Senator Pedersen, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 5761 by Senator Boehnke

AN ACT Relating to sales to a broadband communications services provider of machinery and equipment used in a communication network; amending RCW 82.08.02565 and 82.12.02565; and creating a new section.

Referred to Committee on Environment, Energy & Technology.

MOTIONS

On motion of Senator Pedersen, the measure listed on the Introduction and First Reading report was referred to the committee as designated.

On motion of Senator Pedersen, the Senate advanced to the eighth order of business.

MOTION

Senator Liias moved adoption of the following resolution:

SENATE RESOLUTION 8629

By Senators Liias, King, and Short

WHEREAS, Director Berntsen served as the director of the Department of Licensing from July 1, 2018, until her retirement on February 2, 2023; and

WHEREAS, As the director of the Department of Licensing, Director Berntsen was the person behind many of the department's outreach and diversity initiatives, particularly focusing on underserved and underrepresented communities; and

WHEREAS, Director Berntsen established the first Department of Licensing Office of Equity and Inclusion and mandatory cultural competency training for Department of Licensing employees in order to make the department more welcoming and accepting of all; and

WHEREAS, Director Berntsen advocated to allow Washington residents to use 'X' on their driver's license to accurately reflect their gender identity and support Washington's nonbinary and gender diverse population; and

WHEREAS, Director Berntsen has worked tirelessly to conduct outreach in Washington for REAL ID travel laws, regardless of Washingtonians' citizenship status, so that all people in Washington are prepared with correct identification when traveling; and

WHEREAS, Director Berntsen led her agency through the uncertainty of the COVID-19 pandemic; and

WHEREAS, Director Berntsen received the Building Bridges Across the Nation Award from the Washington State India Trade Relations Action Committee for her unparalleled work building relationships with communities across the state; and

WHEREAS, Before her tenure at the Department of Licensing, Director Berntsen also served as director of the Office of Minority and Women's Business Enterprises from 2016-2018; and

WHEREAS, Under Director Berntsen's leadership, the Office of Minority and Women's Business Enterprises maintained a 97% customer satisfaction rate, decreased their processing times, and increased the number of certified businesses within the OMWBE directory; and

WHEREAS, Director Berntsen also served as deputy director of the Department of Licensing for more than four years before being appointed to the Office of Minority and Women's Business Enterprises and made significant contributions to updating the agency's technology; and

WHEREAS, Prior to holding these roles, Director Berntsen worked as a statewide transportation policy advisor to the Governor's Office and a research analyst for the House of Representatives; and

WHEREAS, Throughout all of her roles serving the people of Washington State, Director Berntsen has placed an emphasis on the importance of diversity and inclusion; and

WHEREAS, Director Berntsen has served the state of Washington in many capacities over the years with determination and success;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate recognize retired Director of the Department of Licensing Teresa Berntsen for her service to Washington State over many years; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to Director Teresa Berntsen and the Department of Licensing in celebration of her retirement.

Senators Liias and King spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8629.

The motion by Senator Liias carried and the resolution was adopted by voice vote.

MOTION

At 10:44 a.m., on motion of Senator Pedersen, the Senate was declared to be at ease subject to the call of the President.

Senator Warnick announced a meeting of the Republican Caucus.

Senator Saldaña announced a meeting of the Democratic Caucus.

The Senate was called to order at 11:07 a.m. by President Heck.

MOTION

On motion of Senator Pedersen, the Senate reverted to the seventh order of business.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Wellman moved that Juanita J. Kamphuis, Senate Gubernatorial Appointment No. 9001, be confirmed as a member of the Washington Center for the Deaf and Hard of Hearing Youth.

Senator Wellman spoke in favor of the motion.

MOTIONS

On motion of Senator Wagoner, Senator Schoesler was excused.

On motion of Senator Nobles, Senator Hasegawa was excused.

APPOINTMENT OF JUANITA J. KAMPHUIS

The President declared the question before the Senate to be the confirmation of Juanita J. Kamphuis, Senate Gubernatorial Appointment No. 9001, as a member of the Washington Center for the Deaf and Hard of Hearing Youth.

The Secretary called the roll on the confirmation of Juanita J. Kamphuis, Senate Gubernatorial Appointment No. 9001, as a member of the Washington Center for the Deaf and Hard of Hearing Youth and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Schoesler

Juanita J. Kamphuis, Senate Gubernatorial Appointment No. 9001, having received the constitutional majority was declared confirmed as a member of the Washington Center for the Deaf and Hard of Hearing Youth.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Wellman moved that Maria J. Christianson, Senate Gubernatorial Appointment No. 9002, be confirmed as a member of the Washington Center for Deaf and Hard of Hearing Youth.

Senator Wellman spoke in favor of the motion.

APPOINTMENT OF MARIA J. CHRISTIANSON

The President declared the question before the Senate to be the confirmation of Maria J. Christianson, Senate Gubernatorial Appointment No. 9002, as a member of the Washington Center for Deaf and Hard of Hearing Youth.

The Secretary called the roll on the confirmation of Maria J. Christianson, Senate Gubernatorial Appointment No. 9002, as a member of the Washington Center for Deaf and Hard of Hearing Youth and the appointment was confirmed by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Maria J. Christianson, Senate Gubernatorial Appointment No. 9002, having received the constitutional majority was declared confirmed as a member of the Washington Center for Deaf and Hard of Hearing Youth.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Lovick moved that Robert J. Lopez, Senate Gubernatorial Appointment No. 9013, be confirmed as a member of the Horse Racing Commission.

Senator Lovick spoke in favor of the motion.

MOTION

On motion of Senator Nobles, Senator Nguyen was excused.

APPOINTMENT OF ROBERT J. LOPEZ

The President declared the question before the Senate to be the confirmation of Robert J. Lopez, Senate Gubernatorial Appointment No. 9013, as a member of the Horse Racing Commission.

The Secretary called the roll on the confirmation of Robert J. Lopez, Senate Gubernatorial Appointment No. 9013, as a member of the Horse Racing Commission and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Nguyen

Robert J. Lopez, Senate Gubernatorial Appointment No. 9013, having received the constitutional majority was declared confirmed as a member of the Horse Racing Commission.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

SEVENTY THIRD DAY, MARCH 22, 2023

MOTION

Senator Kauffman moved that Claude A. Ragle, Senate Gubernatorial Appointment No. 9015, be confirmed as a member of the Horse Racing Commission.

Senator Kauffman spoke in favor of the motion.

APPOINTMENT OF CLAUDE A. RAGLE

The President declared the question before the Senate to be the confirmation of Claude A. Ragle, Senate Gubernatorial Appointment No. 9015, as a member of the Horse Racing Commission.

The Secretary called the roll on the confirmation of Claude A. Ragle, Senate Gubernatorial Appointment No. 9015, as a member of the Horse Racing Commission and the appointment was confirmed by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Claude A. Ragle, Senate Gubernatorial Appointment No. 9015, having received the constitutional majority was declared confirmed as a member of the Horse Racing Commission.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Cleveland moved that Jerrie L. Allard, Senate Gubernatorial Appointment No. 9055, be confirmed as a member of the Pharmacy Quality Assurance Commission.

Senator Cleveland spoke in favor of the motion.

APPOINTMENT OF JERRIE L. ALLARD

The President declared the question before the Senate to be the confirmation of Jerrie L. Allard, Senate Gubernatorial Appointment No. 9055, as a member of the Pharmacy Quality Assurance Commission.

The Secretary called the roll on the confirmation of Jerrie L. Allard, Senate Gubernatorial Appointment No. 9055, as a member of the Pharmacy Quality Assurance Commission and the appointment was confirmed by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Jerrie L. Allard, Senate Gubernatorial Appointment No. 9055, having received the constitutional majority was declared

confirmed as a member of the Pharmacy Quality Assurance Commission.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced students from Ms. Das' class at Napavine Elementary School who were seated in the gallery. The students were guests of Senator Braun.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Cleveland moved that Teri L. Ferreira, Senate Gubernatorial Appointment No. 9056, be confirmed as a member of the Pharmacy Quality Assurance Commission.

Senator Cleveland spoke in favor of the motion.

APPOINTMENT OF TERI L. FERREIRA

The President declared the question before the Senate to be the confirmation of Teri L. Ferreira, Senate Gubernatorial Appointment No. 9056, as a member of the Pharmacy Quality Assurance Commission.

The Secretary called the roll on the confirmation of Teri L. Ferreira, Senate Gubernatorial Appointment No. 9056, as a member of the Pharmacy Quality Assurance Commission and the appointment was confirmed by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Teri L. Ferreira, Senate Gubernatorial Appointment No. 9056, having received the constitutional majority was declared confirmed as a member of the Pharmacy Quality Assurance Commission.

MOTION

On motion of Senator Pedersen, the Senate reverted to the sixth order of business.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1101, by House Committee on Housing (originally sponsored by Taylor, Bergquist, Ramel and Gregerson)

Providing for tenant screening in common interest communities.

The measure was read the second time.

MOTION

On motion of Senator Dhingra, the rules were suspended, Substitute House Bill No. 1101 was advanced to third reading, the

SECOND READING

second reading considered the third and the bill was placed on final passage.

Senators Dhingra and Padden spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1101.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1101 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SUBSTITUTE HOUSE BILL NO. 1101, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1102, by Representatives Taylor and Timmons

Concerning judge pro tempore compensation.

The measure was read the second time.

MOTION

On motion of Senator Dhingra, the rules were suspended, House Bill No. 1102 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Dhingra and Padden spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1102.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1102 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

HOUSE BILL NO. 1102, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1049, by Representatives Doglio, Bateman, Riccelli and Ormsby

Updating timelines for adopting county commissioner district boundaries following expansion from three to five commissioners.

The measure was read the second time.

MOTION

Senator Lovelett moved that the following committee striking amendment by the Committee on Local Government, Land Use & Tribal Affairs be adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 36.32.0552 and 1990 c 252 s 3 are each amended to read as follows:

If the ballot proposition receives majority voter approval, the size of the board of county commissioners shall be increased to five members as provided in this section.

The two newly created positions shall be filled at elections to be held in the next year. The county shall, as provided in this section, be divided into five commissioner districts, so that each district shall comprise as nearly as possible one-fifth of the population of the county. No two members of the existing board of county commissioners may, at the time of the designation of such districts, permanently reside in one of the five districts. The division of the county into five districts shall be accomplished as follows:

(1) The board of county commissioners shall, by the (~~second Monday of March~~) 90th day prior to the first day of the filing period described in RCW 29A.24.050 of the year following the election, adopt a resolution creating the districts;

(2) If by the (~~second Tuesday of March~~) 89th day prior to the first day of the filing period described in RCW 29A.24.050 of the year following the election the board of county commissioners has failed to create the districts, the prosecuting attorney of the county shall petition the superior court of the county to appoint a referee to designate the five commissioner districts. The referee shall designate such districts by no later than (~~June 1st~~) the 60th day prior to the first day of the filing period described in RCW 29A.24.050 of the year following the election. The two commissioner districts within which no existing member of the board of county commissioners permanently resides shall be designated as districts four and five."

On page 1, line 3 of the title, after "commissioners;" strike the remainder of the title and insert "and amending RCW 36.32.0552."

Senators Lovelett and Torres spoke in favor of adoption of the committee striking amendment.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Local Government, Land Use & Tribal Affairs to House Bill No. 1049.

The motion by Senator Lovelett carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Hunt, the rules were suspended, House Bill No. 1049, as amended by the Senate, was advanced to third

SEVENTY THIRD DAY, MARCH 22, 2023

reading, the second reading considered the third and the bill was placed on final passage.

Senators Hunt and Torres spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1049 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1049, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

HOUSE BILL NO. 1049 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1179, by Representatives Ramos, Goodman, Leavitt, Ryu, Ortiz-Self, Bateman, Taylor, Callan and Macri

Authorizing the state auditor to receive nonconviction data.

The measure was read the second time.

MOTION

Senator Padden moved that the following amendment no. 0226 by Senator Padden be adopted:

On page 2, line 37, after "43.101.460." insert "Such dissemination is specifically limited to information necessary to ensure compliance with RCW 10.114.011 and rules adopted pursuant to RCW 10.114.011. The state auditor may not access nonconviction data that is not specifically required to ensure compliance with RCW 10.114.011 and rules adopted pursuant to RCW 10.114.011."

On page 3, line 37, after "section." insert "Access to records of arrest, charges, or allegations of criminal misconduct or other nonconviction data by the state auditor pursuant to this section is specifically limited to records of arrest, charges, or allegations of criminal misconduct or other nonconviction data necessary to ensure compliance with RCW 10.114.011 and rules adopted pursuant to RCW 10.114.011. The state auditor may not access nonconviction data that is not specifically required to ensure compliance with RCW 10.114.011 and rules adopted pursuant to RCW 10.114.011."

Senator Padden spoke in favor of adoption of the amendment.

Senator Dhingra spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0226 by Senator Padden on page 2, line 37 to House Bill No. 1179.

The motion by Senator Padden did not carry and amendment no. 0226 was not adopted by voice vote.

MOTION

On motion of Senator Dhingra, the rules were suspended, House Bill No. 1179 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Dhingra spoke in favor of passage of the bill.

Senator Padden spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1179.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1179 and the bill passed the Senate by the following vote: Yeas, 29; Nays, 20; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Lias, Lovelett, Lovick, Mullet, Nguyen, Nobles, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

HOUSE BILL NO. 1179, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1015, by House Committee on Education (originally sponsored by Santos, Ybarra, Bergquist, Stonier, Leavitt, Rude, Jacobsen, Simmons, Reed, Lekanoff, Goodman, Pollet, Ortiz-Self, Callan, Doglio, Reeves, Tharinger, Wylie, Paul, Thai, Springer and Ormsby)

Concerning minimum employment requirements for paraeducators.

The measure was read the second time.

MOTION

On motion of Senator Wellman, the rules were suspended, Substitute House Bill No. 1015 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wellman and Hawkins spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1015.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1015 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa,

Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SUBSTITUTE HOUSE BILL NO. 1015, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1107, by Representatives Fosse, Reed, Berry, Ramel, Doglio, Simmons, Reeves, Kloba, Riccelli and Ormsby

Concerning removing the terms "master" and "servant" from Titles 50 and 50A.

The measure was read the second time.

MOTION

On motion of Senator Keiser, the rules were suspended, House Bill No. 1107 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Keiser and King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1107.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1107 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

HOUSE BILL NO. 1107, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1060, by House Committee on Consumer Protection & Business (originally sponsored by Corry, Berry, Walen and Reeves)

Concerning reorganization of domestic mutual insurers.

The measure was read the second time.

MOTION

On motion of Senator Stanford, the rules were suspended, Substitute House Bill No. 1060 was advanced to third reading, the

second reading considered the third and the bill was placed on final passage.

Senators Stanford and Dozier spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1060.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1060 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senator Hasegawa

SUBSTITUTE HOUSE BILL NO. 1060, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1303, by Representatives Street, Ramel and Reed

Concerning the administration of property taxes.

The measure was read the second time.

MOTION

On motion of Senator Rolfes, the rules were suspended, House Bill No. 1303 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Rolfes and Wilson, L. spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1303.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1303 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

HOUSE BILL NO. 1303, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SEVENTY THIRD DAY, MARCH 22, 2023
SECOND READING

ROLL CALL

SUBSTITUTE HOUSE BILL NO. 1070, by House Committee on Housing (originally sponsored by Connors, Reeves, Hutchins, Schmidt, Peterson, Christian, Rude, Klicker, Barkis and Walsh)

Exempting the sale and leaseback of property by a seller from the residential landlord-tenant act when the seller agrees to a written lease at closing.

The measure was read the second time.

MOTION

On motion of Senator Kuderer, the rules were suspended, Substitute House Bill No. 1070 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Kuderer and Fortunato spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1070.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1070 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SUBSTITUTE HOUSE BILL NO. 1070, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1007, by House Committee on Appropriations (originally sponsored by Paul, Stokesbary, Bergquist, Leavitt, Simmons, Griffey, Callan, Doglio, Timmons, Reeves, Bronoske, Shavers, Riccelli and Ormsby)

Concerning interruptive military service credit for members of the state retirement systems.

The measure was read the second time.

MOTION

On motion of Senator Rolfes, the rules were suspended, Substitute House Bill No. 1007 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Rolfes and Wilson, L. spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1007.

The Secretary called the roll on the final passage of Substitute House Bill No. 1007 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SUBSTITUTE HOUSE BILL NO. 1007, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1319, by Representatives Reed, Cortes, Berry, Ramel, Cheney, Waters and Kloba

Addressing collision reporting criteria triggering driver's license reexamination.

The measure was read the second time.

MOTION

On motion of Senator Shewmake, the rules were suspended, House Bill No. 1319 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Shewmake and King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1319.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1319 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

HOUSE BILL NO. 1319, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

REMARKS BY THE PRESIDENT

President Heck: "The President [having misstated the previous question to be before the 'House',] would like to remind the President this is the Senate. The President would also like to remind members that Reed's Rule Number 224 prohibits

reference to actions in the other chamber, including votes. That's happened a couple of times today, especially as we enter this phase of the session, please refrain from doing so."

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1499, by House Committee on Human Services, Youth, & Early Learning (originally sponsored by Shavers, Ramel, Santos, Leavitt, Gregerson, Bateman, Ormsby, Doglio, Pollet, Reed, Ortiz-Self, Stonier and Fosse)

Concerning food assistance funding.

The measure was read the second time.

WITHDRAWAL OF AMENDMENT

On motion of Senator Boehnke and without objection, amendment no. 228 by Senator Boehnke on page 1, line 20 to Substitute House Bill No. 1499 was withdrawn.

MOTION

On motion of Senator Wilson, C., the rules were suspended, Substitute House Bill No. 1499 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Wilson, C. spoke in favor of passage of the bill.

Senator Boehnke spoke on passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1499.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1499 and the bill passed the Senate by the following vote: Yeas, 42; Nays, 7; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, McCune, Mullet, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senators Boehnke, Dozier, MacEwen, Muzzall, Padden, Schoesler and Wagoner

SUBSTITUTE HOUSE BILL NO. 1499, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1500, by House Committee on Agriculture and Natural Resources (originally sponsored by Eslick, Chapman, Jacobsen, Ramel, Leavitt, Walen, Peterson, Couture, Paul, Doglio and Macri)

Increasing the cap on gross sales for cottage food operations.

The measure was read the second time.

MOTION

Senator Shewmake moved that the following committee striking amendment by the Committee on Agriculture, Water, Natural Resources & Parks be adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 69.22.050 and 2015 c 196 s 1 are each amended to read as follows:

(1) ~~((The))~~ (a) Except as provided in (b) of this subsection, the annual gross sales of cottage food products may not exceed ~~((twenty five thousand dollars))~~ \$35,000. The determination of the maximum annual gross sales must be computed on the basis of the amount of gross sales within or at a particular domestic residence and may not be computed on a per person basis within or at an individual domestic residence.

(b) Every four years, the department shall review the cap on annual gross sales established in (a) of this subsection and increase the cap by expedited rule making, in accordance with RCW 34.05.353, based on that year's average consumer price index for the Seattle, Washington area for urban wage earners and clerical workers, all items, compiled by the bureau of labor statistics, United States department of labor.

(2) If gross sales exceed the maximum allowable annual gross sales amount established under subsection (1) of this section, the cottage food operation must either obtain a food processing plant license under chapter 69.07 RCW or cease operations.

(3) A cottage food operation exceeding the maximum allowable annual gross sales amount established under subsection (1) of this section is not entitled to a full or partial refund of any fees paid under RCW 69.22.030 or 69.22.040.

(4) The director may request in writing documentation to verify the annual gross sales figure.

Sec. 2. RCW 69.22.030 and 2011 c 281 s 3 are each amended to read as follows:

(1) All cottage food operations must be permitted ~~((annually))~~ every two years by the department on forms developed by the department. All permits and permit renewals must be made on forms developed by the director and be accompanied by an inspection fee as provided in RCW 69.22.040, a ~~((seventy five dollar))~~ \$75 public health review fee, and a ~~((thirty dollar))~~ \$30 processing fee. All fees must be deposited into the food processing inspection account created in RCW 69.07.120.

(2) In addition to the provision of any information required by the director on forms developed under subsection (1) of this section and the payment of all fees, an applicant for a permit or a permit renewal as a cottage food operation must also provide documentation that all individuals to be involved in the preparation of cottage ~~((foods [cottage food products]))~~ food products have secured a food and beverage service worker's permit under chapter 69.06 RCW.

(3) All cottage food operations permitted under this section must include a signed document attesting, by opting to become permitted, that the permitted cottage food operation expressly grants to the director the right to enter the domestic residence housing the cottage food operation during normal business hours, or at other reasonable times, for the purposes of inspections under this chapter.

NEW SECTION. **Sec. 3.** A new section is added to chapter 69.22 RCW to read as follows:

The department shall maintain sufficient full-time equivalent staff to ensure timely processing of permits required under this chapter and provide improved service levels to cottage food operations."

SEVENTY THIRD DAY, MARCH 22, 2023

On page 1, line 2 of the title, after "operations;" strike the remainder of the title and insert "amending RCW 69.22.050 and 69.22.030; and adding a new section to chapter 69.22 RCW."

Senator Shewmake spoke in favor of adoption of the committee striking amendment.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Agriculture, Water, Natural Resources & Parks to Substitute House Bill No. 1500.

The motion by Senator Shewmake carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Shewmake, the rules were suspended, Substitute House Bill No. 1500, as amended by the Senate, was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Shewmake and Muzzall spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1500 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1500, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senator Van De Wege

SUBSTITUTE HOUSE BILL NO. 1500, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1266, by House Committee on Consumer Protection & Business (originally sponsored by Santos, Corry and Reeves)

Concerning email communication by the office of the insurance commissioner.

The measure was read the second time.

MOTION

On motion of Senator Stanford, the rules were suspended, Substitute House Bill No. 1266 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Stanford and Dozier spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1266.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1266 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SUBSTITUTE HOUSE BILL NO. 1266, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1458, by House Committee on Labor & Workplace Standards (originally sponsored by Shavers, Fosse, Santos, Berry, Simmons, Alvarado, Doglio, Ormsby, Gregerson and Pollet)

Concerning unemployment insurance benefits for apprenticeship program participants.

The measure was read the second time.

WITHDRAWAL OF AMENDMENT

On motion of Senator Braun and without objection, amendment no. 0227 by Senator Braun on page 1, line 12 to Substitute House Bill No. 1458 was withdrawn.

MOTION

On motion of Senator Keiser, the rules were suspended, Substitute House Bill No. 1458 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Keiser and King spoke in favor of passage of the bill.

MOTION

On motion of Senator Wagoner, Senator MacEwen was excused.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1458.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1458 and the bill passed the Senate by the following vote: Yeas, 41; Nays, 7; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Frame, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, Mullet, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson,

Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senators Fortunato, Gildon, McCune, Muzzall, Padden, Wagoner and Warnick

Excused: Senator MacEwen

SUBSTITUTE HOUSE BILL NO. 1458, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1540, by Representatives Hutchins, Timmons, Low, Cheney, Cortes, Bronoske, Couture, Griffey, Donaghy, Robertson, Barkis, Simmons, Reed, Klicker, Riccelli, Doglio, Berry, Ramel, Paul, Graham and Rule

Requiring driver training curriculum to include instruction on sharing the road with large vehicles, including commercial motor vehicles and buses.

The measure was read the second time.

MOTION

On motion of Senator Valdez, the rules were suspended, House Bill No. 1540 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Valdez and King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1540.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1540 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator MacEwen

HOUSE BILL NO. 1540, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1061, by Representatives Ryu, Corry and Reeves

Eliminating prelicensing education requirements for licensed insurance producers.

The measure was read the second time.

MOTION

On motion of Senator Mullet, the rules were suspended, House Bill No. 1061 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Mullet and Dozier spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1061.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1061 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator MacEwen

HOUSE BILL NO. 1061, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 12:58 p.m., on motion of Senator Pedersen, the Senate adjourned until 12:30 p.m. Thursday, March 23, 2023.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

SEVENTY FOURTH DAY

AFTERNOON SESSION

Senate Chamber, Olympia
Thursday, March 23, 2023

The Senate was called to order at 12:30 p.m. by the President of the Senate, Lt. Governor Heck presiding. No roll call was taken.

MOTIONS

Pursuant to Rule 46, on motion of Senator Pedersen, and without objection, the Committee on Health & Long-Term Care was granted special leave to meet during the day's floor session.

On motion of Senator Pedersen, the reading of the Journal of the previous day was dispensed with and it was approved.

There being no objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

March 22, 2023

SB 5200 Prime Sponsor, Senator Mullet: Concerning the capital budget. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5200 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Boehnke; Braun; Conway; Dhingra; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Placed on the day's Second Reading Calendar.

March 21, 2023

2SHB 1032 Prime Sponsor, Committee on Appropriations: Mitigating the risk of wildfires through electric utility planning and identification of best management practices appropriate to each electric utility's circumstances. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass. Signed by Senators Nguyen, Chair; Lovelett, Vice Chair; MacEwen, Ranking Member; Boehnke; Lovick; Short; Trudeau and Wellman.

Referred to Committee on Ways & Means.

March 21, 2023

ESHB 1033 Prime Sponsor, Committee on Environment & Energy: Evaluating compostable product usage in Washington. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass as amended. Signed by Senators Nguyen, Chair; Lovelett, Vice Chair; MacEwen, Ranking Member; Boehnke; Lovick; Short; Trudeau and Wellman.

Referred to Committee on Rules for second reading.

March 21, 2023

SHB 1047 Prime Sponsor, Committee on Environment & Energy: Concerning the use of toxic chemicals in cosmetic products. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass as amended. Signed by Senators Nguyen, Chair; Lovelett, Vice Chair; Lovick; Trudeau and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators MacEwen, Ranking Member; Boehnke and Short.

Referred to Committee on Ways & Means.

March 21, 2023

ESHB 1051 Prime Sponsor, Committee on Consumer Protection & Business: Concerning robocalling and telephone scams. Reported by Committee on Business, Financial Services, Gaming & Trade

MAJORITY recommendation: Do pass. Signed by Senators Stanford, Chair; Frame, Vice Chair; Dozier, Ranking Member; Gildon; Lovick; MacEwen and Mullet.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Boehnke.

Referred to Committee on Rules for second reading.

March 21, 2023

SHB 1085 Prime Sponsor, Committee on Environment & Energy: Reducing plastic pollution. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass. Signed by Senators Nguyen, Chair; Lovelett, Vice Chair; MacEwen, Ranking Member; Boehnke; Lovick; Short; Trudeau and Wellman.

Referred to Committee on Ways & Means.

March 22, 2023

HB 1146 Prime Sponsor, Representative Paul: Notifying high school students and their families about available dual credit programs and any available financial assistance. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune; Mullet and Pedersen.

Referred to Committee on Rules for second reading.

March 21, 2023

SHB 1163 Prime Sponsor, Committee on Finance: Exempting certain leasehold interests in arenas with a seating capacity of more than 2,000 from the leasehold excise tax.

Reported by Committee on Business, Financial Services, Gaming & Trade

MAJORITY recommendation: Do pass as amended. Signed by Senators Stanford, Chair; Frame, Vice Chair; Dozier, Ranking Member; Boehnke; Gildon; Lovick; MacEwen and Mullet.

Referred to Committee on Ways & Means.

March 21, 2023

E2SHB 1170 Prime Sponsor, Committee on Appropriations: Improving climate resilience through updates to the state's integrated climate response strategy. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass. Signed by Senators Nguyen, Chair; Lovelett, Vice Chair; Lovick; Trudeau and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators MacEwen, Ranking Member and Boehnke.

MINORITY recommendation: Do not pass. Signed by Senator Short.

Referred to Committee on Ways & Means.

March 21, 2023

E2SHB 1189 Prime Sponsor, Committee on Appropriations: Concerning the release of incarcerated individuals from total confinement prior to the expiration of a sentence. Reported by Committee on Human Services

MAJORITY recommendation: Do pass as amended. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Frame and Nguyen.

MINORITY recommendation: Do not pass. Signed by Senators Boehnke, Ranking Member; Warnick and Wilson, J.

Referred to Committee on Ways & Means.

March 22, 2023

SHB 1207 Prime Sponsor, Committee on Education: Preventing and responding to harassment, intimidation, bullying, and discrimination in schools. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass as amended. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hunt; Mullet and Pedersen.

MINORITY recommendation: Do not pass. Signed by Senators Hawkins, Ranking Member; Dozier and McCune.

Referred to Committee on Rules for second reading.

March 21, 2023

SHB 1213 Prime Sponsor, Committee on Environment & Energy: Concerning compliance with labeling requirements for wipes. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass. Signed by Senators Nguyen, Chair; Lovelett, Vice Chair; MacEwen, Ranking Member; Boehnke; Lovick; Short; Trudeau and Wellman.

Referred to Committee on Rules for second reading.

March 22, 2023

HB 1230 Prime Sponsor, Representative Callan: Requiring school districts and other public education entities to make information from the department of health available. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hunt; Mullet and Pedersen.

MINORITY recommendation: Do not pass. Signed by Senators Hawkins, Ranking Member; Dozier and McCune.

Referred to Committee on Rules for second reading.

March 21, 2023

SHB 1258 Prime Sponsor, Committee on Appropriations: Increasing tourism to Washington state through enhancement of the statewide tourism marketing account and changing necessary match requirements. Reported by Committee on Business, Financial Services, Gaming & Trade

MAJORITY recommendation: Do pass as amended. Signed by Senators Stanford, Chair; Frame, Vice Chair; Dozier, Ranking Member; Boehnke; Gildon; Lovick; MacEwen and Mullet.

Referred to Committee on Ways & Means.

March 21, 2023

EHB 1274 Prime Sponsor, Representative Couture: Creating a child malnutrition field guide for the department of children, youth, and families. Reported by Committee on Human Services

MAJORITY recommendation: Do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Boehnke, Ranking Member; Frame; Nguyen; Warnick and Wilson, J.

Referred to Committee on Rules for second reading.

March 21, 2023

ESHB 1282 Prime Sponsor, Committee on Capital Budget: Requiring environmental and labor reporting for public building construction and renovation material. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass as amended. Signed by Senators Nguyen, Chair; Lovelett, Vice Chair; Lovick; Trudeau and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators MacEwen, Ranking Member; Boehnke and Short.

Referred to Committee on Ways & Means.

March 22, 2023

SEVENTY FOURTH DAY, MARCH 23, 2023

2SHB 1316 Prime Sponsor, Committee on Appropriations: Expanding access to dual credit programs. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass as amended. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Hunt; Mullet and Pedersen.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Dozier and McCune.

Referred to Committee on Ways & Means.

March 21, 2023

HB 1345 Prime Sponsor, Representative Farivar: Concerning the contribution to costs of privileges by incarcerated individuals. Reported by Committee on Human Services

MAJORITY recommendation: Do pass as amended. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Frame and Nguyen.

MINORITY recommendation: Do not pass. Signed by Senator Wilson, J.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Boehnke, Ranking Member and Warnick.

Referred to Committee on Rules for second reading.

March 21, 2023

HB 1370 Prime Sponsor, Representative Reeves: Providing the payment of awards to whistleblowers who report violations of state or federal securities laws and providing protection to whistleblowers and internal reporters. Reported by Committee on Business, Financial Services, Gaming & Trade

MAJORITY recommendation: Do pass. Signed by Senators Stanford, Chair; Frame, Vice Chair; Dozier, Ranking Member; Gildon; Lovick; MacEwen and Mullet.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Boehnke.

Referred to Committee on Rules for second reading.

March 21, 2023

ESHB 1394 Prime Sponsor, Committee on Human Services, Youth, & Early Learning: Creating a developmentally appropriate response to youth who commit sexual offenses. Reported by Committee on Human Services

MAJORITY recommendation: Do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Frame; Nguyen; Warnick and Wilson, J.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Boehnke, Ranking Member.

Referred to Committee on Ways & Means.

March 21, 2023

2SHB 1405 Prime Sponsor, Committee on Appropriations: Preserving public benefit payments to people in the care of the department of children, youth, and families. Reported by Committee on Human Services

MAJORITY recommendation: Do pass as amended. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Frame; Nguyen and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Boehnke, Ranking Member and Wilson, J.

Referred to Committee on Ways & Means.

March 21, 2023

SHB 1406 Prime Sponsor, Committee on Human Services, Youth, & Early Learning: Concerning youth seeking housing assistance and other related services. Reported by Committee on Human Services

MAJORITY recommendation: Do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Boehnke, Ranking Member; Frame; Nguyen; Warnick and Wilson, J..

Referred to Committee on Ways & Means.

March 21, 2023

2SHB 1470 Prime Sponsor, Committee on Appropriations: Concerning private detention facilities. Reported by Committee on Human Services

MAJORITY recommendation: Do pass as amended. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Frame and Nguyen.

MINORITY recommendation: Do not pass. Signed by Senators Boehnke, Ranking Member; Warnick and Wilson, J.

Referred to Committee on Ways & Means.

March 21, 2023

SHB 1501 Prime Sponsor, Committee on Community Safety, Justice, & Reentry: Authorizing additional counseling services for immediate family members of homicide victims. Reported by Committee on Human Services

MAJORITY recommendation: Do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Boehnke, Ranking Member; Frame; Nguyen; Warnick and Wilson, J.

Referred to Committee on Rules for second reading.

March 22, 2023

2SHB 1522 Prime Sponsor, Committee on Appropriations: Addressing sexual misconduct at scholarly or professional associations. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: Do pass. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Rules for second reading.

March 21, 2023

HB 1527 Prime Sponsor, Representative Wylie: Making technical corrections to the local tax increment financing program. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended by Committee on Business, Financial Services, Gaming & Trade. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

March 21, 2023

HB 1543 Prime Sponsor, Representative Dye: Establishing a wild horse holding and training program at Coyote Ridge corrections center. Reported by Committee on Human Services

MAJORITY recommendation: Do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Boehnke, Ranking Member; Frame; Warnick and Wilson, J.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Nguyen.

Referred to Committee on Rules for second reading.

March 22, 2023

E2SHB 1565 Prime Sponsor, Committee on Appropriations: Supporting and strengthening the professional education workforce. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass as amended. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hunt; Mullet and Pedersen.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Hawkins, Ranking Member; Dozier and McCune.

Referred to Committee on Ways & Means.

March 21, 2023

2SHB 1580 Prime Sponsor, Committee on Appropriations: Creating a system to support children in crisis. Reported by Committee on Human Services

MAJORITY recommendation: Do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Boehnke, Ranking Member; Frame; Nguyen; Warnick and Wilson, J.

Referred to Committee on Ways & Means.

March 21, 2023

SHB 1590 Prime Sponsor, Committee on Human Services, Youth, & Early Learning: Concerning the membership and subcommittees of the oversight board for children, youth, and families. Reported by Committee on Human Services

MAJORITY recommendation: Do pass. Signed by Senators Wilson, C., Chair; Boehnke, Ranking Member; Frame; Nguyen; Warnick and Wilson, J.

MINORITY recommendation: Do not pass. Signed by Senator Kauffman, Vice Chair.

Referred to Committee on Rules for second reading.

March 21, 2023

SHB 1682 Prime Sponsor, Committee on Appropriations: Concerning the Washington auto theft prevention authority account. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

March 21, 2023

HB 1707 Prime Sponsor, Representative Kloba: Concerning bingo conducted by bona fide charitable or nonprofit organizations. Reported by Committee on Business, Financial Services, Gaming & Trade

MAJORITY recommendation: Do pass. Signed by Senators Stanford, Chair; Frame, Vice Chair; Dozier, Ranking Member; Boehnke; Gildon; Lovick; MacEwen and Mullet.

Referred to Committee on Rules for second reading.

March 21, 2023

SHB 1717 Prime Sponsor, Committee on Appropriations: Supporting innovation at associate development organizations. Reported by Committee on Business, Financial Services, Gaming & Trade

MAJORITY recommendation: Do pass as amended. Signed by Senators Stanford, Chair; Frame, Vice Chair; Dozier, Ranking Member; Boehnke; Gildon; Lovick; MacEwen and Mullet.

Referred to Committee on Ways & Means.

March 21, 2023

SHB 1779 Prime Sponsor, Committee on Environment & Energy: Reducing toxic air pollution that threatens human health. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass as amended. Signed by Senators Nguyen, Chair; Lovelett, Vice Chair; MacEwen, Ranking Member; Boehnke; Lovick; Short; Trudeau and Wellman.

SEVENTY FOURTH DAY, MARCH 23, 2023

Referred to Committee on Rules for second reading.

March 21, 2023

SHB 1783 Prime Sponsor, Committee on Appropriations: Supporting economic development in distressed areas through hiring of grant writers. Reported by Committee on Business, Financial Services, Gaming & Trade

MAJORITY recommendation: Do pass. Signed by Senators Stanford, Chair; Frame, Vice Chair; Dozier, Ranking Member; Boehnke; Gildon; Lovick; MacEwen and Mullet.

Referred to Committee on Ways & Means.

March 22, 2023

SGA 9006 THOMAS W. LUX, reappointed on October 15, 2018, for the term ending September 30, 2023, as Member of the Shoreline Community College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Rules for second reading.

March 22, 2023

SGA 9027 LOUISE CHERNIN, reappointed on September 18, 2019, for the term ending September 30, 2024, as Member of the Seattle College District Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Rules for second reading.

March 22, 2023

SGA 9034 WENDY K. BOHLKE, reappointed on October 3, 2019, for the term ending September 30, 2024, as Member of the Whatcom Community College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Rules for second reading.

March 22, 2023

SGA 9035 HARRIETTE C. BRYANT, appointed on October 3, 2019, for the term ending September 30, 2024, as Member of the Olympic College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Rules for second reading.

March 22, 2023

SGA 9038 RICHARD G. FUKUTAKI, appointed on October 3, 2019, for the term ending September 30, 2024, as Member of the Bellevue College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Rules for second reading.

March 22, 2023

SGA 9039 ANNE E. HAMILTON, reappointed on October 10, 2019, for the term ending September 30, 2024, as Member of the Lake Washington Institute of Technology Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Rules for second reading.

March 22, 2023

SGA 9040 MICHAEL D. WILSON, reappointed on October 10, 2019, for the term ending September 30, 2024, as Member of the Community Colleges of Spokane Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Rules for second reading.

March 22, 2023

SGA 9064 ENRIQUE S. CERNA, appointed on March 16, 2020, for the term ending September 30, 2025, as Member of the Washington State University Board of Regents. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Rules for second reading.

March 22, 2023

SGA 9071 HARRY L. CARTHUM, reappointed on July 6, 2020, for the term ending September 30, 2024, as Member of the Grays Harbor College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Rules for second reading.

March 22, 2023

SGA 9081 JAY A. REICH, appointed on October 1, 2020, for the term ending September 30, 2024, as Member of the

State Board for Community and Technical Colleges. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Rules for second reading.

March 22, 2023

SGA 9084 RICHARD P. KAISER, reappointed on October 1, 2020, for the term ending September 30, 2025, as Member of the Bellingham Technical College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Rules for second reading.

March 22, 2023

SGA 9085 MICHAEL KARNOFSKI, reappointed on October 1, 2020, for the term ending September 30, 2025, as Member of the Lower Columbia College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Rules for second reading.

March 22, 2023

SGA 9088 JOHN W. PEDLOW, reappointed on October 1, 2020, for the term ending September 30, 2025, as Member of the Whatcom Community College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Rules for second reading.

March 22, 2023

SGA 9089 TOM ECKMANN, reappointed on October 1, 2020, for the term ending September 30, 2025, as Member of the Olympic College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Rules for second reading.

March 22, 2023

SGA 9091 COLLEEN F. PONTO, reappointed on October 1, 2020, for the term ending September 30, 2025, as Member of the Cascadia College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Rules for second reading.

March 22, 2023

SGA 9094 DOUG MAH, reappointed on October 6, 2020, for the term ending September 30, 2025, as Member of the South Puget Sound Community College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Rules for second reading.

March 22, 2023

SGA 9095 FRIEDA K. TAKAMURA, reappointed on October 6, 2020, for the term ending September 30, 2025, as Member of the Renton Technical College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Rules for second reading.

March 22, 2023

SGA 9096 TERESITA BATAYOLA, reappointed on October 8, 2020, for the term ending September 30, 2025, as Member of the Seattle College District Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Rules for second reading.

March 22, 2023

SGA 9100 LISA T. KEOHOKALOLE SCHAUER, reappointed on October 20, 2020, for the term ending September 30, 2026, as Member of the Washington State University Board of Regents. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Rules for second reading.

March 22, 2023

SGA 9103 TIMOTHY BURT, reappointed on November 10, 2020, for the term ending September 30, 2025, as Member of the Walla Walla Community College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

SEVENTY FOURTH DAY, MARCH 23, 2023

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Rules for second reading.

March 22, 2023

SGA 9105 TORAYA MILLER, reappointed on November 13, 2020, for the term ending September 30, 2025, as Member of the Everett Community College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Rules for second reading.

March 22, 2023

SGA 9115 JEFFREY A. CHARBONNEAU, reappointed on January 22, 2021, for the term ending June 30, 2024, as Member of the Washington Student Achievement Council. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Rules for second reading.

March 22, 2023

SGA 9116 FREDERICK GOLDBERG, reappointed on January 22, 2021, for the term ending September 30, 2026, as Member of The Evergreen State College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Rules for second reading.

March 22, 2023

SGA 9119 JEFF DAVIS, appointed on January 26, 2021, for the term ending September 30, 2024, as Member of the South Puget Sound Community College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Rules for second reading.

March 22, 2023

SGA 9120 BERTHA ORTEGA, appointed on January 26, 2021, for the term ending September 30, 2025, as Member of the Yakima Valley Community College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Rules for second reading.

March 22, 2023

SGA 9126 ERIN L. BLACK, reappointed on February 18, 2021, for the term ending September 30, 2026, as Member of the Central Washington University Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Rules for second reading.

March 22, 2023

SGA 9132 GENE C. SHARRATT, reappointed on March 27, 2021, for the term ending March 26, 2025, as Member of the Higher Education Facilities Authority. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Rules for second reading.

March 22, 2023

SGA 9140 STEVEN ASHBY, reappointed on July 1, 2021, for the term ending June 30, 2024, as Member of the Workforce Education Investment Accountability and Oversight Board. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Rules for second reading.

March 22, 2023

SGA 9143 JAN YOSHIWARA, reappointed on July 1, 2021, for the term ending June 30, 2024, as Member of the Workforce Education Investment Accountability and Oversight Board. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Rules for second reading.

March 22, 2023

SGA 9148 THERESA (TERRI) A. STANDISH-KUON, appointed on July 6, 2021, for the term ending June 30, 2024, as Member of the Workforce Education Investment Accountability and Oversight Board. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Rules for second reading.

March 22, 2023

SGA 9154 CARL J. ZAPORA, reappointed on October 1, 2021, for the term ending September 30, 2026, as Member of the Edmonds Community College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Rules for second reading.

March 22, 2023

SGA 9155 LOIS BERNSTEIN, reappointed on October 1, 2021, for the term ending September 30, 2026, as Member of the Tacoma Community College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Rules for second reading.

March 22, 2023

SGA 9159 JANE B. DAVIDSON, reappointed on August 27, 2021, for the term ending June 30, 2024, as Member of the Workforce Education Investment Accountability and Oversight Board. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Rules for second reading.

March 22, 2023

SGA 9160 CRYSTAL DONNER, reappointed on October 1, 2021, for the term ending September 30, 2025, as Member of the State Board for Community and Technical Colleges. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Rules for second reading.

March 22, 2023

SGA 9161 JOHN M. MEYER, reappointed on October 1, 2021, for the term ending September 30, 2027, as Member of the Western Washington University Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Rules for second reading.

March 22, 2023

SGA 9162 ROBERT L. NELLAMS, reappointed on October 1, 2021, for the term ending September 30, 2027, as Member of the Central Washington University Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Rules for second reading.

March 22, 2023

SGA 9163 MAUREEN P. WEST, reappointed on October 1, 2021, for the term ending September 30, 2027, as Member of the Western Washington University Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Rules for second reading.

March 22, 2023

SGA 9164 LAURA S. WILDFONG, reappointed on October 1, 2021, for the term ending September 30, 2026, as Member of the Lake Washington Institute of Technology Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Rules for second reading.

March 22, 2023

SGA 9165 BEN BAGHERPOUR, reappointed on October 1, 2021, for the term ending September 30, 2025, as Member of the State Board for Community and Technical Colleges. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Rules for second reading.

March 22, 2023

SGA 9169 JACELYN M. BOSCHOK, reappointed on October 1, 2021, for the term ending September 30, 2026, as Member of the Green River College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

SEVENTY FOURTH DAY, MARCH 23, 2023

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Rules for second reading.

March 22, 2023

SGA 9171 MARK C. SCHEIBMEIR, reappointed on October 1, 2021, for the term ending September 30, 2026, as Member of the Centralia College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Rules for second reading.

March 22, 2023

SGA 9181 CHERYL A. MILLER, reappointed on October 4, 2021, for the term ending September 30, 2026, as Member of the Olympic College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Rules for second reading.

March 22, 2023

SGA 9189 PATRICK BALDOZ, reappointed on November 9, 2021, for the term ending September 30, 2026, as Member of the Yakima Valley Community College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Rules for second reading.

March 22, 2023

SGA 9191 KAREN R. FRASER, reappointed on November 15, 2021, for the term ending September 30, 2027, as Member of the The Evergreen State College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Rules for second reading.

March 22, 2023

SGA 9192 BRETT BLANKENSHIP, reappointed on November 19, 2021, for the term ending September 30, 2027, as Member of the Washington State University Board of Regents. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Rules for second reading.

March 22, 2023

SGA 9197 HEATHER B. REDMAN, reappointed on November 19, 2021, for the term ending September 30, 2027, as Member of the Washington State University Board of Regents. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Rules for second reading.

March 22, 2023

SGA 9198 JEFFREY A. CHARBONNEAU, appointed on November 23, 2021, for the term ending September 30, 2027, as Member of the Central Washington University Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Rules for second reading.

March 22, 2023

SGA 9201 GARY CHANDLER, reappointed on December 14, 2021, for the term ending June 30, 2025, as Member of the Workforce Training and Education Coordinating Board. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Rules for second reading.

March 22, 2023

SGA 9203 DEBRA J. ENTENMAN, reappointed on December 17, 2021, for the term ending September 30, 2024, as Member of the Renton Technical College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Rules for second reading.

March 22, 2023

SGA 9204 PAUL T. FRANCIS, reappointed on December 17, 2021, for the term ending June 30, 2024, as Member of the Workforce Education Investment Accountability and Oversight Board. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Rules for second reading.

March 22, 2023

SGA 9212 GARY D. CHANDLER, appointed on January 25, 2022, for the term ending September 30, 2026, as Member of the Big Bend Community College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Rules for second reading.

March 22, 2023

SGA 9224 JAY J. MANNING, reappointed on February 11, 2022, for the term ending September 30, 2027, as Member of the Eastern Washington University Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Rules for second reading.

March 22, 2023

SGA 9236 TONG ZHU, appointed on May 2, 2022, for the term ending September 30, 2026, as Member of the Clover Park Technical College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Rules for second reading.

March 22, 2023

SGA 9238 LARRY BROWN, reappointed on July 1, 2022, for the term ending January 1, 2025, as Co-Chair of the Workforce Training and Education Coordinating Board. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Rules for second reading.

March 22, 2023

SGA 9242 PRADNYA DESH, appointed on July 28, 2022, for the term ending September 30, 2026, as Member of the Bellevue College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Rules for second reading.

March 22, 2023

SGA 9244 DAVID O. EARLING, reappointed on October 3, 2022, for the term ending September 30, 2027, as Member of the Edmonds Community College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Rules for second reading.

March 22, 2023

SGA 9245 ANGELA HINOJOS, reappointed on October 3, 2022, for the term ending September 30, 2027, as Member of the Cascadia College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Rules for second reading.

March 22, 2023

SGA 9248 JESSE E. JOHNSON, appointed on September 8, 2022, for the term ending September 30, 2023, as Member of the Highline College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Rules for second reading.

March 22, 2023

SGA 9250 COLLEEN ECHOHAWK, appointed on October 3, 2022, for the term ending September 30, 2027, as Member of the Seattle College District Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Rules for second reading.

March 22, 2023

SGA 9255 GLENN A. JOHNSON, appointed on October 7, 2022, for the term ending September 30, 2027, as Member of the Community Colleges of Spokane Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Rules for second reading.

March 22, 2023

SGA 9256 MICHAEL MEOTTI, appointed on October 10, 2022, for the term ending June 30, 2025, as Member of the Workforce Education Investment Accountability and Oversight Board. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Rules for second reading.

March 22, 2023

SGA 9258 PAULA M. AKERLUND, appointed on October 14, 2022, for the term ending September 30, 2027, as Member of the Grays Harbor College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Rules for second reading.

March 22, 2023

SGA 9260 GREGORY B. DIETZEL, appointed on October 14, 2022, for the term ending September 30, 2027, as Member of the Bellevue College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Rules for second reading.

March 22, 2023

SGA 9266 SHANE EVERBECK, appointed on October 26, 2022, for the term ending June 30, 2023, as Member of The Evergreen State College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Rules for second reading.

March 22, 2023

SGA 9269 LINDEN RHOADS, appointed on October 24, 2022, for the term ending September 30, 2028, as Member of the University of Washington Board of Regents. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Rules for second reading.

March 22, 2023

SGA 9270 FLORENCE S. CHANG, appointed on November 2, 2022, for the term ending September 30, 2027, as Member of the Bates Technical College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Rules for second reading.

March 22, 2023

SGA 9275 BRADLEY F. SMITH, appointed on November 22, 2022, for the term ending September 30, 2027, as Member of the Bellingham Technical College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Rules for second reading.

March 22, 2023

SGA 9276 BLAINE TAMAKI, appointed on November 22, 2022, for the term ending September 30, 2028, as Member of the University of Washington Board of Regents. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Rules for second reading.

March 22, 2023

SGA 9279 SHARONE NAVAS, appointed on November 28, 2022, for the term ending September 30, 2027, as Member of the Green River College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Rules for second reading.

March 22, 2023

SGA 9281 FRANKIE L. COLEMAN, appointed on November 30, 2022, for the term ending September 30, 2027, as Member of the Olympic College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Rules for second reading.

March 22, 2023

SGA 9285 SERGIO HERNANDEZ, appointed on December 14, 2022, for the term ending September 30, 2027, as

Member of the Walla Walla Community College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Rules for second reading.

March 22, 2023

SGA 9297 LEONOR R. FULLER, appointed on April 26, 2022, for the term ending September 30, 2027, as Member of the University of Washington Board of Regents. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Rules for second reading.

March 22, 2023

SGA 9306 ROBERT T. MITCHELL, appointed on July 1, 2022, for the term ending June 30, 2026, as Member of the Workforce Training and Education Coordinating Board. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Rules for second reading.

March 22, 2023

SGA 9312 J. MANNY SANTIAGO, appointed on October 31, 2022, for the term ending September 30, 2027, as Member of the Tacoma Community College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Rules for second reading.

March 22, 2023

SGA 9327 DOUGLAS T. PICHA, appointed on January 30, 2023, for the term ending September 30, 2023, as Member of the Washington State University Board of Regents. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member; Hawkins and Liias.

Referred to Committee on Rules for second reading.

MOTIONS

On motion of Pedersen, all measures and appointees listed on the Standing Committee report were referred to the committees as designated with the exception of Senate Bill No. 5200 which,

without objection, was placed on the Second Reading Calendar under suspension of the rules.

On motion of Senator Pedersen, the Senate advanced to the third order of business.

MESSAGE FROM THE GOVERNOR
GUBERNATORIAL APPOINTMENTS

March 9, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

RONALD J. JASMER Jr., appointed March 9, 2023, for the term ending July 1, 2024, as Member of the Washington State School for the Blind Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Early Learning & K-12 Education as Senate Gubernatorial Appointment No. 9340.

March 17, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

ROBERT A. ZAPPONE, appointed March 17, 2023, for the term ending September 30, 2026, as Member of the Renton Technical College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9341.

MOTIONS

On motion of Senator Pedersen, all appointees listed on the Gubernatorial Appointments report were referred to the committees as designated.

On motion of Senator Pedersen, the Senate advanced to the fourth order of business.

MESSAGES FROM THE HOUSE

March 22, 2023

MR. PRESIDENT:

The Speaker has signed:

SUBSTITUTE SENATE BILL NO. 5005,
SENATE BILL NO. 5036,
SUBSTITUTE SENATE BILL NO. 5121,
SENATE BILL NO. 5122,

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

March 22, 2023

MR. PRESIDENT:

The House has passed:

SENATE BILL NO. 5003,
SUBSTITUTE SENATE BILL NO. 5033,
SENATE BILL NO. 5079,

ENGROSSED SUBSTITUTE SENATE BILL NO. 5142,
SUBSTITUTE SENATE BILL NO. 5275,
SENATE BILL NO. 5394,
SUBSTITUTE SENATE BILL NO. 5490,

SEVENTY FOURTH DAY, MARCH 23, 2023

SUBSTITUTE SENATE BILL NO. 5729,
and the same are herewith transmitted.

BERNARD DEAN, Chief Clerk

MOTION

On motion of Senator Pedersen, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 5762 by Senator Boehnke

AN ACT Relating to the state berry; and adding a new section to chapter 1.20 RCW.

Referred to Committee on State Government & Elections.

SB 5763 by Senators Liias, King, Shewmake and Holy

AN ACT Relating to increasing existing bond authority for 2015 connecting Washington projects and improvements; amending RCW 47.10.889; and creating a new section.

Referred to Committee on Transportation.

MOTION

On motion of Senator Pedersen, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

SIGNED BY THE PRESIDENT

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

SENATE BILL NO. 5003,
SUBSTITUTE SENATE BILL NO. 5033,
SENATE BILL NO. 5079,
ENGROSSED SUBSTITUTE SENATE BILL NO. 5142,
SUBSTITUTE SENATE BILL NO. 5275,
SENATE BILL NO. 5394,
SUBSTITUTE SENATE BILL NO. 5490,
and SUBSTITUTE SENATE BILL NO. 5729.

MOTION

At 12:34 p.m., on motion of Senator Pedersen, the Senate adjourned until 12:30 p.m. Friday, March 24, 2023.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

SEVENTY FIFTH DAY

AFTERNOON SESSION

Senate Chamber, Olympia
Friday, March 24, 2023

The Senate was called to order at 12:30 p.m. by the President of the Senate, Lt. Governor Heck presiding. The Secretary called the roll and announced to the President that all Senators were present.

The Sergeant at Arms Color Guard consisting of Pages Mr. Ethan Michaelis and Mr. Sam Michaelis, presented the Colors. Page Mr. Eli Peterson led the Senate in the Pledge of Allegiance.

Bishop Katherine Keough, Ecumenical Catholic Communion Diocese of the Pacific Northwest in Olympia offered the prayer.

MOTIONS

On motion of Senator Pedersen the reading of the Journal of the previous day was dispensed with and it was approved.

There being no objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

March 22, 2023

SB 5201 Prime Sponsor, Senator Mullet: Concerning state general obligation bonds and related accounts. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5201 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Boehnke; Braun; Conway; Dhingra; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

March 22, 2023

HB 1002 Prime Sponsor, Representative Leavitt: Increasing the penalty for hazing. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass as amended. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

March 23, 2023

2SHB 1013 Prime Sponsor, Committee on Appropriations: Establishing regional apprenticeship programs. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C.,

Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune; Mullet and Pedersen.

Referred to Committee on Ways & Means.

March 22, 2023

HB 1023 Prime Sponsor, Representative Walen: Eliminating wire tap authorization reporting to the administrative office of the courts. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

March 22, 2023

2SHB 1028 Prime Sponsor, Committee on Appropriations: Supporting crime victims and witnesses by promoting victim-centered, trauma-informed responses in the legal system. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass as amended. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Ways & Means.

March 22, 2023

ESHB 1042 Prime Sponsor, Committee on Housing: Concerning the use of existing buildings for residential purposes. Reported by Committee on Housing

MAJORITY recommendation: Do pass as amended. Signed by Senators Kuderer, Chair; Frame, Vice Chair; Fortunato, Ranking Member; Braun; Cleveland; Gildon; Rivers; Saldaña; Shewmake; Trudeau and Wilson, J.

Referred to Committee on Rules for second reading.

March 22, 2023

SHB 1043 Prime Sponsor, Committee on Housing: Concerning association records in common interest communities. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass as amended. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

March 23, 2023

ESHB 1050 Prime Sponsor, Committee on Capital Budget: Expanding apprenticeship utilization requirements. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; Robinson and Stanford.

SEVENTY FIFTH DAY, MARCH 24, 2023

MINORITY recommendation: That it be referred without recommendation. Signed by Senators King, Ranking Member and MacEwen.

MINORITY recommendation: Do not pass. Signed by Senators Braun and Schoesler.

Referred to Committee on Rules for second reading.

March 22, 2023

HB 1052 Prime Sponsor, Representative Ramel: Providing a property tax exemption for qualified real and personal property owned or used by a nonprofit entity in providing qualified housing funded in whole or part through a local real estate excise tax. Reported by Committee on Housing

MAJORITY recommendation: Do pass. Signed by Senators Kuderer, Chair; Frame, Vice Chair; Fortunato, Ranking Member; Braun; Cleveland; Gildon; Rivers; Saldaña; Shewmake; Trudeau and Wilson, J.

Referred to Committee on Ways & Means.

March 22, 2023

HB 1054 Prime Sponsor, Representative Walen: Addressing the authority of owners' associations in common interest communities to regulate or limit occupancy by unrelated persons. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass as amended. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Kuderer; Pedersen; Salomon and Valdez.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Padden, Ranking Member; McCune; Torres and Wilson, L.

MINORITY recommendation: Do not pass. Signed by Senator Wagoner.

Referred to Committee on Rules for second reading.

March 22, 2023

HB 1066 Prime Sponsor, Representative Goodman: Making technical corrections and removing obsolete language from the Revised Code of Washington pursuant to RCW 1.08.025. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

March 23, 2023

SHB 1068 Prime Sponsor, Committee on Labor & Workplace Standards: Concerning injured workers' rights during compelled medical examinations. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass as amended. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; Robinson and Stanford.

MINORITY recommendation: Do not pass. Signed by Senators King, Ranking Member; Braun; MacEwen and Schoesler.

Referred to Committee on Rules for second reading.

March 22, 2023

SHB 1074 Prime Sponsor, Committee on Housing: Addressing documentation and processes governing landlords' claims for damage to residential premises. Reported by Committee on Housing

MAJORITY recommendation: Do pass. Signed by Senators Kuderer, Chair; Frame, Vice Chair; Cleveland; Saldaña; Shewmake; Trudeau and Wilson, J.

MINORITY recommendation: Do not pass. Signed by Senators Fortunato, Ranking Member and Braun.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Gildon and Rivers.

Referred to Committee on Rules for second reading.

March 22, 2023

SHB 1077 Prime Sponsor, Committee on Civil Rights & Judiciary: Concerning courthouse facility dogs. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

March 22, 2023

SHB 1088 Prime Sponsor, Committee on Civil Rights & Judiciary: Concerning the uniform family law arbitration act. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

March 22, 2023

E2SHB 1110 Prime Sponsor, Committee on Appropriations: Increasing middle housing in areas traditionally dedicated to single-family detached housing. Reported by Committee on Housing

MAJORITY recommendation: Do pass as amended. Signed by Senators Kuderer, Chair; Frame, Vice Chair; Cleveland; Saldaña; Shewmake and Trudeau.

MINORITY recommendation: Do not pass. Signed by Senators Fortunato, Ranking Member and Wilson, J.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun; Gildon and Rivers.

Referred to Committee on Ways & Means.

March 22, 2023

HB 1114 Prime Sponsor, Representative Mosbrucker: Concerning the membership of the sentencing guidelines commission. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass as amended. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

March 22, 2023

SHB 1132 Prime Sponsor, Committee on Community Safety, Justice, & Reentry: Concerning oversight and training requirements for limited authority Washington peace officers and agencies. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Ways & Means.

March 23, 2023

SHB 1138 Prime Sponsor, Committee on Appropriations: Concerning drought preparedness. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass as amended. Signed by Senators Muzzall, Ranking Member; Van De Wege, Chair; Salomon, Vice Chair; Rolfes; Shewmake; Short; Stanford; Wagoner and Warnick.

Referred to Committee on Ways & Means.

March 22, 2023

ESHB 1155 Prime Sponsor, Committee on Civil Rights & Judiciary: Addressing the collection, sharing, and selling of consumer health data. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass as amended. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Kuderer; Pedersen; Salomon and Valdez.

MINORITY recommendation: Do not pass. Signed by Senators Padden, Ranking Member; McCune; Torres and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Wagoner.

Referred to Committee on Rules for second reading.

March 22, 2023

SHB 1165 Prime Sponsor, Committee on Civil Rights & Judiciary: Concerning civil remedies for unauthorized disclosure of intimate images. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden,

Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

March 22, 2023

ESHB 1169 Prime Sponsor, Committee on Appropriations: Concerning legal financial obligations. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass as amended. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Kuderer; Pedersen; Salomon and Valdez.

MINORITY recommendation: Do not pass. Signed by Senators Padden, Ranking Member; McCune; Torres and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Wagoner.

Referred to Committee on Ways & Means.

March 22, 2023

SHB 1177 Prime Sponsor, Committee on Community Safety, Justice, & Reentry: Creating a missing and murdered indigenous women and people cold case investigations unit. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Ways & Means.

March 22, 2023

HB 1199 Prime Sponsor, Representative Senn: Addressing licensed child care in common interest communities. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass as amended. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Kuderer; Pedersen; Salomon; Torres and Valdez.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Padden, Ranking Member; McCune; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

March 22, 2023

EHB 1209 Prime Sponsor, Representative Leavitt: Restricting the possession, purchase, delivery, and sale of certain equipment used to illegally process controlled substances. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

March 22, 2023

SEVENTY FIFTH DAY, MARCH 24, 2023

SHB 1234 Prime Sponsor, Committee on Civil Rights & Judiciary: Concerning the civil forfeiture of animals seized for abuse or neglect. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Valdez and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Torres and Wilson, L.

Referred to Committee on Rules for second reading.

March 23, 2023

HB 1243 Prime Sponsor, Representative Dent: Concerning municipal airport commissions. Reported by Committee on Local Government, Land Use & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Senators Lovelett, Chair; Salomon, Vice Chair; Torres, Ranking Member; Kauffman and Short.

Referred to Committee on Transportation.

March 22, 2023

SHB 1250 Prime Sponsor, Committee on Capital Budget: Modifying the low-income home rehabilitation program. Reported by Committee on Housing

MAJORITY recommendation: Do pass as amended. Signed by Senators Kuderer, Chair; Frame, Vice Chair; Fortunato, Ranking Member; Braun; Cleveland; Gildon; Rivers; Saldaña; Shewmake; Trudeau and Wilson, J.

Referred to Committee on Ways & Means.

March 22, 2023

HB 1262 Prime Sponsor, Representative Walen: Establishing a lump sum reporting system. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

March 22, 2023

HB 1290 Prime Sponsor, Representative Lekanoff: Concerning training for tribal police officers and employees. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

March 23, 2023

ESHB 1293 Prime Sponsor, Committee on Housing: Streamlining development regulations. Reported by Committee on Local Government, Land Use & Tribal Affairs

MAJORITY recommendation: Do pass as amended. Signed by Senators Lovelett, Chair; Salomon, Vice Chair; Torres, Ranking Member and Short.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Kauffman.

Referred to Committee on Rules for second reading.

March 23, 2023

HB 1308 Prime Sponsor, Representative Stonier: Concerning high school graduation pathway options. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass as amended. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune; Mullet and Pedersen.

Referred to Committee on Rules for second reading.

March 23, 2023

ESHB 1311 Prime Sponsor, Committee on Consumer Protection & Business: Addressing credit repair services performed by a credit services organization. Reported by Committee on Business, Financial Services, Gaming & Trade

MAJORITY recommendation: Do pass. Signed by Senators Stanford, Chair; Frame, Vice Chair; Hasegawa; Lovick; MacEwen and Mullet.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Dozier, Ranking Member; Boehnke and Gildon.

Referred to Committee on Rules for second reading.

March 22, 2023

HB 1312 Prime Sponsor, Representative Rude: Concerning jury service. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass as amended. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

March 23, 2023

2SHB 1322 Prime Sponsor, Committee on Capital Budget: Concerning the Walla Walla water 2050 plan. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Muzzall, Ranking Member; Van De Wege, Chair; Salomon, Vice Chair; Rolfes; Shewmake; Short; Stanford; Wagoner and Warnick.

Referred to Committee on Rules for second reading.

March 23, 2023

2SHB 1332 Prime Sponsor, Committee on Appropriations: Supporting public school instruction in tribal

sovereignty and federally recognized Indian tribes. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass as amended. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune; Mullet and Pedersen.

Referred to Committee on Ways & Means.

March 22, 2023

HB 1349 Prime Sponsor, Representative Orwall: Concerning foreclosure protections. Reported by Committee on Housing

MAJORITY recommendation: Do pass as amended. Signed by Senators Kuderer, Chair; Frame, Vice Chair; Fortunato, Ranking Member; Braun; Cleveland; Gildon; Rivers; Saldaña; Shewmake; Trudeau and Wilson, J.

Referred to Committee on Rules for second reading.

March 23, 2023

E2SHB 1357 Prime Sponsor, Committee on Appropriations: Modernizing the prior authorization process. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass as amended. Signed by Senators Robinson, Vice Chair; Cleveland, Chair; Conway; Dhingra; Holy; Randall and Van De Wege.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Rivers, Ranking Member; Muzzall, Assistant Ranking Member and Padden.

Referred to Committee on Ways & Means.

March 22, 2023

HB 1367 Prime Sponsor, Representative Donaghy: Eliminating unnecessary homeless funding budget and auditing requirements. Reported by Committee on Housing

MAJORITY recommendation: Do pass as amended. Signed by Senators Kuderer, Chair; Frame, Vice Chair; Fortunato, Ranking Member; Braun; Cleveland; Gildon; Rivers; Saldaña; Shewmake; Trudeau and Wilson, J.

Referred to Committee on Rules for second reading.

March 22, 2023

ESHB 1369 Prime Sponsor, Committee on Community Safety, Justice, & Reentry: Concerning off-duty employment of fish and wildlife officers. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass as amended. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

March 22, 2023

HB 1420 Prime Sponsor, Representative Hackney: Concerning lien priority of mortgages and deeds of trust. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

March 23, 2023

2SHB 1425 Prime Sponsor, Committee on Finance: Facilitating municipal annexations. Reported by Committee on Local Government, Land Use & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Senators Lovelett, Chair; Salomon, Vice Chair; Torres, Ranking Member; Kauffman and Short.

Referred to Committee on Ways & Means.

March 23, 2023

ESHB 1466 Prime Sponsor, Committee on Health Care & Wellness: Concerning currently credentialed dental auxiliaries. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass as amended. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Rules for second reading.

March 22, 2023

ESHB 1469 Prime Sponsor, Committee on Civil Rights & Judiciary: Concerning access to reproductive health care services and gender-affirming treatment in Washington state. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Kuderer; Pedersen; Salomon and Valdez.

MINORITY recommendation: Do not pass. Signed by Senators Padden, Ranking Member; McCune; Torres; Wagoner and Wilson, L.

Referred to Committee on Ways & Means.

March 22, 2023

2SHB 1474 Prime Sponsor, Committee on Appropriations: Creating the covenant homeownership account and program to address the history of housing discrimination due to racially restrictive real estate covenants in Washington state. Reported by Committee on Housing

MAJORITY recommendation: Do pass as amended. Signed by Senators Kuderer, Chair; Frame, Vice Chair; Cleveland; Saldaña; Shewmake and Trudeau.

MINORITY recommendation: Do not pass. Signed by Senators Fortunato, Ranking Member; Braun; Gildon and Wilson, J.

SEVENTY FIFTH DAY, MARCH 24, 2023

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Rivers.

Referred to Committee on Ways & Means.

March 23, 2023

2SHB 1491 Prime Sponsor, Committee on Appropriations: Prohibiting unjustified employer searches of employee personal vehicles. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Braun; MacEwen; Robinson; Schoesler and Stanford.

Referred to Committee on Ways & Means.

March 22, 2023

HB 1512 Prime Sponsor, Representative Mosbrucker: Providing tools and resources for the location and recovery of missing persons. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Ways & Means.

March 23, 2023

E2SHB 1515 Prime Sponsor, Committee on Appropriations: Concerning contracting and procurement requirements for behavioral health services in medical assistance programs. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass as amended. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Ways & Means.

March 23, 2023

SHB 1521 Prime Sponsor, Committee on Labor & Workplace Standards: Concerning the duties of industrial insurance self-insured employers and third-party administrators. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; Robinson and Stanford.

MINORITY recommendation: Do not pass. Signed by Senators King, Ranking Member; Braun and Schoesler.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator MacEwen.

Referred to Committee on Rules for second reading.

March 23, 2023

ESHB 1547 Prime Sponsor, Committee on Health Care & Wellness: Increasing the health care workforce by authorizing out-of-state providers to practice immediately. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Rules for second reading.

March 22, 2023

SHB 1562 Prime Sponsor, Committee on Civil Rights & Judiciary: Reducing the risks of lethality and other harm associated with gun violence, gender-based violence, and other types of violence. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass as amended. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Kuderer; Pedersen; Salomon and Valdez.

MINORITY recommendation: Do not pass. Signed by Senators Padden, Ranking Member; McCune; Torres; Wagoner and Wilson, L.

Referred to Committee on Ways & Means.

March 22, 2023

HB 1564 Prime Sponsor, Representative Mosbrucker: Prohibiting the sale of over-the-counter sexual assault kits. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass as amended. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Kuderer; Pedersen; Salomon and Valdez.

MINORITY recommendation: Do not pass. Signed by Senator McCune.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Padden, Ranking Member; Torres; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

March 22, 2023

SHB 1572 Prime Sponsor, Committee on Civil Rights & Judiciary: Concerning venue for actions for the recovery of taxes. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

March 23, 2023

HB 1575 Prime Sponsor, Representative Reed: Modifying the sales and use tax for cultural access programs by allowing the tax to be imposed by a councilmanic or commission authority and defining timelines and priorities for action. Reported by Committee on Local Government, Land Use & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Senators Lovelett, Chair; Salomon, Vice Chair and Kauffman.

MINORITY recommendation: Do not pass. Signed by Senators Torres, Ranking Member and Short.

Referred to Committee on Ways & Means.

March 23, 2023

ESHB 1576 Prime Sponsor, Committee on Postsecondary Education & Workforce: Concerning the dentist and dental hygienist compact. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass as amended. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Rules for second reading.

March 23, 2023

SHB 1577 Prime Sponsor, Committee on Local Government: Concerning municipal officers' beneficial interest in contracts. Reported by Committee on Local Government, Land Use & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Senators Lovelett, Chair; Salomon, Vice Chair; Torres, Ranking Member and Short.

MINORITY recommendation: Do not pass. Signed by Senator Kauffman.

Referred to Committee on Rules for second reading.

March 22, 2023

2SHB 1579 Prime Sponsor, Committee on Appropriations: Establishing a mechanism for independent prosecutions within the office of the attorney general of criminal conduct arising from police use of force. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass as amended. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Kuderer; Pedersen; Salomon and Valdez.

MINORITY recommendation: Do not pass. Signed by Senators Padden, Ranking Member; McCune; Torres; Wagoner and Wilson, L.

Referred to Committee on Ways & Means.

March 22, 2023

ESHB 1600 Prime Sponsor, Committee on Civil Rights & Judiciary: Providing access to sealed juvenile records for firearm purposes. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass as amended. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

March 22, 2023

2SHB 1618 Prime Sponsor, Committee on Appropriations: Concerning the statute of limitations for childhood sexual abuse. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Kuderer; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

MINORITY recommendation: Do not pass. Signed by Senator Padden, Ranking Member.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator McCune.

Referred to Committee on Ways & Means.

March 22, 2023

ESHB 1652 Prime Sponsor, Committee on Appropriations: Concerning child support pass through. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Ways & Means.

March 22, 2023

HB 1657 Prime Sponsor, Representative Street: Authorizing justices, judges, and judicial officers of federal courts to solemnize marriages. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

March 23, 2023

EHB 1663 Prime Sponsor, Representative Goehner: Allowing functionally consolidated port districts to adopt a unified levy. Reported by Committee on Local Government, Land Use & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Senators Lovelett, Chair; Salomon, Vice Chair; Torres, Ranking Member; Kauffman and Short.

Referred to Committee on Ways & Means.

March 23, 2023

ESHB 1678 Prime Sponsor, Committee on Health Care & Wellness: Establishing and authorizing the profession of dental therapy. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member;

SEVENTY FIFTH DAY, MARCH 24, 2023

Cleveland, Chair; Conway; Dhingra; Holy; Randall and Van De Wege.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Muzzall, Assistant Ranking Member and Padden.

Referred to Committee on Rules for second reading.

March 23, 2023

SHB 1683 Prime Sponsor, Committee on Health Care & Wellness: Concerning health carriers offering dental only coverage. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass as amended. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Rules for second reading.

March 23, 2023

HB 1684 Prime Sponsor, Representative Slatter: Clarifying procedures for federally recognized tribes to report standard occupational classifications or job titles of workers under the employment security act. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Braun; MacEwen; Robinson; Schoesler and Stanford.

Referred to Committee on Rules for second reading.

March 23, 2023

E2SHB 1694 Prime Sponsor, Committee on Appropriations: Addressing home care workforce shortages. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass as amended. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Rules for second reading.

March 22, 2023

HB 1695 Prime Sponsor, Representative Alvarado: Defining affordable housing for purposes of using surplus public property for public benefit. Reported by Committee on Housing

MAJORITY recommendation: Do pass. Signed by Senators Kuderer, Chair; Frame, Vice Chair; Fortunato, Ranking Member; Braun; Cleveland; Gildon; Rivers; Saldaña; Shewmake; Trudeau and Wilson, J.

Referred to Committee on Rules for second reading.

March 22, 2023

HB 1696 Prime Sponsor, Representative Davis: Concerning stalking-related offenses. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass as amended. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

March 23, 2023

EHB 1714 Prime Sponsor, Representative Stonier: Allowing school districts to apply for financial literacy education professional development grants. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune; Mullet and Pedersen.

Referred to Committee on Rules for second reading.

March 22, 2023

E2SHB 1715 Prime Sponsor, Committee on Appropriations: Enacting comprehensive protections for victims of domestic violence and other violence involving family members or intimate partners. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass as amended. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Kuderer; Pedersen; Salomon and Valdez.

MINORITY recommendation: Do not pass. Signed by Senators McCune and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Padden, Ranking Member; Torres and Wilson, L.

Referred to Committee on Ways & Means.

March 22, 2023

HB 1742 Prime Sponsor, Representative Wylie: Concerning nontax statutes administered by the department of revenue. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Ways & Means.

March 23, 2023

2SHB 1745 Prime Sponsor, Committee on Appropriations: Improving diversity in clinical trials. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass as amended. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland,

Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Rules for second reading.

March 23, 2023

Referred to Committee on Ways & Means.

HB 1824 Prime Sponsor, Representative Eslick: Authorizing bona fide charitable or nonprofit organizations to conduct shooting sports and activities sweepstakes. Reported by Committee on Business, Financial Services, Gaming & Trade

March 23, 2023
2SHB 1762 Prime Sponsor, Committee on Appropriations: Protecting warehouse employees. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass as amended. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; Robinson; Schoesler and Stanford.

MAJORITY recommendation: Do pass. Signed by Senators Stanford, Chair; Frame, Vice Chair; Dozier, Ranking Member; Boehnke; Gildon; Hasegawa; Lovick; MacEwen and Mullet.

MINORITY recommendation: Do not pass. Signed by Senators Braun and MacEwen.

Referred to Committee on Rules for second reading.

March 23, 2023

MINORITY recommendation: That it be referred without recommendation. Signed by Senator King, Ranking Member.

ESHB 1838 Prime Sponsor, Committee on Transportation: Transferring the responsibilities for the transportation revenue forecast for the transportation budget to the economic and revenue forecast council. Reported by Committee on Transportation

Referred to Committee on Rules for second reading.

MAJORITY recommendation: Do pass as amended. Signed by Senators Liias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Holy, Assistant Ranking Member; Cleveland; Fortunato; Hawkins; Kauffman; Lovelett; MacEwen; Nobles; Padden; Randall; Valdez; Wilson, C. and Wilson, J.

March 22, 2023
HB 1771 Prime Sponsor, Representative Donaghy: Concerning relocation assistance for tenants of closed or converted manufactured/mobile home parks. Reported by Committee on Housing

MAJORITY recommendation: Do pass as amended. Signed by Senators Kuderer, Chair; Frame, Vice Chair; Fortunato, Ranking Member; Braun; Cleveland; Gildon; Rivers; Saldaña; Shewmake; Trudeau and Wilson, J.

Referred to Committee on Ways & Means.

MOTIONS

Referred to Committee on Rules for second reading.

On motion of Senator Pedersen, all measures listed on the Standing Committee report were referred to the committees as designated.

March 23, 2023
HB 1775 Prime Sponsor, Representative Lekanoff: Limiting liability for salmon recovery projects performed by regional fisheries enhancement groups. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass as amended. Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; Rolfes; Shewmake and Stanford.

On motion of Senator Pedersen, the Senate advanced to the fourth order of business.

MESSAGES FROM THE HOUSE

March 23, 2023

MINORITY recommendation: Do not pass. Signed by Senators Muzzall, Ranking Member; Short and Wagoner.

Mr. President,
Pursuant to Article III, section 12 of the State Constitution, the House passed the following measure(s) notwithstanding the Governor's veto(s):

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Warnick.

ENGROSSED SENATE BILL No. 5017 (2022)
and SUBSTITUTE SENATE BILL No. 5810 (2022).
and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

March 23, 2023

Referred to Committee on Rules for second reading.

MR. PRESIDENT:
The House has passed:

March 23, 2023
HB 1792 Prime Sponsor, Representative Timmons: Modifying timelines and other initial procedural actions in a water rights adjudication. Reported by Committee on Agriculture, Water, Natural Resources & Parks

ENGROSSED SECOND SUBSTITUTE
SENATE BILL NO. 5198,
SUBSTITUTE SENATE BILL NO. 5569,
ENGROSSED SENATE BILL NO. 5623,
and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

MOTION

MAJORITY recommendation: Do pass. Signed by Senators Muzzall, Ranking Member; Van De Wege, Chair; Salomon, Vice Chair; Rolfes; Shewmake; Short; Stanford; Wagoner and Warnick.

On motion of Senator Pedersen, the Senate advanced to the fifth order of business.

SEVENTY FIFTH DAY, MARCH 24, 2023

INTRODUCTION AND FIRST READING

SJM 8008 by Senator Wilson, J.

Designating mileposts 45 to 51 of state route number 6 as the Washington state patrol trooper Justin R. Schaffer memorial highway.

Referred to Committee on Transportation.

MOTION

On motion of Senator Pedersen, the measure listed on the Introduction and First Reading report was referred to the committee as designated.

On motion of Senator Pedersen, the Senate advanced to the eighth order of business.

MOTION

Senator Dhingra moved adoption of the following resolution:

SENATE RESOLUTION
8627

By Senators Dhingra, Conway, Hasegawa, Kuderer, Lovelett, Nobles, Robinson, Shewmake, Trudeau, Valdez, Wagoner, and C. Wilson

WHEREAS, The Senate of the State of Washington take pride in recognizing Friday, March 24, 2023, as a day to honor the success of cricket in our state; and

WHEREAS, Washington State has a large cricket community that exemplifies the rich diversity of our country and state including the fast-growing immigrant communities that represent cricket-loving nations; and

WHEREAS, Washington State is home to the Seattle Thunderbolts, the 2022 National Champions of the Toyota Minor League Cricket (MLC) Championship; and

WHEREAS, We celebrate the Thunderbolt's accomplishments and applaud the players and coaches for their contributions in competing and succeeding in the only nationwide cricket competition; and

WHEREAS, King County and the greater Puget Sound region has over 5,000 men and women cricketers playing in both adult leagues and recreational leagues; and

WHEREAS, Youth cricket programs, such as the Seattle Youth Cricket League, total more than 500 children in order to provide more opportunities for participation in cricket; and

WHEREAS, The sport of cricket is one of the most popular, well-established team sports in the world that is enjoyed by billions across the globe; and an estimated 24,000,000 people in the United States play or watch cricket every year; and

WHEREAS, Cricket is a symbol for the union of people with different passions, backgrounds, and stories to collectively come together and build meaningful relationships and trust both on and off the field; and

WHEREAS, The Senate is excited to welcome the Pacific Northwest's newest professional sports team: The Seattle Orcas; and

WHEREAS, The Seattle Orcas is a tribute to Washington's vibrant cricket community as we are now one of just six major league cricket teams in the United States that will play in this year's inaugural season;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate is a welcoming space for cricketers, and we honor the successes of our teams.

Senators Dhingra, Trudeau, Hasegawa and Kuderer spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8627.

The motion by Senator Dhingra carried and the resolution was adopted by voice vote.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced Mr. Jagan Nehamani, Head of Academics & Tech with Major League Cricket; representatives of the champion Seattle Thunderbolts including team owners Mr. Phani Chitaneni; Mr. Vijay Beniwal; and Mr. Salman Taj, and Mr. Sanjay Parthasarthy, owner of the Seattle Orcas, who were seated in the gallery.

The President also welcomed and introduced Representative Vandana Slatter and Representative Julie Reed who were present in the wings.

MOTION

On motion of Senator Pedersen, the Senate reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 5200, by Senators Mullet, Schoesler and Nguyen

Concerning the capital budget.

MOTION

On motion of Senator Mullet, Substitute Senate Bill No. 5200 was substituted for Senate Bill No. 5200 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Wagoner moved that the following amendment no. 0231 by Senator Wagoner be adopted:

On page 33, at the beginning of line 30, strike "Lake Stevens Community Food Bank (Lake Stevens) \$450,000"

On page 37, after line 2, insert the following:
"Wastewater Lift Stations (Concrete) \$450,000"

Senators Wagoner and Mullet spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0231 by Senator Wagoner on page 33, line 30 to Substitute Senate Bill No. 5200.

The motion by Senator Wagoner carried and amendment no. 0231 was adopted by voice vote.

MOTION

Senator Mullet moved that the following amendment no. 0229 by Senator Mullet be adopted:

On page 35, after line 3, insert the following:
"Plaza Retreat Space (Vashon) \$544,000"

On page 35, line 15, strike "RAI Maker Space & Cultural Center (Seattle) \$802,000"

On page 35, after line 32, insert the following:
"Sail Sand Point (Seattle) \$258,000"

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5200.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5200 and the bill passed the Senate by the following vote: Yeas, 44; Nays, 0; Absent, 0; Excused, 5.

Voting yea: Senators Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lovelett, Lovick, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Billig, Liias, MacEwen, McCune and Randall

ENGROSSED SUBSTITUTE SENATE BILL NO. 5200, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SIGNED BY THE PRESIDENT

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

ENGROSSED SECOND SUBSTITUTE
SENATE BILL NO. 5198,
SUBSTITUTE SENATE BILL NO. 5569,
and ENGROSSED SENATE BILL NO. 5623.

PERSONAL PRIVILEGE

Senator Hawkins: “Thank you, thank you Mr. President. And, as excited as I am and pleased as I am about a bipartisan passage of the state’s capital budget, I am even more excited, as I know you are too, about the NCAA tournament. So, I just wanted to take a brief moment here to talk about the most exciting and the most electrifying player in the NCAA right now. And much to your chagrin, I’m not talking about Drew Timme. I’m talking about my constituent, Wenatchee’s Hailey Van Lith who plays for Louisville and who helped her team against Texas by scoring 21 points and making it to the Sweet Sixteen. And I wasn’t much of an NCAA basketball fan, I’m more of a wrestler, so I watched the NCAA wrestling tournament, but over the past few years, rather than just checking in to the NCAA tournament at the Final Four stage, I’ve been watching it earlier and earlier because of Hailey. So, a few years ago they had a heat-breaking loss to Stanford, and they got out of the tournament. I think Stanford went on to win the national championship that year. Last year Hailey helped her team make it to the Final Four. And now the Sweet Sixteen is, ‘Guess where it is?’ They are playing at Climate Pledge Arena tonight. 7:00 p.m. against Ole Miss. I can’t make it to that game. I am hoping they make it to the Elite Eight so I can cheer them on. But I just wanted to say she is a great, not only a great basketball player but an excellent student. One of Cashmere High School’s very best and I am sure the Senate will share in my support for her and wish her and her team the very best. Thank you Mr. President.”

President Heck: “Once again that is far beyond the bounds of the point of personal privilege. Senator Padden, for what purpose do you rise?”

Senators Mullet and Schoesler spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0229 by Senator Mullet on page 35, line 3 to Substitute Senate Bill No. 5200.

The motion by Senator Mullet carried and amendment no. 0229 was adopted by voice vote.

MOTION

Senator Saldaña moved that the following amendment no. 0230 by Senator Saldaña be adopted:

On page 54, after line 33, insert the following:

"NEW SECTION. Sec. 1055. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Capitol Lake Long-Term Management Planning (30000740)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely to advance the preferred alternative of the environmental impact statement (2022). At a minimum, the department shall:

(1) Make tangible progress toward the next phase of design and permitting;

(2) Advance the memorandum of understanding for governance and funding of a restored estuary to an interlocal agreement that will govern long-term management of the restored estuary; and

(3) Initiate grant funding applications for design and permitting.

Appropriation:

State Building Construction Account—State	\$3,000,000
Prior Biennia (Expenditures)	\$6,849,000
Future Biennia (Projected Costs)	\$225,000,000
TOTAL	\$234,849,000"

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

Senators Saldaña spoke in favor of adoption of the amendment.

WITHDRAWAL OF AMENDMENT

On motion of Senator Saldaña and without objection, amendment no. 0230 by Senator Saldaña on page 54, line 33 to Substitute Senate Bill No. 5200 was withdrawn.

MOTION

On motion of Senator Mullet, the rules were suspended, Engrossed Substitute Senate Bill No. 5200 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Mullet, Schoesler, Trudeau, Rivers, and Warnick spoke in favor of passage of the bill.

Senator Fortunato spoke on passage of the bill.

MOTIONS

On motion of Senator Nobles, Senators Billig, Liias, Randall and Rolfes were excused.

On motion of Senator Wagoner, Senators MacEwen and McCune were excused.

SEVENTY FIFTH DAY, MARCH 24, 2023

Senator Padden: “A point of personal privilege Mr. President.”

President Heck: “I am going to allow a little leeway on this one.”

PERSONAL PRIVILEGE

Senator Padden: “I thought you might. Thank you Mr. President. And of course, last night in a tremendous game, one of the most exciting games, the Gonzaga Bulldogs faced their old nemesis the UCLA Bruins, so it was a vindication here for the last few games with UCLA. I mean you can go back to when Adam Morrison was in almost despair when they lost but, since then, when Jalen Suggs hit the winning shot, and then last night the win at the last second with only six seconds to go and so tomorrow at 5:45 they play the Connecticut Huskies for a spot in the Final Four. But it’s been so exciting. They were the underdogs last night and they came through so hats off to the Zags and hopefully they win some more. Thank you Mr. President.”

President Heck: “Point well taken.”

PERSONAL PRIVILEGE

Senator Wellman: “Thank you so much sir. It has been my pleasure to serve on our Washington Arts Commission for the last six years and as you know our state is home to many military bases. A significant number of military service people live in our state and call this place home. What you may not know Mr. President is that we, uniquely in the United States have had a program of recognizing that the arts are really very crucial in addressing PTSD and many of the things that our military service people come back with, having endured some pretty hardships around the world. And so, we have established a Wellness, Arts, and the Military grant and that is ongoing, and we have funded it this year. I’m proud of this program and as I said it is unique in the United States and I am so proud of the state of Washington for stepping up for our military service people. Thank you Mr. President.”

MOTION

At 1:24 p.m., on motion of Senator Pedersen, the Senate adjourned until 12:30 p.m. Monday, March 27, 2023.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

SEVENTY EIGHTH DAY

AFTERNOON SESSION

Senate Chamber, Olympia
Monday, March 27, 2023

The Senate was called to order at 12:30 p.m. by the President of the Senate, Lt. Governor Heck presiding. No roll call was taken.

MOTIONS

On motion of Senator Pedersen, the reading of the Journal of the previous day was dispensed with and it was approved.

There being no objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

March 24, 2023

SHB 1012 Prime Sponsor, Committee on Appropriations: Addressing the response to extreme weather events. Reported by Committee on State Government & Elections

MAJORITY recommendation: Do pass. Signed by Senators Valdez, Vice Chair; Hunt, Chair; Hasegawa and Kuderer.

MINORITY recommendation: Do not pass. Signed by Senators Wilson, J., Ranking Member; Dozier and Fortunato.

Referred to Committee on Ways & Means.

March 24, 2023

HB 1020 Prime Sponsor, Representative Morgan: Designating the Suciiasaurus rex as the official dinosaur of the state of Washington. Reported by Committee on State Government & Elections

MAJORITY recommendation: Do pass as amended. Signed by Senators Valdez, Vice Chair; Wilson, J., Ranking Member; Hunt, Chair; Hasegawa and Kuderer.

MINORITY recommendation: Do not pass. Signed by Senator Fortunato.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Dozier.

Referred to Committee on Rules for second reading.

March 24, 2023

ESHB 1048 Prime Sponsor, Committee on State Government & Tribal Relations: Enhancing the Washington voting rights act. Reported by Committee on State Government & Elections

MAJORITY recommendation: Do pass. Signed by Senators Valdez, Vice Chair; Hunt, Chair; Hasegawa and Kuderer.

MINORITY recommendation: Do not pass. Signed by Senators Wilson, J., Ranking Member; Dozier and Fortunato.

Referred to Committee on Rules for second reading.

March 24, 2023

SHB 1117 Prime Sponsor, Committee on Environment & Energy: Addressing the extent to which Washington residents are at risk of rolling blackouts and power supply inadequacy events. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass as amended. Signed by Senators Nguyen, Chair; Lovelett, Vice Chair; MacEwen, Ranking Member; Boehnke; Lovick; Short; Trudeau and Wellman.

Referred to Committee on Rules for second reading.

March 24, 2023

E2SHB 1216 Prime Sponsor, Committee on Appropriations: Concerning clean energy siting. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass as amended. Signed by Senators Nguyen, Chair; Lovelett, Vice Chair; Lovick; Trudeau and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators MacEwen, Ranking Member; Boehnke and Short.

Referred to Committee on Ways & Means.

March 24, 2023

SHB 1236 Prime Sponsor, Committee on Environment & Energy: Enhancing access to clean fuel for agencies providing public transportation. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass. Signed by Senators Nguyen, Chair; Lovelett, Vice Chair; MacEwen, Ranking Member; Boehnke; Lovick; Short; Trudeau and Wellman.

Referred to Committee on Rules for second reading.

March 24, 2023

HB 1317 Prime Sponsor, Representative Pollet: Concerning grassroots lobbying disclosure. Reported by Committee on State Government & Elections

MAJORITY recommendation: Do pass as amended. Signed by Senators Valdez, Vice Chair; Hunt, Chair; Hasegawa and Kuderer.

MINORITY recommendation: Do not pass. Signed by Senators Wilson, J., Ranking Member; Dozier and Fortunato.

Referred to Committee on Rules for second reading.

March 23, 2023

SEVENTY EIGHTH DAY, MARCH 27, 2023

E2SHB 1320 Prime Sponsor, Committee on Appropriations: Concerning access to personnel records. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass as amended. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; Robinson and Stanford.

MINORITY recommendation: Do not pass. Signed by Senators King, Ranking Member; Braun; MacEwen and Schoesler.

Referred to Committee on Ways & Means.

March 24, 2023

ESHB 1362 Prime Sponsor, Committee on State Government & Tribal Relations: Improving government efficiency related to reports by state agencies by eliminating reports, changing the frequency of reports, and providing an alternative method for having information publicly available in place of reports. Reported by Committee on State Government & Elections

MAJORITY recommendation: Do pass as amended. Signed by Senators Valdez, Vice Chair; Wilson, J., Ranking Member; Hunt, Chair; Dozier; Fortunato and Kuderer.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Hasegawa.

Referred to Committee on Rules for second reading.

March 24, 2023

HB 1416 Prime Sponsor, Representative Doglio: Applying the affected market customer provisions of the Washington clean energy transformation act to nonresidential customers of consumer-owned utilities. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass. Signed by Senators Nguyen, Chair; Lovelett, Vice Chair; Lovick; Trudeau and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Boehnke and Short.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator MacEwen, Ranking Member.

Referred to Committee on Rules for second reading.

March 24, 2023

E2SHB 1541 Prime Sponsor, Committee on Appropriations: Establishing the nothing about us without us act. Reported by Committee on State Government & Elections

MAJORITY recommendation: Do pass as amended. Signed by Senators Valdez, Vice Chair; Hunt, Chair; Hasegawa and Kuderer.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Wilson, J., Ranking Member; Dozier and Fortunato.

Referred to Committee on Ways & Means.

March 24, 2023

ESHB 1584 Prime Sponsor, Committee on Environment & Energy: Planning for advanced nuclear reactor technology in Washington. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass as amended. Signed by Senators MacEwen, Ranking Member; Boehnke; Lovick; Short and Wellman.

MINORITY recommendation: Do not pass. Signed by Senator Trudeau.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Nguyen, Chair Lovelett, Vice Chair.

Referred to Committee on Rules for second reading.

March 24, 2023

2SHB 1728 Prime Sponsor, Committee on Appropriations: Creating a statewide resiliency program. Reported by Committee on State Government & Elections

MAJORITY recommendation: Do pass. Signed by Senators Valdez, Vice Chair; Hunt, Chair; Hasegawa and Kuderer.

MINORITY recommendation: Do not pass. Signed by Senators Wilson, J., Ranking Member; Dozier and Fortunato.

Referred to Committee on Ways & Means.

March 24, 2023

2SHB 1746 Prime Sponsor, Committee on Capital Budget: Concerning a state broadband map. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass as amended. Signed by Senators Nguyen, Chair; Lovelett, Vice Chair; MacEwen, Ranking Member; Boehnke; Lovick; Short; Trudeau and Wellman.

Referred to Committee on Ways & Means.

March 24, 2023

HB 1750 Prime Sponsor, Representative Berg: Promoting water safety education. Reported by Committee on State Government & Elections

MAJORITY recommendation: Do pass. Signed by Senators Valdez, Vice Chair; Wilson, J., Ranking Member; Hunt, Chair; Dozier; Fortunato; Hasegawa and Kuderer.

Referred to Committee on Rules for second reading.

March 24, 2023

SHB 1756 Prime Sponsor, Committee on Finance: Supporting clean energy through tax changes that increase revenue to local governments, schools, and impacted communities. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Nguyen, Chair; Lovelett, Vice Chair; MacEwen, Ranking Member; Boehnke; Lovick; Short; Trudeau and Wellman.

March 24, 2023

Referred to Committee on Ways & Means.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Standing Committee report were referred to the committees as designated.

On motion of Senator Pedersen, the Senate advanced to the fourth order of business.

MR. PRESIDENT:
The Speaker has signed:

SENATE BILL NO. 5003,
SUBSTITUTE SENATE BILL NO. 5033,
SENATE BILL NO. 5079,
ENGROSSED SUBSTITUTE SENATE BILL NO. 5142,
SUBSTITUTE SENATE BILL NO. 5275,
SENATE BILL NO. 5394,
SUBSTITUTE SENATE BILL NO. 5490,
SUBSTITUTE SENATE BILL NO. 5729,
and the same are herewith transmitted.
MELISSA PALMER, Deputy Chief Clerk

MESSAGES FROM THE HOUSE

March 24, 2023

MR. PRESIDENT:
The House has passed:

HOUSE BILL NO. 1847,
and the same is herewith transmitted.
MELISSA PALMER, Deputy Chief Clerk

March 24, 2023

MR. PRESIDENT:
The Speaker has signed:

SUBSTITUTE HOUSE BILL NO. 1007,
SUBSTITUTE HOUSE BILL NO. 1015,
SUBSTITUTE HOUSE BILL NO. 1060,
HOUSE BILL NO. 1061,
SUBSTITUTE HOUSE BILL NO. 1070,
SUBSTITUTE HOUSE BILL NO. 1101,
HOUSE BILL NO. 1102,
HOUSE BILL NO. 1107,
HOUSE BILL NO. 1179,
SUBSTITUTE HOUSE BILL NO. 1266,
HOUSE BILL NO. 1303,
HOUSE BILL NO. 1319,
SUBSTITUTE HOUSE BILL NO. 1458,
SUBSTITUTE HOUSE BILL NO. 1499,
HOUSE BILL NO. 1540,
and the same are herewith transmitted.
MELISSA PALMER, Deputy Chief Clerk

March 24, 2023

MR. PRESIDENT:
The House has passed:

SENATE BILL NO. 5023,
SUBSTITUTE SENATE BILL NO. 5028,
SENATE BILL NO. 5041,
SENATE BILL NO. 5089,
ENGROSSED SUBSTITUTE SENATE BILL NO. 5143,
ENGROSSED SUBSTITUTE SENATE BILL NO. 5179,
SENATE BILL NO. 5192,
SENATE BILL NO. 5295,
SENATE BILL NO. 5319,
SENATE BILL NO. 5342,
SENATE BILL NO. 5370,
SENATE BILL NO. 5421,
SUBSTITUTE SENATE BILL NO. 5439,
SENATE BILL NO. 5553,
SUBSTITUTE SENATE BILL NO. 5627,
ENGROSSED SENATE BILL NO. 5650,
SENATE BILL NO. 5700,
and the same are herewith transmitted.
MELISSA PALMER, Deputy Chief Clerk

MOTION

On motion of Senator Pedersen, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 5764 by Senators Robinson and Muzzall
AN ACT Relating to the hospital safety net program; amending RCW 74.60.005, 74.60.010, 74.60.020, 74.60.030, 74.60.040, 74.60.050, 74.60.080, 74.60.090, 74.60.100, 74.60.110, 74.60.120, 74.60.130, 74.60.150, 74.60.160, 74.60.170, and 74.60.900; repealing RCW 74.60.901 and 74.60.903; and providing contingent effective dates.

Referred to Committee on Ways & Means.

MOTIONS

On motion of Senator Pedersen, the measure listed on the Introduction and First Reading report was referred to the committee as designated.

On motion of Senator Pedersen, the Senate advanced to the eighth order of business.

MOTION

Senator Boehnke moved adoption of the following resolution:

SENATE RESOLUTION
8631

By Senator Boehnke

WHEREAS, FIRST Lego League introduces science, technology, engineering, and math, known as STEM, to children ages 4 through 16 with exciting hands-on learning. Participants gain real-world and problem-solving experiences through a guided, global robotics program, helping today's students and teachers build a better future together; and

WHEREAS, The Intelligent Mademoiselles is a FIRST Lego League team of six elementary and middle school girls from West Richland; and

WHEREAS, In keeping with this year's challenge "Superpowered," The Intelligent Mademoiselles visited Benton REA's co-op solar farm in West Richland, where they observed that dusty solar panels lose energy output; and

WHEREAS, The Intelligent Mademoiselles compared clean and dirty solar panels and found that dirty solar panels decreased electric production by 12 percent; and

SEVENTY EIGHTH DAY, MARCH 27, 2023

WHEREAS, The Intelligent Mademoiselles designed and built a Lego robot called the Roof Rover that cleans dirty solar panels to increase their production of renewable electricity; and

WHEREAS, The Intelligent Mademoiselles competed against 28 other teams in a FIRST Washington Lego League competition in December; and

WHEREAS, The Intelligent Mademoiselles won first place in this FIRST Washington Lego League competition;

NOW, THEREFORE, BE IT RESOLVED, That the Senate recognize the accomplishments of The Intelligent Mademoiselles, and the efforts of all girls in programs like FIRST Washington's to break historic barriers.

Senator Boehnke spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8631.

The motion by Senator Boehnke carried and the resolution was adopted by voice vote.

SIGNED BY THE PRESIDENT

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

SUBSTITUTE HOUSE BILL NO. 1007,
SUBSTITUTE HOUSE BILL NO. 1015,
SUBSTITUTE HOUSE BILL NO. 1060,
HOUSE BILL NO. 1061,
SUBSTITUTE HOUSE BILL NO. 1070,
SUBSTITUTE HOUSE BILL NO. 1101,
HOUSE BILL NO. 1102,
HOUSE BILL NO. 1107,
HOUSE BILL NO. 1179,
SUBSTITUTE HOUSE BILL NO. 1266,
HOUSE BILL NO. 1303,
HOUSE BILL NO. 1319,
SUBSTITUTE HOUSE BILL NO. 1458,
SUBSTITUTE HOUSE BILL NO. 1499,
and HOUSE BILL NO. 1540.

MOTION

At 12:37 p.m., on motion of Senator Pedersen, the Senate adjourned until 10 o'clock a.m. Tuesday, March 28, 2023.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

SEVENTY NINTH DAY

MORNING SESSION

Senate Chamber, Olympia
Tuesday, March 28, 2023

The Senate was called to order at 10 o'clock a.m. by the President of the Senate, Lt. Governor Heck presiding. No roll call was taken.

MOTIONS

On motion of Senator Pedersen, the reading of the Journal of the previous day was dispensed with and it was approved.

There being no objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

March 27, 2023

SB 5187 Prime Sponsor, Senator Rolfes: Making 2023-2025 fiscal biennium operating appropriations. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5187 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Van De Wege and Wellman.

MINORITY recommendation: Do not pass. Signed by Senator Schoesler, Ranking Member, Capital.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Torres and Wagoner.

Referred to Committee on Rules for second reading.

March 27, 2023

SB 5293 Prime Sponsor, Senator Rolfes: Improving the fiscal process by updating accounts administered by the office of financial management, creating new accounts including one for the opioid litigation settlement and one for the receipt of federal funds, and reenacting accounts created in the supplemental budget bill. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5293 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Schoesler, Ranking Member, Capital.

Referred to Committee on Rules for second reading.

March 27, 2023

ESHB 1019 Prime Sponsor, Committee on Agriculture and Natural Resources: Creating the pesticide advisory board. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass as amended. Signed by Senators Muzzall, Ranking Member; Van De Wege, Chair; Salomon, Vice Chair; Shewmake; Short; Wagoner and Warnick.

MINORITY recommendation: Do not pass. Signed by Senators Rolfes and Stanford.

Referred to Committee on Rules for second reading.

March 27, 2023

SHB 1044 Prime Sponsor, Committee on Capital Budget: Providing capital financial assistance to small school districts with demonstrated funding challenges. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass as amended. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Mullet and Pedersen.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Hawkins, Ranking Member; Dozier; Hunt and McCune.

Referred to Committee on Ways & Means.

March 27, 2023

ESHB 1106 Prime Sponsor, Committee on Labor & Workplace Standards: Concerning qualifications for unemployment insurance when an individual voluntarily leaves work. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; Robinson and Stanford.

MINORITY recommendation: Do not pass. Signed by Senators King, Ranking Member; Braun and MacEwen.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Schoesler.

Referred to Committee on Rules for second reading.

March 27, 2023

SHB 1200 Prime Sponsor, Committee on Labor & Workplace Standards: Requiring public employers to provide employee information to exclusive bargaining representatives. Reported by Committee on Labor & Commerce

SEVENTY NINTH DAY, MARCH 28, 2023

MAJORITY recommendation: Do pass as amended. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; Robinson and Stanford.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator MacEwen.

MINORITY recommendation: Do not pass. Signed by Senators King, Ranking Member; Braun and Schoesler.

Referred to Committee on Rules for second reading.

March 27, 2023

SHB 1217 Prime Sponsor, Committee on Labor & Workplace Standards: Concerning wage complaints. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass as amended. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; Robinson and Stanford.

MINORITY recommendation: Do not pass. Signed by Senators King, Ranking Member; Braun; MacEwen and Schoesler.

Referred to Committee on Rules for second reading.

March 27, 2023

SHB 1291 Prime Sponsor, Committee on Appropriations: Expanding collective bargaining for employees who are enrolled in academic programs at public institutions of higher education. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Robinson and Stanford.

MINORITY recommendation: Do not pass. Signed by Senator Schoesler.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun and MacEwen.

Referred to Committee on Rules for second reading.

March 27, 2023

SHB 1323 Prime Sponsor, Committee on Labor & Workplace Standards: Requiring a training and certification program for individuals who apply fire-resistant materials. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Braun; MacEwen; Robinson; Schoesler and Stanford.

Referred to Committee on Rules for second reading.

March 27, 2023

ESHB 1436 Prime Sponsor, Committee on Appropriations: Funding special education. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass as amended. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune; Mullet and Pedersen.

Referred to Committee on Ways & Means.

March 27, 2023

ESHB 1498 Prime Sponsor, Committee on Agriculture and Natural Resources: Concerning aviation assurance funding in response to wildland fires. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass as amended. Signed by Senators Muzzall, Ranking Member; Van De Wege, Chair; Salomon, Vice Chair; Rolfes; Shewmake; Short; Stanford; Wagoner and Warnick.

Referred to Committee on Ways & Means.

March 27, 2023

HB 1536 Prime Sponsor, Representative Timmons: Clarifying requirements governing the withholding of high school diplomas. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hunt and Pedersen.

MINORITY recommendation: Do not pass. Signed by Senators Hawkins, Ranking Member; Dozier and McCune.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Mullet.

Referred to Committee on Rules for second reading.

March 27, 2023

2SHB 1550 Prime Sponsor, Committee on Appropriations: Assisting eligible children in need of additional preparation to be successful in kindergarten by establishing the transition to kindergarten program. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass as amended. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hunt; Mullet and Pedersen.

MINORITY recommendation: Do not pass. Signed by Senator McCune.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Hawkins, Ranking Member and Dozier.

Referred to Committee on Ways & Means.

March 27, 2023

HB 1552 Prime Sponsor, Representative Reeves: Directing the state conservation commission to conduct a study of urban agricultural opportunities and barriers in the state. Reported by Committee on Agriculture, Water, Natural Resources & Parks

March 27, 2023

MAJORITY recommendation: Do pass. Signed by Senators Muzzall, Ranking Member; Van De Wege, Chair; Salomon, Vice Chair; Rolfes; Shewmake; Short; Stanford; Wagoner and Warnick.

Referred to Committee on Rules for second reading.

March 27, 2023

HB 1563 Prime Sponsor, Representative Kloba: Concerning arrest protections for the medical use of cannabis. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Robinson and Stanford.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun; MacEwen and Schoesler.

Referred to Committee on Rules for second reading.

March 27, 2023

2SHB 1578 Prime Sponsor, Committee on Appropriations: Improving community preparedness, response, recovery, and resilience to wildland fire health and safety impacts in areas of increasing population density, including in the wildland urban interface. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass as amended. Signed by Senators Muzzall, Ranking Member; Van De Wege, Chair; Salomon, Vice Chair; Rolfes; Shewmake; Short; Stanford; Wagoner and Warnick.

Referred to Committee on Ways & Means.

March 27, 2023

SHB 1658 Prime Sponsor, Committee on Education: Authorizing public high school students to earn elective credit for paid work experience. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune and Pedersen.

MINORITY recommendation: Do not pass. Signed by Senator Mullet.

Referred to Committee on Rules for second reading.

March 27, 2023

HB 1712 Prime Sponsor, Representative Schmick: Protecting workers displaced due to finfish aquaculture facility closure. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Braun; MacEwen; Robinson; Schoesler and Stanford.

Referred to Committee on Rules for second reading.

ESHB 1744 Prime Sponsor, Committee on Education: Clarifying the responsibilities and accountability for the effective delivery and oversight of public education services to charter school students. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass as amended. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; McCune; Mullet and Pedersen.

MINORITY recommendation: Do not pass. Signed by Senator Hunt.

Referred to Committee on Ways & Means.

March 27, 2023

SHB 1753 Prime Sponsor, Committee on Agriculture and Natural Resources: Changing certain notice provisions in the derelict vessel removal program. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Muzzall, Ranking Member; Van De Wege, Chair; Salomon, Vice Chair; Rolfes; Shewmake; Short; Stanford; Wagoner and Warnick.

Referred to Committee on Rules for second reading.

March 27, 2023

SGA 9107 SOPHIA DANENBERG, reappointed on January 1, 2021, for the term ending December 31, 2026, as Member of the Parks and Recreation Commission. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Muzzall, Ranking Member; Van De Wege, Chair; Salomon, Vice Chair; Rolfes; Shewmake; Short; Stanford; Wagoner and Warnick.

Referred to Committee on Rules for second reading.

March 27, 2023

SGA 9108 LORNA SMITH, appointed on January 4, 2021, for the term ending December 31, 2026, as Member of the Fish and Wildlife Commission. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; Rolfes; Shewmake; Stanford and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Muzzall, Ranking Member.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Short and Warnick.

Referred to Committee on Rules for second reading.

March 27, 2023

SEVENTY NINTH DAY, MARCH 28, 2023

SGA 9137 JEFFREY BRECKEL, reappointed on May 21, 2021, for the term ending July 15, 2025, as Chair of the Salmon Recovery Funding Board. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Muzzall, Ranking Member; Van De Wege, Chair; Salomon, Vice Chair; Rolfes; Shewmake; Short; Stanford; Wagoner and Warnick.

Referred to Committee on Rules for second reading.

March 27, 2023

SGA 9151 MARY LAURIE CONNELLY, appointed on July 19, 2021, for the term ending December 31, 2026, as Member of the Parks and Recreation Commission. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Muzzall, Ranking Member; Van De Wege, Chair; Salomon, Vice Chair; Rolfes; Shewmake; Short; Stanford; Wagoner and Warnick.

Referred to Committee on Rules for second reading.

March 27, 2023

SGA 9225 HOLLY J. WILLIAMS, appointed on February 11, 2022, for the term ending December 31, 2026, as Member of the Parks and Recreation Commission. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Muzzall, Ranking Member; Van De Wege, Chair; Salomon, Vice Chair; Rolfes; Shewmake; Short; Stanford; Wagoner and Warnick.

Referred to Committee on Rules for second reading.

March 27, 2023

SGA 9262 ALI M. RAAD, appointed on January 3, 2023, for the term ending December 31, 2028, as Member of the Parks and Recreation Commission. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Muzzall, Ranking Member; Van De Wege, Chair; Salomon, Vice Chair; Rolfes; Shewmake; Short; Stanford; Wagoner and Warnick.

Referred to Committee on Rules for second reading.

March 27, 2023

SGA 9322 SHILOH BURGESS, reappointed on January 9, 2023, for the term ending December 31, 2025, as Member of the Recreation and Conservation Funding Board. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Muzzall, Ranking Member; Van De Wege, Chair; Salomon, Vice Chair; Rolfes; Shewmake; Short; Stanford; Wagoner and Warnick.

Referred to Committee on Rules for second reading.

March 27, 2023

SGA 9331 WILLIAM S. KALLAPPA II, appointed on February 13, 2023, for the term ending January 12, 2027, as Member of the State Board of Education. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier; Hunt; McCune; Mullet and Pedersen.

Referred to Committee on Rules for second reading.

March 27, 2023

SGA 9336 STEVEN PARKER, appointed on March 1, 2023, for the term ending December 31, 2028, as Member of the Fish and Wildlife Commission. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Muzzall, Ranking Member; Rolfes; Shewmake; Short; Stanford; Wagoner and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Van De Wege, Chair Salomon, Vice Chair.

Referred to Committee on Rules for second reading.

March 27, 2023

SGA 9338 BARBARA BAKER, appointed on March 1, 2023, for the term ending December 31, 2028, as Member of the Fish and Wildlife Commission. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Muzzall, Ranking Member; Van De Wege, Chair; Salomon, Vice Chair; Rolfes; Shewmake; Short; Stanford; Wagoner and Warnick.

Referred to Committee on Rules for second reading.

MOTIONS

On motion of Senator Pedersen, all measures and appointees listed on the Standing Committee report were referred to the committees as designated.

On motion of Senator Pedersen, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SCR 8407 by Senators Pedersen and Short
Adopting joint rules.

Placed on the day's Second Reading Calendar

HB 1847 by Representatives Santos, Berg, Fitzgibbon and Ryu
AN ACT Relating to establishing permanent funding for a community preservation and development authority approved through RCW 43.167.060; and adding a new section to chapter 82.14 RCW.

Referred to Committee on Ways & Means.

MOTIONS

SENATE RESOLUTION

8621

On motion of Senator Pedersen, the measures listed on the Introduction and First Reading report were referred to the committees as designated with the exception of Senate Concurrent Resolution No. 8407 which was placed on the Second Reading Calendar.

On motion of Senator Pedersen, the Senate advanced to the eighth order of business.

MOTION

Senator Hawkins moved adoption of the following resolution:

SENATE RESOLUTION

8626

By Senator Hawkins

WHEREAS, Dorothy A. Reed was born in Jamestown, North Dakota, on June 9, 1913, the oldest of three; and

WHEREAS, Dorothy, a Wenatchee resident for more than 86 years, is known throughout the community for her kind spirit and giving nature; and

WHEREAS, Dorothy and her family lived a humble life, working the land, raising livestock, and having the necessities to thrive in the northern prairie; and

WHEREAS, As a young adult Dorothy came to the Pacific Northwest, visiting Wenatchee in 1936 with her younger sister; the seven-day journey having opened her eyes and heart to the area where she would meet her husband of 39 years, Carl Reed, while working in a fruit packing shed; and

WHEREAS, Dorothy and Carl married in 1937, and the couple had two children, Jim and Donna Reed; and

WHEREAS, Dorothy is a grandmother of several grandchildren and great grandchildren; and

WHEREAS, Dorothy worked a fulfilling career for the Fruit Growers Service, and owned a five-acre orchard where she grew apples, cherries, apricots, and grapes; and

WHEREAS, Dorothy, an avid watcher of baseball and the Seattle Mariners' biggest fan – has the love for the Mariners inside her DNA;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate honor Dorothy A. Reed, 109 years young, for her tenacity, sense of adventure, and characteristics that embody the rugged spirit of the Pacific Northwest and congratulate her on being the oldest resident in the City of Wenatchee.

Senator Hawkins spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8626.

The motion by Senator Hawkins carried and the resolution was adopted by voice vote.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced family of Mrs. Dorothy Reed including her grandson, Mr. Jason Reed, and her great-grandsons, Mr. Kobe Reed and Mr. Chance Reed who were seated in the gallery.

MOTION

Senator Fortunato moved adoption of the following resolution:

By Senator Fortunato

WHEREAS, The Bonney Lake Food Bank has been part of the community since 2009 and in 2020 it expanded to a larger facility and made innovations to better serve the community; and

WHEREAS, The new facility presented an opportunity to refocus the mission toward a modern approach to providing food security with dignity, so the rebranded organization is now called the Market; and

WHEREAS, With its mission to provide vulnerable community members with food and other supplemental provisions without shame or stigma, the Market is actively changing the narrative of food insecurity in its community and the state; and

WHEREAS, The Market strives to embody its values of dignity, equity, and access through this state-of-the-art facility, welcoming customers into a grocery store-like environment that provides nutritious foods and a comfortable shopping experience; and

WHEREAS, The Market strives to improve accessibility so customers can obtain services by visiting and shopping at the Market, picking up groceries at one of the 24/7 lockers, or with free home delivery; and

WHEREAS, The Market and Bonney Lake Food Bank also have other programs to serve the community, including the Backpack Program, which is a partnership with the Bonney Lake School District to provide lunches to at-risk children, and crisis support through local partnerships with the White River Community Outreach and Sumner Family Center; and

WHEREAS, The Market's success would not be possible without the generous donations and volunteers from the Sumner-Bonney Lake communities;

NOW, THEREFORE, BE IT RESOLVED, That the Senate recognize the Market, its CEO Stacey Crnich, and commend their efforts to provide the Bonney Lake-Sumner communities with the reliable, sustainable, and accessible Market Model to those facing food insecurity.

Senator Fortunato spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8621.

The motion by Senator Fortunato carried and the resolution was adopted by voice vote.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced Ms. Stacey Crnich, Chief Executive Officer, and Ms. Teri Hochstein, Vice President, of the Bonney Lake Food Bank, who were seated in the gallery.

MOTION

At 10:12 a.m., on motion of Senator Pedersen, the Senate adjourned until 10:30 a.m. Wednesday, March 29, 2023.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

EIGHTIETH DAY

MORNING SESSION

Senate Chamber, Olympia
Wednesday, March 29, 2023

The Senate was called to order at 10:30 a.m. by the President of the Senate, Lt. Governor Heck presiding. The Secretary called the roll and announced to the President that all Senators were present.

The Sergeant at Arms Color Guard consisting of Pages Mr. Andy Gorrell and Mr. Ben Gorrell, presented the Colors. Page Miss Cedar Stegall led the Senate in the Pledge of Allegiance.

The prayer was offered by Reverend Terry Murray, Unity of Olympia.

MOTIONS

On motion of Senator Pedersen, the reading of the Journal of the previous day was dispensed with and it was approved.

There being no objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

March 28, 2023

SB 5740 Prime Sponsor, Senator Wilson, J.: Deterring catalytic converter theft. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5740 be substituted therefor, and the substitute bill do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

MINORITY recommendation: Do not pass. Signed by Senator Kuderer.

Referred to Committee on Transportation.

March 28, 2023

SHB 1056 Prime Sponsor, Committee on Appropriations: Repealing some postretirement employment restrictions. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Saldaña; Torres; Wagoner and Wellman.

MINORITY recommendation: Do not pass. Signed by Senator Schoesler, Ranking Member, Capital.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Braun.

Referred to Committee on Rules for second reading.

March 28, 2023

SHB 1080 Prime Sponsor, Committee on Civil Rights & Judiciary: Concerning body worn cameras. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass as amended. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

March 28, 2023

SHB 1105 Prime Sponsor, Committee on State Government & Tribal Relations: Requiring public agencies to provide notice for public comment that includes the last date by which such public comment must be submitted. Reported by Committee on State Government & Elections

MAJORITY recommendation: Do pass as amended. Signed by Senators Valdez, Vice Chair; Wilson, J., Ranking Member; Hunt, Chair; Dozier; Fortunato; Hasegawa and Kuderer.

Referred to Committee on Rules for second reading.

March 28, 2023

HB 1112 Prime Sponsor, Representative Harris: Imposing criminal penalties for negligent driving involving the death of a vulnerable user victim. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Transportation.

March 28, 2023

2SHB 1122 Prime Sponsor, Committee on Appropriations: Granting Washington management service employees the right to collectively bargain. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Nguyen; Pedersen; Saldaña; Van De Wege and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Schoesler, Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Boehnke; Braun and Muzzall.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Gildon, Assistant Ranking Member, Operating; Torres and Wagoner.

Referred to Committee on Rules for second reading.

March 28, 2023

E2SHB 1134 Prime Sponsor, Committee on Appropriations: Implementing the 988 behavioral health crisis response and suicide prevention system. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass as amended. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Ways & Means.

March 28, 2023

E2SHB 1143 Prime Sponsor, Committee on Appropriations: Concerning requirements for the purchase or transfer of firearms. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass as amended. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Kuderer; Pedersen; Salomon and Valdez.

MINORITY recommendation: Do not pass. Signed by Senators Padden, Ranking Member; McCune; Torres; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

March 28, 2023

2SHB 1168 Prime Sponsor, Committee on Appropriations: Providing prevention services, diagnoses, treatment, and support for prenatal substance exposure. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Ways & Means.

March 28, 2023

ESHB 1173 Prime Sponsor, Committee on Environment & Energy: Reducing light pollution associated with certain energy infrastructure. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass as amended. Signed by Senators Nguyen, Chair; Lovelett, Vice Chair; MacEwen, Ranking Member; Boehnke; Lovick; Short; Trudeau and Wellman.

Referred to Committee on Rules for second reading.

March 28, 2023

ESHB 1175 Prime Sponsor, Committee on Appropriations: Creating a state financial assurance program for petroleum underground storage tanks. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass. Signed by Senators Nguyen, Chair; Lovelett, Vice Chair; MacEwen, Ranking Member; Boehnke; Lovick; Short; Trudeau and Wellman.

Referred to Committee on Ways & Means.

March 28, 2023

ESHB 1187 Prime Sponsor, Committee on Civil Rights & Judiciary: Concerning privileged communication between employees and the unions that represent them. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Kuderer; Pedersen; Salomon and Valdez.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Torres.

MINORITY recommendation: Do not pass. Signed by Senators Padden, Ranking Member; McCune; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

March 28, 2023

SHB 1240 Prime Sponsor, Committee on Civil Rights & Judiciary: Establishing firearms-related safety measures to increase public safety. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass as amended. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Kuderer; Pedersen; Salomon and Valdez.

MINORITY recommendation: Do not pass. Signed by Senators Padden, Ranking Member; McCune; Torres; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

March 28, 2023

SHB 1255 Prime Sponsor, Committee on Health Care & Wellness: Reducing stigma and incentivizing health care professionals to participate in a substance use disorder monitoring and treatment program. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Randall and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senator Padden.

Referred to Committee on Rules for second reading.

March 28, 2023

SHB 1268 Prime Sponsor, Committee on Community Safety, Justice, & Reentry: Concerning sentencing enhancements. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass as amended. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Kuderer; Pedersen; Salomon and Valdez.

MINORITY recommendation: Do not pass. Signed by Senators McCune; Torres; Wagoner and Wilson, L.

March 28, 2023

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Padden, Ranking Member.

Referred to Committee on Rules for second reading.

March 28, 2023

EHB 1324 Prime Sponsor, Representative Hackney: Concerning the scoring of prior juvenile offenses in sentencing range calculations. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass as amended. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Kuderer; Pedersen; Salomon and Valdez.

MINORITY recommendation: Do not pass. Signed by Senators Padden, Ranking Member; McCune; Torres; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

March 28, 2023

ESHB 1329 Prime Sponsor, Committee on Environment & Energy: Preventing utility shutoffs for nonpayment during extreme heat. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass. Signed by Senators Nguyen, Chair; Lovelett, Vice Chair; Lovick; Trudeau and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators MacEwen, Ranking Member; Boehnke and Short.

Referred to Committee on Rules for second reading.

March 28, 2023

ESHB 1335 Prime Sponsor, Committee on Civil Rights & Judiciary: Concerning the unauthorized publication of personal identifying information. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass as amended. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Kuderer; Pedersen; Salomon; Valdez and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Padden, Ranking Member; McCune; Torres and Wilson, L.

Referred to Committee on Rules for second reading.

March 28, 2023

EHB 1337 Prime Sponsor, Representative Gregerson: Expanding housing options by easing barriers to the construction and use of accessory dwelling units. Reported by Committee on Local Government, Land Use & Tribal Affairs

MAJORITY recommendation: Do pass as amended. Signed by Senators Lovelett, Chair; Salomon, Vice Chair; Torres, Ranking Member; Kauffman and Short.

Referred to Committee on Rules for second reading.

SHB 1355 Prime Sponsor, Committee on Finance: Updating property tax exemptions for service-connected disabled veterans and senior citizens. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Saldaña; Torres; Wagoner and Wellman.

MINORITY recommendation: Do not pass. Signed by Senator Schoesler, Ranking Member, Capital.

Referred to Committee on Rules for second reading.

March 28, 2023

ESHB 1371 Prime Sponsor, Committee on Finance: Providing incentives to improve freight railroad infrastructure. Reported by Committee on Business, Financial Services, Gaming & Trade

MAJORITY recommendation: Do pass as amended. Signed by Senators Stanford, Chair; Frame, Vice Chair; Dozier, Ranking Member; Boehnke; Gildon; Lovick; MacEwen and Mullet.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Hasegawa.

Referred to Committee on Ways & Means.

March 28, 2023

2SHB 1390 Prime Sponsor, Committee on Capital Budget: Concerning district energy systems. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass as amended. Signed by Senators Nguyen, Chair; Lovelett, Vice Chair; Boehnke; Lovick; Short; Trudeau and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator MacEwen, Ranking Member.

Referred to Committee on Ways & Means.

March 28, 2023

ESHB 1424 Prime Sponsor, Committee on Consumer Protection & Business: Concerning consumer protection with respect to the sale and adoption of dogs and cats. Reported by Committee on Business, Financial Services, Gaming & Trade

MAJORITY recommendation: Do pass as amended. Signed by Senators Stanford, Chair; Frame, Vice Chair; Dozier, Ranking Member; Boehnke; Hasegawa; Lovick; MacEwen and Mullet.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Gildon.

Referred to Committee on Rules for second reading.

March 28, 2023

SHB 1493 Prime Sponsor, Committee on Community Safety, Justice, & Reentry: Concerning impaired driving. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass as amended. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Transportation.

March 28, 2023

ESHB 1533 Prime Sponsor, Committee on State Government & Tribal Relations: Exempting the disclosure of certain information of agency employees or their dependents who are survivors of domestic violence, sexual assault, harassment, or stalking. Reported by Committee on State Government & Elections

MAJORITY recommendation: Do pass as amended. Signed by Senators Valdez, Vice Chair; Wilson, J., Ranking Member; Hunt, Chair; Dozier; Fortunato; Hasegawa and Kuderer.

Referred to Committee on Rules for second reading.

March 28, 2023

ESHB 1554 Prime Sponsor, Committee on Environment & Energy: Reducing public health and environmental impacts from lead. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass as amended. Signed by Senators Nguyen, Chair; Lovelett, Vice Chair; Lovick; Trudeau and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators MacEwen, Ranking Member; Boehnke and Short.

Referred to Committee on Transportation.

March 28, 2023

ESHB 1555 Prime Sponsor, Committee on Community Safety, Justice, & Reentry: Concerning extradition of persons to and from Indian jurisdiction. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass as amended. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

March 28, 2023

HB 1573 Prime Sponsor, Representative Rule: Extending tax preferences for dairy, fruit and vegetable, and seafood processors. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating &

Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Hasegawa.

Referred to Committee on Rules for second reading.

March 28, 2023

HB 1599 Prime Sponsor, Representative Goodman: Concerning court files and records exemptions for firearm background checks. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass as amended. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

March 28, 2023

SHB 1621 Prime Sponsor, Committee on Local Government: Concerning standardizing local government procurement rules among special purpose districts, first-class and second-class cities, and public utility districts. Reported by Committee on Local Government, Land Use & Tribal Affairs

MAJORITY recommendation: Do pass as amended. Signed by Senators Lovelett, Chair; Salomon, Vice Chair; Torres, Ranking Member; Kauffman and Short.

Referred to Committee on Rules for second reading.

March 28, 2023

EHB 1636 Prime Sponsor, Representative Orwall: Concerning foreclosure protections for homeowners in common interest communities. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass as amended. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

March 28, 2023

2SHB 1681 Prime Sponsor, Committee on Finance: Concerning problem gambling. Reported by Committee on Business, Financial Services, Gaming & Trade

MAJORITY recommendation: Do pass as amended. Signed by Senators Stanford, Chair; Frame, Vice Chair; Dozier, Ranking Member; Boehnke; Gildon; Hasegawa; Lovick; MacEwen and Mullet.

Referred to Committee on Ways & Means.

March 28, 2023

SHB 1700 Prime Sponsor, Committee on State Government & Tribal Relations: Establishing a cultural

EIGHTIETH DAY, MARCH 29, 2023

landscape feature on the capitol campus to commemorate eastern Washington. Reported by Committee on State Government & Elections

MAJORITY recommendation: Do pass as amended. Signed by Senators Valdez, Vice Chair; Wilson, J., Ranking Member; Hunt, Chair; Dozier; Fortunato; Hasegawa and Kuderer.

Referred to Committee on Rules for second reading.

March 28, 2023

2SHB 1724 Prime Sponsor, Committee on Appropriations: Increasing the trained behavioral health workforce. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass as amended. Signed by Senators Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Cleveland, Chair; Conway; Dhingra; Holy; Padden; Randall and Van De Wege.

Referred to Committee on Ways & Means.

March 27, 2023

ESHB 1736 Prime Sponsor, Committee on Transportation: Requiring the department of licensing to request motor vehicle odometer readings upon vehicle registration. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Liias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; Cleveland; Lovelett; Nobles; Randall; Valdez and Wilson, C.

MINORITY recommendation: Do not pass. Signed by Senators Fortunato; Hawkins; MacEwen; Padden and Wilson, J.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators King, Ranking Member Holy, Assistant Ranking Member.

Referred to Committee on Rules for second reading.

March 28, 2023

ESHB 1766 Prime Sponsor, Committee on Civil Rights & Judiciary: Creation of a hope card program. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass as amended. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Ways & Means.

March 28, 2023

HB 1777 Prime Sponsor, Representative Doglio: Authorizing the use of performance-based contracting for energy services and equipment. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass as amended. Signed by Senators Nguyen, Chair; Lovelett, Vice Chair; Lovick; Trudeau and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators MacEwen, Ranking Member; Boehnke and Short.

Referred to Committee on Ways & Means.

March 28, 2023

ESHB 1789 Prime Sponsor, Committee on Agriculture and Natural Resources: Expanding revenue generation and economic opportunities from natural climate solutions and ecosystem services. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass as amended. Signed by Senators Nguyen, Chair; Lovelett, Vice Chair; MacEwen, Ranking Member; Boehnke; Lovick; Short; Trudeau and Wellman.

Referred to Committee on Ways & Means.

March 27, 2023

SHJM 4001 Prime Sponsor, Committee on Transportation: Requesting the transportation commission to designate a section of state route number 411 the Cowlitz County Deputy Sheriff Justin DeRosier memorial highway. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Liias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Holy, Assistant Ranking Member; Cleveland; Fortunato; Hawkins; Kauffman; Lovelett; MacEwen; Nobles; Padden; Randall; Valdez; Wilson, C. and Wilson, J.

Referred to Committee on Rules for second reading.

March 27, 2023

SGA 9145 MICHAEL ROSS, appointed on June 29, 2021, for the term ending December 26, 2024, as Member of the Board of Pilotage Commissioners. Reported by Committee on Transportation

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Liias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Holy, Assistant Ranking Member; Cleveland; Fortunato; Hawkins; Kauffman; Lovelett; MacEwen; Nobles; Padden; Randall; Valdez; Wilson, C. and Wilson, J.

Referred to Committee on Rules for second reading.

March 28, 2023

SGA 9158 GREGORY C. LINK, reappointed on August 17, 2021, for the term ending August 2, 2024, as Member of the Sentencing Guidelines Commission. Reported by Committee on Law & Justice

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

March 27, 2023

SGA 9177 SANDRA P. BENDIXEN, appointed on September 21, 2021, for the term ending December 26, 2024, as Member of the Board of Pilotage Commissioners. Reported by Committee on Transportation

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Lias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Holy, Assistant Ranking Member; Cleveland; Fortunato; Hawkins; Kauffman; Lovelett; MacEwen; Nobles; Padden; Randall; Valdez; Wilson, C. and Wilson, J.

Referred to Committee on Rules for second reading.

March 28, 2023

SGA 9185 TIMOTHY G. WETTACK, reappointed on October 21, 2021, for the term ending August 2, 2024, as Member of the Sentencing Guidelines Commission. Reported by Committee on Law & Justice

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer; McCune; Pedersen; Salomon; Torres; Valdez; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

March 27, 2023

SGA 9210 JASON R. HAMILTON, reappointed on January 14, 2022, for the term ending December 26, 2025, as Member of the Board of Pilotage Commissioners. Reported by Committee on Transportation

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Lias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Holy, Assistant Ranking Member; Cleveland; Fortunato; Hawkins; Kauffman; Lovelett; MacEwen; Nobles; Padden; Randall; Valdez; Wilson, C. and Wilson, J.

Referred to Committee on Rules for second reading.

March 27, 2023

SGA 9282 ELEANOR K. KIRTLEY, reappointed on December 27, 2022, for the term ending December 26, 2026, as Member of the Board of Pilotage Commissioners. Reported by Committee on Transportation

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Lias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Holy, Assistant Ranking Member; Cleveland; Fortunato; Hawkins; Kauffman; Lovelett; MacEwen; Nobles; Padden; Randall; Valdez; Wilson, C. and Wilson, J.

Referred to Committee on Rules for second reading.

MOTION

On motion of Senator Pedersen, all measures and appointees listed on the Standing Committee report were referred to the committees as designated.

On motion of Senator Pedersen, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 5765 by Senators Lias, King, Cleveland and Holy

AN ACT Relating to tolling authorization for the Interstate 5 bridge replacement project; amending RCW 43.84.092 and 43.84.092; reenacting and amending RCW 47.56.810; adding new sections to chapter 47.56 RCW; creating new sections; repealing RCW 47.56.892; providing an effective date; providing a contingent effective date; and providing an expiration date.

Referred to Committee on Transportation.

MOTION

On motion of Senator Pedersen, the measure listed on the Introduction and First Reading report was referred to the committee as designated.

On motion of Senator Pedersen, House Bill No. 1696, an act concerning stalking-related offenses, was removed from the consent calendar and the measure was placed on the second reading calendar.

On motion of Senator Pedersen, the Senate advanced to the sixth order of business.

SECOND READING

SENATE CONCURRENT RESOLUTION NO. 8407, by Senators Pedersen and Short

Adopting joint rules.

The measure was read the second time.

MOTION

On motion of Senator Pedersen, the rules were suspended, Senate Concurrent Resolution No. 8407 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

The President declared the question before the Senate to be the final passage of Senate Concurrent Resolution No. 8407.

Senators Pedersen and Short spoke in favor of adoption of the resolution.

SENATE CONCURRENT RESOLUTION NO. 8407 having received a majority was adopted by voice vote.

MOTION

On motion of Senator Pedersen, the Senate advanced to the seventh order of business.

THIRD READING CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Hunt moved that David Puente Jr., Senate Gubernatorial Appointment No. 9330, be confirmed as Director of the Department of Veterans Affairs - Agency Head.

Senator Hunt spoke in favor of the motion.

APPOINTMENT OF DAVID PUENTE JR.

The President declared the question before the Senate to be the confirmation of David Puente Jr., Senate Gubernatorial Appointment No. 9330, as Director of the Department of Veterans Affairs - Agency Head.

The Secretary called the roll on the confirmation of David Puente Jr., Senate Gubernatorial Appointment No. 9330, as Director of the Department of Veterans Affairs - Agency Head and the appointment was confirmed by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

David Puente Jr., Senate Gubernatorial Appointment No. 9330, having received the constitutional majority was declared confirmed as Director of the Department of Veterans Affairs - Agency Head.

THIRD READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Keiser moved that David Postman, Senate Gubernatorial Appointment No. 9131, be confirmed as Chair of the Liquor and Cannabis Board.

Senator Keiser spoke in favor of the motion.

APPOINTMENT OF DAVID POSTMAN

The President declared the question before the Senate to be the confirmation of David Postman, Senate Gubernatorial Appointment No. 9131, as Chair of the Liquor and Cannabis Board.

The Secretary called the roll on the confirmation of David Postman, Senate Gubernatorial Appointment No. 9131, as Chair of the Liquor and Cannabis Board and the appointment was confirmed by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senator Van De Wege

David Postman, Senate Gubernatorial Appointment No. 9131, having received the constitutional majority was declared confirmed as Chair of the Liquor and Cannabis Board.

MOTION

At 10:49 a.m., on motion of Senator Pedersen, the Senate was declared to be at ease subject to the call of the President.

The Senate was called to order at 11:56 a.m. by the President of the Senate, Lt. Governor Heck presiding.

SIGNED BY THE PRESIDENT

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

SENATE BILL NO. 5023,
SUBSTITUTE SENATE BILL NO. 5028,
SENATE BILL NO. 5041,
SENATE BILL NO. 5089,
ENGROSSED SUBSTITUTE SENATE BILL NO. 5143,
ENGROSSED SUBSTITUTE SENATE BILL NO. 5179,
SENATE BILL NO. 5192,
SENATE BILL NO. 5295,
SENATE BILL NO. 5319,
SENATE BILL NO. 5342,
SENATE BILL NO. 5370,
SENATE BILL NO. 5421,
SUBSTITUTE SENATE BILL NO. 5439,
SENATE BILL NO. 5553,
SUBSTITUTE SENATE BILL NO. 5627,
ENGROSSED SUBSTITUTE SENATE BILL NO. 5650,
and SENATE BILL NO. 5700.

MOTION

On motion of Senator Pedersen, the Senate reverted to the fourth order of business.

MESSAGE FROM THE HOUSE

March 24, 2023

MR. PRESIDENT:

The House passed ENGROSSED SUBSTITUTE SENATE BILL NO. 5272 with the following amendment(s): 5272-S.E AMH KLIC HAJE 384

On page 5, line 25, after "system." insert "Additionally, where feasible and constructive, radar speed feedback signs will be placed in advance of the speed safety camera system to assist drivers in complying with posted speed limits."

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

MOTION

Senator Liias moved that the Senate concur in the House amendment(s) to Engrossed Substitute Senate Bill No. 5272.

Senators Liias and King spoke in favor of the motion.

The President declared the question before the Senate to be the motion by Senator Liias that the Senate concur in the House amendment(s) to Engrossed Substitute Senate Bill No. 5272.

The motion by Senator Liias carried and the Senate concurred in the House amendment(s) to Engrossed Substitute Senate Bill No. 5272 by voice vote.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5272, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5272, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5272, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Pedersen, the Senate advanced to the sixth order of business.

SECOND READING

SENATE BILL NO. 5187, by Senators Rolfes, Robinson and Nguyen

Making 2023-2025 fiscal biennium operating appropriations.

MOTION

On motion of Senator Rolfes, Substitute Senate Bill No. 5187 was substituted for Senate Bill No. 5187 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5187, by Committee on Ways & Means (originally sponsored by Senators Rolfes, Robinson and Nguyen)

Revised for first Substitute: Making 2023-2025 fiscal biennium operating appropriations and 2021-2023 fiscal biennium second supplemental operating appropriations.

MOTION

Senator Wilson, L. moved that the following amendment no. 0236 by Senator Wilson, L. be adopted:

On page 10, line 39, after "pay." insert "Of the amounts provided in this subsection, up to five percent of the funding each fiscal year may be used by the office for education and outreach to the courts regarding this technology."

Senators Wilson, L. and Rolfes spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0236 by Senator Wilson, L. on page 10, line 39 to Substitute Senate Bill No. 5187.

The motion by Senator Wilson, L. carried, and amendment no. 0236 was adopted by voice vote.

WITHDRAWAL OF AMENDMENT

On motion of Senator Warnick and without objection, amendment no. 0237 by Senator Warnick on page 30, line 33 to Substitute Senate Bill No. 5187 was withdrawn.

MOTION

Senator Warnick moved that the following amendment no. 0238 by Senator Warnick be adopted:

On page 30, line 33, increase the General Fund—State Appropriation (FY 2024) by \$1,625,000

On page 30, line 34, increase the General Fund—State Appropriation (FY 2025) by \$1,625,000

Adjust the total appropriation accordingly.

On page 48, line 3, after "(52)(a)" strike "\$1,000,000" and insert "\$2,625,000"

On page 48, line 4, after "and" strike "\$1,000,000" and insert "\$2,625,000"

Senator Warnick spoke in favor of adoption of the amendment.

Senator Rolfes spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0238 by Senator Warnick on page 30, line 33 to Substitute Senate Bill No. 5187.

The motion by Senator Warnick did not carry and amendment no. 0238 was not adopted by voice vote.

MOTION

Senator Keiser moved that the following amendment no. 0244 by Senators Keiser and Dhingra be adopted:

On page 50, line 3, after "(58)" strike "\$16,000,000" and insert "\$12,000,000"

On page 50, line 4, after "and" strike "\$16,000,000" and insert "\$12,000,000"

On page 50, line 7, after "advocacy." strike "Of the amounts provided in this subsection:"

On page 50, at the beginning of line 8, strike "(a)" and insert "(59)"

On page 50, at the beginning of line 17, strike "(b)" and insert "(60)"

Correct any internal references accordingly.

Senator Keiser spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0244 by Senators Keiser and Dhingra on page 50, line 3 to Substitute Senate Bill No. 5187.

The motion by Senator Keiser carried and amendment no. 0244 was adopted by voice vote.

MOTION

Senator Hasegawa moved that the following amendment no. 0233 by Senators Hasegawa and Mullet be adopted:

On page 56, line 16, increase the General Fund—State Appropriation (FY 2024) by \$300,000

On page 56, line 17, increase the General Fund—State Appropriation (FY 2025) by \$300,000

EIGHTIETH DAY, MARCH 29, 2023

Adjust the total appropriation accordingly.

On page 58, line 21, after "(8)" strike "\$300,000" and insert "\$600,000"

On page 58, line 22, after "and" strike "\$300,000" and insert "\$600,000"

On page 58, line 28, after "development organizations" insert ", ports,"

On page 58, line 30, after "enterprises" insert ", including the office of minority and women's business enterprises"

Senators Hasegawa and Mullet spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0233 by Senators Hasegawa and Mullet on page 56, line 16 to Substitute Senate Bill No. 5187.

The motion by Senator Hasegawa carried and amendment no. 0233 was adopted by voice vote.

MOTION

Senator Fortunato moved that the following amendment no. 0256 by Senator Fortunato be adopted:

On page 86, after line 4, insert the following:

"(29) The department of revenue shall allow the use of resale certificates for clay targets."

Senator Fortunato spoke in favor of adoption of the amendment.

Senator Robinson spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0256 by Senator Fortunato on page 86, after line 4 to Substitute Senate Bill No. 5187.

The motion by Senator Fortunato did not carry and amendment no. 0256 was not adopted by voice vote.

MOTION

Senator Short moved that the following amendment no. 0242 by Senator Short be adopted:

On page 120, line 9, increase the General Fund—State Appropriation (FY 2024) by \$369,000

On page 120, line 10, increase the General Fund—State Appropriation (FY 2025) by \$431,000

On page 120, line 11, increase the General Fund—Federal Appropriation by \$1,017,000

Adjust the total appropriation accordingly.

On page 124, beginning on line 17, after "(q)" strike all material through "providers" on line 21 and insert "\$742,000 of the general fund—state appropriation for fiscal year 2024, \$842,000 of the general fund—state appropriation for fiscal year 2025, and \$2,015,000 of the general fund—federal appropriation are provided solely to increase staff wages to 100 percent of the blended wage in the labor component of assisted living provider rates established in RCW 74.39A.032(2) and to establish two geographic service areas. Beginning July 1, 2023, using information from federal bureau of labor statistics, the department shall establish a statewide weighted average wage of \$21.15 per hour for assisted living and enhanced adult residential care rates, and \$19.88 per hour for adult residential care rates"

On page 132, line 3, increase the General Fund—State Appropriation (FY 2024) by \$30,223,000

On page 132, line 4, increase the General Fund—State Appropriation (FY 2025) by \$34,861,000

On page 132, line 5, increase the General Fund—Federal Appropriation by \$73,410,000

Adjust the total appropriation accordingly.

Beginning on page 139, line 21, after "(22)" strike all material through "services" on page 140, line 2 and insert "\$51,342,000 of the general fund—state appropriation for fiscal year 2024, \$58,129,000 of the general fund—state appropriation for fiscal year 2025, and \$123,851,000 of the general fund—federal appropriation are provided solely for rate adjustments for assisted living providers. Of the amounts in this subsection:

(a) \$50,720,000 of the general fund—state appropriation for fiscal year 2024, \$57,495,000 of the general fund—state appropriation for fiscal year 2025, and \$122,499,000 of the general fund—federal appropriation are provided solely to increase staff wages to 100 percent of the blended wage in the labor component of assisted living provider rates established in RCW 74.39A.032(2) and to establish two geographic service areas. Beginning July 1, 2023, using information from federal bureau of labor statistics, the department shall establish a statewide weighted average wage of \$21.15 per hour for assisted living and enhanced adult residential care rates, and \$19.88 per hour for adult residential care rates.

(b) \$5,351,000 of the general fund—state appropriation for fiscal year 2024, \$6,323,000 of the general fund—state appropriation for fiscal year 2025, and \$13,099,000 of the general fund—federal appropriation are provided solely to convert the specialized dementia care payments into a flat rate add-on. Funding is sufficient to provide a rate add-on of approximately \$62.33 that is provided on top of the base rates that recognize 100 percent of labor costs established in RCW 74.39A.032(2).

(c) \$622,000 of the general fund—state appropriation for fiscal year 2024, \$634,000 of the general fund—state appropriation for fiscal year 2025, and \$1,352,000 of the general fund—federal appropriation are provided solely for expanded community services rates paid as a flat rate add-on on top of the base rates that recognize 100 percent of labor costs established in RCW 74.39A.032(2)"

Senator Short spoke in favor of adoption of the amendment.

WITHDRAWAL OF AMENDMENT

On motion of Senator Short and without objection, amendment no. 0242 by Senator Short on page 120, line 9 to Substitute Senate Bill No. 5187 was withdrawn.

MOTION

Senator Wilson, J. moved that the following amendment no. 0253 by Senator Wilson, J. be adopted:

On page 156, line 14, increase the General Fund—State Appropriation (FY 2024) by \$1,360,000

On page 156, line 16, increase the General Fund—Federal Appropriation by \$3,252,000

Adjust the total appropriation accordingly.

On page 182, after line 8, insert the following:

"(72) \$1,360,000 of the general fund—state appropriation for fiscal year 2024 and \$3,252,000 of the general fund—federal appropriation are provided solely to increase the rates paid to rural hospitals that meet the criteria in (a) through (d) of this subsection. Payments for state and federal medical assistance programs for services provided by such a hospital, regardless of the beneficiary's managed care enrollment status, must be increased to 150 percent of the hospital's fee-for-service rates.

The authority must discontinue this rate increase after June 30, 2024, and return to the payment levels and methodology for these hospitals that were in place as of January 1, 2018. Hospitals participating in the certified public expenditures program may not receive increased reimbursement for inpatient services. Hospitals qualifying for this rate increase must:

- (a) Be certified by the centers for medicare and medicaid services as sole community hospitals as of January 1, 2014;
- (b) Have had less than 150 acute care licensed beds in fiscal year 2011;
- (c) Have a level III adult trauma service designation from the department of health as of January 1, 2014; and
- (d) Be owned and operated by the state or a political subdivision."

Senator Wilson, J. spoke in favor of adoption of the amendment.

Senator Robinson spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0253 by Senator Wilson, J. on page 156, line 14 to Substitute Senate Bill No. 5187.

The motion by Senator Wilson, J. did not carry and amendment no. 0253 was not adopted by voice vote.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced students from The Bear Creek School in Redmond who were seated in the gallery. The students were guests of Senator Dhingra.

MOTION

Senator Fortunato moved that the following amendment no. 0250 by Senator Fortunato be adopted:

On page 233, line 12, decrease the General Fund-State Appropriation (FY 2024) by \$7,407,000.

On page 233, line 13, decrease the General Fund-State Appropriation (FY 2025) by \$7,603,000.

Adjust the total appropriation accordingly.

On page 241, beginning on line 4, strike all of subsection (26)

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

On page 307, line 5, increase the General Fund-State Appropriation (FY 2024) by \$7,407,000.

On page 307, line 6, increase the General Fund-State Appropriation (FY 2025) by \$7,603,000.

On page 309, after line 8, insert the following:

"(10) \$7,407,000 of the general fund-state appropriation for fiscal year 2024 and \$7,603,000 of the general fund-state appropriation for fiscal year 2025 are provided solely to promote the state park system and the beauty of Washington state."

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

On page 924, line 15, decrease the General Fund-State Appropriation (FY 2023) by \$5,000,000.

Adjust the total appropriation accordingly.

On page 948, beginning on line 8, strike all of subsection (105)

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

On page 1019, line 11, increase the General Fund-State Appropriation (FY 2023) by \$5,000,000.

Adjust the total appropriation accordingly.

On page 1022, after line 10, insert the following:

"(14) \$5,000,000 of the general fund-state appropriation for fiscal year 2023 is provided solely to promote the state park system and the beauty of Washington state."

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

Senator Fortunato spoke in favor of adoption of the amendment.

Senator Rolfes spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0250 by Senator Fortunato on page 233, line 12 to Substitute Senate Bill No. 5187.

The motion by Senator Fortunato did not carry and amendment no. 0250 was not adopted by voice vote.

MOTION

Senator Boehnke moved that the following amendment no. 0252 by Senator Boehnke be adopted:

On page 303, line 3, after "inform" strike everything through "program" on line 4 and insert "the development of legislative proposals to increase recycling rates"

On page 303, line 8, after "(ii)" strike "Carry out" and insert "Facilitate"

On page 303, line 10, after "with" strike "third-party consultant" and insert "an impartial third-party facilitator"

On page 303, line 16, after "2023." insert "The facilitator must be selected based on the following criteria:

(i) Impartiality regarding policy outcomes;

(ii) Professional qualifications, relevant experience, and degrees; and

(iii) The facilitator must be an environmental conflict resolution specialist recognized by a national center for environmental conflict resolution."

On page 303, line 19, after "and" strike "plastic component elimination" and insert "source reduction"

On page 303, line 21, after "used," insert "costs associated,"

On page 303, line 23, after "Recommend," strike everything through "recycling rate," on line 25 and insert "based on data collected, a range of recycling rate targets and costs associated with each,".

On page 303, line 26, after "reduction rate" strike everything through "components" on line 27

On page 303, line 28, after "recommendations" insert "for strategies to achieve the overall recycling rates, minimum reuse rates and source reduction rates"

Senator Boehnke spoke in favor of adoption of the amendment.

WITHDRAWAL OF AMENDMENT

On motion of Senator Boehnke and without objection, amendment no. 0252 by Senator Boehnke on page 303, line 3 to Substitute Senate Bill No. 5187 was withdrawn.

MOTION

Senator Wilson, J. moved that the following amendment no. 0254 by Senator Wilson, J. be adopted:

On page 309, line 11, decrease the General Fund—State Appropriation (FY 2024) by \$250,000

On page 309, line 12, decrease the General Fund—State Appropriation (FY 2025) by \$250,000

EIGHTIETH DAY, MARCH 29, 2023

Adjust the total appropriation accordingly.
Beginning on page 310, line 33, strike all of subsection (10)
Re-number the remaining subsection consecutively and correct any internal references accordingly.

Senators Wilson, J. and McCune spoke in favor of adoption of the amendment.

Senators Rolfes and Salomon spoke against adoption of the amendment.

REMARKS BY THE PRESIDENT

President Heck: "The President has allowed wide latitude in remarks regarding this issue given its history and the strength of feelings. But, insofar as there's another amendment in this general area coming up, the President wants to remind the members that the remarks should be relevant to the amendment."

The President declared the question before the Senate to be the adoption of amendment no. 0254 by Senator Wilson, J. on page 309, line 11 to Substitute Senate Bill No. 5187.

The motion by Senator Wilson, J. did not carry, and amendment no. 0254 was not adopted by voice vote.

MOTION

Senator Shewmake moved that the following amendment no. 0246 by Senator Shewmake be adopted:

On page 315, line 11, increase the General Fund—State Appropriation (FY 2024) by \$250,000

On page 315, line 12, increase the General Fund—State Appropriation (FY 2025) by \$250,000

Adjust the total appropriation accordingly.

On page 322, after line 38, insert the following:

"(39) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to increase the work of regional fisheries enhancement groups."

Senators Shewmake, Rolfes and Wilson, J. spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0246 by Senator Shewmake on page 315, line 11 to Substitute Senate Bill No. 5187.

The motion by Senator Shewmake carried and amendment no. 0246 was adopted by voice vote.

MOTION

Senator Kauffman moved that the following amendment no. 0240 by Senator Kauffman be adopted:

On page 322, beginning on line 11, strike all of subsection (36)
Re-number the remaining subsections consecutively and correct any internal references accordingly.

Senators Kauffman, Wilson, J., McCune and Hasegawa spoke in favor of adoption of the amendment.

Senator Salomon spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0240 by Senator Kauffman on page 322, line 11 to Substitute Senate Bill No. 5187.

The motion by Senator Kauffman carried and amendment no. 0240 was adopted by voice vote.

MOTION

Senator Van De Wege moved that the following amendment no. 0243 by Senator Van De Wege be adopted:

On page 323, line 36, increase the General Fund—State Appropriation (FY 2024) by \$175,000

On page 323, line 37, increase the General Fund—State Appropriation (FY 2025) by \$175,000

Adjust the total appropriation accordingly.

On page 330, after line 29, insert the following:

"(29) \$175,000 of the general fund—state appropriation for fiscal year 2024 and \$175,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to implement a pilot project to evaluate the costs and benefits of marketing and selling specialty forest products including cedar salvage, alder, and other hardwood products. The pilot project must include: Identifying suitable areas for hardwood or cedar sales within the administrative areas of the Olympic and Pacific Cascade regions, preparing and conducting sales, and evaluating the costs and benefits from conducting the sales.

(a) The pilot project must include an evaluation that:

(i) Determines if revenues from the sales are sufficient to cover the costs of preparing and conducting the sales;

(ii) Identifies and evaluates factors impacting the sales, including regulatory constraints, staffing levels, or other limitations;

(iii) Compares the specialty sales to other timber sales that combine the sale of cedar and hardwoods with other species;

(iv) Evaluates the bidder pool for the pilot sales and other factors that impact the costs and revenues received from the sales; and

(v) Evaluates the current and future prices and market trends for cedar salvage and hardwood species.

(b) The department must work with affected stakeholders and report to the appropriate committees of the legislature with the results of the pilot project and make recommendations for any changes to statute by June 30, 2025."

Senators Van De Wege, Rolfes and Wilson, L. spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0243 by Senator Van De Wege on page 323, line 36 to Substitute Senate Bill No. 5187.

The motion by Senator Van De Wege carried and amendment no. 0243 was adopted by voice vote.

MOTION

Senator Van De Wege moved that the following amendment no. 0241 by Senators Van De Wege, Nguyen and Rolfes be adopted:

On page 324, line 13, increase the Natural Climate Solutions Account—State Appropriation by \$83,000,000

Adjust the total appropriation accordingly.

On page 330, after line 29, insert the following:

"(29) \$83,000,000 of the natural climate solutions account—state appropriation is provided solely for the purchase of property to be managed for increased carbon sequestration and carbon storage through sustainable harvests and as replacement

trust lands for existing encumbered forested state trust lands and for structurally complex, carbon dense, forested state trust lands that may be transferred from trust status. The amount provided in this subsection is also to be used to carry out additional silvicultural activities on state trust lands and to hold a series of forest policy discussions. Of the amount provided in this subsection:

(a) \$70,000,000 is provided solely for a forest land purchase in a westside timber county. The forest land must be purchased within a willing county identified in coordination with the Washington association of counties. The land once purchased must be considered as part of the land bank created in RCW 79.19.020. The property must be purchased before the sale or exchange of any existing trust land is considered. Transfers must utilize the trust land transfer process.

(i) Up to 2,000 acres of the new land may be considered as replacement land for any existing structurally complex, carbon dense forest existing on state trust lands. Any state forest land considered for replacement must have agreement from the specific county beneficiary.

(ii) The remainder of the new purchased land may be used as exchange land for any encumbered state forest lands in Clallam, Jefferson, Pacific, Skamania, and Wahkiakum counties. Any exchanged land under this purpose must be designated as state forest transfer land.

(b) \$10,000,000 is provided solely for the department to enhance forest stand growth on managed trust lands in western Washington, employing silviculture to increase growth and vigor of the trees, for healthy, resilient forests.

(c) \$3,000,000 is provided solely for the department to contract with a facilitator for the purpose of convening a stakeholder group to collaborate on the protection of older timber stands on department of natural resources managed lands, the protection of a viable wood supply for the current timber market, and the definition of terms to be used when developing future forest policy pertaining to the storage of carbon and perpetual forests, while meeting the department's trust management responsibilities. The group should also provide recommendation for defining the management regime of the lands purchased with amounts provided by this subsection intended to increase forest sequestration above what it would otherwise be in the absence of the purchase by the department of natural resources, as well as for using consulting businesses for buying large forest parcels in a competitive marketplace, and may include contracting with researchers and universities for additional analysis. A report of the stakeholder group's recommendations must be submitted to the appropriate committees of the legislature by December 1, 2024."

Senators Van De Wege, Braun and Rolfes spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0241 by Senators Van De Wege, Nguyen and Rolfes on page 324, line 13 to Substitute Senate Bill No. 5187.

The motion by Senator Van De Wege carried and amendment no. 0241 was adopted by voice vote.

MOTION

Senator Keiser moved that the following amendment no. 0245 by Senators Keiser and King be adopted:

On page 330, line 31, increase the General Fund—State Appropriation (FY 2024) by \$635,000

On page 330, line 32, increase the General Fund—State Appropriation (FY 2025) by \$635,000

Adjust the total appropriation accordingly.

On page 334, after line 38, insert the following:

"(20) \$635,000 of the general fund—state appropriation for fiscal year 2024 and \$635,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for compliance-based laboratory analysis of pesticides in cannabis."

Senator Keiser spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0245 by Senators Keiser and King on page 330, line 31 to Substitute Senate Bill No. 5187.

The motion by Senator Keiser carried and amendment no. 0245 was adopted by voice vote.

MOTION

Senator Boehnke moved that the following amendment no. 0248 by Senator Boehnke be adopted:

On page 337, line 16, increase the General Fund—State Appropriation (FY 2024) by \$150,000

On page 337, line 17, increase the General Fund—State Appropriation (FY 2025) by \$150,000

Adjust the total appropriation accordingly.

On page 339, beginning on line 5, after "(7)" strike all material through "is" on line 6 and insert "\$150,000 of the general fund—state appropriation for fiscal year 2024, \$150,000 of the general fund—state appropriation for fiscal year 2025, and \$700,000 of the fire service training account—state appropriation are"

Senator Boehnke spoke in favor of adoption of the amendment.

Senator Rolfes spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0248 by Senator Boehnke on page 337, line 16 to Substitute Senate Bill No. 5187.

The motion by Senator Boehnke did not carry and amendment no. 0248 was not adopted by voice vote.

MOTION

Senator Schoesler moved that the following amendment no. 0251 by Senator Schoesler be adopted:

On page 340, line 5, increase the General Fund—State Appropriation (FY 2024) by \$25,000

On page 340, line 6, increase the General Fund—State Appropriation (FY 2025) by \$25,000

Adjust the total appropriation accordingly.

On page 343, after line 26, insert the following:

"(l) \$25,000 of the general fund—state appropriation for fiscal year 2024 and \$25,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to collect school day data from school districts. Beginning with data from the 2022-23 school year, districts shall report annually to the office of the superintendent of public instruction the following data for each school:

- (i) Total number of school days in the school year;
- (ii) Average length of the school day;
- (iii) Total number of full school days;
- (iv) Total number of late start school days;
- (v) Total number of early release school days; and

EIGHTIETH DAY, MARCH 29, 2023

(vi) Total number of hours lost to early release and late start."

Senator Schoesler spoke in favor of adoption of the amendment.

Senator Wellman spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0251 by Senator Schoesler on page 340, line 5 to Substitute Senate Bill No. 5187.

The motion by Senator Schoesler did not carry and amendment no. 0251 was not adopted by voice vote.

MOTION

Senator Hawkins moved that the following amendment no. 0247 by Senator Hawkins be adopted:

On page 354, line 29, increase the General Fund—State Appropriation (FY 2024) by \$1,126,822

On page 354, line 30, increase the General Fund—State Appropriation (FY 2025) by \$1,170,763

Adjust the total appropriation accordingly.

On page 367, beginning on line 9, after "factor" strike all material through "3" on line 10 and insert "as provided in section 942 of this act"

On page 560, after line 38, insert the following:

"NEW SECTION. Sec. 942. This section provides the school district regionalization factors needed to rebase state basic education compensation allocations required by RCW 28A.150.412:

Regionalization Factors for K-12 Compensation

School District	Certificated Instructional Staff		Certificated Administrative & Classified Staff	
	2023-24	2024-25	2023-24	2024-25
01 109 Washtucna	1.00	1.00	1.00	1.00
01 122 Benge	1.00	1.00	1.00	1.00
01 147 Othello	1.00	1.00	1.00	1.00
01 158 Lind	1.00	1.00	1.00	1.00
01 160 Ritzville	1.04	1.04	1.00	1.00
02 250 Clarkston	1.00	1.00	1.00	1.00
02 420 Asotin-Anatone	1.00	1.00	1.00	1.00
03 017 Kennewick	1.00	1.00	1.00	1.00
03 050 Paterson	1.00	1.00	1.00	1.00
03 052 Kiona-Benton City	1.04	1.04	1.00	1.00
03 053 Finley	1.00	1.00	1.00	1.00
03 116 Prosser	1.00	1.00	1.00	1.00
03 400 Richland	1.00	1.00	1.00	1.00
04 019 Manson	1.06	1.06	1.06	1.06
04 069 Stehekin	1.00	1.00	1.00	1.00
04 127 Entiat	1.04	1.04	1.00	1.00
04 129 Lake Chelan	1.06	1.06	1.06	1.06
04 222 Cashmere	1.04	1.04	1.00	1.00
04 228 Cascade	1.06	1.06	1.06	1.06
04 246 Wenatchee	1.00	1.00	1.00	1.00
04 901 Pinnacles Prep	1.00	1.00	1.00	1.00

School District	Certificated Instructional Staff		Certificated Administrative & Classified Staff	
	2023-24	2024-25	2023-24	2024-25
05 121 Port Angeles	1.04	1.04	1.00	1.00
05 313 Crescent	1.00	1.00	1.00	1.00
05 323 Sequim	1.06	1.06	1.06	1.06
05 401 Cape Flattery	1.00	1.00	1.00	1.00
05 402 Quillayute Valley	1.00	1.00	1.00	1.00
05 903 Quileute Tribal	1.00	1.00	1.00	1.00
06 037 Vancouver	1.06	1.06	1.06	1.06
06 098 Hockinson	1.06	1.06	1.06	1.06
06 101 La Center	1.10	1.10	1.06	1.06
06 103 Green Mountain	1.06	1.06	1.06	1.06
06 112 Washougal	1.06	1.06	1.06	1.06
06 114 Evergreen (Clark)	1.10	1.10	1.06	1.06
06 117 Camas	1.10	1.10	1.06	1.06
06 119 Battle Ground	1.10	1.10	1.06	1.06
06 122 Ridgefield	1.06	1.06	1.06	1.06
07 002 Dayton	1.04	1.04	1.00	1.00
07 035 Starbuck	1.00	1.00	1.00	1.00
08 122 Longview	1.00	1.00	1.00	1.00
08 130 Toutle Lake	1.00	1.00	1.00	1.00
08 401 Castle Rock	1.00	1.00	1.00	1.00
08 402 Kalama	1.00	1.00	1.00	1.00
08 404 Woodland	1.00	1.00	1.00	1.00
08 458 Kelso	1.00	1.00	1.00	1.00
09 013 Orondo	1.00	1.00	1.00	1.00
09 075 Bridgeport	1.00	1.00	1.00	1.00
09 102 Palisades	1.00	1.00	1.00	1.00
09 206 Eastmont	1.00	1.00	1.00	1.00
09 207 Mansfield	1.00	1.00	1.00	1.00
09 209 Waterville	1.00	1.00	1.00	1.00
10 003 Keller	1.00	1.00	1.00	1.00
10 050 Curlew	1.00	1.00	1.00	1.00
10 065 Orient	1.00	1.00	1.00	1.00
10 070 Inchelium	1.00	1.00	1.00	1.00
10 309 Republic	1.00	1.00	1.00	1.00
11 001 Pasco	1.00	1.00	1.00	1.00
11 051 North Franklin	1.00	1.00	1.00	1.00
11 054 Star	1.00	1.00	1.00	1.00
11 056 Kahlotus	1.00	1.00	1.00	1.00
12 110 Pomeroy	1.00	1.00	1.00	1.00
13 073 Wahluke	1.00	1.00	1.00	1.00
13 144 Quincy	1.00	1.00	1.00	1.00
13 146 Warden	1.00	1.00	1.00	1.00

School District	Certificated Instructional Staff		Certificated Administrative & Classified Staff	
	2023-24	2024-25	2023-24	2024-25
13 151 Coulee-Hartline	1.00	1.00	1.00	1.00
13 156 Soap Lake	1.00	1.00	1.00	1.00
13 160 Royal	1.00	1.00	1.00	1.00
13 161 Moses Lake	1.00	1.00	1.00	1.00
13 165 Ephrata	1.04	1.04	1.00	1.00
13 167 Wilson Creek	1.00	1.00	1.00	1.00
13 301 Grand Coulee Dam	1.00	1.00	1.00	1.00
14 005 Aberdeen	1.00	1.00	1.00	1.00
14 028 Hoquiam	1.00	1.00	1.00	1.00
14 064 North Beach	1.00	1.00	1.00	1.00
14 065 McCleary	1.00	1.00	1.00	1.00
14 066 Montesano	1.04	1.04	1.00	1.00
14 068 Elma	1.00	1.00	1.00	1.00
14 077 Taholah	1.00	1.00	1.00	1.00
14 097 Lake Quinalt	1.00	1.00	1.00	1.00
14 099 Cosmopolis	1.00	1.00	1.00	1.00
14 104 Satsop	1.00	1.00	1.00	1.00
14 117 Wishkah Valley	1.00	1.00	1.00	1.00
14 172 Ocosta	1.00	1.00	1.00	1.00
14 400 Oakville	1.00	1.00	1.00	1.00
15 201 Oak Harbor	1.12	1.12	1.12	1.12
15 204 Coupeville	1.12	1.12	1.12	1.12
15 206 South Whidbey	1.18	1.18	1.18	1.18
16 020 Queets-Clearwater	1.04	1.04	1.00	1.00
16 046 Brinnon	1.00	1.00	1.00	1.00
16 048 Quilcene	1.06	1.06	1.06	1.06
16 049 Chimacum	1.12	1.12	1.12	1.12
16 050 Port Townsend	1.12	1.12	1.12	1.12
17 001 Seattle	1.18	1.18	1.18	1.18
17 210 Federal Way	1.12	1.12	1.12	1.12
17 216 Enumclaw	1.12	1.12	1.12	1.12
17 400 Mercer Island	1.18	1.18	1.18	1.18
17 401 Highline	1.18	1.18	1.18	1.18
17 402 Vashon Island	1.16	1.16	1.12	1.12
17 403 Renton	1.18	1.18	1.18	1.18
17 404 Skykomish	1.18	1.18	1.18	1.18
17 405 Bellevue	1.18	1.18	1.18	1.18
17 406 Tukwila	1.18	1.18	1.18	1.18
17 407 Riverview	1.18	1.18	1.18	1.18
17 408 Auburn	1.12	1.12	1.12	1.12
17 409 Tahoma	1.22	1.22	1.18	1.18
17 410 Snoqualmie	1.18	1.18	1.18	1.18

School District	Certificated Instructional Staff		Certificated Administrative & Classified Staff	
	2023-24	2024-25	2023-24	2024-25
Valley				
17 411 Issaquah	1.18	1.18	1.18	1.18
17 412 Shoreline	1.18	1.18	1.18	1.18
17 414 Lake Washington	1.18	1.18	1.18	1.18
17 415 Kent	1.18	1.18	1.18	1.18
17 417 Northshore	1.18	1.18	1.18	1.18
17 902 Summit Sierra Charter	1.18	1.18	1.18	1.18
17 903 Muckleshoot Tribal	1.12	1.12	1.12	1.12
17 905 Summit Atlas Charter	1.18	1.18	1.18	1.18
17 906 Green Dot Excel Charter	1.18	1.18	1.18	1.18
17 908 Rainier Prep Charter	1.18	1.18	1.18	1.18
17 910 Green Dot Rainier Valley Charter	1.18	1.18	1.18	1.18
17 911 Impact Charter	1.18	1.18	1.18	1.18
17 916 Impact Salish Sea Charter	1.18	1.18	1.18	1.18
17 917 Why Not You Academy	1.18	1.18	1.18	1.18
18 100 Bremerton	1.18	1.18	1.18	1.18
18 303 Bainbridge Island	1.22	1.22	1.18	1.18
18 400 North Kitsap	1.22	1.22	1.18	1.18
18 401 Central Kitsap	1.22	1.22	1.18	1.18
18 402 South Kitsap	1.18	1.18	1.18	1.18
18 901 Catalyst Bremerton Charter	1.18	1.18	1.18	1.18
18 902 Suquamish Tribal	1.18	1.18	1.18	1.18
19 007 Damman	1.04	1.04	1.00	1.00
19 028 Easton	1.12	1.12	1.12	1.12
19 400 Thorp	1.06	1.06	1.06	1.06
19 401 Ellensburg	1.00	1.00	1.00	1.00
19 403 Kittitas	1.00	1.00	1.00	1.00
19 404 Cle Elum-Roslyn	1.06	1.06	1.06	1.06
20 094 Wishram	1.00	1.00	1.00	1.00
20 203 Bickleton	1.00	1.00	1.00	1.00
20 215 Centerville	1.00	1.00	1.00	1.00
20 400 Trout Lake	1.00	1.00	1.00	1.00
20 401 Glenwood	1.04	1.04	1.00	1.00
20 402 Klickitat	1.04	1.04	1.00	1.00
20 403 Roosevelt	1.00	1.00	1.00	1.00

School District	Certificated Instructional Staff		Certificated Administrative & Classified Staff	
	2023-24	2024-25	2023-24	2024-25
20 404 Goldendale	1.00	1.00	1.00	1.00
20 405 White Salmon Valley	1.04	1.04	1.00	1.00
20 406 Lyle	1.00	1.00	1.00	1.00
21 014 Napavine	1.00	1.00	1.00	1.00
21 036 Evaline	1.00	1.00	1.00	1.00
21 206 Mossyrock	1.00	1.00	1.00	1.00
21 214 Morton	1.00	1.00	1.00	1.00
21 226 Adna	1.04	1.04	1.00	1.00
21 232 Winlock	1.00	1.00	1.00	1.00
21 234 Boistfort	1.00	1.00	1.00	1.00
21 237 Toledo	1.00	1.00	1.00	1.00
21 300 Onalaska	1.00	1.00	1.00	1.00
21 301 Pe Ell	1.04	1.04	1.00	1.00
21 302 Chehalis	1.04	1.04	1.00	1.00
21 303 White Pass	1.00	1.00	1.00	1.00
21 401 Centralia	1.00	1.00	1.00	1.00
22 008 Sprague	1.00	1.00	1.00	1.00
22 009 Reardan-Edwall	1.00	1.00	1.00	1.00
22 017 Almira	1.00	1.00	1.00	1.00
22 073 Creston	1.00	1.00	1.00	1.00
22 105 Odessa	1.04	1.04	1.00	1.00
22 200 Wilbur	1.00	1.00	1.00	1.00
22 204 Harrington	1.04	1.04	1.00	1.00
22 207 Davenport	1.00	1.00	1.00	1.00
23 042 Southside	1.00	1.00	1.00	1.00
23 054 Grapeview	1.06	1.06	1.06	1.06
23 309 Shelton	1.00	1.00	1.00	1.00
23 311 Mary M. Knight	1.00	1.00	1.00	1.00
23 402 Pioneer	1.06	1.06	1.06	1.06
23 403 North Mason	1.12	1.12	1.12	1.12
23 404 Hood Canal	1.00	1.00	1.00	1.00
24 014 Nespelem	1.00	1.00	1.00	1.00
24 019 Omak	1.00	1.00	1.00	1.00
24 105 Okanogan	1.00	1.00	1.00	1.00
24 111 Brewster	1.00	1.00	1.00	1.00
24 122 Pateros	1.00	1.00	1.00	1.00
24 350 Methow Valley	1.00	1.00	1.00	1.00
24 404 Tonasket	1.00	1.00	1.00	1.00
24 410 Oroville	1.00	1.00	1.00	1.00
25 101 Ocean Beach	1.00	1.00	1.00	1.00
25 116 Raymond	1.00	1.00	1.00	1.00
25 118 South Bend	1.00	1.00	1.00	1.00
25 155 Naselle-Grays	1.00	1.00	1.00	1.00

School District	Certificated Instructional Staff		Certificated Administrative & Classified Staff	
	2023-24	2024-25	2023-24	2024-25
River Valley				
25 160 Willapa Valley	1.00	1.00	1.00	1.00
25 200 North River	1.00	1.00	1.00	1.00
26 056 Newport	1.00	1.00	1.00	1.00
26 059 Cusick	1.00	1.00	1.00	1.00
26 070 Selkirk	1.00	1.00	1.00	1.00
27 001 Steilacoom Historical	1.06	1.06	1.06	1.06
27 003 Puyallup	1.12	1.12	1.12	1.12
27 010 Tacoma	1.12	1.12	1.12	1.12
27 019 Carbonado	1.06	1.06	1.06	1.06
27 083 University Place	1.10	1.10	1.06	1.06
27 320 Sumner	1.12	1.12	1.12	1.12
27 343 Dieringer	1.16	1.16	1.12	1.12
27 344 Orting	1.06	1.06	1.06	1.06
27 400 Clover Park	1.06	1.06	1.06	1.06
27 401 Peninsula	1.12	1.12	1.12	1.12
27 402 Franklin Pierce	1.06	1.06	1.06	1.06
27 403 Bethel	1.06	1.06	1.06	1.06
27 404 Eatonville	1.00	1.00	1.00	1.00
27 416 White River	1.06	1.06	1.06	1.06
27 417 Fife	1.12	1.12	1.12	1.12
27 901 Chief Leschi Tribal	1.12	1.12	1.12	1.12
27 902 Impact Commencement Bay	1.12	1.12	1.12	1.12
27 904 Green Dot Destiny Charter	1.12	1.12	1.12	1.12
27 905 Summit Olympus Charter	1.12	1.12	1.12	1.12
27 909 Soar Academy Charter	1.12	1.12	1.12	1.12
28 010 Shaw Island	1.18	1.18	1.18	1.18
28 137 Orcas Island	1.12	1.12	1.12	1.12
28 144 Lopez Island	1.12	1.12	1.12	1.12
28 149 San Juan Island	1.12	1.12	1.12	1.12
29 011 Concrete	1.06	1.06	1.06	1.06
29 100 Burlington-Edison	1.12	1.12	1.12	1.12
29 101 Sedro-Woolley	1.12	1.12	1.12	1.12
29 103 Anacortes	1.16	1.16	1.12	1.12
29 311 La Conner	1.12	1.12	1.12	1.12
29 317 Conway	1.16	1.16	1.12	1.12
29 320 Mount Vernon	1.12	1.12	1.12	1.12
30 002 Skamania	1.06	1.06	1.06	1.06

School District	Certificated Instructional Staff		Certificated Administrative & Classified Staff	
	2023-24	2024-25	2023-24	2024-25
30 029 Mount Pleasant	1.06	1.06	1.06	1.06
30 031 Mill A	1.00	1.00	1.00	1.00
30 303 Stevenson-Carson	1.00	1.00	1.00	1.00
31 002 Everett	1.18	1.18	1.18	1.18
31 004 Lake Stevens	1.18	1.18	1.18	1.18
31 006 Mukilteo	1.18	1.18	1.18	1.18
31 015 Edmonds	1.18	1.18	1.18	1.18
31 016 Arlington	1.16	1.16	1.12	1.12
31 025 Marysville	1.18	1.18	1.18	1.18
31 063 Index	1.18	1.18	1.18	1.18
31 103 Monroe	1.18	1.18	1.18	1.18
31 201 Snohomish	1.22	1.22	1.18	1.18
31 306 Lakewood	1.12	1.12	1.12	1.12
31 311 Sultan	1.18	1.18	1.18	1.18
31 330 Darrington	1.12	1.12	1.12	1.12
31 332 Granite Falls	1.12	1.12	1.12	1.12
31 401 Stanwood-Camano	1.16	1.16	1.12	1.12
32 081 Spokane	1.00	1.00	1.00	1.00
32 123 Orchard Prairie	1.00	1.00	1.00	1.00
32 312 Great Northern	1.00	1.00	1.00	1.00
32 325 Nine Mile Falls	1.04	1.04	1.00	1.00
32 326 Medical Lake	1.00	1.00	1.00	1.00
32 354 Mead	1.04	1.04	1.00	1.00
32 356 Central Valley	1.04	1.04	1.00	1.00
32 358 Freeman	1.04	1.04	1.00	1.00
32 360 Cheney	1.00	1.00	1.00	1.00
32 361 East Valley (Spokane)	1.04	1.04	1.00	1.00
32 362 Liberty	1.00	1.00	1.00	1.00
32 363 West Valley (Spokane)	1.00	1.00	1.00	1.00
32 414 Deer Park	1.00	1.00	1.00	1.00
32 416 Riverside	1.00	1.00	1.00	1.00
32 901 Spokane Intl Acad Charter	1.00	1.00	1.00	1.00
32 903 Lumen Charter	1.00	1.00	1.00	1.00
32 907 Pride Prep Charter	1.00	1.00	1.00	1.00
33 030 Onion Creek	1.00	1.00	1.00	1.00
33 036 Chewelah	1.00	1.00	1.00	1.00
33 049 Wellpinit	1.00	1.00	1.00	1.00
33 070 Valley	1.00	1.00	1.00	1.00
33 115 Colville	1.04	1.04	1.00	1.00

School District	Certificated Instructional Staff		Certificated Administrative & Classified Staff	
	2023-24	2024-25	2023-24	2024-25
33 183 Loon Lake	1.00	1.00	1.00	1.00
33 202 Summit Valley	1.00	1.00	1.00	1.00
33 205 Evergreen (Stevens)	1.00	1.00	1.00	1.00
33 206 Columbia (Stevens)	1.00	1.00	1.00	1.00
33 207 Mary Walker	1.00	1.00	1.00	1.00
33 211 Northport	1.00	1.00	1.00	1.00
33 212 Kettle Falls	1.00	1.00	1.00	1.00
34 002 Yelm	1.06	1.06	1.06	1.06
34 003 North Thurston	1.00	1.00	1.00	1.00
34 033 Tumwater	1.00	1.00	1.00	1.00
34 111 Olympia	1.04	1.04	1.00	1.00
34 307 Rainier	1.00	1.00	1.00	1.00
34 324 Griffin	1.00	1.00	1.00	1.00
34 401 Rochester	1.00	1.00	1.00	1.00
34 402 Tenino	1.00	1.00	1.00	1.00
34 901 Wa He Lut Indian Tribal	1.00	1.00	1.00	1.00
35 200 Wahkiakum	1.04	1.04	1.00	1.00
36 101 Dixie	1.04	1.04	1.00	1.00
36 140 Walla Walla	1.00	1.00	1.00	1.00
36 250 College Place	1.00	1.00	1.00	1.00
36 300 Touchet	1.00	1.00	1.00	1.00
36 400 Columbia (Walla Walla)	1.00	1.00	1.00	1.00
36 401 Waitsburg	1.00	1.00	1.00	1.00
36 402 Prescott	1.00	1.00	1.00	1.00
36 901 Willow Charter	1.00	1.00	1.00	1.00
37 501 Bellingham	1.06	1.06	1.06	1.06
37 502 Ferndale	1.06	1.06	1.06	1.06
37 503 Blaine	1.12	1.12	1.12	1.12
37 504 Lynden	1.12	1.12	1.12	1.12
37 505 Meridian	1.12	1.12	1.12	1.12
37 506 Nooksack Valley	1.06	1.06	1.06	1.06
37 507 Mount Baker	1.06	1.06	1.06	1.06
37 902 Whatcom Intergenerational Charter	1.06	1.06	1.06	1.06
37 903 Lummi Tribal	1.06	1.06	1.06	1.06
38 126 Lacrosse	1.00	1.00	1.00	1.00
38 264 Lamont	1.00	1.00	1.00	1.00
38 265 Tekoa	1.00	1.00	1.00	1.00
38 267 Pullman	1.00	1.00	1.00	1.00

School District	Certificated Instructional Staff		Certificated Administrative & Classified Staff	
	2023-24	2024-25	2023-24	2024-25
38 300 Colfax	1.04	1.04	1.00	1.00
38 301 Palouse	1.00	1.00	1.00	1.00
38 302 Garfield	1.00	1.00	1.00	1.00
38 304 Steptoe	1.04	1.04	1.00	1.00
38 306 Colton	1.00	1.00	1.00	1.00
38 308 Endicott	1.00	1.00	1.00	1.00
38 320 Rosalia	1.04	1.04	1.00	1.00
38 322 St. John	1.00	1.00	1.00	1.00
38 324 Oakesdale	1.00	1.00	1.00	1.00
38 901 Pullman Commnty Montessori	1.00	1.00	1.00	1.00
39 002 Union Gap	1.00	1.00	1.00	1.00
39 003 Naches Valley	1.00	1.00	1.00	1.00
39 007 Yakima	1.00	1.00	1.00	1.00
39 090 East Valley (Yakima)	1.00	1.00	1.00	1.00
39 119 Selah	1.00	1.00	1.00	1.00
39 120 Mabton	1.00	1.00	1.00	1.00
39 200 Grandview	1.00	1.00	1.00	1.00
39 201 Sunnyside	1.00	1.00	1.00	1.00
39 202 Toppenish	1.00	1.00	1.00	1.00
39 203 Highland	1.00	1.00	1.00	1.00
39 204 Granger	1.00	1.00	1.00	1.00
39 205 Zillah	1.00	1.00	1.00	1.00
39 207 Wapato	1.00	1.00	1.00	1.00
39 208 West Valley (Yakima)	1.00	1.00	1.00	1.00
39 209 Mount Adams	1.00	1.00	1.00	1.00
39 901 Yakama Nation Tribal	1.00	1.00	1.00	1.00

Senator Hawkins spoke in favor of adoption of the amendment.

WITHDRAWAL OF AMENDMENT

On motion of Senator Hawkins and without objection, amendment no. 0247 by Senator Hawkins on page 354, line 29 to Substitute Senate Bill No. 5187 was withdrawn.

MOTION

Senator Torres moved that the following amendment no. 0234 by Senator Torres be adopted:

On page 376, line 14, increase the General Fund—State Appropriation (FY 2024) by \$7,000,000

Adjust the total appropriation accordingly.

On page 378, after line 28, insert the following:

"(14) \$7,000,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for educational service

districts to offer direct behavioral and mental health supports for students."

Senator Torres spoke in favor of adoption of the amendment.

WITHDRAWAL OF AMENDMENT

On motion of Senator Torres and without objection, amendment no. 0234 by Senator Torres on page 376, line 14 to Substitute Senate Bill No. 5187 was withdrawn.

MOTION

Senator Torres moved that the following amendment no. 0235 by Senator Torres be adopted:

On page 391, line 3, increase the General Fund—State Appropriation (FY 2024) by \$1,536,000

Adjust the total appropriation accordingly.

On page 400, line 38, after "(s)" insert "\$1,536,000 of the general fund—state appropriation for fiscal year 2024 and"

On page 400, line 39, after "appropriation" strike "is" and insert "are"

Senators Torres and Rolfes spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0235 by Senator Torres on page 391, line 3 to Substitute Senate Bill No. 5187.

The motion by Senator Torres carried and amendment no. 0235 was adopted by voice vote.

MOTION

Senator Rivers moved that the following amendment no. 0249 by Senator Rivers be adopted:

On page 462, line 1, increase the Workforce Education Investment Account—State Appropriation by \$1,564,000

Adjust the total appropriation accordingly.

On page 463, after line 28, insert the following:

"(8) \$1,564,000 of the workforce education investment account—state appropriation is provided solely for updating the agency's interactive career and education exploration platform, career bridge, and is subject to the conditions, limitations, and review requirements of section 701 of this act."

On page 466, line 7, decrease Other Appropriated Funds by \$1,407,000

Adjust the total appropriation accordingly.

Senator Rivers spoke in favor of adoption of the amendment.

Senator Nguyen spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0249 by Senator Rivers on page 462, line 1 to Substitute Senate Bill No. 5187.

The motion by Senator Rivers did not carry and amendment no. 0249 was not adopted by voice vote.

MOTION

Senator Holy moved that the following amendment no. 0255 by Senator Holy be adopted:

On page 432, line 1, after "(46)" strike "\$22,793,000" and insert "\$18,467,000"

On page 435, after line 23, insert the following:
 "(68) \$4,326,000 of the workforce education investment account—state appropriation is provided solely for the expansion of the regional initiatives in dental education (RIDE) program."

Senator Holy spoke in favor of adoption of the amendment.

Senator Rolfes spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0255 by Senator Holy on page 432, line 1 to Substitute Senate Bill No. 5187.

The motion by Senator Holy did not carry and amendment no. 0255 was not adopted by voice vote.

MOTION

Senator Gildon moved that the following amendment no. 0239 by Senator Gildon be adopted:

On page 495, after line 13, insert the following:

"(7) The office of financial management, working collaboratively with the department of enterprise services, must report to the fiscal and appropriate policy committees of the legislature with comparative analysis on the total estimated office space use savings by fiscal year for all impacted state agencies, institutions of higher education, and separately elected offices compared to the actual realized savings achieved by fiscal year. The report must be submitted each January 1st, beginning January 1, 2024, for the prior fiscal year. In addition to this high-level reporting requirement, the office must also report on each lease that was set to expire in the prior fiscal year, starting with fiscal year 2023, to provide actual detail for each lease by impacted state agency, institution of higher education, and separately elected office. The detail must include:

(a) Detail on the lease expiring to include the unique facility identification, the lease number, the address, the total square feet leased, the terms of the lease to include price per square foot, whether the lease is full service or not and what services are included in the rate, and how many workstations and offices will be available;

(b) Detail on the new lease, if applicable, to include the unique facility identification, the lease number, the address, the total square feet leased, the terms of the lease to include price per square foot, whether the lease is full service or not and what is included in the rate, and how many workstations and offices will be available;

(c) The estimated relocation costs for moving furniture and people to the new location;

(d) The estimated cost for new furniture and why existing furniture was not utilized;

(e) If tenant improvement costs are being paid for as one-time costs in the new location, what improvements are being made and at what cost;

(f) If tenant improvement costs are not being paid for as one-time costs in the new location, whether the costs for the tenant improvements are built into the new lease price per square foot and if so the estimated cost added to the base price per square foot;

(g) The triple net lease detail, if applicable, for the new space; and

(h) The net fiscal impact to the agency of the new lease and any additional one-time or ongoing new costs, compared to the lease that is expiring."

Senators Gildon and Rolfes spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0239 by Senator Gildon on page 495, after line 13 to Substitute Senate Bill No. 5187.

The motion by Senator Gildon carried and amendment no. 0239 was adopted by voice vote.

MOTION

On motion of Senator Rolfes, the rules were suspended, Engrossed Substitute Senate Bill No. 5187 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Rolfes, Wilson, L., Robinson, Gildon, Wilson, C. and Mullet spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5187.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5187 and the bill passed the Senate by the following vote: Yeas, 40; Nays, 9; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Frame, Gildon, Hasegawa, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Short, Stanford, Trudeau, Valdez, Van De Wege, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senators Boehnke, Dozier, Fortunato, Hawkins, McCune, Padden, Schoesler, Torres and Wagoner

ENGROSSED SUBSTITUTE SENATE BILL NO. 5187, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

PERSONAL PRIVILEGE

Senator Rolfes: "You know I went first so I missed a few things and also, I wasn't really sure on how this was going to go, so ... [Laughter] I wanted to also thank Senator Wilson and Senator Gildon and Senator Robinson for their work on this budget. It was really a strong team. Honestly, I did not really know Senator Wilson, really hadn't worked together until we were in the room even though we have been doing this work for three years. So, I just wanted to thank all three for the work and especially Senator Robinson because you couldn't have a better vice chair. Also, I want to, I'm not gonna read out the names of all the staff, I will save that to the end of session when they're partying but the, I do want to thank Susan Howson, who's the Committee Coordinator for Ways & Means and James Kettel, who's the lead on putting the budget together. As well as Matt Bridges from the Senate Democratic team. And I don't know if I can thank Ryan on behalf of the Senate Republicans, I will do that while I'm standing here. Ryan Moore was also really spent those hundreds of hours with us too. So, thank you Mr. President for that."

PERSONAL PRIVILEGE

Senator Wilson, L.: "Thank you Mr. President. I would also like to rise to really press on the point of how much I enjoyed working with everyone in the, in the, in the whole budget arena.

EIGHTIETH DAY, MARCH 29, 2023

They are such a professional group of people and there are so many that I would be worried that I would miss somebody. I loved that they are such experts in their field. I mean there isn't a question that they can't answer and, and if they can't answer it, then they find it. It's, it's really great. I never heard them grumble and they were always right there beside us on the weekends and on the late nights as well. So, I am, expressed my opinion about working with this entire body and, and I would like to specifically say thank you to Ryan Moore. He is a, a rock here for me and again for the rest of all of you. But it's been a pleasure. Thank you."

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1784, by House Committee on Appropriations (originally sponsored by Gregerson, Ormsby, Duerr, Alvarado, Berry, Ryu, Bergquist, Peterson, Berg, Chapman, Mena, Lekanoff, Senn, Thai, Leavitt, Santos, Callan, Macri, Fosse, Riccelli, Doglio, Kloba, Timmons, Ramel, Bateman and Pollet)

Concerning hunger relief.

The measure was read the second time.

MOTION

On motion of Senator Pedersen, the rules were suspended, Substitute House Bill No. 1784 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Rolfes and Wilson, L. spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1784.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1784 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SUBSTITUTE HOUSE BILL NO. 1784, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1001, by Representatives Leavitt, Rude, Ryu, Simmons, Goodman, Pollet, Doglio, Orwall, Macri, Caldier, Reeves, Bronoske, Kloba and Riccelli

Concerning the audiology and speech-language pathology interstate compact.

The measure was read the second time.

MOTION

On motion of Senator Cleveland, the rules were suspended, House Bill No. 1001 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Cleveland spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1001.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1001 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

HOUSE BILL NO. 1001, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1058, by Representatives Paul, Orcutt, Simmons, Ryu, Reed, Ramel, Lekanoff, Sandlin, Macri, Timmons, Wylie, Shavers, Kloba and Ormsby

Streamlining the licensing process for a commercial driver's license by allowing the department to waive requirements for applicants that previously surrendered the license, allowing the license to be renewed online, and modifying the license test fees.

The measure was read the second time.

MOTION

On motion of Senator Shewmake, the rules were suspended, House Bill No. 1058 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Shewmake spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1058.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1058 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford,

Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

ROLL CALL

HOUSE BILL NO. 1058, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1082, by Representatives Simmons, Jacobsen, Goodman, Springer, Santos and Ormsby

Expanding opportunities for physical therapy and occupational therapy professionals to form professional service corporations.

The measure was read the second time.

MOTION

On motion of Senator Cleveland, the rules were suspended, House Bill No. 1082 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Cleveland spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1082.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1082 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

HOUSE BILL NO. 1082, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1100, by Representatives Schmick and Leavitt

Concerning the disposition of the remains of a county resident who dies indigent in an adjacent county outside of Washington.

The measure was read the second time.

MOTION

On motion of Senator Torres, the rules were suspended, House Bill No. 1100 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Torres and Lovelett spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1100.

The Secretary called the roll on the final passage of House Bill No. 1100 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

HOUSE BILL NO. 1100, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1120, by Representatives Reeves, Corry and Ryu

Concerning the best interest standard for annuity transactions.

The measure was read the second time.

MOTION

On motion of Senator Stanford, the rules were suspended, House Bill No. 1120 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Stanford and Dozier spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1120.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1120 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

HOUSE BILL NO. 1120, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Pedersen, the Senate reverted to the first order of business.

SUPPLEMENTAL REPORTS OF STANDING COMMITTEES

EIGHTIETH DAY, MARCH 29, 2023

ESHB 1589 Prime Sponsor, Committee on Environment & Energy: Supporting Washington's clean energy economy and transitioning to a clean, affordable, and reliable energy future. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass as amended. Signed by Senators Nguyen, Chair; Lovelett, Vice Chair; Lovick; Trudeau and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators MacEwen, Ranking Member; Boehnke and Short.

Referred to Committee on Rules for second reading.

March 29, 2023

HB 1763 Prime Sponsor, Representative Eslick: Ensuring completion of conditional scholarship obligations and reducing penalties for excusable incomplete obligations. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: Do pass. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member and Liias.

Referred to Committee on Rules for second reading.

March 29, 2023

EHB 1823 Prime Sponsor, Representative Timmons: Modifying the Washington student loan program. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: Do pass as amended. Signed by Senators Randall, Chair; Nobles, Vice Chair; Holy, Ranking Member and Liias.

Referred to Committee on Ways & Means.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Standing Committee report were referred to the committees as designated.

At 2:17 p.m., on motion of Senator Pedersen, the Senate adjourned until 12:00 o'clock noon Thursday, March 30, 2023.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

EIGHTY FIRST DAY

NOON SESSION

Senate Chamber, Olympia
Thursday, March 30, 2023

The Senate was called to order at 12 o'clock noon by the President of the Senate, Lt. Governor Heck presiding. No roll call was taken.

MOTIONS

On motion of Senator Pedersen, the reading of the Journal of the previous day was dispensed with and it was approved.

On motion of Senator Pedersen, the Senate advanced to the fourth order of business.

MESSAGE FROM THE HOUSE

March 29, 2023

MR. PRESIDENT:
The Speaker has signed:

SENATE BILL NO. 5023,
SUBSTITUTE SENATE BILL NO. 5028,
SENATE BILL NO. 5041,
SENATE BILL NO. 5089,
ENGROSSED SUBSTITUTE SENATE BILL NO. 5143,
ENGROSSED SUBSTITUTE SENATE BILL NO. 5179,
SENATE BILL NO. 5192,
ENGROSSED SECOND SUBSTITUTE
SENATE BILL NO. 5198,
SENATE BILL NO. 5295,
SENATE BILL NO. 5319,
SENATE BILL NO. 5342,
SENATE BILL NO. 5370,
SENATE BILL NO. 5421,
SUBSTITUTE SENATE BILL NO. 5439,
SENATE BILL NO. 5553,
SUBSTITUTE SENATE BILL NO. 5569,
ENGROSSED SENATE BILL NO. 5623,
SUBSTITUTE SENATE BILL NO. 5627,
ENGROSSED SENATE BILL NO. 5650,
SENATE BILL NO. 5700,

and the same are herewith transmitted.

BERNARD DEAN, Chief Clerk

MOTION

On motion of Senator Pedersen, the Senate advanced to the eighth order of business.

MOTION

Senator Kuderer moved adoption of the following resolution:

**SENATE RESOLUTION
8630**

By Senators Kuderer, Cleveland, Fortunato, Hasegawa, Hunt, Kauffman, Keiser, Lovick, Nobles, Saldaña, Shewmake, Torres, Valdez, Wellman, and C. Wilson

WHEREAS, Women in Cloud is a woman-led, grassroots economic development organization founded in Seattle,

Washington aiming to create \$1,000,000,000 in economic access and opportunity for women entrepreneurs by 2030, of which they have already achieved valuation of more than \$500,000,000; and

WHEREAS, Women in Cloud is paving the way for the next generation of women entrepreneurs and professionals in the tech industry, community leadership, and lawmaking; and

WHEREAS, Harvard Business Review found that the unique perspectives provided by a diverse team bring together innovative ideas and harbors greater creativity; and

WHEREAS, Forbes reports that in 2021 women accounted for only 34.4 percent of the workforce at the five largest tech companies despite making up 47 percent of the total workforce and 50 percent of the population in the United States; and

WHEREAS, Statistics such as these illustrate that the underrepresentation of women in tech professional fields persists; and

WHEREAS, Women in Cloud strives to ignite economic success with their ESG Women's Leadership Program, which brings together women from a diverse range of fields, including politics, technology, and business; and

WHEREAS, Women in Cloud has grown to a community of over 70,000 members, giving them a powerful platform to align their skills and talents with opportunities to put more women in leadership roles; and

WHEREAS, Women in Cloud recognizes these women as sources of inspiration and empowerment for young women and girls to pursue careers in professional and technological fields; and

WHEREAS, The Women in Cloud Annual Summit has become one of the world's most influential conferences and a celebration of the advancements of women as industry leaders; and

WHEREAS, Bringing together over 1,000 international participants and speakers from over 25 countries, the Annual Summit facilitates curated and organic connections to make way for economic development; and

WHEREAS, Women in Cloud attempted a Guinness World Records title for the most users in a vision board video hangout during their 2023 Annual Summit with 535 people developing a vision board in two attempts; and

WHEREAS, Women in Cloud is an industry leading platform for women and allies to gain access to the knowledge, leaders, and networks necessary to build successful and responsible businesses in a new era of technological advancement;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate recognize the extraordinary accomplishments of Women in Cloud, the powerful community of women luminaires this initiative is creating, and the strides being made in the pursuit of increased representation of women leaders in professional and technological fields; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to Women in Cloud.

Senator Kuderer spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8630.

The motion by Senator Kuderer carried and the resolution was adopted by voice vote.

MOTION

Senator Short moved adoption of the following resolution:

SENATE RESOLUTION
8632

By Senator Short

WHEREAS, A century of camping at Camp Gifford on Deer Lake in Stevens County offers a chance to reflect on the importance of mentorship and ministry in the lives of young people; and

WHEREAS, The Salvation Army Corps of Spokane acquired the property in 1920 or 1921, and began operating summer camps at the site in the mid-1920s under the name Camp Cougar; and

WHEREAS, The camp grew from a 20-acre campground of simple tents and open fires to a complex of A-frame cabins with indoor plumbing, as well as a dining hall, a mini golf course, an infirmary, waterfront facilities, docks, and boats; and

WHEREAS, In 1998 the camp grew to 140 acres when an adjacent undeveloped parcel was purchased, offering a wilderness camping experience for teens; and

WHEREAS, The Salvation Army originally operated the summer camp programs, offering programs for 120 children or more during 10 weeks of the summer; and

WHEREAS, The Salvation Army changed its business plan in the 1990s, renting the camp to churches, nonprofit groups, and retreat organizations, and made improvements allowing the camp to remain open in winter; and

WHEREAS, The Salvation Army rents the facility to 40 to 50 groups each year and operates the camp with commitment and resolve, making it an important amenity for the area and for organizations in that part of the state; and

WHEREAS, The camp's importance to the region was recognized in 1997 when reconstruction efforts were assisted by the state and federal AmeriCorps program through Educational Service District 101; and

WHEREAS, Camp Gifford continues to thrive after a century of operation and has become an institution of great importance to the life and culture of the Inland Northwest, due to support from community organizations, churches, and public entities that have come together to contribute to its success;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate recognize the profound impact Camp Gifford has had in the lives of children and teenagers throughout the region, offering them lessons in leadership, teamwork, and foundational values, buttressed with faith, fueled by inspiration, and underscored by the natural beauty of the surrounding environment; and

BE IT FURTHER RESOLVED, That a copy of this resolution be immediately transmitted to Spokane Salvation Army Citadel Corps and to the Camp Gifford administrative offices, with the hope that Camp Gifford will continue to exert a positive influence in the lives of young people in the future.

Senator Short spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8632.

The motion by Senator Short carried and the resolution was adopted by voice vote.

MOTION

Senator MacEwen moved adoption of the following resolution:

SENATE RESOLUTION
8628

By Senators MacEwen, Hasegawa, and Kuderer

WHEREAS, The United States Navy was officially created by Congress in April, 1798, and has its earliest roots in General George Washington's Continental Navy, which he formed in 1775 to defend the American colonies from British attack; and

WHEREAS, The United States Navy maintains, trains, and equips combat-ready forces for the purpose of deterring aggression toward the United States and maintaining freedom on the seas; and

WHEREAS, The United States Navy is also responsible for the seaborne support of the other branches of the United States military; and

WHEREAS, The United States Navy has seven active fleets currently in service, with 11 aircraft carriers, 92 cruisers and destroyers, and 59 small-surface combatants and combat logistics ships; and

WHEREAS, The United States Navy's submarine fleet consists of 50 fast-attack submarines, 14 ballistic-missile submarines, and four cruise-missile submarines, all working in close collaboration with navies of American allies; and

WHEREAS, All submariners in the United States Navy have volunteered for their positions and take enormous pride in the level of sacrifice and difficulty of their unique duty and service in seas around the world; and

WHEREAS, Six United States presidents served in the United States Navy in World War II alone before they led our nation, including John F. Kennedy, Lyndon B. Johnson, Richard Nixon, Gerald Ford, Jimmy Carter, and George H.W. Bush; and

WHEREAS, The United States Navy maintains a strong presence in Washington state through Naval Base Kitsap, Naval Air Station Whidbey Island, and Naval Station Everett; and

WHEREAS, Naval Base Kitsap is the third-largest United States Navy installation in the United States, and is home to a diverse naval force, including all types of submarines, two Nimitz-class aircraft carriers, Puget Sound Naval Shipyard, and the Manchester Fuel Depot; and

WHEREAS, A naval station was established in Bremerton, Washington, in 1891, becoming the 179-acre Puget Sound Naval Shipyard after World War II, which has been responsible for construction, modernization, conversion, maintenance, and nuclear refueling of Navy vessels; and

WHEREAS, Washington is home to more than 11,000 Navy service members and generates more than \$11 billion in economic activity, provides more than 79,000 military and civilian jobs, and more than \$303 million in state and local taxes; and

WHEREAS, Former Governor Dan Evans served in the United States Navy during World War II from 1943 to 1946; and

WHEREAS, Many members and staff of the Washington State Legislature have served in the United States Navy and many Navy veterans have gone on to serve their country in political office around the country; and

WHEREAS, The United States Navy has beaten the United States Army in more than half of the 123 Army-Navy football games and has the longer winning streak of the two teams;

NOW, THEREFORE, BE IT RESOLVED, That on behalf of the people of Washington and the more than 64,000 Navy service members and families who live in our communities, the Senate express its unwavering gratitude and appreciation for the United States Navy and the prosperity and protection it has provided to Washington.

Senators MacEwen, Wagoner, Braun, Kuderer and Boehnke spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8628.

The motion by Senator MacEwen carried and the resolution was adopted by voice vote.

SIGNED BY THE PRESIDENT

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

ENGROSSED SUBSTITUTE SENATE BILL NO. 5272.

MOTION

At 12:30 p.m., on motion of Senator Pedersen, the Senate adjourned until 9 o'clock a.m. Friday, March 31, 2023.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

EIGHTY SECOND DAY

MORNING SESSION

Senate Chamber, Olympia
Friday, March 31, 2023

The Senate was called to order at 9 o'clock a.m. by the President Pro Tempore, Senator Keiser presiding. The Secretary called the roll and announced to the President Pro Tempore that all Senators were present with the exception of Senator Trudeau.

The Sergeant at Arms Color Guard consisting of Pages Miss Alexis Guebara and Miss Prabhnoor Kaur, presented the Colors. Page Mr. Bryce Kuykendall led the Senate in the Pledge of Allegiance.

The prayer was offered by Senator Rebecca Saldana, 37th Legislative District, Seattle.

MOTIONS

On motion of Senator Pedersen, the reading of the Journal of the previous day was dispensed with and it was approved.

On motion of Senator Pedersen, the Senate advanced to the third order of business.

MESSAGE FROM THE GOVERNOR

March 30, 2023

To the Honorable President and Members,
The Senate of the State of Washington

Ladies and Gentlemen:

I have the honor to advise you that on March 30, 2023, Governor Inslee approved the following Senate Bills entitled:

Senate Bill No. 5036

Relating to extending the time frame in which real-time telemedicine using both audio and video technology may be used to establish a relationship for the purpose of providing audio-only telemedicine for certain health care services;

Senate Bill No. 5122

Relating to extending the expiration date of the ambulance transport fund;

Senate Bill No. 5003

Relating to increasing the number of district court judges in Snohomish county;

Senate Bill No. 5079

Relating to the date by which tuition operating fees are established;

Senate Bill No. 5394

Relating to malpractice insurance for international medical graduate supervisors;

Substitute Senate Bill No. 5005

Relating to real property;

Substitute Senate Bill No. 5121

Relating to the joint select committee on health care and behavioral health oversight;

Engrossed Substitute Senate Bill No. 5142

Relating to creating an account for the pharmaceutical rebate revenue generated by the purchase of medications for people living with HIV who are enrolled in the early intervention program;

Substitute Senate Bill No. 5275

Relating to expanding access to benefits provided by the school employees' benefits board;

Substitute Senate Bill No. 5490

Relating to health care coverage for retired or disabled employees denied coverage for failure to timely notify the authority of their intent to defer coverage;

Substitute Senate Bill No. 5033

Relating to reclassifying the sentence for the crime of custodial sexual misconduct;

Substitute Senate Bill No. 5729

Relating to removing the expiration date on the cost-sharing cap for insulin

Sincerely,

/s/

Drew Shirk, Executive Director of Legislative Affairs

MESSAGES FROM THE GOVERNOR
GUBERNATORIAL APPOINTMENTS

March 23, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

CHRISTINE JOHNSON, appointed March 23, 2023, for the term ending September 30, 2027, as Member of the Eastern Washington University Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9342.

March 27, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

NANCY J. YOUNG, appointed March 27, 2023, for the term ending January 4, 2029, as Member of the Personnel Resources Board.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Labor & Commerce as Senate Gubernatorial Appointment No. 9343.

MOTIONS

On motion of Senator Pedersen, all appointees listed on the Gubernatorial Appointments report were referred to the committees as designated.

On motion of Senator Pedersen, the Senate advanced to the eighth order of business.

MOTION

Senator Fortunato moved adoption of the following resolution:

SENATE RESOLUTION
8615

By Senator Fortunato

WHEREAS, The Blessing Movement was founded in 2019 to foster and strengthen relationships between youth and senior citizens in the Sumner and Bonney Lake communities through service projects; and

WHEREAS, The Blessing Movement creates opportunities for High School students to volunteer their time to assist senior citizens, many with disabilities, on fixed incomes, veterans, or those facing terminal illness, especially in the form of yard up-keep who would otherwise be challenged by such maintenance, helping improve their quality of life and pride of ownership; and

WHEREAS, In 2022, The Blessing Movement established a community builder project with Sumner-Bonney Lake School District called "Students Helping Seniors," which gives school clubs the ability to adopt a home for one year to assist with yard care needs; and

WHEREAS, High school students who take part in The Blessing Movement have the opportunity to earn community service hours, a valuable component toward postsecondary education scholarships; and

WHEREAS, The Blessing Movement currently provides assistance to 24 homes within the community with a team of 20 adult volunteers, four community-based program interns, three Elhi Hill High School Program students, 40 Bonney Lake High school National Honor Society students, and 10 Key Club students; and

WHEREAS, The Blessing Movement strives to instill a strong work ethic, a sense of teamwork, and a lifelong compassion for others in the community's youth, with now over 6,000 hours of service to the community annually; and

WHEREAS, The Blessing Movement would not be successful without the generous donations and volunteers from the Sumner-Bonney Lake communities; and

WHEREAS, The intergenerational engagement fostered by The Blessing Movement is intended to also help both senior citizens and students alike to feel a sense of community and belonging;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate recognize The Blessing Movement, it's founder Kerry LeBleu, and their efforts within the Sumner-Bonney Lake communities to support aging residents, improve quality of life, and empower youth to serve their communities.

MOTION

On motion of Senator Nobles, Senators Randall, Rolfes, Saldaña and Trudeau were excused.

Senator Fortunato spoke in favor of adoption of the resolution.

The President Pro Tempore declared the question before the Senate to be the adoption of Senate Resolution No. 8615.

The motion by Senator Fortunato carried and the resolution was adopted by voice vote.

INTRODUCTION OF SPECIAL GUESTS

The President Pro Tempore welcomed and introduced Ms. Kerry LeBleu, Founder of the Blessing Movement; representatives of the Sumner-Bonney-Lake School District; students from Sumner-Bonney Lake area high schools; and Interns from the Sumner-Bonney-Lake Community Based Transition Program who were seated in the gallery.

MOTION

On motion of Senator Pedersen, the Senate reverted to the sixth order of business.

SECOND READING

HOUSE BILL NO. 1265, by Representatives Ramos, Goehner, Chapman, Robertson, Kloba, Chambers, Slatter, Callan, Donaghy, Ryu, Reeves, Chopp, Senn, Reed, Couture, Simmons, Fey, Jacobsen, Macri, Peterson, Ramel and Pollet

Establishing a property tax exemption for adult family homes that serve people with intellectual or developmental disabilities and are owned by a nonprofit.

The measure was read the second time.

MOTION

On motion of Senator Mullet, the rules were suspended, House Bill No. 1265 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Mullet and Boehnke spoke in favor of passage of the bill.

MOTION

On motion of Senator Wagoner, Senator Fortunato was excused.

The President Pro Tempore declared the question before the Senate to be the final passage of House Bill No. 1265.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1265 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Fortunato, Rolfes and Trudeau

HOUSE BILL NO. 1265, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

EIGHTY SECOND DAY, MARCH 31, 2023

HOUSE BILL NO. 1287, by Representatives Thai, Caldier, Graham, Riccelli, Macri, Reed, Pollet and Leavitt

Concerning dental hygienists.

The measure was read the second time.

MOTION

On motion of Senator Cleveland, the rules were suspended, House Bill No. 1287 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Cleveland spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of House Bill No. 1287.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1287 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Fortunato, Rolfes and Trudeau

HOUSE BILL NO. 1287, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Vice President Pro Tempore assumed the chair, Senator Lovick presiding.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1352, by House Committee on Local Government (originally sponsored by Stearns, Low, Cortes, Entenman, Couture, Ramel, Lekanoff, Pollet and Fosse)

Authorizing tribal investment in county investment pools.

The measure was read the second time.

MOTION

On motion of Senator Kauffman, the rules were suspended, Substitute House Bill No. 1352 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Kauffman and Torres spoke in favor of passage of the bill.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Substitute House Bill No. 1352.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1352 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Trudeau

SUBSTITUTE HOUSE BILL NO. 1352, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1419, by Representatives Chapman and Goehner

Concerning county treasurers' duties.

The measure was read the second time.

MOTION

On motion of Senator Lovelett, the rules were suspended, House Bill No. 1419 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Lovelett and Torres spoke in favor of passage of the bill.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of House Bill No. 1419.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1419 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Trudeau

HOUSE BILL NO. 1419, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1620, by House Committee on Local Government (originally sponsored by Fey and Morgan)

Concerning the number of inhabitants required for incorporation as a city or town.

The measure was read the second time.

MOTION

On motion of Senator Lovelett, the rules were suspended, Substitute House Bill No. 1620 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Lovelett and Torres spoke in favor of passage of the bill.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Substitute House Bill No. 1620.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1620 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senator Saldaña

Excused: Senator Trudeau

SUBSTITUTE HOUSE BILL NO. 1620, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1017, by Representatives Ryu, Leavitt, Chambers, Simmons, Jacobsen, Reed, Graham, Lekanoff, Caldier, Timmons, Reeves, Tharinger, Springer, Thai, Santos and Riccelli

Expediting licensure for cosmetologists, hair designers, barbers, manicurists, and estheticians.

The measure was read the second time.

MOTION

On motion of Senator Keiser, the rules were suspended, House Bill No. 1017 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Keiser spoke in favor of passage of the bill.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of House Bill No. 1017.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1017 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias,

Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Trudeau

HOUSE BILL NO. 1017, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1077, by House Committee on Civil Rights & Judiciary (originally sponsored by Thai, Walen, Simmons, Leavitt, Senn, Goodman and Santos)

Concerning courthouse facility dogs.

The measure was read the second time.

MOTION

On motion of Senator Dhingra, the rules were suspended, Substitute House Bill No. 1077 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Dhingra and Padden spoke in favor of passage of the bill.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Substitute House Bill No. 1077.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1077 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Trudeau

SUBSTITUTE HOUSE BILL NO. 1077, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1088, by House Committee on Civil Rights & Judiciary (originally sponsored by Walen and Reeves)

Concerning the uniform family law arbitration act.

The measure was read the second time.

MOTION

EIGHTY SECOND DAY, MARCH 31, 2023

On motion of Senator Dhingra, the rules were suspended, Substitute House Bill No. 1088 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Dhingra and Padden spoke in favor of passage of the bill.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Substitute House Bill No. 1088.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1088 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Trudeau

SUBSTITUTE HOUSE BILL NO. 1088, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1114, by Representatives Mosbrucker, Simmons, Reed and Goodman

Concerning the membership of the sentencing guidelines commission.

The measure was read the second time.

MOTION

Senator Padden moved that the following committee striking amendment by the Committee on Law & Justice be adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 9.94A.860 and 2016 c 179 s 3 are each amended to read as follows:

(1) The sentencing guidelines commission is hereby created, located within the office of financial management. Except as provided in RCW 9.94A.875, the commission shall serve to advise the governor and the legislature as necessary on issues relating to adult and juvenile sentencing. The commission may meet, as necessary, to accomplish these purposes within funds appropriated.

(2) The commission consists of ~~((twenty))~~ 25 voting members, one of whom the governor shall designate as ~~((chairperson))~~ chair. With the exception of ex officio voting members, the voting members of the commission shall be appointed by the governor, or his or her designee, subject to confirmation by the senate.

(3) The voting membership consists of the following:

(a) The head of the state agency having general responsibility for adult correction programs, as an ex officio member;

(b) The director of financial management or designee, as an ex officio member;

(c) The chair of the indeterminate sentence review board, as an ex officio member;

(d) The head of the state agency, or the agency head's designee, having responsibility for juvenile corrections programs, as an ex officio member;

(e) Two prosecuting attorneys;

(f) Two attorneys with particular expertise in defense work;

(g) Four persons who are superior court judges;

(h) One person who is the chief law enforcement officer of a county or city;

(i) ~~((Four))~~ Five members of the public who are not prosecutors, defense attorneys, judges, or law enforcement officers, one of whom is a victim of crime, one of whom is a victim of crime or a crime victims' advocate, and one of whom has been formerly incarcerated in the state correctional system;

(j) One person who is an elected official of a county government, other than a prosecuting attorney or sheriff;

(k) One person who is an elected official of a city government;

(l) One person who is an administrator of juvenile court services;

(m) The chair of the state supreme court minority and justice commission or designee, as an ex officio member;

(n) One person representing the interests of tribes;

(o) One behavioral health professional with experience working in the criminal justice system; and

(p) One person with knowledge of and expertise in academic research in the field of criminology or sociology.

In making the appointments, the governor shall endeavor to assure that the commission membership includes adequate representation and expertise relating to both the adult criminal justice system and the juvenile justice system. In making the appointments, the governor shall seek the recommendations of Washington prosecutors in respect to the prosecuting attorney members, of the Washington state bar association in respect to the defense attorney members, of the superior court judges' association in respect to the members who are judges, of the Washington association of sheriffs and police chiefs in respect to the member who is a law enforcement officer, of the Washington state association of counties in respect to the member who is a county official, of the association of Washington cities in respect to the member who is a city official, of the office of crime victims advocacy and other organizations of crime victims in respect to the member who is a victim of crime or a crime victims' advocate, ~~((and))~~ of the Washington association of juvenile court administrators in respect to the member who is an administrator of juvenile court services, and of the Washington state institute for public policy and the relevant departments of the Washington State University and University of Washington in respect to the member with knowledge of and expertise in academic research in the field of criminology or sociology.

(4)(a) ~~((All))~~ Except as provided in (b) of this subsection, all voting members of the commission, except ex officio voting members, shall serve terms of three years and until their successors are appointed and confirmed.

(b) The governor shall stagger the initial terms of the members appointed under subsection (3)~~((j), (k), and (l)))~~ (n), (o), and (p) of this section by appointing one of them for a term of one year, one of them for a term of two years, and one of them for a term of three years.

(5) The speaker of the house of representatives and the president of the senate may each appoint two nonvoting members to the commission, one from each of the two largest caucuses in each house. The members so appointed shall serve two-year

MOTION

terms, or until they cease to be members of the house from which they were appointed, whichever occurs first.

(6) The members of the commission may be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060. Legislative members may be reimbursed by their respective houses as provided under RCW 44.04.120. Except for the reimbursement of travel expenses, members shall not be compensated."

On page 1, line 2 of the title, after "commission;" strike the remainder of the title and insert "and amending RCW 9.94A.860."

Senator Padden spoke in favor of adoption of the committee striking amendment.

The Vice President Pro Tempore declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Law & Justice to House Bill No. 1114.

The motion by Senator Padden carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Padden, the rules were suspended, House Bill No. 1114 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Padden and Dhingra spoke in favor of passage of the bill.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of House Bill No. 1114 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1114 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Trudeau

HOUSE BILL NO. 1114, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1165, by House Committee on Civil Rights & Judiciary (originally sponsored by Orwall, Reeves, Wylie and Davis)

Concerning civil remedies for unauthorized disclosure of intimate images.

The measure was read the second time.

MOTION

On motion of Senator Dhingra, the rules were suspended, Substitute House Bill No. 1165 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Dhingra and Padden spoke in favor of passage of the bill.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Substitute House Bill No. 1165.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1165 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Trudeau

SUBSTITUTE HOUSE BILL NO. 1165, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED HOUSE BILL NO. 1209, by Representatives Leavitt, Griffey, Fey, Bronoske and Davis

Restricting the possession, purchase, delivery, and sale of certain equipment used to illegally process controlled substances.

The measure was read the second time.

MOTION

On motion of Senator Dhingra, the rules were suspended, Engrossed House Bill No. 1209 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Dhingra and Padden spoke in favor of passage of the bill.

MOTION

On motion of Senator Wagoner, Senator Schoesler was excused.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Engrossed House Bill No. 1209.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 1209 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

EIGHTY SECOND DAY, MARCH 31, 2023

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Trudeau

ENGROSSED HOUSE BILL NO. 1209, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1290, by Representatives Lekanoff, Goodman, Ortiz-Self, Ramel, Leavitt and Ormsby

Concerning training for tribal police officers and employees.

The measure was read the second time.

MOTION

On motion of Senator Dhingra, the rules were suspended, House Bill No. 1290 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Dhingra and Padden spoke in favor of passage of the bill.

MOTION

On motion of Senator Wagoner, Senator Schoesler was excused.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of House Bill No. 1290.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1290 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Trudeau

HOUSE BILL NO. 1290, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1312, by Representatives Rude, Entenman, Goodman, Ortiz-Self and Ormsby

Concerning jury service.

The measure was read the second time.

MOTION

Senator Padden moved that the following committee striking amendment by the Committee on Law & Justice be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 2.36.100 and 2015 c 7 s 2 are each amended to read as follows:

(1) Except for a person who is not qualified for jury service under RCW 2.36.070 or who chooses to opt out of jury service under subsection (2) of this section, no person may be excused from jury service by the court except upon a showing of undue hardship, extreme inconvenience, public necessity, or any reason deemed sufficient by the court for a period of time the court deems necessary.

(2) A person who is 80 years of age or older may request to be excused from jury service if the person attests that the person is unable to serve due to health reasons. An attestation form must be developed by the court and may not include a requirement that a doctor's note be provided. This request must be granted by the court.

(3) At the discretion of the court's designee, after a request by a prospective juror to be excused, a prospective juror excused from juror service for a particular time may be assigned to another jury term within the twelve-month period. If the assignment to another jury term is made at the time a juror is excused from the jury term for which he or she was summoned, a second summons under RCW 2.36.095 need not be issued. This subsection does not apply to people excused from jury service under subsection (2) of this section.

((3)) (4) When the jury source list has been fully summoned within a consecutive twelve-month period and additional jurors are needed, jurors who have already served during the consecutive twelve-month period may be summoned again for service. A juror who has previously served may only be excused if he or she served at least one week of juror service within the preceding twelve months. An excuse for prior service shall be granted only upon the written request of the prospective juror, which request shall certify the terms of prior service. Prior jury service may include service in superior court, in a court of limited jurisdiction, in the United States District Court, or on a jury of inquest."

On page 1, line 2 of the title, after "service;" strike the remainder of the title and insert "and amending RCW 2.36.100."

Senators Padden, Dhingra and King spoke in favor of adoption of the committee striking amendment.

The Vice President Pro Tempore declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Law & Justice to House Bill No. 1312.

The motion by Senator Padden carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Padden, the rules were suspended, House Bill No. 1312 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

SECOND READING

Senators Padden, Dhingra and King spoke in favor of passage of the bill.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of House Bill No. 1312 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1312 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Trudeau

HOUSE BILL NO. 1312, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1420, by Representatives Hackney, Corry, Walen and Ormsby

Concerning lien priority of mortgages and deeds of trust.

The measure was read the second time.

MOTION

On motion of Senator Dhingra, the rules were suspended, House Bill No. 1420 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Dhingra spoke in favor of passage of the bill.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of House Bill No. 1420.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1420 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Trudeau

HOUSE BILL NO. 1420, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1514, by Representatives Robertson, Berry, Schmidt, Ormsby, Doglio, Reed and Fosse

Addressing the purchase and distribution of insignia to manufacturers of recreational vehicles and/or park trailers.

The measure was read the second time.

MOTION

On motion of Senator Keiser, the rules were suspended, House Bill No. 1514 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Keiser and King spoke in favor of passage of the bill.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of House Bill No. 1514.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1514 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Trudeau

HOUSE BILL NO. 1514, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1542, by Representatives Bronoske, Fosse, Berry, Hackney, Abbarno, Griffey, Walsh, Ortiz-Self, Taylor, Ramel, Simmons, Jacobsen, Schmidt, Graham, Ormsby, Pollet, Kloba, Doglio, Bateman, Macri, Leavitt and Timmons

Requiring automated external defibrillators to be available and accessible when work is being performed on high voltage lines and equipment.

The measure was read the second time.

MOTION

Senator Saldaña moved that the following committee striking amendment by the Committee on Labor & Commerce be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** A new section is added to chapter 49.17 RCW to read as follows:

(1) Any employer with employees who operate, maintain, or construct high voltage lines and equipment or who conduct line-clearance tree trimming in close proximity to high voltage lines and equipment shall:

EIGHTY SECOND DAY, MARCH 31, 2023

(a) Make an automated external defibrillator available and accessible to employees when work is being performed on, or in close proximity to, high voltage lines and equipment by two or more employees;

(b) Conduct regular maintenance and annual inspections of the automated external defibrillator to ensure operability and availability; and

(c) Provide training or facilitate the provision of training to ensure there are at least two employees proficient on the proper and safe use of the automated external defibrillator at any site involving work on, or in close proximity to, high voltage lines and equipment. To be considered proficient, an employee must have completed initial or updated training within the previous two years.

(2) For the purposes of this section, "high voltage lines and equipment" refers to any energized communication line, electric supply line, or equipment with a voltage of 601 or greater.

NEW SECTION. **Sec. 2.** This act takes effect January 1, 2025."

On page 1, line 3 of the title, after "equipment;" strike the remainder of the title and insert "adding a new section to chapter 49.17 RCW; and providing an effective date."

Senator Saldaña spoke in favor of adoption of the committee striking amendment.

The Vice President Pro Tempore declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Labor & Commerce to House Bill No. 1542.

The motion by Senator Saldaña carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Saldaña, the rules were suspended, House Bill No. 1542 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Saldaña and King spoke in favor of passage of the bill.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of House Bill No. 1542 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1542 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Trudeau

HOUSE BILL NO. 1542, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1544, by Representatives Alvarado, Tharinger, Pollet and Duerr

Concerning shoreline master program review schedules.

The measure was read the second time.

MOTION

On motion of Senator Lovelett, the rules were suspended, House Bill No. 1544 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Lovelett and Torres spoke in favor of passage of the bill.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of House Bill No. 1544.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1544 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Trudeau

HOUSE BILL NO. 1544, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1572, by House Committee on Civil Rights & Judiciary (originally sponsored by Springer and Orcutt)

Concerning venue for actions for the recovery of taxes.

The measure was read the second time.

MOTION

On motion of Senator Pedersen, the rules were suspended, Substitute House Bill No. 1572 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Pedersen and Padden spoke in favor of passage of the bill.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Substitute House Bill No. 1572.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1572 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Trudeau

SUBSTITUTE HOUSE BILL NO. 1572, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1645, by Representatives Barnard, Duerr, Connors, Riccelli, Cheney, Hutchins, McClintock, Chambers, McEntire, Sandlin, Eslick, Low, Street, Maycumber, Fitzgibbon, Macri, Reed, Rude, Lekanoff and Ramel

Concerning meetings of county legislative authorities.

The measure was read the second time.

MOTION

On motion of Senator Dozier, the rules were suspended, House Bill No. 1645 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Dozier and Lovelett spoke in favor of passage of the bill.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of House Bill No. 1645.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1645 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senator MacEwen

Excused: Senator Trudeau

HOUSE BILL NO. 1645, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1656, by Representatives Schmidt, Fosse, Berry, Robertson, Christian, Ormsby and Riccelli

Concerning unemployment insurance benefits appeal procedures.

The measure was read the second time.

MOTION

On motion of Senator Braun, the rules were suspended, House Bill No. 1656 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Braun and Conway spoke in favor of passage of the bill.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of House Bill No. 1656.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1656 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Trudeau

HOUSE BILL NO. 1656, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

INTRODUCTION OF SPECIAL GUESTS

The Vice President Pro Tempore welcomed and introduced students from The Bear Creek School in Redmond who were seated in the gallery.

SECOND READING

HOUSE BILL NO. 1657, by Representatives Street, Cheney, Simmons, Taylor, Ormsby and Hutchins

Authorizing justices, judges, and judicial officers of federal courts to solemnize marriages.

The measure was read the second time.

MOTION

On motion of Senator Dhingra, the rules were suspended, House Bill No. 1657 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Dhingra and Padden spoke in favor of passage of the bill.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of House Bill No. 1657.

ROLL CALL

EIGHTY SECOND DAY, MARCH 31, 2023

The Secretary called the roll on the final passage of House Bill No. 1657 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Trudeau

HOUSE BILL NO. 1657, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED HOUSE BILL NO. 1782, by Representatives McEntire and Fey

Addressing the operating and maintenance deficit of the Wahkiakum county ferry.

The measure was read the second time.

MOTION

Senator Wilson, L. moved that the following committee striking amendment by the Committee on Transportation be adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 47.56.720 and 1992 c 82 s 1 are each amended to read as follows:

(1) The legislature finds that the ferry operated by Wahkiakum county between Puget Island and Westport on the Columbia river provides ((service which is primarily local in nature with secondary benefits to the state highway system in providing a bypass for state route 4 and providing)) an important transportation bypass for state route 4 and provides the only crossing of the Columbia river between the Astoria-Megler bridge and the Longview bridge.

(2) The department is hereby authorized to enter into a continuing agreement with Wahkiakum county pursuant to which the department shall pay to Wahkiakum county from moneys appropriated for such purpose monthly amounts not to exceed ((eighty)) 85 percent of the operating and maintenance deficit with a maximum not to exceed the amount appropriated for that biennium to be used in the operation and maintenance of the Puget Island ferry, commencing July 1, 1992.

(3) The annual deficit, if any, incurred in the operation and maintenance of the ferry shall be determined by Wahkiakum county subject to the approval of the department. If ((eighty)) 85 percent of the deficit for the preceding fiscal year exceeds the total amount paid to the county for that year, the additional amount shall be paid to the county by the department upon the receipt of a properly executed voucher. ((The total of all payments to the county in any biennium shall not exceed the amount appropriated for that biennium.)) The fares established by the county shall be comparable to those used for similar runs on the state ferry system.

(4) Whenever, subsequent to June 9, 1977, state route 4 between Cathlamet and Longview is closed to traffic pursuant to

chapter 47.48 RCW due to actual or potential slide conditions and there is no suitable, reasonably short alternate state route provided, Wahkiakum county is authorized to operate the Puget Island ferry on a toll-free basis during the entire period of such closure. The state's share of the ferry operations and maintenance deficit during such period shall be ((one hundred)) 100 percent.

(5) Whenever state route 4 between Cathlamet and Longview is closed to traffic, as mentioned in subsection (4) hereof, the state of Washington shall provide temporary rest room facilities at the Washington ferry landing terminal."

On page 1, line 2 of the title, after "ferry;" strike the remainder of the title and insert "and amending RCW 47.56.720."

Senator Wilson, L. spoke in favor of adoption of the committee striking amendment.

The Vice President Pro Tempore declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Transportation to Engrossed House Bill No. 1782.

The motion by Senator Wilson, L. carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Wilson, L., the rules were suspended, Engrossed House Bill No. 1782 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wilson, L. and Shewmake spoke in favor of passage of the bill.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Engrossed House Bill No. 1782 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 1782 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Trudeau

ENGROSSED HOUSE BILL NO. 1782 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5199, by Senators Mullet, Conway, Dozier, Holy, Keiser, Lovelett, Nguyen, Shewmake and Valdez

Providing tax relief for newspaper publishers.

MOTIONS

On motion of Senator Mullet, Second Substitute Senate Bill No. 5199 was substituted for Senate Bill No. 5199 and the substitute bill was placed on the second reading and read the second time.

Senator Mullet moved that the following striking amendment no. 0138 by Senator Mullet be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds that Washington state's local newspapers and online digital news publishers are important providers of journalism in their communities. Across the state and the country, local newspapers are vanishing at an alarming rate.

Since the advent of the internet, Washington state newspapers, large and small, have experienced severe financial losses that caused layoffs and reduced journalistic capacity. Between 2005 and 2020, Washington state newspapers lost 67 percent of their newsroom employees. Many print media organizations operate at a deficit due to disruption of traditional revenue streams and even the surviving legacy news organizations are cutting staff and circulation. Washington state has lost more than two dozen weeklies and three dailies since 2004. The decline of these journalistic institutions represents a threat to democracy, government accountability, and civic engagement.

A Portland State University study found that the loss of local journalism is correlated to a decline in civic engagement, both nationally and in Washington state, which includes contacting a public office to express an opinion, participating in school groups, community associations, or civic organizations, and serving on a committee of any group or organization.

The legislature finds that local journalism can help keep watch over health trends in the community by identifying and preventing disease. The legislature finds that rural and underserved communities are the hardest hit in the area of public health when newspapers decline.

The legislature finds that local journalism helps combat government corruption and holds powerful institutions accountable. Newspapers in Washington state have lobbied and editorialized for open public records, and fought attempts to rein in frivolous requests, costing local and state governments millions of dollars each year.

Without legislative action, the current business and occupation tax preference for newspaper publishers will expire on July 1, 2024.

NEW SECTION. Sec. 2. A new section is added to chapter 82.04 RCW to read as follows:

(1) This chapter does not apply to amounts received by any person for engaging in any of the following activities:

(a) Printing a newspaper, publishing a newspaper, or both; or
 (b) Publishing eligible digital content by a person who reported under the printing and publishing tax classification for the reporting period that covers January 1, 2008, for engaging in printing and/or publishing a newspaper, as defined on January 1, 2008.

(2) The exemption under this section must be reduced by an amount equal to the value of any expenditure made by the person during the tax reporting period. For purposes of this subsection, "expenditure" has the meaning provided in RCW 42.17A.005.

(3) If a person who is primarily engaged in printing a newspaper, publishing a newspaper, or publishing eligible digital content, or any combination of these activities, charges a single, nonvariable amount to advertise in, subscribe to, or access

content in both a publication identified in subsection (1) of this section and another type of publication, the entire amount is exempt under this section.

(4) For purposes of this section, "eligible digital content" means a publication that:

(a) Is published at regularly stated intervals of at least once per month;

(b) Features written content, the largest category of which, as determined by word count, contains material that identifies the author or the original source of the material; and

(c) Is made available to readers exclusively in an electronic format.

(5) The exemption under this section applies only to persons primarily engaged in printing a newspaper, publishing a newspaper, or publishing eligible digital content, or any combination of these activities, unless these business activities were previously engaged in by an affiliated person and were not the affiliated person's primary business activity.

(6) For purposes of this section, the following definitions apply:

(a) "Affiliated" has the same meaning as provided in RCW 82.04.299.

(b) "Primarily" means, with respect to a business activity or combination of business activities of a taxpayer, more the 50 percent of the taxpayer's gross worldwide income from all business activities, whether subject to tax under this chapter or not, comes from such activity or activities.

Sec. 3. RCW 82.04.260 and 2022 c 16 s 140 are each amended to read as follows:

(1) Upon every person engaging within this state in the business of manufacturing:

(a) Wheat into flour, barley into pearl barley, soybeans into soybean oil, canola into canola oil, canola meal, or canola by-products, or sunflower seeds into sunflower oil; as to such persons the amount of tax with respect to such business is equal to the value of the flour, pearl barley, oil, canola meal, or canola by-product manufactured, multiplied by the rate of 0.138 percent;

(b) Beginning July 1, 2025, seafood products that remain in a raw, raw frozen, or raw salted state at the completion of the manufacturing by that person; or selling manufactured seafood products that remain in a raw, raw frozen, or raw salted state at the completion of the manufacturing, to purchasers who transport in the ordinary course of business the goods out of this state; as to such persons the amount of tax with respect to such business is equal to the value of the products manufactured or the gross proceeds derived from such sales, multiplied by the rate of 0.138 percent. Sellers must keep and preserve records for the period required by RCW 82.32.070 establishing that the goods were transported by the purchaser in the ordinary course of business out of this state;

(c)(i) Except as provided otherwise in (c)(iii) of this subsection, from July 1, 2025, until January 1, 2036, dairy products; or selling dairy products that the person has manufactured to purchasers who either transport in the ordinary course of business the goods out of state or purchasers who use such dairy products as an ingredient or component in the manufacturing of a dairy product; as to such persons the tax imposed is equal to the value of the products manufactured or the gross proceeds derived from such sales multiplied by the rate of 0.138 percent. Sellers must keep and preserve records for the period required by RCW 82.32.070 establishing that the goods were transported by the purchaser in the ordinary course of business out of this state or sold to a manufacturer for use as an ingredient or component in the manufacturing of a dairy product.

EIGHTY SECOND DAY, MARCH 31, 2023

(ii) For the purposes of this subsection (1)(c), "dairy products" means:

(A) Products, not including any cannabis-infused product, that as of September 20, 2001, are identified in 21 C.F.R., chapter 1, parts 131, 133, and 135, including by-products from the manufacturing of the dairy products, such as whey and casein; and

(B) Products comprised of not less than seventy percent dairy products that qualify under (c)(ii)(A) of this subsection, measured by weight or volume.

(iii) The preferential tax rate provided to taxpayers under this subsection (1)(c) does not apply to sales of dairy products on or after July 1, 2023, where a dairy product is used by the purchaser as an ingredient or component in the manufacturing in Washington of a dairy product;

(d)(i) Beginning July 1, 2025, fruits or vegetables by canning, preserving, freezing, processing, or dehydrating fresh fruits or vegetables, or selling at wholesale fruits or vegetables manufactured by the seller by canning, preserving, freezing, processing, or dehydrating fresh fruits or vegetables and sold to purchasers who transport in the ordinary course of business the goods out of this state; as to such persons the amount of tax with respect to such business is equal to the value of the products manufactured or the gross proceeds derived from such sales multiplied by the rate of 0.138 percent. Sellers must keep and preserve records for the period required by RCW 82.32.070 establishing that the goods were transported by the purchaser in the ordinary course of business out of this state.

(ii) For purposes of this subsection (1)(d), "fruits" and "vegetables" do not include cannabis, useable cannabis, or cannabis-infused products; and

(e) Wood biomass fuel; as to such persons the amount of tax with respect to the business is equal to the value of wood biomass fuel manufactured, multiplied by the rate of 0.138 percent. For the purposes of this section, "wood biomass fuel" means a liquid or gaseous fuel that is produced from lignocellulosic feedstocks, including wood, forest, or field residue and dedicated energy crops, and that does not include wood treated with chemical preservations such as creosote, pentachlorophenol, or copper-chrome-arsenic.

(2) Upon every person engaging within this state in the business of splitting or processing dried peas; as to such persons the amount of tax with respect to such business is equal to the value of the peas split or processed, multiplied by the rate of 0.138 percent.

(3) Upon every nonprofit corporation and nonprofit association engaging within this state in research and development, as to such corporations and associations, the amount of tax with respect to such activities is equal to the gross income derived from such activities multiplied by the rate of 0.484 percent.

(4) Upon every person engaging within this state in the business of slaughtering, breaking and/or processing perishable meat products and/or selling the same at wholesale only and not at retail; as to such persons the tax imposed is equal to the gross proceeds derived from such sales multiplied by the rate of 0.138 percent.

(5)(a) Upon every person engaging within this state in the business of acting as a travel agent or tour operator and whose annual taxable amount for the prior calendar year from such business was two hundred fifty thousand dollars or less; as to such persons the amount of the tax with respect to such activities is equal to the gross income derived from such activities multiplied by the rate of 0.275 percent.

(b) Upon every person engaging within this state in the business of acting as a travel agent or tour operator and whose annual taxable amount for the prior calendar year from such business was more than two hundred fifty thousand dollars; as to such persons the amount of the tax with respect to such activities is equal to the gross income derived from such activities multiplied by the rate of 0.275 percent through June 30, 2019, and 0.9 percent beginning July 1, 2019.

(6) Upon every person engaging within this state in business as an international steamship agent, international customs house broker, international freight forwarder, vessel and/or cargo charter broker in foreign commerce, and/or international air cargo agent; as to such persons the amount of the tax with respect to only international activities is equal to the gross income derived from such activities multiplied by the rate of 0.275 percent.

(7) Upon every person engaging within this state in the business of stevedoring and associated activities pertinent to the movement of goods and commodities in waterborne interstate or foreign commerce; as to such persons the amount of tax with respect to such business is equal to the gross proceeds derived from such activities multiplied by the rate of 0.275 percent. Persons subject to taxation under this subsection are exempt from payment of taxes imposed by chapter 82.16 RCW for that portion of their business subject to taxation under this subsection. Stevedoring and associated activities pertinent to the conduct of goods and commodities in waterborne interstate or foreign commerce are defined as all activities of a labor, service or transportation nature whereby cargo may be loaded or unloaded to or from vessels or barges, passing over, onto or under a wharf, pier, or similar structure; cargo may be moved to a warehouse or similar holding or storage yard or area to await further movement in import or export or may move to a consolidation freight station and be stuffed, unstuffed, containerized, separated or otherwise segregated or aggregated for delivery or loaded on any mode of transportation for delivery to its consignee. Specific activities included in this definition are: Wharfage, handling, loading, unloading, moving of cargo to a convenient place of delivery to the consignee or a convenient place for further movement to export mode; documentation services in connection with the receipt, delivery, checking, care, custody and control of cargo required in the transfer of cargo; imported automobile handling prior to delivery to consignee; terminal stevedoring and incidental vessel services, including but not limited to plugging and unplugging refrigerator service to containers, trailers, and other refrigerated cargo receptacles, and securing ship hatch covers.

(8)(a) Upon every person engaging within this state in the business of disposing of low-level waste, as defined in RCW 70A.380.010; as to such persons the amount of the tax with respect to such business is equal to the gross income of the business, excluding any fees imposed under chapter 70A.384 RCW, multiplied by the rate of 3.3 percent.

(b) If the gross income of the taxpayer is attributable to activities both within and without this state, the gross income attributable to this state must be determined in accordance with the methods of apportionment required under RCW 82.04.460.

(9) Upon every person engaging within this state as an insurance producer or title insurance agent licensed under chapter 48.17 RCW or a surplus line broker licensed under chapter 48.15 RCW; as to such persons, the amount of the tax with respect to such licensed activities is equal to the gross income of such business multiplied by the rate of 0.484 percent.

(10) Upon every person engaging within this state in business as a hospital, as defined in chapter 70.41 RCW, that is operated as a nonprofit corporation or by the state or any of its political

subdivisions, as to such persons, the amount of tax with respect to such activities is equal to the gross income of the business multiplied by the rate of 0.75 percent through June 30, 1995, and 1.5 percent thereafter.

(11)(a) Beginning October 1, 2005, upon every person engaging within this state in the business of manufacturing commercial airplanes, or components of such airplanes, or making sales, at retail or wholesale, of commercial airplanes or components of such airplanes, manufactured by the seller, as to such persons the amount of tax with respect to such business is, in the case of manufacturers, equal to the value of the product manufactured and the gross proceeds of sales of the product manufactured, or in the case of processors for hire, equal to the gross income of the business, multiplied by the rate of:

(i) 0.4235 percent from October 1, 2005, through June 30, 2007;

(ii) 0.2904 percent beginning July 1, 2007, through March 31, 2020; and

(iii) Beginning April 1, 2020, 0.484 percent, subject to any reduction required under (e) of this subsection (11). The tax rate in this subsection (11)(a)(iii) applies to all business activities described in this subsection (11)(a).

(b) Beginning July 1, 2008, upon every person who is not eligible to report under the provisions of (a) of this subsection (11) and is engaging within this state in the business of manufacturing tooling specifically designed for use in manufacturing commercial airplanes or components of such airplanes, or making sales, at retail or wholesale, of such tooling manufactured by the seller, as to such persons the amount of tax with respect to such business is, in the case of manufacturers, equal to the value of the product manufactured and the gross proceeds of sales of the product manufactured, or in the case of processors for hire, be equal to the gross income of the business, multiplied by the rate of:

(i) 0.2904 percent through March 31, 2020; and

(ii) Beginning April 1, 2020, the following rates, which are subject to any reduction required under (e) of this subsection (11):

(A) The rate under RCW 82.04.250(1) on the business of making retail sales of tooling specifically designed for use in manufacturing commercial airplanes or components of such airplanes; and

(B) 0.484 percent on all other business activities described in this subsection (11)(b).

(c) For the purposes of this subsection (11), "commercial airplane" and "component" have the same meanings as provided in RCW 82.32.550.

(d)(i) In addition to all other requirements under this title, a person reporting under the tax rate provided in this subsection (11) must file a complete annual tax performance report with the department under RCW 82.32.534. However, this requirement does not apply to persons reporting under the tax rate in (a)(iii) of this subsection (11), so long as that rate remains 0.484 percent, or under any of the tax rates in (b)(ii)(A) and (B) of this subsection (11), so long as those tax rates remain the rate imposed pursuant to RCW 82.04.250(1) and 0.484 percent, respectively.

(ii) Nothing in (d)(i) of this subsection (11) may be construed as affecting the obligation of a person reporting under a tax rate provided in this subsection (11) to file a complete annual tax performance report with the department under RCW 82.32.534: (A) Pursuant to another provision of this title as a result of claiming a tax credit or exemption; or (B) pursuant to (d)(i) of this subsection (11) as a result of claiming the tax rates in (a)(ii) or (b)(i) of this subsection (11) for periods ending before April 1, 2020.

(e)(i) After March 31, 2021, the tax rates under (a)(iii) and (b)(ii) of this subsection (11) must be reduced to 0.357 percent provided the conditions in RCW 82.04.2602 are met. The effective date of the rates authorized under this subsection (11)(e) must occur on the first day of the next calendar quarter that is at least sixty days after the department receives the last of the two written notices pursuant to RCW 82.04.2602 (3) and (4).

(ii) Both a significant commercial airplane manufacturer separately and the rest of the aerospace industry as a whole, receiving the rate of 0.357 percent under this subsection (11)(e) are subject to the aerospace apprenticeship utilization rates required under RCW 49.04.220 by April 1, 2026, or five years after the effective date of the 0.357 percent rate authorized under this subsection (11)(e), whichever is later, as determined by the department of labor and industries.

(iii) The provisions of RCW 82.32.805 and 82.32.808 do not apply to this subsection (11)(e).

(f)(i) Except as provided in (f)(ii) of this subsection (11), this subsection (11) does not apply on and after July 1, 2040.

(ii) With respect to the manufacturing of commercial airplanes or making sales, at retail or wholesale, of commercial airplanes, this subsection (11) does not apply on and after July 1st of the year in which the department makes a determination that any final assembly or wing assembly of any version or variant of a commercial airplane that is the basis of a siting of a significant commercial airplane manufacturing program in the state under RCW 82.32.850 has been sited outside the state of Washington. This subsection (11)(f)(ii) only applies to the manufacturing or sale of commercial airplanes that are the basis of a siting of a significant commercial airplane manufacturing program in the state under RCW 82.32.850. This subsection (11)(f)(ii) continues to apply during the time that a person is subject to the tax rate in (a)(iii) of this subsection (11).

(g) For the purposes of this subsection, "a significant commercial airplane manufacturer" means a manufacturer of commercial airplanes with at least fifty thousand full-time employees in Washington as of January 1, 2021.

(12)(a) Until July 1, 2045, upon every person engaging within this state in the business of extracting timber or extracting for hire timber; as to such persons the amount of tax with respect to the business is, in the case of extractors, equal to the value of products, including by-products, extracted, or in the case of extractors for hire, equal to the gross income of the business, multiplied by the rate of 0.4235 percent from July 1, 2006, through June 30, 2007, and 0.2904 percent from July 1, 2007, through June 30, 2045.

(b) Until July 1, 2045, upon every person engaging within this state in the business of manufacturing or processing for hire:

(i) Timber into timber products or wood products; (ii) timber products into other timber products or wood products; or (iii) products defined in RCW 19.27.570(1); as to such persons the amount of the tax with respect to the business is, in the case of manufacturers, equal to the value of products, including by-products, manufactured, or in the case of processors for hire, equal to the gross income of the business, multiplied by the rate of 0.4235 percent from July 1, 2006, through June 30, 2007, and 0.2904 percent from July 1, 2007, through June 30, 2045.

(c) Until July 1, 2045, upon every person engaging within this state in the business of selling at wholesale: (i) Timber extracted by that person; (ii) timber products manufactured by that person from timber or other timber products; (iii) wood products manufactured by that person from timber or timber products; or (iv) products defined in RCW 19.27.570(1) manufactured by that person; as to such persons the amount of the tax with respect to the business is equal to the gross proceeds of sales of the timber,

EIGHTY SECOND DAY, MARCH 31, 2023

timber products, wood products, or products defined in RCW 19.27.570(1) multiplied by the rate of 0.4235 percent from July 1, 2006, through June 30, 2007, and 0.2904 percent from July 1, 2007, through June 30, 2045.

(d) Until July 1, 2045, upon every person engaging within this state in the business of selling standing timber; as to such persons the amount of the tax with respect to the business is equal to the gross income of the business multiplied by the rate of 0.2904 percent. For purposes of this subsection (12)(d), "selling standing timber" means the sale of timber apart from the land, where the buyer is required to sever the timber within thirty months from the date of the original contract, regardless of the method of payment for the timber and whether title to the timber transfers before, upon, or after severance.

(e) For purposes of this subsection, the following definitions apply:

(i) "Biocomposite surface products" means surface material products containing, by weight or volume, more than fifty percent recycled paper and that also use nonpetroleum-based phenolic resin as a bonding agent.

(ii) "Paper and paper products" means products made of interwoven cellululosic fibers held together largely by hydrogen bonding. "Paper and paper products" includes newsprint; office, printing, fine, and pressure-sensitive papers; paper napkins, towels, and toilet tissue; kraft bag, construction, and other kraft industrial papers; paperboard, liquid packaging containers, containerboard, corrugated, and solid-fiber containers including linerboard and corrugated medium; and related types of cellululosic products containing primarily, by weight or volume, cellululosic materials. "Paper and paper products" does not include books, newspapers, magazines, periodicals, and other printed publications, advertising materials, calendars, and similar types of printed materials.

(iii) "Recycled paper" means paper and paper products having fifty percent or more of their fiber content that comes from postconsumer waste. For purposes of this subsection (12)(e)(iii), "postconsumer waste" means a finished material that would normally be disposed of as solid waste, having completed its life cycle as a consumer item.

(iv) "Timber" means forest trees, standing or down, on privately or publicly owned land. "Timber" does not include Christmas trees that are cultivated by agricultural methods or short-rotation hardwoods as defined in RCW 84.33.035.

(v) "Timber products" means:

(A) Logs, wood chips, sawdust, wood waste, and similar products obtained wholly from the processing of timber, short-rotation hardwoods as defined in RCW 84.33.035, or both;

(B) Pulp, including market pulp and pulp derived from recovered paper or paper products; and

(C) Recycled paper, but only when used in the manufacture of biocomposite surface products.

(vi) "Wood products" means paper and paper products; dimensional lumber; engineered wood products such as particleboard, oriented strand board, medium density fiberboard, and plywood; wood doors; wood windows; and biocomposite surface products.

(f) Except for small harvesters as defined in RCW 84.33.035, a person reporting under the tax rate provided in this subsection (12) must file a complete annual tax performance report with the department under RCW 82.32.534.

(g) Nothing in this subsection (12) may be construed to affect the taxation of any activity defined as a retail sale in RCW 82.04.050(2) (b) or (c), defined as a wholesale sale in RCW 82.04.060(2), or taxed under RCW 82.04.280(1)(g).

(13) Upon every person engaging within this state in inspecting, testing, labeling, and storing canned salmon owned by another person, as to such persons, the amount of tax with respect to such activities is equal to the gross income derived from such activities multiplied by the rate of 0.484 percent.

((14)(a) Upon every person engaging within this state in the business of printing a newspaper, publishing a newspaper, or both, the amount of tax on such business is equal to the gross income of the business multiplied by the rate of 0.35 percent until July 1, 2024, and 0.484 percent thereafter.

(b) A person reporting under the tax rate provided in this subsection (14) must file a complete annual tax performance report with the department under RCW 82.32.534.)

Sec. 4. RCW 35.102.150 and 2011 c 174 s 201 are each amended to read as follows:

Notwithstanding RCW 35.102.130, a city that imposes a business and occupation tax must allocate a person's gross income from the activities of printing, and of publishing newspapers, periodicals, or magazines, to the principal place in this state from which the taxpayer's business is directed or managed. As used in this section, the activities of printing, and of publishing newspapers, periodicals, or magazines are those activities to which the exemption in section 2 of this act and the tax rate(s) in RCW ((82.04.260(13) and)) 82.04.280(1)(a) apply.

Sec. 5. RCW 82.04.460 and 2014 c 97 s 304 are each amended to read as follows:

(1) Except as otherwise provided in this section, any person earning apportionable income taxable under this chapter and also taxable in another state must, for the purpose of computing tax liability under this chapter, apportion to this state, in accordance with RCW 82.04.462, that portion of the person's apportionable income derived from business activities performed within this state.

(2) The department must by rule provide a method of apportioning the apportionable income of financial institutions, where such apportionable income is taxable under RCW 82.04.290. The rule adopted by the department must, to the extent feasible, be consistent with the multistate tax commission's recommended formula for the apportionment and allocation of net income of financial institutions as existing on June 1, 2010, or such subsequent date as may be provided by the department by rule, consistent with the purposes of this section, except that:

(a) The department's rule must provide for a single factor apportionment method based on the receipts factor; and

(b) The definition of "financial institution" contained in appendix A to the multistate tax commission's recommended formula for the apportionment and allocation of net income of financial institutions is advisory only.

(3) The department may by rule provide a method or methods of apportioning or allocating gross income derived from sales of telecommunications service and competitive telephone service taxed under this chapter, if the gross proceeds of sales subject to tax under this chapter do not fairly represent the extent of the taxpayer's income attributable to this state. The rule must provide for an equitable and constitutionally permissible division of the tax base.

(4) For purposes of this section, the following definitions apply unless the context clearly requires otherwise:

(a) "Apportionable income" means gross income of the business generated from engaging in apportionable activities, including income received from apportionable activities performed outside this state if the income would be taxable under this chapter if received from activities in this state, less the exemptions and deductions allowable under this chapter. For

purposes of this subsection, "apportionable activities" means only those activities taxed under:

- (i) RCW 82.04.255;
- (ii) RCW 82.04.260 (3), (5), (6), (7), (8), (9), (10), and (13);
- (iii) RCW 82.04.280(1)(e);
- (iv) RCW 82.04.285;
- (v) RCW 82.04.286;
- (vi) RCW 82.04.290;
- (vii) RCW 82.04.2907;
- (viii) RCW 82.04.2908;

(ix) RCW 82.04.263, but only to the extent of any activity that would be taxable under any of the provisions enumerated under (a)(i) through (viii) of this subsection (4) if the tax classification in RCW 82.04.263 did not exist; and

(x) RCW ((82.04.260(14) and)) 82.04.280(1)(a) or exempted under section 2 of this act, but only with respect to advertising.

(b)(i) "Taxable in another state" means that the taxpayer is subject to a business activities tax by another state on its income received from engaging in apportionable activities; or the taxpayer is not subject to a business activities tax by another state on its income received from engaging in apportionable activities, but any other state has jurisdiction to subject the taxpayer to a business activities tax on such income under the substantial nexus standards in RCW 82.04.067(1).

(ii) For purposes of this subsection (4)(b), "business activities tax" and "state" have the same meaning as in RCW 82.04.462.

Sec. 6. RCW 82.08.806 and 2020 c 139 s 16 are each amended to read as follows:

(1) The tax levied by RCW 82.08.020 does not apply to sales, to a printer or publisher, of computer equipment, including repair parts and replacement parts for such equipment, when the computer equipment is used primarily in the printing or publishing of any printed material, or to sales of or charges made for labor and services rendered in respect to installing, repairing, cleaning, altering, or improving the computer equipment. This exemption applies only to computer equipment not otherwise exempt under RCW 82.08.02565.

(2) A person taking the exemption under this section must keep records necessary for the department to verify eligibility under this section. This exemption is available only when the purchaser provides the seller with an exemption certificate in a form and manner prescribed by the department. The seller must retain a copy of the certificate for the seller's files.

(3) The definitions in this subsection (3) apply throughout this section, unless the context clearly requires otherwise.

(a) "Computer" has the same meaning as in RCW 82.04.215.

(b) "Computer equipment" means a computer and the associated physical components that constitute a computer system, including monitors, keyboards, printers, modems, scanners, pointing devices, and other computer peripheral equipment, cables, servers, and routers. "Computer equipment" also includes digital cameras and computer software.

(c) "Computer software" has the same meaning as in RCW 82.04.215.

(d) "Primarily" means greater than fifty percent as measured by time.

(e) "Printer or publisher" means a person, as defined in RCW 82.04.030, who is subject to tax under RCW ((82.04.260(14) or)) 82.04.280(1)(a) or is eligible for the exemption under section 2 of this act.

(4) "Computer equipment" does not include computer equipment that is used primarily for administrative purposes including but not limited to payroll processing, accounting, customer service, telemarketing, and collection. If computer equipment is used simultaneously for administrative and

nonadministrative purposes, the administrative use must be disregarded during the period of simultaneous use for purposes of determining whether the computer equipment is used primarily for administrative purposes.

NEW SECTION. Sec. 7. (1) This section is the tax preference performance statement for the tax preference contained in section 2, chapter . . . , Laws of 2023 (section 2 of this act). This performance statement is only intended to be used for subsequent evaluation of the tax preference. It is not intended to create a private right of action by any party or to be used to determine eligibility for preferential tax treatment.

(2) The legislature categorizes this tax preference as one intended to provide tax relief for certain businesses or individuals and to create or retain jobs, as indicated in RCW 82.32.808(2) (c) and (e).

(3) It is the legislature's specific public policy objective to protect and support local journalism.

(4) If a review finds that the tax preference accomplishes its goal of supporting local journalism across the state, measured by retaining 75 percent of the journalism jobs, local newspapers, and community-focused online news outlets based in Washington as of December 31, 2022, or if a review finds that the tax preference enables locally based journalism outlets to continue to exist when compared to states that did not provide similar tax incentives, then the legislature intends to extend the expiration date of this tax preference.

(5) In order to obtain the data necessary to perform the review in subsection (4) of this section, the joint legislative audit and review committee may refer to any data collected by the state.

(6) RCW 82.32.808(6) does not apply to the tax preference created in section 2 of this act.

NEW SECTION. Sec. 8. This act takes effect January 1, 2024.

NEW SECTION. Sec. 9. This act expires January 1, 2034."

On page 1, line 1 of the title, after "publishers;" strike the remainder of the title and insert "amending RCW 82.04.260, 35.102.150, 82.04.460, and 82.08.806; adding a new section to chapter 82.04 RCW; creating new sections; providing an effective date; and providing an expiration date."

Senators Mullet and Wilson, L. spoke in favor of adoption of the striking amendment.

The Vice President Pro Tempore declared the question before the Senate to be the adoption of striking amendment no. 0138 by Senator Mullet to Second Substitute Senate Bill No. 5199.

The motion by Senator Mullet carried and striking amendment no. 0138 was adopted by voice vote.

MOTION

On motion of Senator Mullet, the rules were suspended, Engrossed Second Substitute Senate Bill No. 5199 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Mullet, Wilson, L. and Liias spoke in favor of passage of the bill.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 5199.

ROLL CALL

EIGHTY SECOND DAY, MARCH 31, 2023

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5199 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senator Fortunato

Excused: Senator Trudeau

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5199, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5258, by Senators Shewmake, Gildon, Billig, Liias, Lovick, Nguyen, Nobles, Randall and Wellman

Increasing the supply and affordability of condominium units and townhouses as an option for homeownership.

MOTIONS

On motion of Senator Shewmake, Second Substitute Senate Bill No. 5258 was substituted for Senate Bill No. 5258 and the substitute bill was placed on the second reading and read the second time.

Senator Shewmake moved that the following striking amendment no. 0265 by Senator Shewmake be adopted:

Beginning on page 31, line 11, strike all of section 11

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

On page 32, at the beginning of line 14, insert "(1)"

On page 32, beginning on line 15, after "treasurer." strike all material through "account." on line 16 and insert "Receipts from the real estate excise tax on sales of condominiums or townhouses to persons using a down payment assistance program offered by the Washington state housing finance commission must be deposited in the account, as provided in subsection (2) of this section."

On page 32, after line 23, insert the following:

"(2)(a) Beginning June 15, 2024, and each June 15th thereafter, the department must notify the economic and revenue forecast council of the total amount received under RCW 82.45.060 from sales of condominiums or townhouses to persons using a down payment assistance program offered by the Washington state housing finance commission during the prior calendar year.

(b) Beginning in fiscal year 2025, and each fiscal year thereafter, the legislature must appropriate from the general fund to this account the amount received under RCW 82.45.060 on sales of condominiums or townhouses to persons using a down payment assistance program offered by the Washington state housing finance commission during the prior calendar year, as determined under (a) of this subsection.

(c) On or before March 1, 2024, and each March 1st thereafter, the Washington state housing finance commission must provide the department with the following information for each sale of a

condominium or townhouse to a person using a down payment assistance program offered by the Washington state housing finance commission that occurred during the prior calendar year:

(i) The real estate excise tax affidavit number associated with the sale;

(ii) The date of sale;

(iii) The parcel number of the property sold;

(iv) The street address of the property sold;

(v) The county in which the property sold is located;

(vi) The full legal name of the seller, or sellers, as shown on the real estate excise tax affidavit;

(vii) The full legal name of the buyer, or buyers, as shown on the real estate excise tax affidavit; and

(viii) Any additional information the department may require to verify the property sold is a condominium or townhouse sold to persons using a down payment assistance program offered by the Washington state housing finance commission.

(d) For the purposes of this subsection, "townhouse" means dwelling units constructed in a row of two or more attached units where each dwelling unit shares at least one common wall with an adjacent unit and is accessed by a separate outdoor entrance."

On page 38, line 25, after "Sec. 18." strike "Section 9" and insert "Sections 9 and 12"

On page 38, line 25, after "act" strike "takes" and insert "take"

On page 38, line 31, after "10" strike "through 12" and insert "and 11"

On page 1, line 4 of the title, after "82.45.010, 82.45.010," strike "82.45.230,"

Senator Shewmake spoke in favor of adoption of the striking amendment.

The Vice President Pro Tempore declared the question before the Senate to be the adoption of striking amendment no. 0265 by Senator Shewmake to Second Substitute Senate Bill No. 5258.

The motion by Senator Shewmake carried and striking amendment no. 0265 was adopted by voice vote.

MOTION

On motion of Senator Pedersen, the rules were suspended, Engrossed Second Substitute Senate Bill No. 5258 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Shewmake and Padden spoke in favor of passage of the bill.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 5258.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5258 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Trudeau

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5258, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5277, by Senators Wilson, L., Dozier, Lovelett, Lovick, Muzzall, Shewmake, Torres, Wagoner and Warnick

Extending tax preferences for dairy, fruit and vegetable, and seafood processors.

The measure was read the second time.

MOTION

Senator Hasegawa moved that the following striking amendment no. 0258 by Senator Hasegawa be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) This section is the tax preference performance statement for the tax preferences contained in sections 2 through 5, chapter . . . , Laws of 2023 (sections 2 through 5 of this act). This performance statement is only intended to be used for subsequent evaluation of the tax preferences. It is not intended to create a private right of action by any party or be used to determine eligibility for preferential tax treatment.

(2) The legislature categorizes these tax preferences as ones intended to create or retain jobs and provide tax relief for certain businesses or individuals as indicated in RCW 82.32.808(2) (c) and (e).

(3) It is the legislature's specific public policy objective to create and retain jobs and continue providing tax relief to the food processing industry.

(4) To measure the effectiveness of the deductions in sections 2 through 5 of this act in achieving the public policy objectives described in subsection (3) of this section, the joint legislative audit and review committee must evaluate the following:

(a) The number of businesses that claim the deductions in sections 2 through 5 of this act;

(b) The change in total taxable income for taxpayers claiming the deductions under sections 2 through 5 of this act;

(c) The change in total employment for taxpayers claiming the deductions under sections 2 through 5 of this act; and

(d) For each calendar year, the total amount of deductions claimed under sections 2 through 5 of this act as a percentage of total taxable income for taxpayers within taxable income categories.

(5) The information provided in the annual report submitted by the taxpayers under RCW 82.32.534, tax data collected by the department of revenue, and data collected by the employment security department is intended to provide the informational basis for the evaluation under subsection (4) of this section.

(6) In addition to the data sources described under subsection (5) of this section, the joint legislative audit and review committee may use any other data it deems necessary in performing the evaluation under subsection (4) of this section.

Sec. 2. RCW 82.04.4268 and 2020 c 139 s 6 are each amended to read as follows:

(1)(a) In computing tax there may be deducted from the measure of tax, the value of products or the gross proceeds of sales derived from:

~~((a))~~ (i) Manufacturing dairy products; or

~~((b) Selling))~~ (ii) Except as provided otherwise in (b) of this subsection, selling dairy products manufactured by the seller to purchasers who either transport in the ordinary course of business the goods out of this state or purchasers who use such dairy products as an ingredient or component in the manufacturing of a dairy product. A person taking ~~((an exemption))~~ a deduction under this subsection (1)(~~((b))~~) (a)(ii) must keep and preserve records for the period required by RCW 82.32.070 establishing that the goods were transported by the purchaser in the ordinary course of business out of this state or sold to a manufacturer for use as an ingredient or component in the manufacturing of a dairy product.

(b) The deduction provided under (a)(ii) of this subsection does not apply to the sales of dairy products on or after July 1, 2025, where a dairy product is used by the purchaser as an ingredient or component in the manufacturing in Washington of a dairy product.

(2) "Dairy products" has the same meaning as provided in RCW 82.04.260.

(3) A person claiming the ~~((exemption))~~ deduction provided in this section must file a complete annual tax performance report with the department under RCW 82.32.534.

(4) Beginning in calendar year 2024, the total amount a person may claim under subsection (1)(a) of this section in any calendar year may not exceed \$125,000,000. Amounts taxable under this chapter based on the limitation in this subsection are subject to the tax rate specified in RCW 82.04.260(1)(c).

(5) This section expires July 1, ((2025)) 2035.

Sec. 3. RCW 82.04.4266 and 2022 c 16 s 142 are each amended to read as follows:

(1) ~~((This chapter does not apply to))~~ In computing tax there may be deducted from the measure of tax, the value of products or the gross proceeds of sales derived from:

(a) Manufacturing fruits or vegetables by canning, preserving, freezing, processing, or dehydrating fresh fruits or vegetables; or

(b) Selling at wholesale fruits or vegetables manufactured by the seller by canning, preserving, freezing, processing, or dehydrating fresh fruits or vegetables and sold to purchasers who transport in the ordinary course of business the goods out of this state. A person taking ~~((an exemption))~~ a deduction under this subsection (1)(b) must keep and preserve records for the period required by RCW 82.32.070 establishing that the goods were transported by the purchaser in the ordinary course of business out of this state.

(2) For purposes of this section, "fruits" and "vegetables" do not include cannabis, useable cannabis, or cannabis-infused products.

(3) A person claiming the ~~((exemption))~~ deduction provided in this section must file a complete annual tax performance report with the department under RCW 82.32.534.

(4) Beginning in calendar year 2024, the total amount a person may claim under this section in any calendar year may not exceed \$125,000,000. Amounts taxable under this chapter based on the limitation in this subsection are subject to the tax rate specified in RCW 82.04.260(1)(d).

(5) This section expires July 1, ((2025)) 2035.

Sec. 4. RCW 82.04.4269 and 2020 c 139 s 7 are each amended to read as follows:

(1) ~~((This chapter does not apply to))~~ In computing tax there may be deducted from the measure of tax, the value of products or the gross proceeds of sales derived from:

EIGHTY SECOND DAY, MARCH 31, 2023

(a) Manufacturing seafood products that remain in a raw, raw frozen, or raw salted state at the completion of the manufacturing by that person; or

(b) Selling manufactured seafood products that remain in a raw, raw frozen, or raw salted state to purchasers who transport in the ordinary course of business the goods out of this state. A person taking ~~((an exemption))~~ a deduction under this subsection (1)(b) must keep and preserve records for the period required by RCW 82.32.070 establishing that the goods were transported by the purchaser in the ordinary course of business out of this state.

(2) A person claiming the ~~((exemption))~~ deduction provided in this section must file a complete annual tax performance report with the department under RCW 82.32.534.

(3) Beginning in calendar year 2024, the total amount a person may claim under this section in any calendar year may not exceed \$125,000,000. Amounts taxable under this chapter based on the limitation in this subsection are subject to the tax rate specified in RCW 82.04.260(1)(b).

(4) This section expires July 1, ~~((2025))~~ 2035.

Sec. 5. RCW 82.04.260 and 2022 c 16 s 140 are each amended to read as follows:

(1) Upon every person engaging within this state in the business of manufacturing:

(a) Wheat into flour, barley into pearl barley, soybeans into soybean oil, canola into canola oil, canola meal, or canola by-products, or sunflower seeds into sunflower oil; as to such persons the amount of tax with respect to such business is equal to the value of the flour, pearl barley, oil, canola meal, or canola by-product manufactured, multiplied by the rate of 0.138 percent;

(b) Beginning July 1, ~~((2025))~~ 2035, seafood products that remain in a raw, raw frozen, or raw salted state at the completion of the manufacturing by that person; or selling manufactured seafood products that remain in a raw, raw frozen, or raw salted state at the completion of the manufacturing, to purchasers who transport in the ordinary course of business the goods out of this state; as to such persons the amount of tax with respect to such business is equal to the value of the products manufactured or the gross proceeds derived from such sales, multiplied by the rate of 0.138 percent. Sellers must keep and preserve records for the period required by RCW 82.32.070 establishing that the goods were transported by the purchaser in the ordinary course of business out of this state;

(c)(i) Except as provided otherwise in (c)(iii) of this subsection, ~~((from))~~ beginning July 1, ~~((2025))~~ 2035, until January 1, ~~((2036))~~ 2046, dairy products; or selling dairy products that the person has manufactured to purchasers who either transport in the ordinary course of business the goods out of state or purchasers who use such dairy products as an ingredient or component in the manufacturing of a dairy product; as to such persons the tax imposed is equal to the value of the products manufactured or the gross proceeds derived from such sales multiplied by the rate of 0.138 percent. Sellers must keep and preserve records for the period required by RCW 82.32.070 establishing that the goods were transported by the purchaser in the ordinary course of business out of this state or sold to a manufacturer for use as an ingredient or component in the manufacturing of a dairy product.

(ii) For the purposes of this subsection (1)(c), "dairy products" means:

(A) Products, not including any cannabis-infused product, that as of September 20, 2001, are identified in 21 C.F.R., chapter 1, parts 131, 133, and 135, including by-products from the manufacturing of the dairy products, such as whey and casein; and

(B) Products comprised of not less than ~~((seventy))~~ 70 percent dairy products that qualify under (c)(ii)(A) of this subsection, measured by weight or volume.

(iii) The preferential tax rate provided to taxpayers under this subsection (1)(c) does not apply to sales of dairy products on or after July 1, 2023, where a dairy product is used by the purchaser as an ingredient or component in the manufacturing in Washington of a dairy product;

(d)(i) Beginning July 1, ~~((2025))~~ 2035, fruits or vegetables by canning, preserving, freezing, processing, or dehydrating fresh fruits or vegetables, or selling at wholesale fruits or vegetables manufactured by the seller by canning, preserving, freezing, processing, or dehydrating fresh fruits or vegetables and sold to purchasers who transport in the ordinary course of business the goods out of this state; as to such persons the amount of tax with respect to such business is equal to the value of the products manufactured or the gross proceeds derived from such sales multiplied by the rate of 0.138 percent. Sellers must keep and preserve records for the period required by RCW 82.32.070 establishing that the goods were transported by the purchaser in the ordinary course of business out of this state.

(ii) For purposes of this subsection (1)(d), "fruits" and "vegetables" do not include cannabis, useable cannabis, or cannabis-infused products; and

(e) Wood biomass fuel; as to such persons the amount of tax with respect to the business is equal to the value of wood biomass fuel manufactured, multiplied by the rate of 0.138 percent. For the purposes of this section, "wood biomass fuel" means a liquid or gaseous fuel that is produced from lignocellulosic feedstocks, including wood, forest, or field residue and dedicated energy crops, and that does not include wood treated with chemical preservations such as creosote, pentachlorophenol, or copper-chrome-arsenic.

(2) Upon every person engaging within this state in the business of splitting or processing dried peas; as to such persons the amount of tax with respect to such business is equal to the value of the peas split or processed, multiplied by the rate of 0.138 percent.

(3) Upon every nonprofit corporation and nonprofit association engaging within this state in research and development, as to such corporations and associations, the amount of tax with respect to such activities is equal to the gross income derived from such activities multiplied by the rate of 0.484 percent.

(4) Upon every person engaging within this state in the business of slaughtering, breaking and/or processing perishable meat products and/or selling the same at wholesale only and not at retail; as to such persons the tax imposed is equal to the gross proceeds derived from such sales multiplied by the rate of 0.138 percent.

(5)(a) Upon every person engaging within this state in the business of acting as a travel agent or tour operator and whose annual taxable amount for the prior calendar year from such business was ~~((two hundred fifty thousand dollars))~~ \$250,000 or less; as to such persons the amount of the tax with respect to such activities is equal to the gross income derived from such activities multiplied by the rate of 0.275 percent.

(b) Upon every person engaging within this state in the business of acting as a travel agent or tour operator and whose annual taxable amount for the prior calendar year from such business was more than ~~((two hundred fifty thousand dollars))~~ \$250,000; as to such persons the amount of the tax with respect to such activities is equal to the gross income derived from such activities multiplied by the rate of 0.275 percent through June 30, 2019, and 0.9 percent beginning July 1, 2019.

(6) Upon every person engaging within this state in business as an international steamship agent, international customs house broker, international freight forwarder, vessel and/or cargo charter broker in foreign commerce, and/or international air cargo agent; as to such persons the amount of the tax with respect to only international activities is equal to the gross income derived from such activities multiplied by the rate of 0.275 percent.

(7) Upon every person engaging within this state in the business of stevedoring and associated activities pertinent to the movement of goods and commodities in waterborne interstate or foreign commerce; as to such persons the amount of tax with respect to such business is equal to the gross proceeds derived from such activities multiplied by the rate of 0.275 percent. Persons subject to taxation under this subsection are exempt from payment of taxes imposed by chapter 82.16 RCW for that portion of their business subject to taxation under this subsection. Stevedoring and associated activities pertinent to the conduct of goods and commodities in waterborne interstate or foreign commerce are defined as all activities of a labor, service or transportation nature whereby cargo may be loaded or unloaded to or from vessels or barges, passing over, onto or under a wharf, pier, or similar structure; cargo may be moved to a warehouse or similar holding or storage yard or area to await further movement in import or export or may move to a consolidation freight station and be stuffed, unstuffed, containerized, separated or otherwise segregated or aggregated for delivery or loaded on any mode of transportation for delivery to its consignee. Specific activities included in this definition are: Wharfage, handling, loading, unloading, moving of cargo to a convenient place of delivery to the consignee or a convenient place for further movement to export mode; documentation services in connection with the receipt, delivery, checking, care, custody and control of cargo required in the transfer of cargo; imported automobile handling prior to delivery to consignee; terminal stevedoring and incidental vessel services, including but not limited to plugging and unplugging refrigerator service to containers, trailers, and other refrigerated cargo receptacles, and securing ship hatch covers.

(8)(a) Upon every person engaging within this state in the business of disposing of low-level waste, as defined in RCW 70A.380.010; as to such persons the amount of the tax with respect to such business is equal to the gross income of the business, excluding any fees imposed under chapter 70A.384 RCW, multiplied by the rate of 3.3 percent.

(b) If the gross income of the taxpayer is attributable to activities both within and without this state, the gross income attributable to this state must be determined in accordance with the methods of apportionment required under RCW 82.04.460.

(9) Upon every person engaging within this state as an insurance producer or title insurance agent licensed under chapter 48.17 RCW or a surplus line broker licensed under chapter 48.15 RCW; as to such persons, the amount of the tax with respect to such licensed activities is equal to the gross income of such business multiplied by the rate of 0.484 percent.

(10) Upon every person engaging within this state in business as a hospital, as defined in chapter 70.41 RCW, that is operated as a nonprofit corporation or by the state or any of its political subdivisions, as to such persons, the amount of tax with respect to such activities is equal to the gross income of the business multiplied by the rate of 0.75 percent through June 30, 1995, and 1.5 percent thereafter.

(11)(a) Beginning October 1, 2005, upon every person engaging within this state in the business of manufacturing commercial airplanes, or components of such airplanes, or making sales, at retail or wholesale, of commercial airplanes or

components of such airplanes, manufactured by the seller, as to such persons the amount of tax with respect to such business is, in the case of manufacturers, equal to the value of the product manufactured and the gross proceeds of sales of the product manufactured, or in the case of processors for hire, equal to the gross income of the business, multiplied by the rate of:

(i) 0.4235 percent from October 1, 2005, through June 30, 2007;

(ii) 0.2904 percent beginning July 1, 2007, through March 31, 2020; and

(iii) Beginning April 1, 2020, 0.484 percent, subject to any reduction required under (e) of this subsection (11). The tax rate in this subsection (11)(a)(iii) applies to all business activities described in this subsection (11)(a).

(b) Beginning July 1, 2008, upon every person who is not eligible to report under the provisions of (a) of this subsection (11) and is engaging within this state in the business of manufacturing tooling specifically designed for use in manufacturing commercial airplanes or components of such airplanes, or making sales, at retail or wholesale, of such tooling manufactured by the seller, as to such persons the amount of tax with respect to such business is, in the case of manufacturers, equal to the value of the product manufactured and the gross proceeds of sales of the product manufactured, or in the case of processors for hire, be equal to the gross income of the business, multiplied by the rate of:

(i) 0.2904 percent through March 31, 2020; and

(ii) Beginning April 1, 2020, the following rates, which are subject to any reduction required under (e) of this subsection (11):

(A) The rate under RCW 82.04.250(1) on the business of making retail sales of tooling specifically designed for use in manufacturing commercial airplanes or components of such airplanes; and

(B) 0.484 percent on all other business activities described in this subsection (11)(b).

(c) For the purposes of this subsection (11), "commercial airplane" and "component" have the same meanings as provided in RCW 82.32.550.

(d)(i) In addition to all other requirements under this title, a person reporting under the tax rate provided in this subsection (11) must file a complete annual tax performance report with the department under RCW 82.32.534. However, this requirement does not apply to persons reporting under the tax rate in (a)(iii) of this subsection (11), so long as that rate remains 0.484 percent, or under any of the tax rates in (b)(ii)(A) and (B) of this subsection (11), so long as those tax rates remain the rate imposed pursuant to RCW 82.04.250(1) and 0.484 percent, respectively.

(ii) Nothing in (d)(i) of this subsection (11) may be construed as affecting the obligation of a person reporting under a tax rate provided in this subsection (11) to file a complete annual tax performance report with the department under RCW 82.32.534: (A) Pursuant to another provision of this title as a result of claiming a tax credit or exemption; or (B) pursuant to (d)(i) of this subsection (11) as a result of claiming the tax rates in (a)(ii) or (b)(i) of this subsection (11) for periods ending before April 1, 2020.

(e)(i) After March 31, 2021, the tax rates under (a)(iii) and (b)(ii) of this subsection (11) must be reduced to 0.357 percent provided the conditions in RCW 82.04.2602 are met. The effective date of the rates authorized under this subsection (11)(e) must occur on the first day of the next calendar quarter that is at least ~~((sixty)) 60~~ days after the department receives the last of the two written notices pursuant to RCW 82.04.2602 (3) and (4).

(ii) Both a significant commercial airplane manufacturer separately and the rest of the aerospace industry as a whole,

EIGHTY SECOND DAY, MARCH 31, 2023

receiving the rate of 0.357 percent under this subsection (11)(e) are subject to the aerospace apprenticeship utilization rates required under RCW 49.04.220 by April 1, 2026, or five years after the effective date of the 0.357 percent rate authorized under this subsection (11)(e), whichever is later, as determined by the department of labor and industries.

(iii) The provisions of RCW 82.32.805 and 82.32.808 do not apply to this subsection (11)(e).

(f)(i) Except as provided in (f)(ii) of this subsection (11), this subsection (11) does not apply on and after July 1, 2040.

(ii) With respect to the manufacturing of commercial airplanes or making sales, at retail or wholesale, of commercial airplanes, this subsection (11) does not apply on and after July 1st of the year in which the department makes a determination that any final assembly or wing assembly of any version or variant of a commercial airplane that is the basis of a siting of a significant commercial airplane manufacturing program in the state under RCW 82.32.850 has been sited outside the state of Washington. This subsection (11)(f)(ii) only applies to the manufacturing or sale of commercial airplanes that are the basis of a siting of a significant commercial airplane manufacturing program in the state under RCW 82.32.850. This subsection (11)(f)(ii) continues to apply during the time that a person is subject to the tax rate in (a)(iii) of this subsection (11).

(g) For the purposes of this subsection, "a significant commercial airplane manufacturer" means a manufacturer of commercial airplanes with at least ~~((fifty-thousand))~~ 50,000 full-time employees in Washington as of January 1, 2021.

(12)(a) Until July 1, 2045, upon every person engaging within this state in the business of extracting timber or extracting for hire timber; as to such persons the amount of tax with respect to the business is, in the case of extractors, equal to the value of products, including by-products, extracted, or in the case of extractors for hire, equal to the gross income of the business, multiplied by the rate of 0.4235 percent from July 1, 2006, through June 30, 2007, and 0.2904 percent from July 1, 2007, through June 30, 2045.

(b) Until July 1, 2045, upon every person engaging within this state in the business of manufacturing or processing for hire: (i) Timber into timber products or wood products; (ii) timber products into other timber products or wood products; or (iii) products defined in RCW 19.27.570(1); as to such persons the amount of the tax with respect to the business is, in the case of manufacturers, equal to the value of products, including by-products, manufactured, or in the case of processors for hire, equal to the gross income of the business, multiplied by the rate of 0.4235 percent from July 1, 2006, through June 30, 2007, and 0.2904 percent from July 1, 2007, through June 30, 2045.

(c) Until July 1, 2045, upon every person engaging within this state in the business of selling at wholesale: (i) Timber extracted by that person; (ii) timber products manufactured by that person from timber or other timber products; (iii) wood products manufactured by that person from timber or timber products; or (iv) products defined in RCW 19.27.570(1) manufactured by that person; as to such persons the amount of the tax with respect to the business is equal to the gross proceeds of sales of the timber, timber products, wood products, or products defined in RCW 19.27.570(1) multiplied by the rate of 0.4235 percent from July 1, 2006, through June 30, 2007, and 0.2904 percent from July 1, 2007, through June 30, 2045.

(d) Until July 1, 2045, upon every person engaging within this state in the business of selling standing timber; as to such persons the amount of the tax with respect to the business is equal to the gross income of the business multiplied by the rate of 0.2904 percent. For purposes of this subsection (12)(d), "selling standing

timber" means the sale of timber apart from the land, where the buyer is required to sever the timber within ~~((thirty))~~ 30 months from the date of the original contract, regardless of the method of payment for the timber and whether title to the timber transfers before, upon, or after severance.

(e) For purposes of this subsection, the following definitions apply:

(i) "Biocomposite surface products" means surface material products containing, by weight or volume, more than ~~((fifty))~~ 50 percent recycled paper and that also use nonpetroleum-based phenolic resin as a bonding agent.

(ii) "Paper and paper products" means products made of interwoven cellulosic fibers held together largely by hydrogen bonding. "Paper and paper products" includes newsprint; office, printing, fine, and pressure-sensitive papers; paper napkins, towels, and toilet tissue; kraft bag, construction, and other kraft industrial papers; paperboard, liquid packaging containers, containerboard, corrugated, and solid-fiber containers including linerboard and corrugated medium; and related types of cellulosic products containing primarily, by weight or volume, cellulosic materials. "Paper and paper products" does not include books, newspapers, magazines, periodicals, and other printed publications, advertising materials, calendars, and similar types of printed materials.

(iii) "Recycled paper" means paper and paper products having ~~((fifty))~~ 50 percent or more of their fiber content that comes from postconsumer waste. For purposes of this subsection (12)(e)(iii), "postconsumer waste" means a finished material that would normally be disposed of as solid waste, having completed its life cycle as a consumer item.

(iv) "Timber" means forest trees, standing or down, on privately or publicly owned land. "Timber" does not include Christmas trees that are cultivated by agricultural methods or short-rotation hardwoods as defined in RCW 84.33.035.

(v) "Timber products" means:

(A) Logs, wood chips, sawdust, wood waste, and similar products obtained wholly from the processing of timber, short-rotation hardwoods as defined in RCW 84.33.035, or both;

(B) Pulp, including market pulp and pulp derived from recovered paper or paper products; and

(C) Recycled paper, but only when used in the manufacture of biocomposite surface products.

(vi) "Wood products" means paper and paper products; dimensional lumber; engineered wood products such as particleboard, oriented strand board, medium density fiberboard, and plywood; wood doors; wood windows; and biocomposite surface products.

(f) Except for small harvesters as defined in RCW 84.33.035, a person reporting under the tax rate provided in this subsection (12) must file a complete annual tax performance report with the department under RCW 82.32.534.

(g) Nothing in this subsection (12) may be construed to affect the taxation of any activity defined as a retail sale in RCW 82.04.050(2) (b) or (c), defined as a wholesale sale in RCW 82.04.060(2), or taxed under RCW 82.04.280(1)(g).

(13) Upon every person engaging within this state in inspecting, testing, labeling, and storing canned salmon owned by another person, as to such persons, the amount of tax with respect to such activities is equal to the gross income derived from such activities multiplied by the rate of 0.484 percent.

(14)(a) Upon every person engaging within this state in the business of printing a newspaper, publishing a newspaper, or both, the amount of tax on such business is equal to the gross income of the business multiplied by the rate of 0.35 percent until July 1, 2024, and 0.484 percent thereafter.

(b) A person reporting under the tax rate provided in this subsection (14) must file a complete annual tax performance report with the department under RCW 82.32.534."

On page 1, line 2 of the title, after "processors;" strike the remainder of the title and insert "amending RCW 82.04.4268, 82.04.4266, 82.04.4269, and 82.04.260; creating a new section; and providing expiration dates."

Senator Hasegawa spoke in favor of adoption of the striking amendment.

Senators Wilson, L. and Rolfes spoke against adoption of the striking amendment.

The Vice President Pro Tempore declared the question before the Senate to be the adoption of striking amendment no. 0258 by Senator Hasegawa to Senate Bill No. 5277.

The motion by Senator Hasegawa did not carry and striking amendment no. 0258 was not adopted by voice vote.

MOTION

On motion of Senator Wilson, L., the rules were suspended, Senate Bill No. 5277 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Wilson, L. spoke in favor of passage of the bill.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5277.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5277 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Trudeau

SENATE BILL NO. 5277, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5218, by Senators Padden, Mullet and Torres

Providing a sales and use tax exemption for complex rehabilitation technology products.

MOTIONS

On motion of Senator Padden, Substitute Senate Bill No. 5218 was substituted for Senate Bill No. 5218 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5218, by Committee on Ways & Means (originally sponsored by Senators Padden, Mullet and Torres)

Revised for first Substitute: Providing a sales and use tax exemption for mobility enhancing equipment for use by or for a complex needs patient.

On motion of Senator Padden, the rules were suspended, Substitute Senate Bill No. 5218 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Padden spoke in favor of passage of the bill.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5218.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5218 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Trudeau

SUBSTITUTE SENATE BILL NO. 5218, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5293, by Senators Rolfes, Robinson, Kuderer, Nobles and Van De Wege

Improving the fiscal process by updating accounts administered by the office of financial management, creating new accounts including one for the opioid litigation settlement and one for the receipt of federal funds, and reenacting accounts created in the supplemental budget bill.

MOTIONS

On motion of Senator Rolfes, Substitute Senate Bill No. 5293 was substituted for Senate Bill No. 5293 and the substitute bill was placed on the second reading and read the second time. Revised for 1st Substitute: Concerning accounts.

Senator Rolfes moved that the following amendment no. 0267 by Senator Rolfes be adopted:

On page 1, beginning on line 20, after "2021-2023" strike "fiscal (~~biennia~~) biennium" and insert "and 2023-2025 fiscal biennia"

Senator Rolfes spoke in favor of adoption of the amendment.

The Vice President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 0267 by Senator Rolfes on page 1, line 20 to Engrossed Substitute Senate Bill No. 5293.

EIGHTY SECOND DAY, MARCH 31, 2023

The motion by Senator Rolfes and amendment no. 0267 was adopted by voice vote.

MOTION

On motion of Senator Rolfes, the rules were suspended, Engrossed Substitute Senate Bill No. 5293 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Rolfes and Wilson, L. spoke in favor of passage of the bill.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5293.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5293 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Trudeau

ENGROSSED SUBSTITUTE SENATE BILL NO. 5293, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1050, by House Committee on Capital Budget (originally sponsored by Riccelli, Berry, Simmons, Ryu, Goodman, Reed, Ramel, Lekanoff, Pollet, Street, Doglio, Donaghy, Wylie, Santos, Ormsby and Fosse)

Expanding apprenticeship utilization requirements.

The measure was read the second time.

MOTION

Senator King moved that the following striking amendment no. 0259 by Senators King and Keiser be adopted:

On page 1, at the beginning of line 15, strike "\$1,000,000" and insert "\$2,000,000"

On page 1, line 16, after "apprentices," insert "For contracts advertised for bid on or after July 1, 2026, for all public works contracts awarded by a municipality estimated to cost \$1,500,000 or more, all specifications must require that no less than 15 percent of the labor hours be performed by apprentices. For contracts advertised for bid on or after July 1, 2028, for all public works contracts awarded by a municipality estimated to cost \$1,000,000 or more, all specifications must require that no less than 15 percent of the labor hours be performed by apprentices."

On page 4, line 36, after "(b)" insert "The department of labor and industries and the municipal research and services center

shall provide training, information, and ongoing technical assistance to municipalities in order to comply with apprenticeship utilization requirements. Training must include, but not be limited to, department of labor and industries reporting requirements, contract administration including sample contract language, and best practices on how a municipality's governing authority must adopt apprenticeship guidelines, including procedures, rules, and instructions to ensure compliance relating to a contractor that seeks a good faith waiver of apprenticeship utilization requirements.

(c)"

On page 5, after line 33, insert the following:

"NEW SECTION. Sec. 2. (1) It is the intent of the legislature that apprenticeship utilization requirements lead to increased on-the-job training placements for construction apprentices and a growing and diversified pool of labor in Washington. Beginning July 1, 2024, the department of labor and industries must study and report on public works project outcomes related to apprenticeship utilization requirements, access to apprentices, and participation by women, minority, and veteran-owned businesses. The study and report must include projects completed between July 1, 2020, and June 30, 2025, as well as projects in progress as of June 30, 2025, for in progress projects that have available data. At a minimum, the study and report must:

(a) Delineate by project size and type of awarding entity, including the department of transportation, school districts, four-year institutions of higher education, and municipalities. Project outcomes for municipalities must be delineated by type of municipality;

(b) Include total project cost, the ratio of material to labor costs, apprentice hours worked by craft and percent of total hours worked, cost savings or increases from utilizing apprentices, number of projects achieving and not achieving apprentice utilization requirements, number of projects waiving apprentice utilization requirements for good faith efforts or other criteria deemed appropriate by the awarding agency with the reasons for the waivers, and the number and percentages of women, minority, and veteran-owned businesses as prime contractors or subcontractors and whether they were able to utilize apprentices;

(c) Include, by craft, the number and service area of construction apprenticeship programs, the number of training agents, and the number of construction apprentices;

(d) Analyze women, minority, and veteran-owned businesses' access to public works projects as a prime contractor or subcontractor, and access to apprentices. The analysis should include project data and consultation with the office of minority and women's business enterprises and women, minority, and veteran-owned businesses;

(e) Identify and analyze existing applications of apprenticeship utilization requirements by municipalities and for subcontractors beyond requirements specified in RCW 39.04.320;

(f) Include recommendations and best practices for increasing apprenticeship utilization and supporting women, minority, and veteran-owned businesses in accessing apprentices; and

(g) Include recommendations and best practices for extending apprenticeship utilization requirements to subcontractors.

(2) The report must be submitted to the office of financial management, the senate labor and commerce committee, the house labor and workplace standards committee, the house capital budget committee, the house local government committee, the senate state government and elections committee, and the senate local government, land use, and tribal affairs committee, or their successor committees, no later than December 1, 2025.

(3) This section expires December 1, 2026."

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

On page 1, line 2 of the title, after "39.04.320;" strike "and providing an effective date" and insert "creating a new section; providing an effective date; and providing an expiration date"

Senators King and Keiser spoke in favor of adoption of the amendment.

The Vice President Pro Tempore declared the question before the Senate to be the adoption of striking amendment no. 0259 by Senators King and Keiser on page 1, line 15 to Engrossed Substitute House Bill No. 1050.

The motion by Senator King carried and striking amendment no. 0259 was adopted by voice vote.

MOTION

On motion of Senator Keiser, the rules were suspended, Engrossed Substitute House Bill No. 1050 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Keiser and King spoke in favor of passage of the bill.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 1050 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 1050 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 30; Nays, 18; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hasegawa, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, Mullet, Nguyen, Nobles, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Stanford, Valdez, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, MacEwen, McCune, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

Excused: Senator Trudeau

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1050, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1222, by House Committee on Health Care & Wellness (originally sponsored by Orwall, Simmons, Reeves, Reed, Leavitt, Kloba, Farivar, Doglio, Morgan, Slatter, Ramel, Goodman, Callan, Fosse, Pollet, Lekanoff and Maeri)

Requiring coverage for hearing instruments.

The measure was read the second time.

MOTION

Senator Cleveland moved that the following committee striking amendment by the Committee on Health & Long-Term Care be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 48.43 RCW to read as follows:

(1) For nongrandfathered group health plans other than small group health plans issued or renewed on or after January 1, 2024, a health carrier shall include coverage for hearing instruments, including bone conduction hearing devices. This section does not include coverage of over-the-counter hearing instruments.

(2) Coverage shall also include the initial assessment, fitting, adjustment, auditory training, and ear molds as necessary to maintain optimal fit. Coverage of the services in this subsection shall include services for enrollees who intend to obtain or have already obtained any hearing instrument, including an over-the-counter hearing instrument.

(3) A health carrier shall provide coverage for hearing instruments as provided in subsection (1) of this section at no less than \$3,000 per ear with hearing loss every 36 months.

(4) The services and hearing instruments covered under this section are not subject to the enrollee's deductible unless the health plan is offered as a qualifying health plan for a health savings account. For such a qualifying health plan, the carrier may apply a deductible to coverage of the services covered under this section only at the minimum level necessary to preserve the enrollee's ability to claim tax exempt contributions and withdrawals from the enrollee's health savings account under internal revenue service laws and regulations.

(5) Coverage for a minor under 18 years of age shall be available under this section only after the minor has received medical clearance within the preceding six months from:

(a) An otolaryngologist for an initial evaluation of hearing loss; or

(b) A licensed physician, which indicates there has not been a substantial change in clinical status since the initial evaluation by an otolaryngologist.

(6) For the purposes of this section:

(a) "Hearing instrument" has the same meaning as defined in RCW 18.35.010.

(b) "Over-the-counter hearing instrument" has the same meaning as "over-the-counter hearing aid" in 21 C.F.R. Sec. 800.30 as of December 28, 2022.

Sec. 2. RCW 41.05.830 and 2018 c 159 s 1 are each amended to read as follows:

(1) Subject to appropriation, a health plan offered to employees and their covered dependents under this chapter issued or renewed on or after January 1, 2019, must include coverage for hearing instruments. Coverage must include a new hearing instrument every five years and services and supplies such as the initial assessment, fitting, adjustment, and auditory training.

(2) The hearing instrument must be recommended by a licensed audiologist, hearing aid specialist, or a licensed physician or osteopathic physician who specializes in otolaryngology and dispensed by a licensed audiologist, hearing aid specialist, or a licensed physician or osteopathic physician who specializes in otolaryngology.

(3) For the purposes of this section, "hearing instrument" and "hearing aid specialist" have the same meaning as defined in RCW 18.35.010.

(4) This section expires December 31, 2023.

NEW SECTION. Sec. 3. A new section is added to chapter 41.05 RCW to read as follows:

EIGHTY SECOND DAY, MARCH 31, 2023

A health plan offered to public employees and their covered dependents under this chapter issued or renewed on or after January 1, 2024, is subject to section 1 of this act."

On page 1, at the beginning of line 2 of the title strike the remainder of the title and insert "amending RCW 41.05.830; adding a new section to chapter 48.43 RCW; adding a new section to chapter 41.05 RCW; and providing an expiration date."

Senator Cleveland spoke in favor of adoption of the committee striking amendment.

The Vice President Pro Tempore declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Health & Long-Term Care to Engrossed Substitute House Bill No. 1222.

The motion by Senator Cleveland carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Cleveland, the rules were suspended, Engrossed Substitute House Bill No. 1222 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Cleveland, Muzzall and Fortunato spoke in favor of passage of the bill.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 1222 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 1222 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Trudeau

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1222, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1696, by Representatives Davis, Mosbrucker, Orwall, Griffey, Duerr, Reed, Leavitt, Barnard, Walen, Eslick, Ramel and Pollet

Concerning stalking-related offenses.

The measure was read the second time.

MOTION

Senator Dhingra moved that the following committee striking amendment by the Committee on Law & Justice be not adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 9A.46.110 and 2021 c 215 s 111 are each amended to read as follows:

(1) A person commits the crime of stalking if, without lawful authority (~~and under circumstances not amounting to a felony attempt of another crime~~):

(a) (~~He or she intentionally~~) The person:

(i) Intentionally and repeatedly harasses or repeatedly follows another person; or

(ii) Knowingly and without consent installs or monitors an electronic tracking device, or causes an electronic tracking device to be installed, placed, or used, with the intent to track the location of another person; and

(b) The person being harassed (~~(of)~~), followed, tracked, or monitored suffers substantial emotional distress or is placed in fear that the stalker intends to injure (~~the person~~) him or her, or another person, or his or her property (~~of the person~~) or the property of another person, or, in the circumstances identified in (a)(ii) of this subsection, the victim's knowledge of the tracking device would reasonably elicit substantial emotional distress or fear. The feeling of substantial emotional distress or fear must be one that a reasonable person in the same situation would experience under all the circumstances; and

(c) The stalker (~~(either)~~):

(i) Intends to frighten, intimidate, (~~(of)~~) harass, or inflict substantial emotional distress upon the person; (~~(of)~~)

(ii) Knows or reasonably should know that the person is afraid, intimidated, (~~(of)~~) harassed, or placed in substantial emotional distress, or in the circumstances identified in (a)(ii) of this subsection, that the person's knowledge of the tracking device would elicit such reaction, even if the stalker did not intend to place the person in fear or substantial emotional distress or intimidate or harass the person; or

(iii) Contacts, follows, tracks, or monitors, or attempts to contact, follow, track, or monitor the person after being given actual notice that the person does not want to be contacted, followed, tracked, or monitored.

(2)(a) It is not a defense to the crime of stalking under subsection (1)(c)(i) of this section that the stalker was not given actual notice that the person did not want the stalker to contact (~~(of)~~), follow (~~the person~~), track, or monitor him or her; and

(b) It is not a defense to the crime of stalking under subsection (1)(c)(ii) or (iii) of this section that the stalker did not intend to frighten, intimidate, or harass the person or place the person in substantial emotional distress.

(3) It shall be a defense to the crime of stalking that the defendant is a licensed private investigator acting within the capacity of his or her license as provided by chapter 18.165 RCW.

(4) (~~(Attempts to contact or follow the person after being given actual notice that the person does not want to be contacted or followed constitutes prima facie evidence that the stalker intends to intimidate or harass the person. "Contact" includes, in addition to any other form of contact or communication, the sending of an electronic communication to the person.)~~) The provisions of this section do not apply to the installation, placement, or use of an electronic tracking device by any of the following:

(a) A law enforcement officer, judicial officer, probation or parole officer, or other public employee when any such person is engaged in the lawful performance of official duties and in accordance with state or federal law;

(b) The installation, placement, or use of an electronic tracking device authorized by an order of a state or federal court;

(c) A legal guardian for a disabled adult or a legally authorized individual or organization designated to provide protective services to a disabled adult when the electronic tracking device is installed, placed, or used to track the location of the disabled adult for which the person is a legal guardian or the individual or organization is designated to provide protective services;

(d) A parent or legal guardian of a minor when the electronic tracking device is installed, placed, or used to track the location of that minor unless the parent or legal guardian is subject to a court order that orders the parent or legal guardian not to assault, threaten, harass, follow, or contact that minor;

(e) An employer, school, or other organization, who owns the device on which the tracking device is installed and provides the device to a person for use in connection with the person's involvement with the employer, school, or other organization and the use of the device is limited to recovering lost or stolen items; or

(f) The owner of fleet vehicles, when tracking such vehicles. For the purposes of this section, "fleet vehicle" means any of the following:

(i) One or more motor vehicles owned by a single entity and operated by employees or agents of the entity for business or government purposes;

(ii) Motor vehicles held for lease or rental to the general public; or

(iii) Motor vehicles held for sale, or used as demonstrators, test vehicles, or loaner vehicles, by motor vehicle dealers.

(5)(a) Except as provided in (b) of this subsection, a person who stalks another person is guilty of a gross misdemeanor.

(b) A person who stalks another person is guilty of a class B felony if any of the following applies:

(i) The stalker has previously been convicted in this state or any other state of any crime of harassment, as defined in RCW 9A.46.060, of the same victim or members of the victim's family or household or any person specifically named in a protective order;

(ii) ~~(the)~~ The stalking violates any protective order protecting the ~~(person being stalked)~~ victim;

(iii) ~~(the)~~ The stalker has previously been convicted of a gross misdemeanor or felony stalking offense under this section for stalking another person;

(iv) ~~(the)~~ The stalker was armed with a deadly weapon, as defined in RCW 9.94A.825, while stalking the ~~(person)~~ victim;

(v)(A) ~~(the stalker's)~~ The victim is or was a law enforcement officer; judge; juror; attorney; victim advocate; legislator; community corrections' officer; an employee, contract staff person, or volunteer of a correctional agency; court employee, court clerk, or courthouse facilitator; or an employee of the child protective, child welfare, or adult protective services division within the department of social and health services; and

(B) ~~(the)~~ The stalker stalked the victim to retaliate against the victim for an act the victim performed during the course of official duties or to influence the victim's performance of official duties; or

(vi) ~~(the stalker's)~~ The victim is a current, former, or prospective witness in an adjudicative proceeding, and the stalker stalked the victim to retaliate against the victim as a result of the victim's testimony or potential testimony.

(6) As used in this section:

(a) "Actual notice" includes, in addition to any other form of actual notice, circumstances in which the other person has a protective order in effect protecting him or her from the person.

(b) "Contact" includes, in addition to any other form of contact or communication, the sending of an electronic communication to the other person.

(c) "Correctional agency" means a person working for the department of natural resources in a correctional setting or any state, county, or municipally operated agency with the authority to direct the release of a person serving a sentence or term of confinement and includes but is not limited to the department of corrections, the indeterminate sentence review board, and the department of social and health services.

~~((b))~~ (d) "Course of conduct" means a pattern of conduct composed of a series of acts over a period of time, however short, evidencing a continuity of purpose. "Course of conduct" includes, in addition to any other form of communication, contact, or conduct, the sending of an electronic communication, but does not include constitutionally protected free speech. Constitutionally protected activity is not included within the meaning of "course of conduct."

~~((e))~~ (e) "Electronic tracking device" means an electronic device that permits a person to remotely determine or monitor the position and movement of another person, vehicle, device, or other personal possession. As used in this subsection (6)(e), "electronic device" includes computer code or other digital instructions that once installed on a digital device, allows a person to remotely track the position of that device.

(f) "Follows" means deliberately maintaining visual or physical proximity to a specific person over a period of time. A finding that the ~~(alleged)~~ stalker repeatedly and deliberately appears at the person's home, school, place of employment, business, or any other location to maintain visual or physical proximity to the person is sufficient to find that the ~~(alleged)~~ stalker follows the person. It is not necessary to establish that the ~~(alleged)~~ stalker follows the person while in transit from one location to another.

~~((d))~~ (g) "Harasses" means a knowing and willful course of conduct directed at a specific person which seriously alarms, annoys, harasses, or is detrimental to such person, and which serves no legitimate or lawful purpose. ~~((The course of conduct shall be such as would cause a reasonable person to suffer substantial emotional distress, and shall actually cause substantial emotional distress to the petitioner, or when the course of conduct would cause a reasonable parent to fear for the well being of his or her child.~~

~~(e))~~ (h) "Protective order" means any temporary or permanent court order prohibiting or limiting violence against, harassment of, contact or communication with, or physical proximity to another person.

~~((f))~~ (i) "Repeatedly" means on two or more separate occasions.

(j) "Substantial emotional distress" means a mental, emotional, or physical reaction such as anxiety, apprehension, or loss of ability to concentrate or other symptoms, whether or not medical or other professional treatment or counseling is sought or required, which degrades the victim's quality of life.

NEW SECTION. Sec. 2. RCW 9A.90.130 (Cyberstalking) and 2022 c 231 s 3 are each repealed."

On page 1, line 1 of the title, after "offenses;" strike the remainder of the title and insert "amending RCW 9A.46.110; and repealing RCW 9A.90.130."

Senator Dhingra spoke in favor of the motion to not adopt the committee striking amendment.

The Vice President Pro Tempore declared the question before the Senate to be to not adopt the committee striking amendment by the Committee on Law & Justice to House Bill No. 1696.

The motion by Senator Dhingra carried and the committee striking amendment was not adopted by voice vote.

EIGHTY SECOND DAY, MARCH 31, 2023
MOTION

Senator Dhingra moved that the following striking amendment no. 0262 by Senator Dhingra be adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 9A.46.110 and 2021 c 215 s 111 are each amended to read as follows:

(1)(a) A person commits the crime of stalking if, without lawful authority (~~and under circumstances not amounting to a felony attempt of another crime:~~

~~(a) He or she intentionally~~) the person:

(i) Intentionally and repeatedly harasses ((~~or repeatedly follows~~) another person;

(ii) Repeatedly follows another person;

(iii) Contacts, follows, tracks, or monitors, or attempts to contact, follow, track, or monitor another person after being given actual notice that the person does not want to be contacted, followed, tracked, or monitored; or

(iv) Knowingly and without consent installs or monitors an electronic tracking device, or causes an electronic tracking device to be installed, placed, or used, to track the location of another person; and

(b) The person being harassed (~~(~~or~~)~~) followed, tracked, or monitored suffers substantial emotional distress or is placed in fear that the stalker intends to injure ((~~the person~~) him or her, or another person, or his or her property ((~~of the person~~) or the property of another person, or, in the circumstances identified in (a)(iv) of this subsection, the victim's knowledge of the tracking device would reasonably elicit substantial emotional distress or fear. The feeling of substantial emotional distress or fear must be one that a reasonable person in the same situation would experience ((~~under all~~) given the totality of the circumstances(; and

~~(c) The stalker either:~~

~~(i) Intends to frighten, intimidate, or harass the person; or~~

~~(ii) Knows or reasonably should know that the person is afraid, intimidated, or harassed even if the stalker did not intend to place the person in fear or intimidate or harass the person).~~

(2)(a) It is not a defense to the crime of stalking under subsection (1)((~~e~~)(~~i~~)) (a)(i), (ii), or (iv) of this section that the stalker was not given actual notice that the person did not want the stalker to contact ((~~or~~) follow ((~~the person~~), track, or monitor him or her; and

(b) It is not a defense to the crime of stalking under subsection (1)((~~e~~)(~~ii~~)) (a)(i) of this section that the stalker did not intend to frighten((~~s~~) or intimidate((~~s~~ or harass)) the person or place the person in substantial emotional distress.

(3) It shall be a defense to the crime of stalking that the defendant is a licensed private investigator acting within the capacity of his or her license as provided by chapter 18.165 RCW.

(4) ~~((Attempts to contact or follow the person after being given actual notice that the person does not want to be contacted or followed constitutes prima facie evidence that the stalker intends to intimidate or harass the person. "Contact" includes, in addition to any other form of contact or communication, the sending of an electronic communication to the person.))~~ The provisions of this section do not apply to the installation, placement, or use of an electronic tracking device by any of the following:

(a) A law enforcement officer, judicial officer, probation or parole officer, or other public employee when any such person is engaged in the lawful performance of official duties and in accordance with state or federal law;

(b) The installation, placement, or use of an electronic tracking device authorized by an order of a state or federal court;

(c) A legal guardian for a disabled adult or a legally authorized individual or organization designated to provide protective services to a disabled adult when the electronic tracking device is installed, placed, or used to track the location of the disabled adult for which the person is a legal guardian or the individual or organization is designated to provide protective services;

(d) A parent or legal guardian of a minor when the electronic tracking device is installed, placed, or used to track the location of that minor unless the parent or legal guardian is subject to a court order that orders the parent or legal guardian not to assault, threaten, harass, follow, or contact that minor;

(e) An employer, school, or other organization, who owns the device on which the tracking device is installed and provides the device to a person for use in connection with the person's involvement with the employer, school, or other organization and the use of the device is limited to recovering lost or stolen items; or

(f) The owner of fleet vehicles, when tracking such vehicles. For the purposes of this section, "fleet vehicle" means any of the following:

(i) One or more motor vehicles owned by a single entity and operated by employees or agents of the entity for business or government purposes;

(ii) Motor vehicles held for lease or rental to the general public; or

(iii) Motor vehicles held for sale, or used as demonstrators, test vehicles, or loaner vehicles, by motor vehicle dealers.

(5)(a) Except as provided in (b) of this subsection, a person who stalks another person is guilty of a gross misdemeanor.

(b) A person who stalks another person is guilty of a class B felony if any of the following applies:

(i) The stalker has previously been convicted in this state or any other state of any crime of harassment, as defined in RCW 9A.46.060(~~(, of the same victim or members of the victim's family or household or any person specifically named in a protective order)~~);

(ii) ~~((the))~~ The stalking violates any protective order protecting the ~~((person being stalked))~~ victim;

(iii) ~~((the))~~ The stalker has previously been convicted of a gross misdemeanor or felony stalking offense under this section for stalking another person;

(iv) ~~((the))~~ The stalker was armed with a deadly weapon, as defined in RCW 9.94A.825, while stalking the ~~((person))~~ victim;

(v)(A) ~~((the stalker's))~~ The victim is or was a law enforcement officer; judge; juror; attorney; victim advocate; legislator; community corrections' officer; an employee, contract staff person, or volunteer of a correctional agency; court employee, court clerk, or courthouse facilitator; or an employee of the child protective, child welfare, or adult protective services division within the department of social and health services; and

(B) ~~((the))~~ The stalker stalked the victim to retaliate against the victim for an act the victim performed during the course of official duties or to influence the victim's performance of official duties; or

(vi) ~~((the stalker's))~~ The victim is a current, former, or prospective witness in an adjudicative proceeding, and the stalker stalked the victim to retaliate against the victim as a result of the victim's testimony or potential testimony.

(6) As used in this section:

(a) "Actual notice" includes, in addition to any other form of actual notice, circumstances in which the other person has a protective order in effect protecting him or her from the person.

(b) "Contact" includes, in addition to any other form of contact or communication, the sending of an electronic communication to the other person.

(c) "Correctional agency" means a person working for the department of natural resources in a correctional setting or any state, county, or municipally operated agency with the authority to direct the release of a person serving a sentence or term of confinement and includes but is not limited to the department of corrections, the indeterminate sentence review board, and the department of social and health services.

~~((b))~~ (d) "Course of conduct" means a pattern of conduct composed of a series of acts over a period of time, however short, evidencing a continuity of purpose. "Course of conduct" includes, in addition to any other form of communication, contact, or conduct, the sending of an electronic communication, but does not include constitutionally protected free speech. Constitutionally protected activity is not included within the meaning of "course of conduct."

~~((e))~~ (e) "Electronic tracking device" means an electronic device that permits a person to remotely determine or monitor the position and movement of another person, vehicle, device, or other personal possession. As used in this subsection (6)(e), "electronic device" includes computer code or other digital instructions that once installed on a digital device, allows a person to remotely track the position of that device.

(f) "Follows" means deliberately maintaining visual or physical proximity to a specific person over a period of time. A finding that the ~~((alleged))~~ stalker repeatedly and deliberately appears at the person's home, school, place of employment, business, or any other location to maintain visual or physical proximity to the person is sufficient to find that the ~~((alleged))~~ stalker follows the person. It is not necessary to establish that the ~~((alleged))~~ stalker follows the person while in transit from one location to another.

~~((d))~~ (g) "Harasses" means a knowing and willful course of conduct directed at a specific person which seriously alarms, annoys, ~~((harasses))~~ torments, or is detrimental to such person, and which serves no legitimate or lawful purpose. ~~((The course of conduct shall be such as would cause a reasonable person to suffer substantial emotional distress, and shall actually cause substantial emotional distress to the petitioner, or when the course of conduct would cause a reasonable parent to fear for the well-being of his or her child.~~

~~((e))~~ (h) "Protective order" means any temporary or permanent court order prohibiting or limiting violence against, harassment of, contact or communication with, or physical proximity to another person.

~~((f))~~ (i) "Repeatedly" means on two or more separate occasions.

(j) "Substantial emotional distress" means a mental, emotional, or physical reaction such as anxiety, apprehension, or loss of ability to concentrate or other symptoms, whether or not medical or other professional treatment or counseling is sought or required, which degrades the victim's quality of life.

NEW SECTION. Sec. 2. RCW 9A.90.130 (Cyberstalking) and 2022 c 231 s 3 are each repealed."

On page 1, line 1 of the title, after "offenses;" strike the remainder of the title and insert "amending RCW 9A.46.110; and repealing RCW 9A.90.130."

MOTION

Senator Padden moved that the following amendment no. 0264 by Senator Padden be adopted:

On page 1, line 11, after "~~(ii)~~" strike "Repeatedly" and insert "Intentionally and repeatedly"

On page 1, line 12, after "~~(iii)~~" strike "Contact" and insert "Intentionally contacts"

Senators Padden and Dhingra spoke in favor of adoption of the amendment to the striking amendment.

The Vice President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 0264 by Senator Padden on page 1, line 11 to striking amendment no. 0262.

The motion by Senator Padden carried and amendment no. 0264 was adopted by voice vote.

The President declared the question before the Senate to be the adoption of striking amendment no. 0262 by Senator Dhingra as amended to House Bill No. 1696.

The motion by Senator Dhingra carried and striking amendment no. 0262 as amended was adopted by voice vote.

MOTION

On motion of Senator Dhingra, the rules were suspended, House Bill No. 1696 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Dhingra and Padden spoke in favor of passage of the bill.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of House Bill No. 1696 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1696 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Trudeau

HOUSE BILL NO. 1696, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED HOUSE BILL NO. 1336, by Representatives Stokesbary, Springer, Reeves, Graham and Lekanoff

Splitting the volunteer firefighters' and reserve officers' relief and pension principal fund into two accounts.

The measure was read the second time.

MOTION

On motion of Senator Robinson, the rules were suspended, Engrossed House Bill No. 1336 was advanced to third reading,

EIGHTY SECOND DAY, MARCH 31, 2023

the second reading considered the third and the bill was placed on final passage.

Senators Robinson and Wilson, L. spoke in favor of passage of the bill.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Engrossed House Bill No. 1336.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 1336 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Trudeau

ENGROSSED HOUSE BILL NO. 1336, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1481, by Representatives Cortes, Stearns, Chopp, Chapman, Peterson, Jacobsen, Ramel, Orwall, Ormsby, Reeves, Senn, Leavitt, Ortiz-Self, Taylor, Bergquist and Pollet

Permitting general authority peace officers certificated by the criminal justice training commission and employed on a full-time basis by the government of a federally recognized tribe to participate in the law enforcement officers' and firefighters' retirement system plan 2.

The measure was read the second time.

MOTION

On motion of Senator Robinson, the rules were suspended, House Bill No. 1481 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Robinson and Wilson, L. spoke in favor of passage of the bill.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of House Bill No. 1481.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1481 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford,

Torres, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Trudeau

HOUSE BILL NO. 1481, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1004, by Representatives Abbarno, Orcutt, Berry, Simmons, Graham, Schmidt, Christian, Lekanoff, Griffey, Dye, Klicker, Wylie, Cheney, Davis and Riccelli

Installing signs on or near bridges to provide information to deter jumping.

The measure was read the second time.

MOTION

On motion of Senator Braun, the rules were suspended, House Bill No. 1004 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Braun and Liias spoke in favor of passage of the bill.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of House Bill No. 1004.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1004 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Trudeau

HOUSE BILL NO. 1004, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Pedersen, the Senate advanced to the fourth order of business.

March 31, 2023

MR. PRESIDENT:

The Speaker has signed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 5272 and the same are herewith transmitted.

BERNARD DEAN, Chief Clerk

MOTION

At 12:20 p.m., on motion of Senator Pedersen, the Senate adjourned until 9:30 a.m. Monday, April 3, 2023.

JOHN LOVICK, Vice President Pro Tempore of the Senate

SARAH BANNISTER, Secretary of the Senate

EIGHTY FIFTH DAY

MORNING SESSION

Senate Chamber, Olympia
Monday, April 3, 2023

The Senate was called to order at 9:30 a.m. by the President of the Senate, Lt. Governor Heck presiding. No roll call was taken.

MOTIONS

On motion of Senator Pedersen, the reading of the Journal of the previous day was dispensed with and it was approved.

On motion of Senator Pedersen, the Senate advanced to the fourth order of business.

MESSAGE FROM THE HOUSE

March 31, 2023

MR. PRESIDENT:

The Speaker has signed:

HOUSE BILL NO. 1001,
HOUSE BILL NO. 1058,
HOUSE BILL NO. 1082,
HOUSE BILL NO. 1100,
HOUSE BILL NO. 1120,

SUBSTITUTE HOUSE BILL NO. 1784,
and the same are herewith transmitted.

BERNARD DEAN, Chief Clerk

MOTION

On motion of Senator Pedersen, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 5766 by Senators Mullet and Nguyen

AN ACT Relating to improving the administrability of emissions exemptions and business practices under the climate commitment act; amending RCW 70A.65.080 and 70A.65.100; adding new sections to chapter 70A.65 RCW; and creating a new section.

Referred to Committee on Ways & Means.

MOTIONS

On motion of Senator Pedersen, the measure listed on the Introduction and First Reading report was referred to the committee as designated.

On motion of Senator Pedersen, the Senate advanced to the eighth order of business.

MOTION

Senator Schoesler moved adoption of the following resolution:

SENATE RESOLUTION
8633

By Senators Schoesler, Dozier, Hasegawa, Holy, Keiser, King, Lovick, Padden, Rivers, Wagoner, and Warnick

WHEREAS, Stephen Roy Lindstrom was born in Pendleton, Oregon, on May 20, 1946; and

WHEREAS, Stephen grew up in Ione, Oregon, becoming the fourth generation of Swedish homesteaders; and

WHEREAS, He started his schooling career attending schools throughout Ione, Oregon; and

WHEREAS, Stephen had always been an overachiever, participating in sports, student government, music, and community affairs while in high school; and

WHEREAS, Of course he graduated from high school with honors; and

WHEREAS, Stephen started college at Pacific Lutheran University and ultimately graduated from Eastern Oregon College; and

WHEREAS, After college, Stephen enlisted in the U.S. Navy Seabees; and

WHEREAS, He served several tours of duty in Vietnam and Antarctica; and

WHEREAS, During his military service Stephen was awarded many honors and medals for his service, most notably the Navy Achievement Medal for Community Service; and

WHEREAS, After his service he worked as the manager of the Port of Marrow; and

WHEREAS, Stephen's start in politics came when he worked as the Vice President of Pacific Northwest Waterways, where he was an advocate for trade and economic development of the Northwest; and

WHEREAS, To continue in politics, Stephen worked as a contract lobbyist and lobbied in Olympia for over 40 years; and

WHEREAS, During this 40 years, Stephen lobbied for many different clients, ranging from transportation to health care, higher education, special districts, business associations, and more; and

WHEREAS, Over the 40 years, he collected many obscure trivia facts, so he always had a "Did you know..." for everything; and

WHEREAS, Stephen was selected as a contract lobbyist in 1991 to help the Washington Student Lobby; and

WHEREAS, Stephen was hired by Brendan Williams, who still to this day does not regret the decision, stating, "Steve was a character, one-of-a-kind. I never regretted choosing him for that special role," and Stephen mentored dozens of lobbyists in his four-decade career; and

WHEREAS, Stephen also created the Wednesday Night Study Group, a group of health care professionals, advocates, regulators, and legislators, which he was passionate about and even scouted out the venues, and chose the food, drink, and guests for years and years, making sure that the group's week was up to his own epic sense of standards; and

WHEREAS, Over the years, Stephen collected many pieces of historical art, as he was committed to historical preservation; and

WHEREAS, Stephen served on the Washington State Capital Facilities Committee, serving the State Capitol and the State of Washington with a commitment to art and historic preservation; and

WHEREAS, Stephen truly was a man who believed one should live a life of showing kindness to all and enhancing the lives of those you meet;

NOW, THEREFORE, BE IT RESOLVED, That the Senate of the state of Washington recognize and commemorate Stephen Roy Lindstrom on his outstanding service and consideration to everyone.

EIGHTY FIFTH DAY, APRIL 3, 2023

2023 REGULAR SESSION

Senator Schoesler spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8633.

The motion by Senator Schoesler carried and the resolution was adopted by voice vote.

REMARKS BY SENATOR PEDERSEN

Senator Pedersen: “In fact Mr. President I was going to note that although it is the 85th legislative day, it is a much smaller number day for Senator Short and was thinking that we might all join, since we have a few minutes, we might all join in wishing her a very happy birthday.”

[The Senate sang *Happy Birthday* on the occasion of the birthday of Senator Short.]

SIGNED BY THE PRESIDENT

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

HOUSE BILL NO. 1001,
HOUSE BILL NO. 1058,
HOUSE BILL NO. 1082,
HOUSE BILL NO. 1100,
HOUSE BILL NO. 1120,
and SUBSTITUTE HOUSE BILL NO. 1784.

MOTION

At 9:38 p.m., on motion of Senator Pedersen, the Senate adjourned until 9:30 a.m. Tuesday, April 4, 2023.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

EIGHTY SIXTH DAY

MORNING SESSION

Senate Chamber, Olympia
Tuesday, April 4, 2023

The Senate was called to order at 9:30 a.m. by the President of the Senate, Lt. Governor Heck presiding. No roll call was taken.

MOTIONS

On motion of Senator Pedersen, the reading of the Journal of the previous day was dispensed with and it was approved.

There being no objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

April 3, 2023

SB 5162 Prime Sponsor, Senator Liias: Making transportation appropriations for the 2023-2025 fiscal biennium. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5162 be substituted therefor, and the substitute bill do pass. Signed by Senators Liias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Holy, Assistant Ranking Member; Cleveland; Hawkins; Kauffman; Lovelett; MacEwen; Nobles; Randall; Valdez and Wilson, C.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Padden and Wilson, J.

Referred to Committee on Rules for second reading.

April 3, 2023

SB 5742 Prime Sponsor, Senator Kauffman: Codifying certain existing grant programs at the department of transportation. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5742 be substituted therefor, and the substitute bill do pass. Signed by Senators Liias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Holy, Assistant Ranking Member; Cleveland; Hawkins; Kauffman; Lovelett; MacEwen; Nobles; Padden; Randall; Valdez; Wilson, C. and Wilson, J.

Referred to Committee on Rules for second reading.

April 3, 2023

SB 5763 Prime Sponsor, Senator Liias: Increasing existing bond authority for 2015 connecting Washington projects and improvements. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Liias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Holy, Assistant Ranking Member; Cleveland; Hawkins; Kauffman; Lovelett; MacEwen; Nobles; Randall; Valdez and Wilson, C.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Padden and Wilson, J.

Referred to Committee on Rules for second reading.

April 3, 2023

SB 5765 Prime Sponsor, Senator Liias: Addressing tolling authorization for the Interstate 5 bridge replacement project. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Liias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Holy, Assistant Ranking Member; Cleveland; Hawkins; Kauffman; Lovelett; MacEwen; Nobles; Randall; Valdez and Wilson, C.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Padden and Wilson, J.

Referred to Committee on Rules for second reading.

April 3, 2023

2SHB 1009 Prime Sponsor, Committee on Appropriations: Concerning military spouse employment. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

April 3, 2023

2SHB 1028 Prime Sponsor, Committee on Appropriations: Supporting crime victims and witnesses by promoting victim-centered, trauma-informed responses in the legal system. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended by Committee on Law & Justice. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

April 3, 2023

2SHB 1032 Prime Sponsor, Committee on Appropriations: Mitigating the risk of wildfires through electric utility planning and identification of best management practices appropriate to each electric utility's circumstances. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Hasegawa.

Referred to Committee on Rules for second reading.

April 3, 2023

HB 1052 Prime Sponsor, Representative Ramel: Providing a property tax exemption for qualified real and personal property owned or used by a nonprofit entity in providing qualified housing funded in whole or part through a local real estate excise tax. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Nguyen; Pedersen; Saldaña; Van De Wege and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Wilson, L., Ranking Member, Operating; Warnick, Assistant Ranking Member, Capital; Braun; Torres and Wagoner.

MINORITY recommendation: Do not pass. Signed by Senators Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Boehnke and Muzzall.

Referred to Committee on Rules for second reading.

April 3, 2023

SHB 1085 Prime Sponsor, Committee on Environment & Energy: Reducing plastic pollution. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Rivers, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Van De Wege and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital and Torres.

MINORITY recommendation: Do not pass. Signed by Senator Wagoner.

Referred to Committee on Rules for second reading.

April 3, 2023

HB 1128 Prime Sponsor, Representative Bateman: Raising the residential personal needs allowance. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Mullet, Vice Chair, Capital Schoesler, Ranking Member, Capital.

Referred to Committee on Rules for second reading.

April 3, 2023

E2SHB 1134 Prime Sponsor, Committee on Appropriations: Implementing the 988 behavioral health crisis response and suicide prevention system. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended by Committee on Health & Long-Term Care. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Braun.

Referred to Committee on Rules for second reading.

April 3, 2023

SHB 1177 Prime Sponsor, Committee on Community Safety, Justice, & Reentry: Creating a missing and murdered indigenous women and people cold case investigations unit. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

April 3, 2023

E2SHB 1188 Prime Sponsor, Committee on Appropriations: Concerning individuals with developmental

EIGHTY SIXTH DAY, APRIL 4, 2023

disabilities that have also received child welfare services.
Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

April 3, 2023

SHB 1258 Prime Sponsor, Committee on Appropriations: Increasing tourism to Washington state through enhancement of the statewide tourism marketing account and changing necessary match requirements. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended by Committee on Business, Financial Services, Gaming & Trade. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

April 3, 2023

E2SHB 1357 Prime Sponsor, Committee on Appropriations: Modernizing the prior authorization process. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Nguyen; Pedersen; Saldaña; Van De Wege and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Boehnke; Braun; Muzzall; Torres and Wagoner.

Referred to Committee on Rules for second reading.

April 3, 2023

HB 1407 Prime Sponsor, Representative Taylor: Maintaining eligibility for developmental disability services. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating &

Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

April 3, 2023

SHB 1435 Prime Sponsor, Committee on Health Care & Wellness: Developing a home care safety net assessment. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Braun.

Referred to Committee on Rules for second reading.

April 3, 2023

2SHB 1452 Prime Sponsor, Committee on Appropriations: Establishing a state medical reserve corps. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

April 3, 2023

ESHB 1469 Prime Sponsor, Committee on Civil Rights & Judiciary: Concerning access to reproductive health care services and gender-affirming treatment in Washington state. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Nguyen; Pedersen; Saldaña; Van De Wege and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking

Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Boehnke; Torres and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun and Muzzall.

Referred to Committee on Rules for second reading.

April 3, 2023

HB 1512 Prime Sponsor, Representative Mosbrucker: Providing tools and resources for the location and recovery of missing persons. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

April 3, 2023

2SHB 1746 Prime Sponsor, Committee on Capital Budget: Concerning a state broadband map. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

April 3, 2023

ESHB 1766 Prime Sponsor, Committee on Civil Rights & Judiciary: Creation of a hope card program. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

April 3, 2023

SHB 1783 Prime Sponsor, Committee on Appropriations: Supporting economic development in distressed areas through hiring of grant writers. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Warnick, Assistant Ranking Member, Capital and Billig.

Referred to Committee on Rules for second reading.

April 3, 2023

ESHB 1838 Prime Sponsor, Committee on Transportation: Transferring the responsibilities for the transportation revenue forecast for the transportation budget to the economic and revenue forecast council. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Schoesler, Ranking Member, Capital.

Referred to Committee on Rules for second reading.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Standing Committee report were referred to the committees as designated.

On motion of Senator Pedersen, the Senate advanced to the fourth order of business.

MESSAGES FROM THE HOUSE

April 3, 2023

MR. PRESIDENT:
The Speaker has signed:

HOUSE BILL NO. 1004,
HOUSE BILL NO. 1017,
SUBSTITUTE HOUSE BILL NO. 1077,
SUBSTITUTE HOUSE BILL NO. 1088,
SUBSTITUTE HOUSE BILL NO. 1165,
ENGROSSED HOUSE BILL NO. 1209,
HOUSE BILL NO. 1265,
HOUSE BILL NO. 1287,

EIGHTY SIXTH DAY, APRIL 4, 2023

HOUSE BILL NO. 1290,
 ENGROSSED HOUSE BILL NO. 1336,
 SUBSTITUTE HOUSE BILL NO. 1352,
 HOUSE BILL NO. 1419,
 HOUSE BILL NO. 1420,
 HOUSE BILL NO. 1481,
 HOUSE BILL NO. 1514,
 HOUSE BILL NO. 1544,
 SUBSTITUTE HOUSE BILL NO. 1572,
 SUBSTITUTE HOUSE BILL NO. 1620,
 HOUSE BILL NO. 1645,
 HOUSE BILL NO. 1656,
 HOUSE BILL NO. 1657,

and the same are herewith transmitted.

BERNARD DEAN, Chief Clerk

April 3, 2023

MR. PRESIDENT:

The House has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1125,
 and the same is herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

SIGNED BY THE PRESIDENT

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

HOUSE BILL NO. 1004,
 HOUSE BILL NO. 1017,
 SUBSTITUTE HOUSE BILL NO. 1077,
 SUBSTITUTE HOUSE BILL NO. 1088,
 SUBSTITUTE HOUSE BILL NO. 1165,
 ENGROSSED HOUSE BILL NO. 1209,
 HOUSE BILL NO. 1265,
 HOUSE BILL NO. 1287,
 HOUSE BILL NO. 1290,
 ENGROSSED HOUSE BILL NO. 1336,
 SUBSTITUTE HOUSE BILL NO. 1352,
 HOUSE BILL NO. 1419,
 HOUSE BILL NO. 1420,
 HOUSE BILL NO. 1481,
 HOUSE BILL NO. 1514,
 HOUSE BILL NO. 1544,
 SUBSTITUTE HOUSE BILL NO. 1572,
 SUBSTITUTE HOUSE BILL NO. 1620,
 HOUSE BILL NO. 1645,
 HOUSE BILL NO. 1656,
 and HOUSE BILL NO. 1657.

MOTION

On motion of Senator Pedersen, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 5767 by Senators Randall and Rolfes

AN ACT Relating to funding health care access by imposing an excise tax on the annual compensation paid to certain highly compensated hospital employees; and adding a new chapter to Title 82 RCW.

Referred to Committee on Ways & Means.

MOTIONS

On motion of Senator Pedersen, the measure listed on the Introduction and First Reading report was referred to the committee as designated.

On motion of Senator Pedersen, the Senate advanced to the eighth order of business.

MOTION

Senator Braun moved adoption of the following resolution:

SENATE RESOLUTION
8634

By Senators Braun, Trudeau, Nobles, C. Wilson, Warnick, Salomon, Holy, L. Wilson, Rivers, Boehnke, Valdez, Hasegawa, Hawkins, Dhingra, Lovelett, Rolfes, Kauffman, Muzzall, Keiser, Hunt, J. Wilson, McCune, Wagoner, Dozier, Schoesler, Torres, Padden, Gildon, Short, Fortunato, King, and Saldaña

WHEREAS, The people of Washington and the people of Iran share a commitment to democracy, human rights, and the rule of law; and

WHEREAS, Many Iranians emigrated to the United States after the fall of the Iranian monarchy in 1979, seeking to make a new life in Washington; and

WHEREAS, Washington is home to over 20,000 people with Iranian heritage; and

WHEREAS, Iranians and Iranian Americans have enriched communities across Washington through their leadership and contributions in business, medicine, agriculture, academia, engineering, government, and the arts; and

WHEREAS, On September 16, 2022, a 22-year-old Iranian woman named Mahsa Amini died while in the custody of Iranian authorities referred to as the "Morality Police" after being detained for "improperly" wearing a hijab; and

WHEREAS, The death of Mahsa Amini ignited widespread protests across Iran and elsewhere in the world, with people chanting "Woman, Life, Freedom"; and

WHEREAS, According to the United Nations, hundreds of Iranians, including dozens of children have died and many thousands were injured as the Iranian regime continues to viciously crack down on demonstrators that peacefully assemble; and

WHEREAS, Demonstrations and vigils in Bellevue and Seattle took place in solidarity with Iranian protesters, to amplify their voices and show support for human rights for Iranian women and the people of Iran;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate recognize the values shared by both the people of Washington and the people of Iran who seek to stop the persecution of women and violence against peaceful protesters by the Iranian regime; and

BE IT FURTHER RESOLVED, That the Washington State Senate condemn violence against those who peaceably and lawfully assemble to seek a redress of their grievances against their government.

Senators Braun and Trudeau spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8634.

The motion by Senator Braun carried and the resolution was adopted by voice vote.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced members and representatives of the Iranian-American and Iranian community who were seated in the gallery.

The President further welcomed and introduced Representative Darya Farivar who was present in the wings.

MOTION

Senator Liias moved adoption of the following resolution:

SENATE RESOLUTION
8637

By Senators Liias, Hasegawa, Saldaña, and Wagoner

WHEREAS; Ahmad Hilal Abid, born in Kabul, Afghanistan, immigrated to Lynnwood, Washington at age seventeen to join his family who'd relocated earlier; and

WHEREAS; Abid began learning English at Edmonds College and volunteering with local mosques and churches; and

WHEREAS, In 2020, Abid started teaching a class of 20 immigrant and refugee students in the garage of his family's house, helping them learn English and complete their classwork; and

WHEREAS, Abid named his class the House of Wisdom after a great library built by Caliph Haround Al-Rasheed in 8th century Baghdad, where people from many faiths and regions of the world studied and shared knowledge with each other; and

WHEREAS, Abid has since expanded his class from his garage into a larger rental space, recruiting volunteer staff to provide tutoring in numerous subjects to students, as well as organizing recreational activities and other community events; and

WHEREAS, Abid's House of Wisdom lives up to its namesake, serving as a place where young people adapting to a new country, culture, and language can find support and community; and

WHEREAS, Abid has earned an Associate of Arts degree at Edmonds College and is now working toward a paralegal degree, while also serving as a student leader on campus; and

WHEREAS, In a few short years, Abid has transformed from a new immigrant in an unfamiliar country to a cornerstone of Lynnwood's growing Afghan immigrant and refugee community;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate recognize Ahmad Hilal Abid for his service to Lynnwood's refugee and immigrant community and to the community of Edmonds College, and for his commitment to promoting his values of diversity, equality, and fairness. His accomplishments embody his belief that, "if we put our hands and minds together and accept our difference, we will be able to restore the House of Wisdom and spread knowledge and love through community and bring people together from different ethnicities and faiths."; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to Ahmad Hilal Abid, the House of Wisdom, and to the President and Board of Trustees of Edmonds College.

Senator Liias spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8637.

The motion by Senator Liias carried and the resolution was adopted by voice vote.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced Mr. Ahmad Hilal Abid who were seated in the gallery.

MOTION

On motion of Senator Pedersen, Senate Rule 20 was suspended for the remainder of the day to allow consideration of additional floor resolutions dropped within the last 24 hours.

MOTION

Senator Trudeau moved adoption of the following resolution:

SENATE RESOLUTION
8640

By Senators Trudeau, Billig, Dhingra, Hasegawa, Keiser, Kuderer, Nobles, Pedersen, Saldaña, Salomon, Shewmake, Valdez, Wagoner, Warnick, Wellman, and C. Wilson

WHEREAS, The Senate of the state of Washington takes pride in recognizing and honoring Ramadan, a holy month of fasting and spiritual reflection that is observed by Muslims across the United States and throughout the World; and

WHEREAS, Islam is one of the world's major religions with over 1,900,000,000 Muslims worldwide, 2,500,000 Muslims in the United States, and hundreds of thousands of Muslims in Washington state; and

WHEREAS, the American Muslim community is among the most racially diverse faith groups in the United States and Washington state; and

WHEREAS, Ramadan is the 9th month of the Muslim lunar calendar, and the observance of it is one of the five core pillars of Islam; and

WHEREAS, March 23, 2023, marked the commencement of Ramadan across the globe, where healthy, adult Muslims abstain from things like food, water, smoking, intimacy, and foul language from dawn to dusk as a way to connect more meaningfully with their faith; and

WHEREAS, Fasting is seen as a way to practice empathy for others, be more God-conscious, and cleanse the soul. It is a meaningful time to heighten worship and devotion while also practicing deeper self-reflection and self-restraint; and

WHEREAS, American Muslims, especially in Washington state, contribute greatly to the community at large to help people from all faiths by providing food to the hungry, refugee assimilation, medical assistance, legal aide, family services, relief efforts, and more; and

WHEREAS, Generosity is intensified during the holy month of Ramadan, and Muslims are obliged to donate more to charitable organizations and humanitarian efforts; and

WHEREAS, American Muslims have contributed greatly to the United States, serving as medical professionals, teachers, first responders, journalists, writers, artists, athletes, small business owners, professors, activists, community leaders, and elected public officials across government representing both major political parties; and

WHEREAS, The end of Ramadan is marked by Eid-al-Fitr ("festival of breaking the fast"), a three-day Islamic holiday that

EIGHTY SIXTH DAY, APRIL 4, 2023

will take place on April 21, 2023, or on the first day of the new moon sighting;

NOW, THEREFORE, BE IT RESOLVED, That the Senate of the state of Washington support and respect the Muslim community, and proudly acknowledge the Islamic faith; and

BE IT FURTHER RESOLVED, That the Senate of the state of Washington express our sincere best wishes to Muslims across the state and throughout the world for a joyous and meaningful observance of Ramadan during this significant month.

Senators Trudeau and Warnick spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8640.

The motion by Senator Trudeau carried and the resolution was adopted by voice vote.

MOTION

At 10:06 a.m., on motion of Senator Pedersen, the Senate was declared to be at ease subject to the call of the President.

EVENING SESSION

The Senate was called to order at 7:44 p.m. by President Heck.

MOTION

On motion of Senator Pedersen, the Senate reverted to the first order of business.

SUPPLEMENTAL REPORTS OF STANDING COMMITTEES

April 4, 2023

SB 5091 Prime Sponsor, Senator King: Creating and expanding tax incentives for the research, development, production, and sale of hydrogen fuel cells in Washington state. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5091 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

April 3, 2023

SB 5764 Prime Sponsor, Senator Robinson: Concerning the hospital safety net program. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5764 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital;

Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

April 4, 2023

2SHB 1013 Prime Sponsor, Committee on Appropriations: Establishing regional apprenticeship programs. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

April 4, 2023

HB 1018 Prime Sponsor, Representative Tharinger: Changing the expiration date for the sales and use tax exemption of hog fuel to comply with the 2045 deadline for fossil fuel-free electrical generation in Washington state and to protect jobs with health care and retirement benefits in economically distressed communities. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Hunt; Keiser; Muzzall; Saldaña; Torres; Van De Wege and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Schoesler, Ranking Member, Capital; Dhingra; Hasegawa; Nguyen; Pedersen and Wellman.

Referred to Committee on Rules for second reading.

April 4, 2023

SHB 1044 Prime Sponsor, Committee on Capital Budget: Providing capital financial assistance to small school districts with demonstrated funding challenges. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Wagoner and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Hunt and Van De Wege.

Referred to Committee on Rules for second reading.

April 4, 2023

SHB 1047 Prime Sponsor, Committee on Environment & Energy: Concerning the use of toxic chemicals in cosmetic products. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Nguyen; Pedersen; Saldaña; Van De Wege and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Wilson, L., Ranking Member, Operating; Schoesler, Ranking Member, Capital; Boehnke; Torres and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Gildon, Assistant Ranking Member, Operating; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Braun and Muzzall.

Referred to Committee on Rules for second reading.

April 4, 2023

SHB 1084 Prime Sponsor, Committee on Transportation: Concerning freight mobility prioritization. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Lias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Holy, Assistant Ranking Member; Cleveland; Fortunato; Kauffman; Lovelett; MacEwen; Nobles; Padden; Randall; Valdez; Wilson, C. and Wilson, J.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Hawkins.

Referred to Committee on Rules for second reading.

April 3, 2023

E2SHB 1110 Prime Sponsor, Committee on Appropriations: Increasing middle housing in areas traditionally dedicated to single-family detached housing. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Rivers, Assistant Ranking Member, Capital; Billig; Braun; Dhingra; Hunt; Keiser; Nguyen; Pedersen; Saldaña; Van De Wege and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Rolfes, Chair; Wilson, L., Ranking Member, Operating; Schoesler, Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Gildon, Assistant Ranking Member, Operating; Boehnke; Conway; Hasegawa; Muzzall and Torres.

Referred to Committee on Rules for second reading.

April 4, 2023

HB 1112 Prime Sponsor, Representative Harris: Imposing criminal penalties for negligent driving involving the death of a vulnerable user victim. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Lias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Holy, Assistant Ranking Member; Cleveland; Fortunato; Hawkins; Kauffman; Lovelett; MacEwen; Nobles; Padden; Randall; Valdez; Wilson, C. and Wilson, J.

Referred to Committee on Rules for second reading.

April 3, 2023

SHB 1132 Prime Sponsor, Committee on Community Safety, Justice, & Reentry: Concerning oversight and training requirements for limited authority Washington peace officers and agencies. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

April 3, 2023

SHB 1138 Prime Sponsor, Committee on Appropriations: Concerning drought preparedness. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended by Committee on Agriculture, Water, Natural Resources & Parks. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

April 4, 2023

SHB 1163 Prime Sponsor, Committee on Finance: Exempting certain leasehold interests in arenas with a seating capacity of more than 2,000 from the leasehold excise tax. Reported by Committee on Ways & Means

EIGHTY SIXTH DAY, APRIL 4, 2023

MAJORITY recommendation: Do pass as amended by Committee on Business, Financial Services, Gaming & Trade. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres and Van De Wege.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Schoesler, Ranking Member, Capital; Dhingra and Wagoner.

MINORITY recommendation: Do not pass. Signed by Senator Hasegawa.

Referred to Committee on Rules for second reading.

April 3, 2023

E2SHB 1167 Prime Sponsor, Committee on Appropriations: Concerning residential housing regulations. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Nguyen; Pedersen; Saldaña; Van De Wege and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Rolfes, Chair; Boehnke; Braun; Muzzall and Torres.

Referred to Committee on Rules for second reading.

April 4, 2023

2SHB 1168 Prime Sponsor, Committee on Appropriations: Providing prevention services, diagnoses, treatment, and support for prenatal substance exposure. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

April 3, 2023

ESHB 1169 Prime Sponsor, Committee on Appropriations: Concerning legal financial obligations. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Rivers, Assistant Ranking Member, Capital; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Nguyen; Pedersen; Saldaña and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Boehnke; Braun; Torres and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Mullet, Vice Chair, Capital and Muzzall.

Referred to Committee on Rules for second reading.

April 3, 2023

E2SHB 1170 Prime Sponsor, Committee on Appropriations: Improving climate resilience through updates to the state's integrated climate response strategy. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Nguyen; Pedersen; Saldaña; Van De Wege and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Boehnke; Braun; Muzzall and Torres.

Referred to Committee on Rules for second reading.

April 4, 2023

SHB 1171 Prime Sponsor, Committee on Transportation: Modifying the motorcycle safety education advisory board. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Lias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Holy, Assistant Ranking Member; Cleveland; Fortunato; Hawkins; Kauffman; Lovelett; MacEwen; Nobles; Padden; Randall; Valdez; Wilson, C. and Wilson, J.

Referred to Committee on Rules for second reading.

April 3, 2023

ESHB 1175 Prime Sponsor, Committee on Appropriations: Creating a state financial assurance program for petroleum underground storage tanks. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Van De Wege and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Boehnke; Torres and Wagoner.

Referred to Committee on Rules for second reading.

April 3, 2023

2SHB 1176 Prime Sponsor, Committee on Appropriations: Developing opportunities for service and workforce programs to support climate-ready communities. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Nguyen; Pedersen; Saldaña; Van De Wege and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Boehnke; Braun and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Rivers, Assistant Ranking Member, Capital; Muzzall and Torres.

Referred to Committee on Rules for second reading.

April 3, 2023

E2SHB 1181 Prime Sponsor, Committee on Appropriations: Improving the state's response to climate change by updating the state's planning framework. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Nguyen; Pedersen; Saldaña and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Braun; Muzzall; Torres; Van De Wege and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Rivers, Assistant Ranking Member, Capital and Boehnke.

Referred to Committee on Rules for second reading.

April 4, 2023

2SHB 1204 Prime Sponsor, Committee on Appropriations: Implementing the family connections program. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Schoesler, Ranking Member, Capital.

Referred to Committee on Rules for second reading.

April 3, 2023

E2SHB 1216 Prime Sponsor, Committee on Appropriations: Concerning clean energy siting. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Rivers, Assistant Ranking Member, Capital; Billig; Boehnke; Conway; Dhingra; Hasegawa; Hunt; Keiser; Nguyen; Pedersen; Saldaña; Van De Wege and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Wilson, L., Ranking Member, Operating; Schoesler, Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Muzzall and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Gildon, Assistant Ranking Member, Operating; Braun and Torres.

Referred to Committee on Rules for second reading.

April 4, 2023

HB 1232 Prime Sponsor, Representative Bergquist: Enhancing the college bound scholarship program. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Van De Wege and Wellman.

MINORITY recommendation: Do not pass. Signed by Senator Schoesler, Ranking Member, Capital.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Braun; Torres and Wagoner.

EIGHTY SIXTH DAY, APRIL 4, 2023

Referred to Committee on Rules for second reading.

April 4, 2023

HB 1237 Prime Sponsor, Representative Robertson:
Redistributing the vehicle identification number inspection fee.
Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Liias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Holy, Assistant Ranking Member; Cleveland; Fortunato; Hawkins; Kauffman; Lovelett; MacEwen; Nobles; Padden; Randall; Valdez; Wilson, C. and Wilson, J.

Referred to Committee on Rules for second reading.

April 4, 2023

E2SHB 1238 Prime Sponsor, Committee on Appropriations: Providing free school meals for all. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Rivers, Assistant Ranking Member, Capital; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Wilson, L., Ranking Member, Operating; Warnick, Assistant Ranking Member, Capital; Boehnke and Braun.

Referred to Committee on Rules for second reading.

April 4, 2023

HB 1243 Prime Sponsor, Representative Dent:
Concerning municipal airport commissions. Reported by Committee on Transportation

MAJORITY recommendation: Do pass as amended. Signed by Senators Liias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Holy, Assistant Ranking Member; Cleveland; Fortunato; Kauffman; Lovelett; MacEwen; Nobles; Randall; Valdez; Wilson, C. and Wilson, J.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Hawkins and Padden.

Referred to Committee on Rules for second reading.

April 4, 2023

SHB 1250 Prime Sponsor, Committee on Capital Budget: Modifying the low-income home rehabilitation program. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended by Committee on Housing. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice

Chair, Capital; Wilson, L., Ranking Member, Operating; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Schoesler, Ranking Member, Capital and Boehnke.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Gildon, Assistant Ranking Member, Operating and Torres.

Referred to Committee on Rules for second reading.

April 4, 2023

HB 1257 Prime Sponsor, Representative Hackney:
Concerning the authority of cargo and passenger ports.
Reported by Committee on Transportation

MAJORITY recommendation: Do pass as amended. Signed by Senators Liias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Holy, Assistant Ranking Member; Cleveland; Fortunato; Hawkins; Kauffman; Lovelett; MacEwen; Nobles; Padden; Randall; Valdez; Wilson, C. and Wilson, J.

Referred to Committee on Rules for second reading.

April 4, 2023

ESHB 1260 Prime Sponsor, Committee on Appropriations: Accelerating stability for people with a work-limiting disability or incapacity. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended by Committee on Human Services. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Nguyen; Pedersen; Saldaña; Van De Wege and Wellman.

MINORITY recommendation: Do not pass. Signed by Senator Warnick, Assistant Ranking Member, Capital.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Boehnke; Braun; Muzzall; Torres and Wagoner.

Referred to Committee on Rules for second reading.

April 4, 2023

SHB 1267 Prime Sponsor, Committee on Local Government: Concerning rural public facilities sales and use tax. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun;

Conway; Dhingra; Hunt; Keiser; Muzzall; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Hasegawa; Nguyen and Pedersen.

Referred to Committee on Rules for second reading.

April 4, 2023

2SHB 1316 Prime Sponsor, Committee on Appropriations: Expanding access to dual credit programs. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Billig; Boehnke; Conway; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Warnick, Assistant Ranking Member, Capital; Braun; Dhingra and Hasegawa.

Referred to Committee on Rules for second reading.

April 4, 2023

SHB 1318 Prime Sponsor, Committee on Finance: Concerning retail sales tax exemptions for certain aircraft maintenance and repair. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hunt; Keiser; Muzzall; Nguyen; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: Do not pass. Signed by Senator Hasegawa.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Schoesler, Ranking Member, Capital; Pedersen and Saldaña.

Referred to Committee on Rules for second reading.

April 4, 2023

2SHB 1332 Prime Sponsor, Committee on Appropriations: Supporting public school instruction in tribal sovereignty and federally recognized Indian tribes. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended by Committee on Early Learning & K-12 Education. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member,

Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Wagoner and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun and Van De Wege.

Referred to Committee on Rules for second reading.

April 4, 2023

ESHB 1377 Prime Sponsor, Committee on Education: Posting of approved courses and providers of continuing education. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended by Committee on Early Learning & K-12 Education. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

April 4, 2023

2SHB 1390 Prime Sponsor, Committee on Capital Budget: Concerning district energy systems. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended by Committee on Environment, Energy & Technology. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Rivers, Assistant Ranking Member, Capital; Billig; Boehnke; Conway; Dhingra; Hasegawa; Hunt; Keiser; Nguyen; Pedersen; Saldaña; Torres; Van De Wege and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Schoesler, Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Braun; Muzzall and Wagoner.

Referred to Committee on Rules for second reading.

April 4, 2023

ESHB 1394 Prime Sponsor, Committee on Human Services, Youth, & Early Learning: Creating a developmentally appropriate response to youth who commit sexual offenses. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig;

EIGHTY SIXTH DAY, APRIL 4, 2023

Conway; Dhingra; Hasegawa; Hunt; Keiser; Nguyen; Pedersen; Saldaña and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Braun; Muzzall and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Mullet, Vice Chair, Capital; Boehnke; Torres and Van De Wege.

Referred to Committee on Rules for second reading.

April 3, 2023

SHB 1406 Prime Sponsor, Committee on Human Services, Youth, & Early Learning: Concerning youth seeking housing assistance and other related services. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Schoesler, Ranking Member, Capital.

Referred to Committee on Rules for second reading.

April 4, 2023

2SHB 1425 Prime Sponsor, Committee on Finance: Facilitating municipal annexations. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

April 4, 2023

SHB 1431 Prime Sponsor, Committee on Finance: Clarifying that meals furnished to tenants of senior living communities as part of their rental agreement are not subject to sales and use tax. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers,

Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

April 4, 2023

ESHB 1436 Prime Sponsor, Committee on Appropriations: Funding special education. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended by Committee on Early Learning & K-12 Education. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

April 4, 2023

2SHB 1447 Prime Sponsor, Committee on Appropriations: Strengthening the ability of assistance programs to meet foundational needs of children, adults, and families. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Van De Wege and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Wilson, L., Ranking Member, Operating; Schoesler, Ranking Member, Capital and Braun.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Mullet, Vice Chair, Capital; Gildon, Assistant Ranking Member, Operating; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Boehnke; Torres and Wagoner.

Referred to Committee on Rules for second reading.

April 3, 2023

SHB 1457 Prime Sponsor, Committee on Transportation: Concerning a motor carrier's ability to access restroom facilities required by rules authorized under chapter 49.17 RCW. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway;

Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

April 3, 2023

SHB 1460 Prime Sponsor, Committee on Capital Budget: Concerning the department of natural resources land transactions, revenue distributions, and creation and management of a trust land transfer program. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Billig; Boehnke; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Van De Wege and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Braun; Torres and Wagoner.

Referred to Committee on Rules for second reading.

April 3, 2023

2SHB 1470 Prime Sponsor, Committee on Appropriations: Concerning private detention facilities. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended by Committee on Human Services. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Nguyen; Pedersen; Saldaña; Van De Wege and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Wilson, L., Ranking Member, Operating; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Boehnke; Braun; Muzzall; Torres and Wagoner.

Referred to Committee on Rules for second reading.

April 3, 2023

2SHB 1474 Prime Sponsor, Committee on Appropriations: Creating the covenant homeownership account and program to address the history of housing discrimination due to racially restrictive real estate covenants in Washington state. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Billig; Conway; Dhingra; Hunt; Keiser; Nguyen; Pedersen; Saldaña; Van De Wege and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Wilson, L., Ranking Member, Operating; Gildon,

Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Boehnke; Muzzall; Torres and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun and Hasegawa.

Referred to Committee on Rules for second reading.

April 4, 2023

2SHB 1477 Prime Sponsor, Committee on Appropriations: Making changes to the working families' tax credit. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Mullet, Vice Chair, Capital; Schoesler, Ranking Member, Capital.

Referred to Committee on Rules for second reading.

April 3, 2023

2SHB 1491 Prime Sponsor, Committee on Appropriations: Prohibiting unjustified employer searches of employee personal vehicles. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Wagoner.

Referred to Committee on Rules for second reading.

April 4, 2023

SHB 1493 Prime Sponsor, Committee on Community Safety, Justice, & Reentry: Concerning impaired driving. Reported by Committee on Transportation

MAJORITY recommendation: Do pass as amended by Committee on Law & Justice. Signed by Senators Liias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Holy, Assistant Ranking Member; Cleveland; Fortunato; Hawkins; Kauffman; Lovelett; MacEwen; Nobles; Padden; Randall; Valdez; Wilson, C. and Wilson, J.

EIGHTY SIXTH DAY, APRIL 4, 2023

Referred to Committee on Rules for second reading.

April 3, 2023

ESHB 1498 Prime Sponsor, Committee on Agriculture and Natural Resources: Concerning aviation assurance funding in response to wildland fires. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended by Committee on Agriculture, Water, Natural Resources & Parks. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

April 3, 2023

E2SHB 1515 Prime Sponsor, Committee on Appropriations: Concerning contracting and procurement requirements for behavioral health services in medical assistance programs. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended by Committee on Health & Long-Term Care. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

April 4, 2023

2SHB 1525 Prime Sponsor, Committee on Appropriations: Concerning eligibility for working connections child care benefits for persons participating in state registered apprenticeships. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Nguyen; Pedersen; Saldaña; Van De Wege and Wellman.

MINORITY recommendation: Do not pass. Signed by Senator Schoesler, Ranking Member, Capital.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Boehnke; Braun; Muzzall; Torres and Wagoner.

Referred to Committee on Rules for second reading.

April 3, 2023

2SHB 1534 Prime Sponsor, Committee on Appropriations: Strengthening protections for consumers in the construction industry. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended by Committee on Labor & Commerce. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Braun.

Referred to Committee on Rules for second reading.

April 4, 2023

2SHB 1550 Prime Sponsor, Committee on Appropriations: Assisting eligible children in need of additional preparation to be successful in kindergarten by establishing the transition to kindergarten program. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended by Committee on Early Learning & K-12 Education. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Schoesler, Ranking Member, Capital; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Nguyen; Pedersen; Saldaña; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Wilson, L., Ranking Member, Operating; Warnick, Assistant Ranking Member, Capital and Muzzall.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Gildon, Assistant Ranking Member, Operating; Boehnke; Braun and Torres.

Referred to Committee on Rules for second reading.

April 4, 2023

2SHB 1559 Prime Sponsor, Committee on Appropriations: Establishing the student basic needs at public postsecondary institutions act. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Nguyen; Saldaña; Van De Wege and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member,

Capital; Warnick, Assistant Ranking Member, Capital; Boehnke; Braun; Muzzall and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Pedersen and Torres.

Referred to Committee on Rules for second reading.

April 3, 2023

SHB 1562 Prime Sponsor, Committee on Civil Rights & Judiciary: Reducing the risks of lethality and other harm associated with gun violence, gender-based violence, and other types of violence. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Nguyen; Pedersen; Saldaña; Van De Wege and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Warnick, Assistant Ranking Member, Capital; Boehnke; Muzzall; Torres and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital and Braun.

Referred to Committee on Rules for second reading.

April 4, 2023

HB 1575 Prime Sponsor, Representative Reed: Modifying the sales and use tax for cultural access programs by allowing the tax to be imposed by a councilmanic or commission authority and defining timelines and priorities for action. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Nguyen; Pedersen; Saldaña; Van De Wege and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Boehnke; Braun; Muzzall; Torres and Wagoner.

Referred to Committee on Rules for second reading.

April 3, 2023

2SHB 1578 Prime Sponsor, Committee on Appropriations: Improving community preparedness, response, recovery, and resilience to wildland fire health and safety impacts in areas of increasing population density, including in the wildland urban interface. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson,

L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

April 4, 2023

2SHB 1580 Prime Sponsor, Committee on Appropriations: Creating a system to support children in crisis. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

April 3, 2023

HB 1626 Prime Sponsor, Representative Bronoske: Concerning coverage for colorectal screening tests under medical assistance programs. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Nguyen; Pedersen; Saldaña; Van De Wege and Wellman.

MINORITY recommendation: Do not pass. Signed by Senator Rivers, Assistant Ranking Member, Capital.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Wilson, L., Ranking Member, Operating; Warnick, Assistant Ranking Member, Capital; Boehnke; Braun; Muzzall; Torres and Wagoner.

Referred to Committee on Rules for second reading.

April 4, 2023

SHB 1638 Prime Sponsor, Committee on Transportation: Creating a state trooper expedited recruitment incentive program. Reported by Committee on Transportation

MAJORITY recommendation: Do pass as amended. Signed by Senators Liias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Holy, Assistant Ranking Member; Cleveland; Fortunato; Hawkins; Kauffman; Lovelett; MacEwen; Nobles; Padden; Randall; Valdez; Wilson, C. and Wilson, J.

Referred to Committee on Rules for second reading.

EIGHTY SIXTH DAY, APRIL 4, 2023

April 3, 2023

2SHB 1639 Prime Sponsor, Committee on Appropriations: Concerning the Billy Frank Jr. national statuary hall selection committee. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

April 4, 2023

EHB 1663 Prime Sponsor, Representative Goehner: Allowing functionally consolidated port districts to adopt a unified levy. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

April 3, 2023

2SHB 1681 Prime Sponsor, Committee on Finance: Concerning problem gambling. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended by Committee on Business, Financial Services, Gaming & Trade. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Nguyen; Pedersen; Saldaña; Van De Wege and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Wilson, L., Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Boehnke and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Gildon, Assistant Ranking Member, Operating; Braun; Muzzall and Torres.

Referred to Committee on Rules for second reading.

April 4, 2023

SHB 1701 Prime Sponsor, Committee on Education: Concerning basic education services to youth who are served

through institutional education programs. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

April 4, 2023

SHB 1711 Prime Sponsor, Committee on Finance: Providing a sales and use tax exemption related to internet and telecommunications infrastructure projects involving a federally recognized Indian tribe. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Saldaña; Torres and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Pedersen; Van De Wege and Wellman.

Referred to Committee on Rules for second reading.

April 3, 2023

E2SHB 1715 Prime Sponsor, Committee on Appropriations: Enacting comprehensive protections for victims of domestic violence and other violence involving family members or intimate partners. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Schoesler, Ranking Member, Capital; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Van De Wege and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Wilson, L., Ranking Member, Operating and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Gildon, Assistant Ranking Member, Operating; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Boehnke; Braun and Torres.

Referred to Committee on Rules for second reading.

April 3, 2023

2SHB 1724 Prime Sponsor, Committee on Appropriations: Increasing the trained behavioral health workforce. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended by Committee on Health & Long-Term Care. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Hasegawa and Wellman.

Referred to Committee on Rules for second reading.

April 3, 2023

2SHB 1728 Prime Sponsor, Committee on Appropriations: Creating a statewide resiliency program. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Nguyen; Pedersen; Saldaña and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Torres; Van De Wege and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Warnick, Assistant Ranking Member, Capital; Boehnke; Braun and Muzzall.

Referred to Committee on Rules for second reading.

April 4, 2023

HB 1742 Prime Sponsor, Representative Wylie: Concerning nontax statutes administered by the department of revenue. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

April 4, 2023

ESHB 1744 Prime Sponsor, Committee on Education: Clarifying the responsibilities and accountability for the effective

delivery and oversight of public education services to charter school students. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended by Committee on Early Learning & K-12 Education. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

Referred to Committee on Rules for second reading.

April 3, 2023

2SHB 1745 Prime Sponsor, Committee on Appropriations: Improving diversity in clinical trials. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Hasegawa; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Torres; Van De Wege and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Dhingra; Saldaña and Wellman.

Referred to Committee on Rules for second reading.

April 4, 2023

SHB 1756 Prime Sponsor, Committee on Finance: Supporting clean energy through tax changes that increase revenue to local governments, schools, and impacted communities. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Nguyen; Pedersen; Saldaña; Van De Wege and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital and Torres.

MINORITY recommendation: Do not pass. Signed by Senators Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Boehnke; Braun; Muzzall and Wagoner.

Referred to Committee on Rules for second reading.

April 4, 2023

HB 1777 Prime Sponsor, Representative Doglio: Authorizing the use of performance-based contracting for energy

EIGHTY SIXTH DAY, APRIL 4, 2023

services and equipment. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Billig; Conway; Dhingra; Hunt; Keiser; Nguyen; Pedersen; Saldaña; Van De Wege and Wellman.

MINORITY recommendation: Do not pass. Signed by Senator Warnick, Assistant Ranking Member, Capital.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Boehnke; Braun; Hasegawa; Muzzall; Torres and Wagoner.

Referred to Committee on Rules for second reading.

April 4, 2023

ESHB 1791 Prime Sponsor, Committee on Transportation: Studying the need for increased commercial aviation services. Reported by Committee on Transportation

MAJORITY recommendation: Do pass as amended. Signed by Senators Liias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Holy, Assistant Ranking Member; Cleveland; Hawkins; Kauffman; MacEwen; Nobles; Randall; Valdez and Wilson, C.

MINORITY recommendation: Do not pass. Signed by Senator Fortunato.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Lovelett; Padden and Wilson, J.

Referred to Committee on Rules for second reading.

April 3, 2023

EHB 1812 Prime Sponsor, Representative Springer: Continuing the business and occupation tax deduction for federal funds received from a medicaid transformation or demonstration project or medicaid quality improvement program or standard. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig; Boehnke; Braun; Conway; Dhingra; Hunt; Keiser; Muzzall; Nguyen; Pedersen; Saldaña; Torres; Van De Wege; Wagoner and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Schoesler, Ranking Member, Capital and Hasegawa.

Referred to Committee on Rules for second reading.

April 4, 2023

EHB 1823 Prime Sponsor, Representative Timmons: Modifying the Washington student loan program. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Nguyen; Saldaña; Van De Wege and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Wilson, L., Ranking Member, Operating; Schoesler, Ranking Member, Capital; Braun; Muzzall and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Gildon, Assistant Ranking Member, Operating; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Boehnke and Torres.

Referred to Committee on Rules for second reading.

April 4, 2023

SHB 1833 Prime Sponsor, Committee on Transportation: Setting ferry fuel surcharges. Reported by Committee on Transportation

MAJORITY recommendation: Do pass as amended. Signed by Senators Liias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Holy, Assistant Ranking Member; Cleveland; Fortunato; Hawkins; Kauffman; Lovelett; MacEwen; Nobles; Padden; Randall; Valdez; Wilson, C. and Wilson, J.

Referred to Committee on Rules for second reading.

April 4, 2023

SGA 9339 MARCUS J. GLASPER, appointed on April 1, 2023, for the term ending January 1, 2075, as Director of the Department of Licensing - Agency Head. Reported by Committee on Transportation

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Liias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Holy, Assistant Ranking Member; Cleveland; Fortunato; Hawkins; Kauffman; Lovelett; MacEwen; Nobles; Padden; Randall; Valdez; Wilson, C. and Wilson, J.

Referred to Committee on Rules for second reading.

MOTIONS

On motion of Senator Pedersen, all measures and the appointee listed on the Supplemental Committee report were referred to the committee as designated.

At 7:45 p.m., on motion of Senator Pedersen, the Senate adjourned until 9 o'clock a.m. Wednesday, April 5, 2023.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

EIGHTY SEVENTH DAY

MORNING SESSION

Senate Chamber, Olympia
Wednesday, April 5, 2023

The Senate was called to order at 9 o'clock a.m. by the President of the Senate, Lt. Governor Heck presiding. The Secretary called the roll and announced to the President that all Senators were present.

The Sergeant at Arms Color Guard consisting of Pages Miss Eva Hamlin and Miss Mairead Shackelford, presented the Colors. Page Mr. Jack Hamsher led the Senate in the Pledge of Allegiance.

The prayer was offered by Rabbi Bruce Kadden, Temple Beth El, Tacoma.

MOTIONS

On motion of Senator Pedersen, the reading of the Journal of the previous day was dispensed with and it was approved.

On motion of Senator Pedersen, the Senate advanced to the third order of business.

MESSAGE FROM THE GOVERNOR

April 4, 2023

To the Honorable President and Members,
The Senate of the State of Washington

Ladies and Gentlemen:

I have the honor to advise you that on April 04, 2023, Governor Insee approved the following Senate Bill entitled:

Engrossed Substitute Senate Bill No. 5272
Relating to speed safety camera systems on state highways;

Sincerely,
/s/
Drew Shirk, Executive Director of Legislative Affairs

MOTION

On motion of Senator Pedersen, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 5768 by Senators Keiser and Dhingra

AN ACT Relating to protecting access to abortion medications by authorizing the department of corrections to acquire, sell, deliver, distribute, and dispense abortion medications; amending RCW 18.64.046; adding a new section to chapter 72.09 RCW; creating new sections; and declaring an emergency.

Referred to Committee on Ways & Means.

ESHB 1125 by House Committee on Transportation (originally sponsored by Fey, Lekanoff, Timmons, Paul, Wylie and Donaghy)

AN ACT Relating to transportation funding and appropriations; amending RCW 43.19.642, 82.21.030,

46.68.060, 46.68.300, 47.60.322, 46.68.290, 46.68.063, 47.60.530, 47.60.315, 34.05.350, 46.09.540, 47.66.120, 70A.205.415, 46.68.410, 47.12.063, 46.68.500, 46.68.490, 46.68.280, 46.68.395, 82.44.200, and 47.56.864; amending 2021 c 333 ss 110, 111, 103, and 407; amending 2022 c 186 ss 205-224, 301-310, 312, and 401-406 (uncodified); adding new sections to 2022 c 186 (uncodified); creating new sections; repealing 2022 c 187 ss 1, 101-104, 201-211, 301-308, 401, 501, 502, and 503 (uncodified); making appropriations and authorizing expenditures for capital improvements; providing a contingent effective date; and declaring an emergency.

MOTIONS

On motion of Senator Pedersen, the measures listed on the Introduction and First Reading report were referred to the committees as designated with the exception of Engrossed Substitute House Bill No. 1125 which, without objection, was placed on the Second Reading Calendar under suspension of the rules.

On motion of Senator Pedersen, the Senate advanced to the eighth order of business.

MOTION

Senator Rivers moved adoption of the following resolution:

SENATE RESOLUTION

8639

By Senators Rivers, Dozier, Lovelett, Saldaña, Short, Stanford, Valdez, Warnick, Wellman, J. Wilson, and L. Wilson

WHEREAS, Many Washington citizens have literally given the gift of life by donating organs, eyes, and tissues; and

WHEREAS, It is essential that all citizens are aware of the opportunity to save and heal the lives of others through organ, eye, and tissue donation and transplantation; and

WHEREAS, There are nearly 106,000 courageous Americans awaiting a lifesaving organ transplant, with 22 individuals losing their lives every day because of the shortage of organs for transplant; and

WHEREAS, Every 10 minutes, a person is added to the national organ transplant waiting list; and

WHEREAS, One organ donor can save the lives of up to eight people and heal many more through cornea and tissue donation; and

WHEREAS, Families receive comfort through the grieving process with the knowledge that through organ, eye, and tissue donation, another person's life has been saved or healed; and

WHEREAS, Organ donation offers transplant recipients a second chance at life, enabling them to be with their families and maintain a higher quality of life; and

WHEREAS, The families of organ, eye, and tissue donors receive gratitude from grateful recipients whose lives have been saved by transplantation; and

WHEREAS, The example set by those who choose to donate reflects the character and compassion of these individuals, whose voluntary choice saves the lives of others; and

WHEREAS, Donate Life America has designated April as National Donate Life Month;

EIGHTY SEVENTH DAY, APRIL 5, 2023

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate honor April as National Donate Life Month to remember those who have donated, and celebrate the lives of the recipients.

Senator Rivers spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8639.

The motion by Senator Rivers carried and the resolution was adopted by voice vote.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced Ms. Janet Anderson mother of Mr. Gregg Sutton, an organ donor; Mr. Al Bass, an organ recipient; and staff from LifeCenter NW who were seated in the gallery.

MOTION

On motion of Senator Pedersen, the Senate reverted to the seventh order of business.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Keiser moved that Holly A. Kessler, Senate Gubernatorial Appointment No. 9237, be confirmed as Chair of the Board of Industrial Insurance Appeals.

Senator Keiser spoke in favor of the motion.

MOTION

On motion of Senator Wagoner, Senator Padden was excused.

APPOINTMENT OF HOLLY A. KESSLER

The President declared the question before the Senate to be the confirmation of Holly A. Kessler, Senate Gubernatorial Appointment No. 9237, as Chair of the Board of Industrial Insurance Appeals.

The Secretary called the roll on the confirmation of Holly A. Kessler, Senate Gubernatorial Appointment No. 9237, as Chair of the Board of Industrial Insurance Appeals and the appointment was confirmed by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senator Schoesler

Holly A. Kessler, Senate Gubernatorial Appointment No. 9237, having received the constitutional majority was declared confirmed as Chair of the Board of Industrial Insurance Appeals.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Randall moved that Larry Brown, Senate Gubernatorial Appointment No. 9238, be confirmed as Co-Chair of the Workforce Training and Education Coordinating Board.

Senator Randall spoke in favor of the motion.

APPOINTMENT OF LARRY BROWN

The President declared the question before the Senate to be the confirmation of Larry Brown, Senate Gubernatorial Appointment No. 9238, as Co-Chair of the Workforce Training and Education Coordinating Board.

The Secretary called the roll on the confirmation of Larry Brown, Senate Gubernatorial Appointment No. 9238, as Co-Chair of the Workforce Training and Education Coordinating Board and the appointment was confirmed by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Larry Brown, Senate Gubernatorial Appointment No. 9238, having received the constitutional majority was declared confirmed as Co-Chair of the Workforce Training and Education Coordinating Board.

MOTION

On motion of Senator Pedersen, the Senate reverted to the fourth order of business.

MESSAGE FROM THE HOUSE

March 20, 2023

MR. PRESIDENT:

The House passed SUBSTITUTE SENATE BILL NO. 5338 with the following amendment(s): 5338-S AMH HCW H1633.1

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** (1) The office of the insurance commissioner, in consultation with relevant interested persons and entities, shall review Washington's benchmark plan establishing the state's essential health benefits to determine whether to request approval from the centers for medicare and medicaid services under 45 C.F.R. Sec. 156.111 to modify the state's essential health benefits benchmark plan.

(2) As part of its review, the office shall determine the potential impacts on individual and small group health plan design, actuarial values, and premium rates if coverage for each of the following was included as an essential health benefit:

(a) Donor human milk as provided in RCW 48.43.815 and directed by RCW 48.43.715;

(b) Hearing instruments and associated services as described in section 1, chapter . . . (House Bill No. 1222), Laws of 2023 and directed by RCW 48.43.715;

(c) Fertility services;

(d) Biomarker testing;

(e) Contralateral prophylactic mastectomies;

(f) Treatment for pediatric acute-onset neuropsychiatric syndrome and pediatric autoimmune neuropsychiatric disorders associated with streptococcal infections; and

(g) Magnetic resonance imaging for breast cancer screening.

(3) By December 31, 2023, the office shall report the results of the review to the relevant committees of the legislature, including any findings related to modifying the state's essential health benefits.

Sec. 2. RCW 48.43.715 and 2022 c 236 s 2 are each amended to read as follows:

(1) ((The)) Until the effective date of an updated essential health benefits benchmark plan submitted under section 1 of this act, the commissioner, in consultation with the board and the health care authority, shall, by rule, select the largest small group plan in the state by enrollment as the benchmark plan for the individual and small group market for purposes of establishing the essential health benefits in Washington state.

(2) If the essential health benefits benchmark plan for the individual and small group market does not include all of the ((ten)) 10 essential health benefits categories, the commissioner, in consultation with the board and the health care authority, shall, by rule, supplement the benchmark plan benefits as needed.

(3) All individual and small group health plans must cover the ((ten)) 10 essential health benefits categories, other than a health plan offered through the federal basic health program, a grandfathered health plan, or medicaid. Such a health plan may not be offered in the state unless the commissioner finds that it is substantially equal to the benchmark plan. When making this determination, the commissioner:

(a) Must ensure that the plan covers the ((ten)) 10 essential health benefits categories;

(b) May consider whether the health plan has a benefit design that would create a risk of biased selection based on health status and whether the health plan contains meaningful scope and level of benefits in each of the ten essential health benefits categories;

(c) Notwithstanding (a) and (b) of this subsection, for benefit years beginning January 1, 2015, must establish by rule the review and approval requirements and procedures for pediatric oral services when offered in stand-alone dental plans in the nongrandfathered individual and small group markets outside of the exchange; and

(d) Must allow health carriers to also offer pediatric oral services within the health benefit plan in the nongrandfathered individual and small group markets outside of the exchange.

(4) Beginning December 15, 2012, and every year thereafter, the commissioner shall submit to the legislature a list of state-mandated health benefits, the enforcement of which will result in federally imposed costs to the state related to the plans sold through the exchange because the benefits are not included in the essential health benefits designated under federal law. The list must include the anticipated costs to the state of each state-mandated health benefit on the list and any statutory changes needed if funds are not appropriated to defray the state costs for the listed mandate. The commissioner may enforce a mandate on the list for the entire market only if funds are appropriated in an omnibus appropriations act specifically to pay the state portion of the identified costs.

(5) ((Upon authorization by the legislature to modify the state's essential health benefits benchmark plan under 45 C.F.R. Sec. 156.111, the)) The commissioner shall include coverage for donor human milk as provided in RCW 48.43.815 and hearing instruments and associated services as described in section 1, chapter . . . (House Bill No. 1222), Laws of 2023, in ((the updated plan)) any update of the state's essential health benefits benchmark plan submitted to the centers for medicare and medicaid services under section 1 of this act.

NEW SECTION. Sec. 3. This act is necessary for the immediate preservation of the public peace, health, or safety, or

support of the state government and its existing public institutions, and takes effect immediately."

Correct the title.

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

MOTION

Senator Cleveland moved that the Senate concur in the House amendment(s) to Substitute Senate Bill No. 5338.

Senators Cleveland and Rivers spoke in favor of the motion.

The President declared the question before the Senate to be the motion by Senator Cleveland that the Senate concur in the House amendment(s) to Substitute Senate Bill No. 5338.

The motion by Senator Cleveland carried and the Senate concurred in the House amendment(s) to Substitute Senate Bill No. 5338 by voice vote.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5338, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5338, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SUBSTITUTE SENATE BILL NO. 5338, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Pedersen, the Senate advanced to the sixth order of business.

SECOND READING

HOUSE BILL NO. 1622, by Representatives Fey, Rude, Simmons, Schmidt, Cortes, Senn, Slatter, Alvarado, Ryu, Wylie, Bergquist, Paul, Gregerson, Morgan, Macri, Pollet, Doglio, Timmons and Leavitt

Supporting the needs of students experiencing homelessness.

The measure was read the second time.

MOTION

Senator Wellman moved that the following committee striking amendment by the Committee on Early Learning & K-12 Education be adopted:

EIGHTY SEVENTH DAY, APRIL 5, 2023

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 28A.300.542 and 2019 c 412 s 1 are each amended to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the office of the superintendent of public instruction shall create a competitive grant process to evaluate and award state-funded grants to school districts to increase identification of students experiencing homelessness and the capacity of the districts to provide support for students experiencing homelessness. The goals of the grant process are to:

(a) Provide educational stability for students experiencing homelessness by promoting housing stability; and

(b) Encourage the development of collaborative strategies between education and housing partners.

(2)(a) Funds may be used in a manner that is complementary to federal McKinney-Vento funds and consistent with allowable uses as determined by the office of the superintendent of public instruction. The process must complement any similar federal grant program or programs in order to minimize agency overhead and administrative costs for the superintendent of public instruction and school districts.

(b) Examples of permitted student supports and activities include, but are not limited to:

(i) Direct academic supports, including tutoring and additional transportation costs;

(ii) Basic needs, including retail store cards, nutrition supports, and hygiene items;

(iii) Wraparound supports, including contracting with community-based providers, behavioral and physical health supports, and housing-related supports, such as bedding and short-term hotel or motel stays, that meet a student's emergent needs and allow the student to fully participate in school;

(iv) Employment supports for students and families; and

(v) Out-of-school enrichment activities, such as an academic tutor provided at a shelter.

(3) School districts may access both federal and state funding to identify and support students experiencing homelessness and are encouraged to use grant dollars to leverage community resources and strengthen relationships with community-based partners.

((2)) (4) Award criteria for the state grants must be based on the demonstrated need of the school district and may consider the number or overall percentage, or both, of homeless children and youths enrolled in preschool, elementary, and secondary schools in the school district, and the ability of the local school district to meet these needs. Award criteria for these must also be based on the quality of the applications submitted. Selected grantees must reflect geographic diversity across the state. Greater weight must be given to districts that demonstrate a commitment to:

(a) Partnering with local ~~((housing and))~~ community-based organizations with experience in serving the needs of students experiencing homelessness or students of color, with a preference for organizations that focus on equitable housing and homeless strategies;

(b) Serving the needs of unaccompanied youth; and

(c) Implementing evidence-informed strategies to address the opportunity gap and other systemic inequities that negatively impact students experiencing homelessness and students of color. Specific strategies may include, but are not limited to:

(i) Enhancing the cultural responsiveness of current and future staff;

(ii) Ensuring all staff, faculty, and school employees are actively trained in trauma-informed care;

(iii) Providing inclusive programming by intentionally seeking and utilizing input from the population being served;

(iv) Using a multidisciplinary approach when serving students experiencing homelessness and their families;

(v) Intentionally seeking and utilizing input from the families and students experiencing homelessness about how district policies, services, and practices can be improved; and

(vi) Identifying data elements and systems needed to monitor progress in eliminating disparities in academic outcomes for students experiencing homelessness with their housed peers.

((3)) (5) At the end of each academic year, districts receiving grants shall monitor and report on the academic outcomes for students served by the grants. The academic outcomes are those recommended by the office of the superintendent of public instruction. The office of the superintendent of public instruction shall review the reports submitted by the districts and assist school districts in using these data to identify gaps and needs, and develop sustainable strategies to improve academic outcomes for students experiencing homelessness.

((4)) (6) Students experiencing homelessness are defined as students without a fixed, regular, and adequate nighttime residence in accordance with the definition of homeless children and youths in the federal McKinney-Vento homeless assistance act, 42 U.S.C. Sec. 11431 through 11435.

((5)) (7) School districts may not use funds allocated under this section to supplant existing federal, state, or local resources for supports for students experiencing homelessness, which may include education liaisons.

((6)) (8) Grants awarded to districts under this section may be for two years.

(9) The office of the superintendent of public instruction and the department of commerce shall:

(a) Collaborate on shared goals and outcomes under the grant process established by this section and the grant program established in RCW 43.185C.340; and

(b) Beginning in 2024, and every two years thereafter, jointly produce and make publicly available a report on the goals and outcomes of the grant process established by this section and the grant program established in RCW 43.185C.340.

Sec. 2. RCW 43.185C.340 and 2019 c 412 s 2 and 2019 c 325 s 5015 are each reenacted and amended to read as follows:

(1) Subject to funds appropriated for this specific purpose, the department shall administer a grant program that links students experiencing homelessness and their families with stable housing located in the student's school district. The goals of the program are to:

(a) Provide educational stability for students experiencing homelessness by promoting housing stability; and

(b) Encourage the development of collaborative strategies between housing and education partners.

(2) To ensure that innovative strategies between housing and education partners are developed and implemented, the department may contract and consult with a designated vendor to provide technical assistance and program evaluation, ~~((and))~~ assist with making grant awards, and support collaboration between the department and the office of the superintendent of public instruction. If the department contracts with a vendor, the vendor must be selected by the director and:

(a) Be a nonprofit vendor;

(b) Be located in Washington state; and

(c) Have a demonstrated record of working toward the housing and educational stability of students and families experiencing homelessness.

(3) In implementing the program, the department, or the department in partnership with its designated vendor, shall consult with the office of the superintendent of public instruction.

(4)(a) The department, or the designated vendor in consultation with the department, shall develop a competitive grant process to make grant awards to eligible organizations on implementation of the proposal. For the purposes of this subsection, "eligible organization" means any local government, local housing authority, behavioral health administrative services organization established under chapter 71.24 RCW, behavioral health organization, nonprofit community or neighborhood-based organization, federally recognized Indian tribe in the state of Washington, or regional or statewide nonprofit housing assistance organization. Applications for the grant program must include a letter of support from the applicable school districts. Within 60 days of receiving a grant award under this section, a memorandum of understanding must be established between the housing providers and school districts defining the responsibilities and commitments of each party to identify, house, and support students experiencing homelessness. The memorandum must include:

~~((a))~~ (i) How housing providers will partner with school districts to address gaps and needs and develop sustainable strategies to help students experiencing homelessness; and

~~((b))~~ (ii) How data on students experiencing homelessness and their families will be collected and shared in accordance with privacy protections under applicable federal and state laws.

(b) If a memorandum of understanding cannot be established as required by (a) of this subsection, the housing provider and school districts may work with the department on a case-by-case basis to provide, in lieu of a memorandum of understanding, a detailed accountability plan for a partnership between the housing provider and the school districts.

(5) In determining which eligible organizations will receive grants, the department must ensure that selected grantees reflect geographic diversity across the state. Greater weight shall be given to eligible organizations that demonstrate a commitment to:

(a) Partnering with local schools or school districts as demonstrated by a letter of support; and

(b) Developing and implementing evidence-informed strategies to address racial inequities. Specific strategies may include, but are not limited to:

(i) Hiring direct service staff who reflect the racial, cultural, and language demographics of the population being served;

(ii) Committing to inclusive programming by intentionally seeking and utilizing input from the population being served;

(iii) Ensuring eligibility criteria does not unintentionally screen out people of color and further racial inequity; and

(iv) Creating access points in locations frequented by parents, guardians, and unaccompanied homeless youth of color.

(6) Activities eligible for assistance under this grant program include but are not limited to:

(a) Rental assistance, which includes utilities, security and utility deposits, first and last month's rent, rental application fees, moving expenses, and other eligible expenses to be determined by the department;

(b) Transportation assistance, including gasoline assistance for students and families with vehicles and bus passes;

(c) Emergency shelter;

(d) Housing stability case management; and

(e) Other collaborative housing strategies, including prevention and strength-based safety and housing approaches.

(7)(a) All beneficiaries of funds from the grant program must be from households that include at least one student experiencing homelessness as defined as a child or youth without a fixed,

regular, and adequate nighttime residence in accordance with the federal McKinney-Vento homeless assistance act, 42 U.S.C. Sec. 11431 through 11435.

(b) For the purposes of this section, "student experiencing homelessness" includes unaccompanied homeless youth not in the physical custody of a parent or guardian. "Unaccompanied homeless youth" includes students up to the age of twenty-one, in alignment with the qualifications for school admissions under RCW 28A.225.160(1).

(8)(a) Grantee organizations must compile and report information to the department. The department shall report to the legislature the findings of the grantee, the housing stability of the homeless families, and any related policy recommendations.

(b) Grantees must track and report on the following measures including, but not limited to:

(i) Length of time enrolled in the grant program;

(ii) Housing destination at program exit;

(iii) Type of residence prior to enrollment in the grant program; and

(iv) Number of times homeless in the past three years.

(c) Grantees must also include in their reports a narrative description discussing its partnership with school districts as set forth in the memorandum outlined in subsection (4) of this section. Reports must also include the kinds of supports grantees are providing students and families to support academic learning.

(d) Data on all program participants must be entered into and tracked through the Washington homeless client management information system as described in RCW 43.185C.180.

(9) In order to ensure that housing providers are meeting the requirements of the grant program for students experiencing homelessness, the department, or the department in partnership with its designee, shall monitor the program at least once every two years.

(10) Any program review and monitoring under this section may be conducted concurrently with other program reviews and monitoring conducted by the department. In its review, the department, or the department in partnership with its designee, shall monitor program components that include the process used by the eligible organization to identify and reach out to students experiencing homelessness, and other indicators to determine how well the eligible organization is meeting the housing needs of students experiencing homelessness. The department, or the department in partnership with its designee, shall provide technical assistance and support to housing providers to better implement the program.

(11) The department is subject to the requirements established in RCW 28A.300.542(9)."

On page 1, line 2 of the title, after "homelessness;" strike the remainder of the title and insert "amending RCW 28A.300.542; and reenacting and amending RCW 43.185C.340."

Senator Wellman spoke in favor of adoption of the committee striking amendment.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Early Learning & K-12 Education to House Bill No. 1622.

The motion by Senator Wellman carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Wellman, the rules were suspended, House Bill No. 1622 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

EIGHTY SEVENTH DAY, APRIL 5, 2023

Senators Wellman and Hawkins spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1622 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1622 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

HOUSE BILL NO. 1622, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1069, by House Committee on Postsecondary Education & Workforce (originally sponsored by Leavitt, Harris, Riccelli, Simmons, Barkis, Slatter, Ryu, Bateman, Rude, Schmidt, Rule, Goodman, Ybarra, Callan, Doglio, Orwall, Macri, Caldier, Senn, Tharinger, Bronoske, Gregerson, Paul, Wylie, Stonier, Kloba, Ormsby and Farivar)

Adopting the mental health counselor compact.

The measure was read the second time.

MOTION

On motion of Senator Cleveland, the rules were suspended, Substitute House Bill No. 1069 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Cleveland spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1069.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1069 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SUBSTITUTE HOUSE BILL NO. 1069, having received the constitutional majority, was declared passed. There being no

objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1758, by House Committee on Environment & Energy (originally sponsored by Mena, Fitzgibbon, Chapman, Morgan and Reed)

Concerning permitting for certain hatchery maintenance activities.

The measure was read the second time.

MOTION

Senator Salomon moved that the following amendment no. 0232 by Senator Salomon be adopted:

On page 2, line 13, after "tribe," strike "or"

On page 2, line 14, after "district" insert ", or a municipal utility"

On page 2, at the beginning of line 30, strike "or a public utility district" and insert "a public utility district, or a municipal utility"

Senators Salomon and Torres spoke in favor of adoption of the amendment.

MOTION

On motion of Senator Nobles, Senator Van De Wege was excused.

The President declared the question before the Senate to be the adoption of amendment no. 0232 by Senator Salomon on page 2, line 13 to Engrossed Substitute House Bill No. 1758.

The motion by Senator Salomon carried and amendment no. 0232 was adopted by voice vote.

MOTION

On motion of Senator Lovelett, the rules were suspended, Engrossed Substitute House Bill No. 1758 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Lovelett and Torres spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 1758 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 1758 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford,

Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Van De Wege

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1758, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1346, by House Committee on Education (originally sponsored by Shavers, Berry, Couture, Leavitt, Morgan, Simmons, Timmons, Lekanoff, Paul and Donaghy)

Creating the purple star award.

The measure was read the second time.

MOTION

Senator Wellman moved that the following committee striking amendment by the Committee on Early Learning & K-12 Education be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 28A.625 RCW to read as follows:

(1)(a) The purple star designation is created to recognize school districts that demonstrate educational and social-emotional supports to students of military service members as they face transitions to a new school. School districts that earn the designation will receive a special purple star recognition to display on site. The office of the superintendent of public instruction may collaborate with a state agency or nonprofit organization that has experience serving the needs of a diverse K-12 population to establish and administer the designation. A school district must be considered for the purple star designation if it applies and completes all the required activities and at least one optional activity listed in this section.

(b) A school district must complete the following required activities to be considered to receive the purple star designation:

(i) The school district must have a staff point of contact for military students and families. The staff point of contact must:

(A) Work jointly with the state military family education liaison under RCW 28A.705.010, article VIII to serve military families;

(B) Serve as the primary liaison between military families and the school district;

(C) Complete professional development on special considerations for military students and families under relevant state and federal law; and

(D) Identify and inform teachers of military-connected students in their classrooms and the special considerations military families and students should receive under the interstate compact on educational opportunity for military children under RCW 28A.705.010; and

(ii) The school district maintains a dedicated page on its website featuring resources for military families.

(c) A school district must complete at least one of the following optional activities to be considered to receive the purple star designation:

(i) The school district provides professional development for additional staff on special considerations for military students and families;

(ii) The school district board of directors passes a resolution publicizing the school district's support for military children and families; or

(iii) The school district hosts a military recognition event that demonstrates a military friendly culture.

(2) The office of the superintendent of public instruction must make available on its website:

(a) A simple application for a school district to submit for consideration to receive a purple star designation. The application must require evidence of meeting each of the required activities under subsection (1)(b) of this section and at least one optional activity under subsection (1)(c) of this section necessary to receive the purple star designation;

(b) A timeline for submittal of an application for consideration and for announcement of the recipients; and

(c) The criteria being used to review the applications received and determine which school districts receive the designation.

(3) The purple star designation shall be awarded every two years, beginning in 2024.

NEW SECTION. Sec. 2. If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2023, in the omnibus operating appropriations act, this act is null and void."

On page 1, line 1 of the title, after "award;" strike the remainder of the title and insert "adding a new section to chapter 28A.625 RCW; and creating a new section."

Senator Wellman spoke in favor of adoption of the committee striking amendment.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Early Learning & K-12 Education to Substitute House Bill No. 1346.

The motion by Senator Wellman carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Wellman, the rules were suspended, Substitute House Bill No. 1346 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wellman and Wagoner spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1346 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1346 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford,

EIGHTY SEVENTH DAY, APRIL 5, 2023

Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Van De Wege

SUBSTITUTE HOUSE BILL NO. 1346, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1271, by House Committee on Transportation (originally sponsored by Low, Eslick, Bronoske, Hackney, Goehner, Hutchins, Berry, Reed, Christian and Schmidt)

Concerning organ transport vehicles.

The measure was read the second time.

MOTION

Senator Mullet moved that the following committee striking amendment by the Committee on Transportation be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 46.04 RCW to read as follows:

"Organ transport vehicle" means any vehicle operated or contracted by an organ procurement organization as defined in RCW 68.64.010, and clearly and identifiably marked as such on all sides of the vehicle.

Sec. 2. RCW 68.64.010 and 2010 c 161 s 1156 are each amended to read as follows:

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

(1) "Adult" means an individual who is at least (~~(eighteen)) 18~~ years old.

(2) "Agent" means an individual:

(a) Authorized to make health care decisions on the principal's behalf by a power of attorney for health care; or

(b) Expressly authorized to make an anatomical gift on the principal's behalf by any other record signed by the principal.

(3) "Anatomical gift" means a donation of all or part of a human body to take effect after the donor's death for the purpose of transplantation, therapy, research, or education.

(4) "Decedent" means a deceased individual whose body or part is or may be the source of an anatomical gift.

(5) "Disinterested witness" means a witness other than the spouse or state registered domestic partner, child, parent, sibling, grandchild, grandparent, or guardian of the individual who makes, amends, revokes, or refuses to make an anatomical gift. The term does not include a person to which an anatomical gift could pass under RCW 68.64.100.

(6) "Document of gift" means a donor card or other record used to make an anatomical gift. The term includes a statement or symbol on a driver's license, identification card, or donor registry.

(7) "Donor" means an individual whose body or part is the subject of an anatomical gift.

(8) "Donor registry" means a database that contains records of anatomical gifts and amendments to or revocations of anatomical gifts.

(9) "Driver's license" means a license or permit issued by the department of licensing to operate a vehicle, whether or not conditions are attached to the license or permit.

(10) "Eye bank" means a person that is licensed, accredited, or regulated under federal or state law to engage in the recovery, screening, testing, processing, storage, or distribution of human eyes or portions of human eyes.

(11) "Guardian" means a person appointed by a court to make decisions regarding the support, care, education, health, or welfare of an individual. The term does not include a guardian ad litem.

(12) "Hospital" means a facility licensed as a hospital under the law of any state or a facility operated as a hospital by the United States, a state, or a subdivision of a state.

(13) "Identification card" means an identification card issued by the department of licensing.

(14) "Know" means to have actual knowledge.

(15) "Minor" means an individual who is less than (~~(eighteen)) 18~~ years old.

(16) "Organ procurement organization" means a person designated by the secretary of the United States department of health and human services as an organ procurement organization.

(17) "Parent" means a parent whose parental rights have not been terminated.

(18) "Part" means an organ, an eye, or tissue of a human being. The term does not include the whole body.

(19) "Person" means an individual, corporation, business trust, estate, trust, partnership, limited liability company, association, joint venture, public corporation, government or governmental subdivision, agency, or instrumentality, or any other legal or commercial entity.

(20) "Physician" means an individual licensed or otherwise authorized to practice medicine and surgery or osteopathic medicine and surgery under the law of any state.

(21) "Procurement organization" means an eye bank, organ procurement organization, or tissue bank.

(22) "Prospective donor" means an individual whose death is imminent and has been determined by a procurement organization to have a part that could be medically suitable for transplantation, therapy, research, or education. "Prospective donor" does not include an individual who has made a refusal.

(23) "Reasonable costs" include: (a) Programming and software installation and upgrades; (b) employee training that is specific to the organ and tissue donor registry or the donation program created in RCW 46.16A.090(2); (c) literature that is specific to the organ and tissue donor registry or the donation program created in RCW 46.16A.090(2); and (d) hardware upgrades or other issues important to the organ and tissue donor registry or the donation program created in RCW 46.16A.090(2) that have been mutually agreed upon in advance by the department of licensing and the Washington state organ procurement organizations.

(24) "Reasonably available" means able to be contacted by a procurement organization without undue effort and willing and able to act in a timely manner consistent with existing medical criteria necessary for the making of an anatomical gift.

(25) "Recipient" means an individual into whose body a decedent's part has been or is intended to be transplanted.

(26) "Record" means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.

(27) "Refusal" means a record created under RCW 68.64.060 that expressly states an intent to bar other persons from making an anatomical gift of an individual's body or part.

(28) "Sign" means, with the present intent to authenticate or adopt a record:

(a) To execute or adopt a tangible symbol; or

(b) To attach to or logically associate with the record an electronic symbol, sound, or process.

(29) "State" means a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or any territory or insular possession subject to the jurisdiction of the United States.

(30) "Technician" means an individual determined to be qualified to remove or process parts by an appropriate organization that is licensed, accredited, or regulated under federal or state law. The term includes an enucleator.

(31) "Time sensitive organ or tissue donor" means an organ being transported for human transplant or a tissue donor being transported for the purpose of recovery that is time sensitive but not an emergency.

(32) "Time urgent organ" means an organ being transported for human transplant that a member of the transplant team or a representative of the organ procurement organization declares an emergency.

(33) "Tissue" means a portion of the human body other than an organ or an eye. The term does not include blood unless the blood is donated for the purpose of research or education.

~~((32))~~ (34) "Tissue bank" means a person that is licensed to conduct business in this state, accredited, and regulated under federal or state law to engage in the recovery, screening, testing, processing, storage, or distribution of tissue.

~~((33))~~ (35) "Transplant hospital" means a hospital that furnishes organ transplants and other medical and surgical specialty services required for the care of transplant patients.

~~((34))~~ (36) "Washington state organ procurement organization" means an organ procurement organization that has been designated by the United States department of health and human services to coordinate organ procurement activities for any portion of Washington state.

Sec. 3. RCW 46.37.190 and 2020 c 95 s 1 are each amended to read as follows:

(1) Every authorized emergency vehicle and organ transport vehicle shall, in addition to any other equipment and distinctive marking required by this chapter, be equipped with at least one lamp capable of displaying a red light visible from at least ~~((five hundred))~~ 500 feet in normal sunlight and a siren capable of giving an audible signal.

(2) Every school bus and private carrier bus shall, in addition to any other equipment and distinctive markings required by this chapter, be equipped with a "stop" signal upon a background not less than ~~((fourteen))~~ 14 by ~~((eighteen))~~ 18 inches displaying the word "stop" in letters of distinctly contrasting colors not less than five and nine-tenths inches high, and shall further be equipped with signal lamps mounted as high and as widely spaced laterally as practicable, which shall be capable of displaying to the front two alternately flashing red lights located at the same level and to the rear two alternately flashing red lights located at the same level and these lights shall have sufficient intensity to be visible at ~~((five hundred))~~ 500 feet in normal sunlight.

(3) Vehicles operated by public agencies whose law enforcement duties include the authority to stop and detain motor vehicles on the public highways of the state may be equipped with a siren and lights of a color and type designated by the state patrol for that purpose. The state patrol may prohibit the use of these sirens and lights on vehicles other than the vehicles described in this subsection.

(4) The lights described in this section shall not be mounted nor used on any vehicle other than a school bus, a private carrier bus, ~~((or))~~ an authorized emergency or law enforcement vehicle, or an organ transport vehicle.

(5) The use of the signal equipment described in this section and RCW 46.37.670, except the signal preemption devices used by public transit vehicles and department of transportation, city, or county maintenance vehicles that are not used in conjunction with emergency equipment, shall impose upon drivers of other vehicles the obligation to yield right-of-way and stop as prescribed in RCW 46.61.210, 46.61.370, and 46.61.350.

Sec. 4. RCW 46.37.380 and 2010 c 8 s 9052 are each amended to read as follows:

(1) Every motor vehicle when operated upon a highway shall be equipped with a horn in good working order and capable of emitting sound audible under normal conditions from a distance of not less than ~~((two hundred))~~ 200 feet, but no horn or other warning device may emit an unreasonably loud or harsh sound or a whistle. The driver of a motor vehicle shall when reasonably necessary to insure safe operation give audible warning with his or her horn but shall not otherwise use such horn when upon a highway.

(2) No vehicle may be equipped with nor may any person use upon a vehicle any siren, whistle, or bell, except as otherwise permitted in this section.

(3) It is permissible for any vehicle to be equipped with a theft alarm signal device so long as it is so arranged that it cannot be used by the driver as an ordinary warning signal. Such a theft alarm signal device may use a whistle, bell, horn, or other audible signal but shall not use a siren.

(4) Any authorized emergency vehicle may be equipped with a siren, whistle, or bell capable of emitting sound audible under normal conditions from a distance of not less than ~~((five hundred))~~ 500 feet and of a type conforming to rules adopted by the state patrol, but the siren shall not be used except when the vehicle is operated in response to an emergency call or in the immediate pursuit of an actual or suspected violator of the law, in which latter events the driver of the vehicle shall sound the siren when reasonably necessary to warn pedestrians and other drivers of its approach.

(5) Any organ transport vehicle may be equipped with a siren, whistle, or bell capable of emitting sound audible under normal conditions from a distance of not less than 500 feet and of a type conforming to rules adopted by the state patrol, but the siren shall not be used except when the vehicle is transporting a time urgent organ as defined in RCW 68.64.010, in which case the driver of the vehicle shall sound the siren when reasonably necessary to warn pedestrians and other drivers of its approach.

Sec. 5. RCW 46.37.670 and 2005 c 183 s 2 are each amended to read as follows:

(1) Signal preemption devices shall not be installed or used on or with any vehicle other than an emergency vehicle authorized by the state patrol, an organ transport vehicle, a publicly owned law enforcement or emergency vehicle, a department of transportation, city, or county maintenance vehicle, or a public transit vehicle.

(2) This section does not apply to any of the following:

(a) A law enforcement agency and law enforcement personnel in the course of providing law enforcement services;

(b) A fire station or a firefighter in the course of providing fire prevention or fire extinguishing services;

(c) An emergency medical service or ambulance in the course of providing emergency medical transportation or ambulance services;

(d) An operator, passenger, or owner of an authorized emergency vehicle in the course of his or her emergency duties;

(e) A driver of an organ transport vehicle when a vehicle is transporting a time urgent organ as defined in RCW 68.64.010;

EIGHTY SEVENTH DAY, APRIL 5, 2023

(f) Department of transportation, city, or county maintenance personnel while performing maintenance;

~~((f))~~ (g) Public transit personnel in the performance of their duties. However, public transit personnel operating a signal preemption device shall have second degree priority to law enforcement personnel, firefighters, emergency medical personnel, and other authorized emergency vehicle personnel, when simultaneously approaching the same traffic control signal;

~~((g))~~ (h) A mail or package delivery service or employee or agent of a mail or package delivery service in the course of shipping or delivering a signal preemption device;

~~((h))~~ (i) An employee or agent of a signal preemption device manufacturer or retailer in the course of his or her employment in providing, selling, manufacturing, or transporting a signal preemption device to an individual or agency described in this subsection.

Sec. 6. RCW 46.61.210 and 1965 ex.s. c 155 s 32 are each amended to read as follows:

(1) Upon the immediate approach of an authorized emergency vehicle, or organ transport vehicle transporting a time urgent organ as defined in RCW 68.64.010, making use of audible and visual signals meeting the requirements of RCW 46.37.190, or of a police vehicle properly and lawfully making use of an audible signal only the driver of every other vehicle shall yield the right-of-way and shall immediately drive to a position parallel to, and as close as possible to, the right-hand edge or curb of the roadway clear of any intersection and shall stop and remain in such position until the authorized emergency vehicle or organ transport vehicle has passed, except when otherwise directed by a police officer.

(2) This section shall not operate to relieve the driver of an authorized emergency vehicle or organ transport vehicle from the duty to drive with due regard for the safety of all persons using the highway. To the greatest extent practicable, organ transport services as defined in RCW 18.73.030 shall notify the state patrol when an organ transport vehicle is operating under the provisions of this section.

Sec. 7. RCW 46.61.165 and 2019 c 467 s 3 are each amended to read as follows:

(1) The state department of transportation and the local authorities are authorized to reserve all or any portion of any highway under their respective jurisdictions, including any designated lane or ramp, for the exclusive or preferential use of one or more of the following: (a) Public transportation vehicles; (b) motorcycles; (c) private motor vehicles carrying no fewer than a specified number of passengers; ~~((d))~~ (d) organ transport vehicles transporting a time urgent organ or a time sensitive organ or tissue donor as defined in RCW 68.64.010; or (e) the following private transportation provider vehicles if the vehicle has the capacity to carry eight or more passengers, regardless of the number of passengers in the vehicle, and if such use does not interfere with the efficiency, reliability, and safety of public transportation operations: (i) Auto transportation company vehicles regulated under chapter 81.68 RCW; (ii) passenger charter carrier vehicles regulated under chapter 81.70 RCW, except marked or unmarked stretch limousines and stretch sport utility vehicles as defined under department of licensing rules; (iii) private nonprofit transportation provider vehicles regulated under chapter 81.66 RCW; and (iv) private employer transportation service vehicles, when such limitation will increase the efficient utilization of the highway or will aid in the conservation of energy resources.

(2) Any transit-only lanes that allow other vehicles to access abutting businesses that are authorized pursuant to subsection (1) of this section may not be authorized for the use of private

transportation provider vehicles as described under subsection (1) of this section.

(3) The state department of transportation and the local authorities authorized to reserve all or any portion of any highway under their respective jurisdictions, for exclusive or preferential use, may prohibit the use of a high occupancy vehicle lane by the following private transportation provider vehicles: (a) Auto transportation company vehicles regulated under chapter 81.68 RCW; (b) passenger charter carrier vehicles regulated under chapter 81.70 RCW, and marked or unmarked limousines and stretch sport utility vehicles as defined under department of licensing rules; (c) private nonprofit transportation provider vehicles regulated under chapter 81.66 RCW; and (d) private employer transportation service vehicles, when the average transit speed in the high occupancy vehicle lane fails to meet department of transportation standards and falls below ~~((forty-five))~~ 45 miles per hour at least ~~((ninety))~~ 90 percent of the time during the peak hours, as determined by the department of transportation or the local authority, whichever operates the facility.

(4) Regulations authorizing such exclusive or preferential use of a highway facility may be declared to be effective at all times or at specified times of day or on specified days. Violation of a restriction of highway usage prescribed by the appropriate authority under this section is a traffic infraction. A person who commits a traffic infraction under this section is also subject to additional monetary penalties as defined in this subsection. The additional monetary penalties are separate from the base penalty, fees, and assessments issued for the traffic infraction and are intended to raise awareness, and improve the efficiency, of the high occupancy vehicle lane system.

(a) Whenever a person commits a traffic infraction under this section, an additional monetary penalty of ~~((fifty dollars))~~ \$50 must be collected, and, in the case that a person has already committed a violation under this section within two years of committing this violation, then an additional ~~((one hundred fifty dollars))~~ \$150 must be collected.

(b) Any time a person commits a traffic infraction under this section and is using a dummy, doll, or other human facsimile to make it appear that an additional person is in the vehicle, the person must be assessed a ~~((two hundred dollar))~~ \$200 penalty, which is in addition to the penalties in (a) of this subsection.

(c) The monetary penalties under (a) and (b) of this subsection are additional, separate, and distinct penalties from the base penalty and are not subject to fees or assessments specified in RCW 46.63.110, 3.62.090, and 2.68.040.

(d)(i) The additional penalties collected under (a) of this subsection must be distributed as follows:

(A) Twenty-five percent must be deposited into the congestion relief and traffic safety account created under RCW 46.68.398; and

(B) Seventy-five percent must be deposited into the motor vehicle fund created under RCW 46.68.070.

(ii) The additional penalty collected under (b) of this subsection must be deposited into the congestion relief and traffic safety account created under RCW 46.68.398.

(e) Violations committed under this section are excluded from eligibility as a moving violation for driver's license suspension under RCW 46.20.289 when a person subsequently fails to respond to a notice of traffic infraction for this moving violation, fails to appear at a requested hearing for this moving violation, violates a written promise to appear in court for a notice of infraction for this moving violation, or fails to comply with the terms of a notice of traffic infraction for this moving violation.

(5) Local authorities are encouraged to establish a process for private transportation providers, as described under subsections (1) and (3) of this section, to apply for the use of public transportation facilities reserved for the exclusive or preferential use of public transportation vehicles. The application and review processes should be uniform and should provide for an expeditious response by the local authority. Whenever practicable, local authorities should enter into agreements with such private transportation providers to allow for the reasonable use of these facilities.

(6) For the purposes of this section, "private employer transportation service" means regularly scheduled, fixed-route transportation service that is similarly marked or identified to display the business name or logo on the driver and passenger sides of the vehicle, meets the annual certification requirements of the department of transportation, and is offered by an employer for the benefit of its employees.

Sec. 8. RCW 47.52.025 and 2013 c 26 s 3 are each amended to read as follows:

(1) Highway authorities of the state, counties, and incorporated cities and towns, in addition to the specific powers granted in this chapter, shall also have, and may exercise, relative to limited access facilities, any and all additional authority, now or hereafter vested in them relative to highways or streets within their respective jurisdictions, and may regulate, restrict, or prohibit the use of such limited access facilities by various classes of vehicles or traffic. Such highway authorities may reserve any limited access facility or portions thereof, including designated lanes or ramps for the exclusive or preferential use of (a) public transportation vehicles, (b) privately owned buses, (c) motorcycles, (d) private motor vehicles carrying not less than a specified number of passengers, ~~((e))~~ (e) organ transport vehicles transporting a time urgent organ or a time sensitive organ or tissue donor as defined in RCW 68.64.010, or (f) the following private transportation provider vehicles if the vehicle has the capacity to carry eight or more passengers, regardless of the number of passengers in the vehicle, and if such use does not interfere with the efficiency, reliability, and safety of public transportation operations: (i) Auto transportation company vehicles regulated under chapter 81.68 RCW; (ii) passenger charter carrier vehicles regulated under chapter 81.70 RCW, except marked or unmarked stretch limousines and stretch sport utility vehicles as defined under department of licensing rules; (iii) private nonprofit transportation provider vehicles regulated under chapter 81.66 RCW; and (iv) private employer transportation service vehicles, when such limitation will increase the efficient utilization of the highway facility or will aid in the conservation of energy resources. Regulations authorizing such exclusive or preferential use of a highway facility may be declared to be effective at all time or at specified times of day or on specified days.

(2) Any transit-only lanes that allow other vehicles to access abutting businesses that are reserved pursuant to subsection (1) of this section may not be authorized for the use of private transportation provider vehicles as described under subsection (1) of this section.

(3) Highway authorities of the state, counties, or incorporated cities and towns may prohibit the use of limited access facilities by the following private transportation provider vehicles: (a) Auto transportation company vehicles regulated under chapter 81.68 RCW; (b) passenger charter carrier vehicles regulated under chapter 81.70 RCW, and marked or unmarked limousines and stretch sport utility vehicles as defined under department of licensing rules; (c) private nonprofit transportation provider vehicles regulated under chapter 81.66 RCW; and (d) private

employer transportation service vehicles, when the average transit speed in the high occupancy vehicle travel lane fails to meet department standards and falls below ~~((forty-five))~~ 45 miles per hour at least ~~((ninety))~~ 90 percent of the time during the peak hours for two consecutive months.

(4)(a) Local authorities are encouraged to establish a process for private transportation providers, described under subsections (1) and (3) of this section, to apply for the use of limited access facilities that are reserved for the exclusive or preferential use of public transportation vehicles.

(b) The process must provide a list of facilities that the local authority determines to be unavailable for use by the private transportation provider and must provide the criteria used to reach that determination.

(c) The application and review processes must be uniform and should provide for an expeditious response by the authority.

(5) For the purposes of this section, "private employer transportation service" means regularly scheduled, fixed-route transportation service that is similarly marked or identified to display the business name or logo on the driver and passenger sides of the vehicle, meets the annual certification requirements of the department, and is offered by an employer for the benefit of its employees.

Sec. 9. RCW 18.73.140 and 2000 c 93 s 19 are each amended to read as follows:

The secretary shall issue an ambulance, organ transport vehicle, or aid vehicle license for each vehicle so designated. The license shall be for a period of two years and may be reissued on expiration if the vehicle and its equipment meet requirements in force at the time of expiration of the license period. The license may be revoked if the ambulance, organ transport vehicle, or aid vehicle is found to be operating in violation of the regulations promulgated by the department or without required equipment. The license shall be terminated automatically if the vehicle is sold or transferred to the control of any organization not currently licensed as an ambulance, organ transport vehicle, or aid vehicle service. The license number shall be prominently displayed on each vehicle.

Sec. 10. RCW 18.73.081 and 2022 c 136 s 3 are each amended to read as follows:

In addition to other duties prescribed by law, the secretary shall:

- (1) Prescribe minimum requirements for:
 - (a) Ambulance, air ambulance, organ transport vehicles, and aid vehicles and equipment;
 - (b) Ambulance and aid services; and
 - (c) Minimum emergency communication equipment;
- (2) Adopt procedures for services that fail to perform in accordance with minimum requirements;
- (3) Prescribe minimum standards for first responder and emergency medical technician training including:
 - (a) Adoption of curriculum and period of certification;
 - (b) Procedures for provisional certification, certification, recertification, decertification, or modification of certificates;
 - (c) Adoption of requirements for ongoing training and evaluation, as approved by the county medical program director, to include appropriate evaluation for individual knowledge and skills. The first responder, emergency medical technician, or emergency medical services provider agency may elect a program of continuing education and a written and practical examination instead of meeting the ongoing training and evaluation requirements;
 - (d) Procedures for reciprocity with other states or national certifying agencies;

EIGHTY SEVENTH DAY, APRIL 5, 2023

(e) Review and approval or disapproval of training programs; and

(f) Adoption of standards for numbers and qualifications of instructional personnel required for first responder and emergency medical technician training programs;

(4) Prescribe minimum requirements for liability insurance to be carried by licensed services except that this requirement shall not apply to public bodies; and

(5) Certify emergency medical program directors.

Sec. 11. RCW 18.73.030 and 2022 c 136 s 1 are each amended to read as follows:

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

(1) "Advanced life support" means invasive emergency medical services requiring advanced medical treatment skills as defined by chapter 18.71 RCW.

(2) "Aid service" means an organization that operates one or more aid vehicles.

(3) "Aid vehicle" means a vehicle used to carry aid equipment and individuals trained in first aid or emergency medical procedure.

(4) "Ambulance" means a ground or air vehicle designed and used to transport the ill and injured and to provide personnel, facilities, and equipment to treat patients before and during transportation.

(5) "Ambulance service" means an organization that operates one or more ambulances.

(6) "Basic life support" means noninvasive emergency medical services requiring basic medical treatment skills as defined in this chapter.

(7) "Collaborative medical care" means medical treatment and care provided pursuant to agreements with local, regional, or state public health agencies to control and prevent the spread of communicable diseases which is rendered separately from emergency medical service.

(8) "Communications system" means a radio and landline network which provides rapid public access, coordinated central dispatching of services, and coordination of personnel, equipment, and facilities in an emergency medical services and trauma care system.

(9) "Council" means the local or regional emergency medical services and trauma care council as authorized under chapter 70.168 RCW.

(10) "Department" means the department of health.

(11) "Emergency medical service" means medical treatment and care which may be rendered at the scene of any medical emergency or while transporting any patient in an ambulance to an appropriate medical facility, including ambulance transportation between medical facilities.

(12) "Emergency medical services medical program director" means a person who is an approved medical program director as defined by RCW 18.71.205(4).

(13) "Emergency medical technician" means a person who is authorized by the secretary to render emergency medical care pursuant to RCW 18.73.081, under the responsible supervision and direction of an approved medical program director, which may include participating in an emergency services supervisory organization or a community assistance referral and education services program established under RCW 35.21.930, or providing collaborative medical care if the participation or provision of collaborative medical care does not exceed the participant's training and certification.

(14) "Emergency services supervisory organization" means an entity that is authorized by the secretary to use certified emergency medical services personnel to provide medical

evaluation or initial treatment, or both, to sick or injured people, while in the course of duties with the organization for on-site medical care prior to any necessary activation of emergency medical services. Emergency services supervisory organizations include law enforcement agencies, disaster management organizations, search and rescue operations, diversion centers, and businesses with organized industrial safety teams.

(15) "First responder" means a person who is authorized by the secretary to render emergency medical care as defined by RCW 18.73.081.

(16) "Organ transport service" means an organization that operates one or more organ transport vehicles.

(17) "Organ transport vehicle" has the same meaning as in section 1 of this act.

(18) "Patient care procedures" means written operating guidelines adopted by the regional emergency medical services and trauma care council, in consultation with the local emergency medical services and trauma care councils, emergency communication centers, and the emergency medical services medical program director, in accordance with statewide minimum standards. The patient care procedures shall identify the level of medical care personnel to be dispatched to an emergency scene, procedures for triage of patients, the level of trauma care facility to first receive the patient, and the name and location of other trauma care facilities to receive the patient should an interfacility transfer be necessary. Procedures on interfacility transfer of patients shall be consistent with the transfer procedures in chapter 70.170 RCW.

~~((17))~~ (19) "Prehospital patient care protocols" means the written procedure adopted by the emergency medical services medical program director which direct the out-of-hospital emergency care of the emergency patient which includes the trauma care patient. These procedures shall be based upon the assessment of the patient's medical needs and what treatment will be provided for emergency conditions. The protocols shall meet or exceed statewide minimum standards developed by the department in rule as authorized in chapter 70.168 RCW.

~~((18))~~ (20) "Secretary" means the secretary of the department of health.

~~((19))~~ (21) "Stretcher" means a cart designed to serve as a litter for the transportation of a patient in a prone or supine position as is commonly used in the ambulance industry, such as wheeled stretchers, portable stretchers, stair chairs, solid backboards, scoop stretchers, basket stretchers, or flexible stretchers. The term does not include personal mobility aids that recline at an angle or remain at a flat position, that are owned or leased for a period of at least one week by the individual using the equipment or the individual's guardian or representative, such as wheelchairs, personal gurneys, or banana carts.

NEW SECTION. Sec. 12. A new section is added to chapter 18.73 RCW to read as follows:

(1) An organ transport service may not operate in the state of Washington without holding a license for such operation, issued by the secretary in consultation with the department of licensing.

(2) Organ transport services must ensure that personnel operating organ transport vehicles:

(a) Are at least 25 years of age;

(b) Are a current, previous, or retired police officer, firefighter, or EMS provider;

(c) Have a minimum of five years' experience operating a police, fire department, or emergency medical service vehicle under emergency conditions;

(d) Have passed a preemployment driver's license check showing no more than one moving vehicle violation in a rolling three-year period, with annual license reviews thereafter;

(e) Have passed a preemployment drug screen, with random drug screenings thereafter;

(f) Have passed state and national criminal background checks; and

(g) Have completed an emergency vehicle operators course and a defensive drivers course.

(3) An organ transport service shall maintain:

(a) Commercial general liability insurance in the amount of \$5,000,000/\$10,000,000 aggregate;

(b) Automobile liability insurance in the amount of \$5,000,000; and

(c) An umbrella policy in the amount of \$2,000,000.

(4) The license shall be valid for a period of two years and shall be renewed on request provided the holder has consistently complied with the regulations of the department and the department of licensing and provided also that the needs of the area served have been met satisfactorily. The license shall not be transferable and may be revoked if the service is found in violation of rules adopted by the department.

(5) The department, in consultation with the department of licensing, shall adopt rules under chapter 34.05 RCW to implement this section.

(6) Employment as a driver for organ transport vehicles does not add to the scope of practice for a current EMS provider and is not considered employment as an EMS provider.

(7) The secretary shall not establish fees for the license and renewals for an organ transport service or vehicle."

On page 1, line 1 of the title, after "vehicles;" strike the remainder of the title and insert "amending RCW 68.64.010, 46.37.190, 46.37.380, 46.37.670, 46.61.210, 46.61.165, 47.52.025, 18.73.140, 18.73.081, and 18.73.030; adding a new section to chapter 46.04 RCW; and adding a new section to chapter 18.73 RCW."

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Transportation to Substitute House Bill No. 1271.

The motion by Senator Mullet carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Mullet, the rules were suspended, Substitute House Bill No. 1271 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Mullet and King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1271 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1271 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford,

Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Van De Wege

SUBSTITUTE HOUSE BILL NO. 1271, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED HOUSE BILL NO. 1210, by Representatives Rude, Callan, Fey and Bergquist

Concerning the recording of school board meetings.

The measure was read the second time.

MOTION

Senator Warnick moved that the following amendment no. 0266 by Senator Warnick be adopted:

On page 3, line 9, after "directors", insert "in school districts with 2000 or more students"

Senators Warnick and Hunt spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0266 by Senator Warnick on page 3, line 9 to Engrossed House Bill No. 1210.

The motion by Senator Warnick carried and amendment no. 0266 was adopted by voice vote.

MOTION

On motion of Senator Hunt, the rules were suspended, Engrossed House Bill No. 1210 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hunt and Wilson, J. spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed House Bill No. 1210 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 1210 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Van De Wege

ENGROSSED HOUSE BILL NO. 1210 as amended by the Senate having received the constitutional majority, was declared

EIGHTY SEVENTH DAY, APRIL 5, 2023

passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1042, by House Committee on Housing (originally sponsored by Walen, Ryu, Barkis, Simmons, Duerr, Goodman, Bateman, Reed, Ramel, Peterson, Pollet, Doglio, Macri, Reeves, Mena, Tharinger, Wylie, Gregerson, Springer, Bergquist, Thai, Kloba, Santos and Ormsby)

Concerning the use of existing buildings for residential purposes.

The measure was read the second time.

MOTION

Senator Kuderer moved that the following committee striking amendment by the Committee on Housing be not adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 35A.21 RCW to read as follows:

(1)(a) Code cities must adopt or amend by ordinance, and incorporate into their development regulations, zoning regulations, and other official controls the requirements of subsection (2) of this section by July 1, 2024.

(b) The requirements of subsection (2) of this section apply and take effect in any code city that has not adopted or amended ordinances, regulations, or other official controls as required under this section by the timeline in (a) of this subsection and supersede, preempt, and invalidate any conflicting local development regulations.

(2) Through ordinances, development regulations, zoning regulations, or other official controls as required under subsection (1) of this section, code cities may not:

(a) Impose a restriction on housing unit density that prevents the addition of housing units at a density up to 50 percent more than what is allowed in the underlying zone if constructed entirely within an existing building envelope in a building located within a zone that permits multifamily housing, provided that generally applicable health and safety standards, including but not limited to building code standards and fire and life safety standards, can be met within the building;

(b) Impose parking requirements on the addition of dwelling units or living units added within an existing building, however, cities may require the retention of existing parking that is required under local laws for nonresidential uses that remain after the new units are added;

(c) With the exception of emergency housing and transitional housing uses, impose permitting requirements on the use of an existing building for residential purposes beyond those requirements generally applicable to all residential development within the building's zone;

(d) Impose design standard requirements, including setbacks, lot coverage, and floor area ratio requirements, on the use of an existing building for residential purposes beyond those requirements generally applicable to all residential development within the building's zone;

(e) Impose exterior design or architectural requirements on the residential use of an existing building beyond those necessary for health and safety of the use of the interior of the building, unless

the building is a designated landmark or is within a historic district established through a local preservation ordinance;

(f) Prohibit the addition of housing units in any specific part of a building, unless the addition of the units would violate applicable building codes or health and safety standards;

(g) Require unchanged portions of an existing building used for residential purposes to meet the current energy code solely because of the addition of new dwelling units within the building, however, if more than 10 new dwelling units are created within the existing building, each of those new units must meet the requirements of the current energy code;

(h) Deny a building permit application for the addition of housing units to an existing building due to nonconformity regarding parking, height, setbacks, elevator size for gurney transport, or modulation, unless the code city official with decision-making authority makes written findings that the nonconformity is causing a significant detriment to the surrounding area; or

(i) Require a transportation concurrency study under RCW 36.70A.070 or an environmental study under chapter 43.21C RCW based on the addition of residential units within an existing building.

(3) Nothing in this section requires a code city to approve a building permit application for the addition of housing units constructed entirely within an existing building envelope in a building located within a zone that permits multifamily housing in cases in which the building cannot satisfy life safety standards.

(4) By the next comprehensive plan update required under RCW 36.70A.130, each code city must review the impact of subsection (2)(g) of this section and report the impact and any recommended changes to the department of commerce. The department of commerce must consolidate the information received by cities into one report to the legislature by July 1, 2028.

(5) For the purpose of this section, "existing building" means a building that received a certificate of occupancy at least three years prior to the permit application to add housing units.

NEW SECTION. Sec. 2. A new section is added to chapter 35.21 RCW to read as follows:

(1)(a) Cities must adopt or amend by ordinance, and incorporate into their development regulations, zoning regulations, and other official controls the requirements of subsection (2) of this section by July 1, 2024.

(b) The requirements of subsection (2) of this section apply and take effect in any city that has not adopted or amended ordinances, regulations, or other official controls as required under this section by the timeline in (a) of this subsection and supersede, preempt, and invalidate any conflicting local development regulations.

(2) Through ordinances, development regulations, zoning regulations, or other official controls as required under subsection (1) of this section, cities may not:

(a) Impose a restriction on housing unit density that prevents the addition of housing units at a density up to 50 percent more than what is allowed in the underlying zone if constructed entirely within an existing building envelope in a building located within a zone that permits multifamily housing, provided that generally applicable health and safety standards, including but not limited to building code standards and fire and life safety standards, can be met within the building;

(b) Impose parking requirements on the addition of dwelling units or living units added within an existing building, however, cities may require the retention of existing parking that is required under local laws for nonresidential uses that remain after the new units are added;

(c) With the exception of emergency housing and transitional housing uses, impose permitting requirements on the use of an existing building for residential purposes beyond those requirements generally applicable to all residential development within the building's zone;

(d) Impose design standard requirements, including setbacks, lot coverage, and floor area ratio requirements, on the use of an existing building for residential purposes beyond those requirements generally applicable to all residential development within the building's zone;

(e) Impose exterior design or architectural requirements on the residential use of an existing building beyond those necessary for health and safety of the use of the interior of the building, unless the building is a designated landmark or is within a historic district established through a local preservation ordinance;

(f) Prohibit the addition of housing units in any specific part of a building, unless the addition of the units would violate applicable building codes or health and safety standards;

(g) Require unchanged portions of an existing building used for residential purposes to meet the current energy code solely because of the addition of new dwelling units within the building, however, if more than 10 new dwelling units are created within the existing building, each of those new units must meet the requirements of the current energy code;

(h) Deny a building permit application for the addition of housing units to an existing building due to nonconformity regarding parking, height, setbacks, elevator size for gurney transport, or modulation, unless the city official with decision-making authority makes written findings that the nonconformity is causing a significant detriment to the surrounding area; or

(i) Require a transportation concurrency study under RCW 36.70A.070 or an environmental study under chapter 43.21C RCW based on the addition of residential units within an existing building.

(3) Nothing in this section requires a city to approve a building permit application for the addition of housing units constructed entirely within an existing building envelope in a building located within a zone that permits multifamily housing in cases in which the building cannot satisfy life safety standards.

(4) By the next comprehensive plan update required under RCW 36.70A.130, each city must review the impact of subsection (2)(g) of this section and report the impact and any recommended changes to the department of commerce. The department of commerce must consolidate the information received by cities into one report to the legislature by July 1, 2028.

(5) For the purpose of this section, "existing building" means a building that received a certificate of occupancy at least three years prior to the permit application to add housing units.

NEW SECTION. Sec. 3. A new section is added to chapter 19.27A RCW to read as follows:

By January 1, 2024, the state building code council shall adopt by rule an amendment to the current energy code that waives the requirement for unchanged portions of an existing building used for residential purposes to meet the current energy code solely because of the addition of new dwelling units within the building. If more than 10 new dwelling units are created within the existing building, each of those new units must meet the requirements of the current energy code.

Sec. 4. RCW 43.21C.450 and 2012 1st sp.s. c 1 s 307 are each amended to read as follows:

The following nonproject actions are categorically exempt from the requirements of this chapter:

(1) Amendments to development regulations that are required to ensure consistency with an adopted comprehensive plan pursuant to RCW 36.70A.040, where the comprehensive plan was previously subjected to environmental review pursuant to this chapter and the impacts associated with the proposed regulation were specifically addressed in the prior environmental review;

(2) Amendments to development regulations that are required to ensure consistency with a shoreline master program approved pursuant to RCW 90.58.090, where the shoreline master program was previously subjected to environmental review pursuant to this chapter and the impacts associated with the proposed regulation were specifically addressed in the prior environmental review;

(3) Amendments to development regulations that, upon implementation of a project action, will provide increased environmental protection, limited to the following:

(a) Increased protections for critical areas, such as enhanced buffers or setbacks;

(b) Increased vegetation retention or decreased impervious surface areas in shoreline jurisdiction; and

(c) Increased vegetation retention or decreased impervious surface areas in critical areas;

(4) Amendments to technical codes adopted by a county, city, or town to ensure consistency with minimum standards contained in state law, including the following:

(a) Building codes required by chapter 19.27 RCW;

(b) Energy codes required by chapter 19.27A RCW; and

(c) Electrical codes required by chapter 19.28 RCW.

(5) Adoption or amendment of ordinances, development regulations, zoning regulations, and other official controls necessary to comply with sections 1 and 2 of this act."

On page 1, line 2 of the title, after "buildings;" strike the remainder of the title and insert "amending RCW 43.21C.450; adding a new section to chapter 35A.21 RCW; adding a new section to chapter 35.21 RCW; and adding a new section to chapter 19.27A RCW."

Senators Kuderer and Fortunato spoke in favor of the motion to not adopt the committee striking amendment.

The President declared the question before the Senate to be to not adopt of the committee striking amendment by the Committee on Housing to Engrossed Substitute House Bill No. 1042.

The motion by Senator Kuderer carried and the committee striking amendment was not adopted by voice vote.

MOTION

Senator Kuderer moved that the following striking amendment no. 0297 by Senator Kuderer be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 35A.21 RCW to read as follows:

(1)(a) Code cities must adopt or amend by ordinance, and incorporate into their development regulations, zoning regulations, and other official controls the requirements of subsection (2) of this section for buildings that are zoned for commercial or mixed use no later than six months after its next periodic comprehensive plan update required under RCW 36.70A.130.

(b) The requirements of subsection (2) of this section apply and take effect in any code city that has not adopted or amended ordinances, regulations, or other official controls as required

EIGHTY SEVENTH DAY, APRIL 5, 2023

under this section by the timeline in (a) of this subsection and supersede, preempt, and invalidate any conflicting local development regulations.

(2) Through ordinances, development regulations, zoning regulations, or other official controls as required under subsection (1) of this section, code cities may not:

(a) Impose a restriction on housing unit density that prevents the addition of housing units at a density up to 50 percent more than what is allowed in the underlying zone if constructed entirely within an existing building envelope in a building located within a zone that permits multifamily housing, provided that generally applicable health and safety standards, including but not limited to building code standards and fire and life safety standards, can be met within the building;

(b) Impose parking requirements on the addition of dwelling units or living units added within an existing building, however, cities may require the retention of existing parking that is required to satisfy existing residential parking requirements under local laws and for nonresidential uses that remain after the new units are added;

(c) With the exception of emergency housing and transitional housing uses, impose permitting requirements on the use of an existing building for residential purposes beyond those requirements generally applicable to all residential development within the building's zone;

(d) Impose design standard requirements, including setbacks, lot coverage, and floor area ratio requirements, on the use of an existing building for residential purposes beyond those requirements generally applicable to all residential development within the building's zone;

(e) Impose exterior design or architectural requirements on the residential use of an existing building beyond those necessary for health and safety of the use of the interior of the building or to preserve character-defining streetscapes, unless the building is a designated landmark or is within a historic district established through a local preservation ordinance;

(f) Prohibit the addition of housing units in any specific part of a building except ground floor commercial or retail that is along a major pedestrian corridor as defined by the code city, unless the addition of the units would violate applicable building codes or health and safety standards;

(g) Require unchanged portions of an existing building used for residential purposes to meet the current energy code solely because of the addition of new dwelling units within the building, however, if any portion of an existing building is converted to new dwelling units, each of those new units must meet the requirements of the current energy code;

(h) Deny a building permit application for the addition of housing units within an existing building due to nonconformity regarding parking, height, setbacks, elevator size for gurney transport, or modulation, unless the code city official with decision-making authority makes written findings that the nonconformity is causing a significant detriment to the surrounding area; or

(i) Require a transportation concurrency study under RCW 36.70A.070 or an environmental study under chapter 43.21C RCW based on the addition of residential units within an existing building.

(3) Nothing in this section requires a code city to approve a building permit application for the addition of housing units constructed entirely within an existing building envelope in a building located within a zone that permits multifamily housing in cases in which the building cannot satisfy life safety standards.

(4) For the purpose of this section, "existing building" means a building that received a certificate of occupancy at least three years prior to the permit application to add housing units.

NEW SECTION. **Sec. 2.** A new section is added to chapter 35.21 RCW to read as follows:

(1)(a) Cities must adopt or amend by ordinance, and incorporate into their development regulations, zoning regulations, and other official controls the requirements of subsection (2) of this section for buildings that are zoned for commercial or mixed use no later than six months after its next periodic comprehensive plan update required under RCW 36.70A.130.

(b) The requirements of subsection (2) of this section apply and take effect in any city that has not adopted or amended ordinances, regulations, or other official controls as required under this section by the timeline in (a) of this subsection and supersede, preempt, and invalidate any conflicting local development regulations.

(2) Through ordinances, development regulations, zoning regulations, or other official controls as required under subsection (1) of this section, cities may not:

(a) Impose a restriction on housing unit density that prevents the addition of housing units at a density up to 50 percent more than what is allowed in the underlying zone if constructed entirely within an existing building envelope in a building located within a zone that permits multifamily housing, provided that generally applicable health and safety standards, including but not limited to building code standards and fire and life safety standards, can be met within the building;

(b) Impose parking requirements on the addition of dwelling units or living units added within an existing building, however, cities may require the retention of existing parking that is required to satisfy existing residential parking requirements under local laws and for nonresidential uses that remain after the new units are added;

(c) With the exception of emergency housing and transitional housing uses, impose permitting requirements on the use of an existing building for residential purposes beyond those requirements generally applicable to all residential development within the building's zone;

(d) Impose design standard requirements, including setbacks, lot coverage, and floor area ratio requirements, on the use of an existing building for residential purposes beyond those requirements generally applicable to all residential development within the building's zone;

(e) Impose exterior design or architectural requirements on the residential use of an existing building beyond those necessary for health and safety of the use of the interior of the building or to preserve character-defining streetscapes, unless the building is a designated landmark or is within a historic district established through a local preservation ordinance;

(f) Prohibit the addition of housing units in any specific part of a building except ground floor commercial or retail that is along a major pedestrian corridor as defined by each city, unless the addition of the units would violate applicable building codes or health and safety standards;

(g) Require unchanged portions of an existing building used for residential purposes to meet the current energy code solely because of the addition of new dwelling units within the building, however, if any portion of an existing building is converted to new dwelling units, each of those new units must meet the requirements of the current energy code;

(h) Deny a building permit application for the addition of housing units within an existing building due to nonconformity regarding parking, height, setbacks, elevator size for gurney

transport, or modulation, unless the city official with decision-making authority makes written findings that the nonconformity is causing a significant detriment to the surrounding area; or

(i) Require a transportation concurrency study under RCW 36.70A.070 or an environmental study under chapter 43.21C RCW based on the addition of residential units within an existing building.

(3) Nothing in this section requires a city to approve a building permit application for the addition of housing units constructed entirely within an existing building envelope in a building located within a zone that permits multifamily housing in cases in which the building cannot satisfy life safety standards.

(4) For the purpose of this section, "existing building" means a building that received a certificate of occupancy at least three years prior to the permit application to add housing units.

NEW SECTION. Sec. 3. A new section is added to chapter 19.27A RCW to read as follows:

By January 1, 2024, the state building code council shall adopt by rule an amendment to the current energy code that waives the requirement for unchanged portions of an existing building used for residential purposes to meet the current energy code solely because of the addition of new dwelling units within the building. New dwelling units created within the existing building must meet the requirements of the current energy code.

Sec. 4. RCW 43.21C.450 and 2012 1st sp.s. c 1 s 307 are each amended to read as follows:

The following nonproject actions are categorically exempt from the requirements of this chapter:

(1) Amendments to development regulations that are required to ensure consistency with an adopted comprehensive plan pursuant to RCW 36.70A.040, where the comprehensive plan was previously subjected to environmental review pursuant to this chapter and the impacts associated with the proposed regulation were specifically addressed in the prior environmental review;

(2) Amendments to development regulations that are required to ensure consistency with a shoreline master program approved pursuant to RCW 90.58.090, where the shoreline master program was previously subjected to environmental review pursuant to this chapter and the impacts associated with the proposed regulation were specifically addressed in the prior environmental review;

(3) Amendments to development regulations that, upon implementation of a project action, will provide increased environmental protection, limited to the following:

(a) Increased protections for critical areas, such as enhanced buffers or setbacks;

(b) Increased vegetation retention or decreased impervious surface areas in shoreline jurisdiction; and

(c) Increased vegetation retention or decreased impervious surface areas in critical areas;

(4) Amendments to technical codes adopted by a county, city, or town to ensure consistency with minimum standards contained in state law, including the following:

(a) Building codes required by chapter 19.27 RCW;

(b) Energy codes required by chapter 19.27A RCW; and

(c) Electrical codes required by chapter 19.28 RCW.

(5) Adoption or amendment of ordinances, development regulations, zoning regulations, and other official controls necessary to comply with sections 1 and 2 of this act."

On page 1, line 2 of the title, after "buildings;" strike the remainder of the title and insert "amending RCW 43.21C.450; adding a new section to chapter 35A.21 RCW; adding a new

section to chapter 35.21 RCW; and adding a new section to chapter 19.27A RCW."

Senators Kuderer and Fortunato spoke in favor of adoption of the striking amendment.

The President declared the question before the Senate to be the adoption of striking amendment no. 0297 by Senator Kuderer to Engrossed Substitute House Bill No. 1042.

The motion by Senator Kuderer carried and striking amendment no. 0297 was adopted by voice vote.

MOTION

On motion of Senator Kuderer, the rules were suspended, Engrossed Substitute House Bill No. 1042 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Kuderer spoke in favor of passage of the bill.

Senator Wagoner spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 1042 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 1042 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 45; Nays, 3; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senators McCune, Padden and Wagoner

Excused: Senator Van De Wege

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1042, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1254, by House Committee on Finance (originally sponsored by Street, Reed and Ramel)

Clarifying ambiguities in statutory provisions administered by the department of revenue relating to periodic adjustments.

The measure was read the second time.

MOTION

Senator Schoesler moved that the following amendment no. 0281 by Senator Schoesler be adopted:

On page 5, after line 22, insert the following:

"**Sec. 4.** RCW 83.100.020 and 2013 2nd sp.s. c 2 s 2 are each reenacted and amended to read as follows:

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

(1)(a) "Applicable exclusion amount" means:

EIGHTY SEVENTH DAY, APRIL 5, 2023

(i) ~~(One million five hundred thousand dollars for decedents dying before January 1, 2006;~~

~~(ii) Two million dollars for estates of decedents dying on or after January 1, 2006, and before January 1, 2014; and~~

~~(iii)) \$2,193,000 for estates of decedents dying on or before January 1, 2023; and~~

(ii) For estates of decedents dying in calendar year ~~((2014))~~ 2024 and each calendar year thereafter, the amount in (a)~~((iii))~~ (i) of this subsection must be adjusted annually, except as otherwise provided in this subsection (1)(a)~~((iii))~~ (ii). The annual adjustment is determined by multiplying ~~((two million dollars))~~ \$2,193,000 by the sum of one plus the percentage by which the most recent October consumer price index exceeds the consumer price index for October ~~((2012))~~ 2022, and rounding the result to the nearest ~~((one thousand dollars))~~ \$1,000. No adjustment is made for a calendar year if the adjustment would result in the same or a lesser applicable exclusion amount than the applicable exclusion amount for the immediately preceding calendar year. The applicable exclusion amount under this subsection (1)(a)~~((iii))~~ (ii) for the decedent's estate is the applicable exclusion amount in effect as of the date of the decedent's death.

(b) For purposes of this subsection (1), "consumer price index" means the consumer price index for all urban consumers, all items, for the Seattle~~((Tacoma-Bremerton metropolitan))~~ area as calculated by the United States bureau of labor statistics.

(2) "Decedent" means a deceased individual.

(3) "Department" means the department of revenue, the director of that department, or any employee of the department exercising authority lawfully delegated to him or her by the director.

(4) "Federal return" means any tax return required by chapter 11 of the internal revenue code.

(5) "Federal tax" means a tax under chapter 11 of the internal revenue code.

(6) "Federal taxable estate" means the taxable estate as determined under chapter 11 of the internal revenue code without regard to: (a) The termination of the federal estate tax under section 2210 of the internal revenue code or any other provision of law, and (b) the deduction for state estate, inheritance, legacy, or succession taxes allowable under section 2058 of the internal revenue code.

(7) "Gross estate" means "gross estate" as defined and used in section 2031 of the internal revenue code.

(8) "Internal revenue code" means the United States internal revenue code of 1986, as amended or renumbered as of January 1, 2005.

(9) "Person" means any individual, estate, trust, receiver, cooperative association, club, corporation, company, firm, partnership, joint venture, syndicate, or other entity and, to the extent permitted by law, any federal, state, or other governmental unit or subdivision or agency, department, or instrumentality thereof.

(10) "Person required to file the federal return" means any person required to file a return required by chapter 11 of the internal revenue code, such as the personal representative of an estate.

(11) "Property" means property included in the gross estate.

(12) "Resident" means a decedent who was domiciled in Washington at time of death.

(13) "Taxpayer" means a person upon whom tax is imposed under this chapter, including an estate or a person liable for tax under RCW 83.100.120.

(14) "Transfer" means "transfer" as used in section 2001 of the internal revenue code and includes any shifting upon death of the

economic benefit in property or any power or legal privilege incidental to the ownership or enjoyment of property. However, "transfer" does not include a qualified heir disposing of an interest in property qualifying for a deduction under RCW 83.100.046 or ceasing to use the property for farming purposes.

(15) "Washington taxable estate" means the federal taxable estate and includes, but is not limited to, the value of any property included in the gross estate under section 2044 of the internal revenue code, regardless of whether the decedent's interest in such property was acquired before May 17, 2005, (a) plus amounts required to be added to the Washington taxable estate under RCW 83.100.047, (b) less: (i) The applicable exclusion amount; (ii) the amount of any deduction allowed under RCW 83.100.046; (iii) amounts allowed to be deducted from the Washington taxable estate under RCW 83.100.047; and (iv) the amount of any deduction allowed under RCW 83.100.048.

NEW SECTION. **Sec. 5.** Section 4 of this act applies both retroactively and prospectively to estates of decedents dying on or after January 1, 2023."

On page 1, line 3 of the title, after "adjustments;" strike "and"

On page 1, line 3 of the title, after "82.21.030" insert "; reenacting and amending RCW 83.100.020; and creating a new section"

Senator Schoesler spoke in favor of adoption of the amendment.

Senator Rolfes spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0281 by Senator Schoesler on page 5, after line 22 to Substitute House Bill No. 1254.

The motion by Senator Schoesler did not carry and amendment no. 0281 was not adopted by voice vote.

MOTION

On motion of Senator Robinson, the rules were suspended, Substitute House Bill No. 1254 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Robinson and Wilson, L. spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1254.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1254 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Van De Wege

SUBSTITUTE HOUSE BILL NO. 1254, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1424, by House Committee on Consumer Protection & Business (originally sponsored by Berg, Walen, Simmons, Kloba, Street, Taylor, Alvarado, Bateman, Stonier, Paul, Fosse, Macri, Reed, Berry, Senn, Duerr, Riccelli, Doglio, Callan, Peterson, Fitzgibbon, Stearns, Ortiz-Self, Goodman, Thai, Springer, Gregerson, Ramel, Bergquist and Pollet)

Concerning consumer protection with respect to the sale and adoption of dogs and cats.

The measure was read the second time.

MOTION

Senator Stanford moved that the following committee striking amendment by the Committee on Business, Financial Services, Gaming & Trade be adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 16.52.360 and 2021 c 76 s 1 are each amended to read as follows:

(1) Except as provided in this section, a retail pet store may not sell or offer for sale any dog or cat.

(2) A retail pet store that sold or offered for sale any dog prior to July 25, 2021, may sell or offer for sale a dog only if the retail pet store meets the following requirements:

(a) Any dog sold or offered for sale must be sold or offered for sale only at the address identified on the retail pet store's business license, as defined in RCW 19.02.020;

(b) Any dog sold or offered for sale must be obtained either:

(i) Directly from a breeder, including an out-of-state breeder, who satisfies the requirements of RCW 16.52.310; or

(ii) From a United States department of agriculture licensed broker pursuant to the federal animal welfare act, Title 7 U.S.C. Sec. 2131 et seq. as amended, that obtains dogs from a breeder in compliance with this section. A licensed broker shall provide all breeder documentation required by a breeder under this section as well as any applicable federal and state license numbers for the breeder or the broker;

(c) Any dog sold or offered for sale must possess documentation obtained from its breeder, either directly or through a United States department of agriculture licensed broker, demonstrating:

(i) The dog was not separated from its mother prior to the age of eight weeks; and

(ii) The breeder's compliance with RCW 16.52.310 on the date the dog was obtained from the breeder;

(d) A retail pet store shall, prior to obtaining a dog from a breeder or a broker, obtain all inspection reports for the breeder created by the United States department of agriculture within the previous three years, if applicable. A retail pet store shall maintain and, upon request, produce the records for a period of five years following the sale of a dog obtained from a breeder or broker;

(e) Any advertisement, including website postings, offering to sell a dog must include:

(i) A range of prices at which a dog, breed of dog, or dogs having other distinguishing traits are offered for sale;

(ii) The age of the dog; and

(iii) Supporting documentation providing the applicable federal or state license numbers for the breeder of the dog, if applicable;

(f) The retail pet store shall post in a location visible from the entrance of the retail pet store on a kiosk or other form of bulletin board the purchase price, age, and the following information on the dog's breeder:

(i) Full name;

(ii) Kennel name, if applicable;

(iii) City and state; and

(iv) Any applicable state or federal license numbers; and

(g) The retail pet store shall disclose to a prospective consumer in writing, prior to the sale of a dog, the following information about the dog:

(i) The purchase price of the dog; and

(ii) Any applicable federal or state license numbers and an unredacted list of all violations of any federal or state law the dog breeder or cat breeder received in the previous two years on a federal or state inspection report.

(3) A retail pet store may provide space and appropriate care for animals, including dogs and cats, owned by an animal care and control agency or animal rescue group for the purpose of adopting those animals to the public. Each retail pet store shall display on each cage or pen containing a dog or cat a label stating the certificate of source, including the name and address of the animal care and control agency or animal rescue group.

(4)(a) It is a class 1 civil infraction under chapter 7.80 RCW for any person or corporation who violates this section, subject to the maximum infraction of \$250. The civil infraction may be served on the pet store's registered agent.

(i) An enforcement officer as defined in RCW 7.80.040 or an animal control officer under RCW 16.52.015 may investigate and enforce this section.

(ii) Appeals are pursuant to chapter 7.80 RCW.

(b) Any retail pet store that violates this section three or more times over a one-year period is prohibited from selling or offering to sell any dog or cat.

Sec. 2. RCW 16.52.015 and 2011 c 172 s 2 are each amended to read as follows:

(1) Law enforcement agencies and animal care and control agencies may enforce the provisions of this chapter. Animal care and control agencies may enforce the provisions of this chapter in a county or city only if the county or city legislative authority has entered into a contract with the agency to enforce the provisions of this chapter.

(2) Animal control officers enforcing this chapter shall comply with the same constitutional and statutory restrictions concerning the execution of police powers imposed on law enforcement officers who enforce this chapter and other criminal laws of the state of Washington.

(3) Animal control officers have the following enforcement powers when enforcing this chapter:

(a) The power to issue civil penalties based on violations under section 1 of this act;

(b) The power to issue citations based on probable cause to offenders for civil infractions and misdemeanor and gross misdemeanor violations of this chapter or RCW 9.08.070 through 9.08.078 or 81.48.070;

((b)) (c) The power to cause a law enforcement officer to arrest and take into custody any person the animal control officer has probable cause to believe has committed or is committing a violation of this chapter or RCW 9.08.070 or 81.48.070. Animal control officers may make an oral complaint to a prosecuting attorney or a law enforcement officer to initiate arrest. The animal control officer causing the arrest shall file with the arresting agency a written complaint within ((twenty-four)) 24 hours of the arrest, excluding Sundays and legal holidays, stating the alleged act or acts constituting a violation;

EIGHTY SEVENTH DAY, APRIL 5, 2023

((c)) (d) The power to carry nonfirearm protective devices for personal protection;

((d)) (e) The power to prepare affidavits in support of search warrants and to execute search warrants when accompanied by law enforcement officers to investigate violations of this chapter or RCW 9.08.070 or 81.48.070, and to seize evidence of those violations.

(4) Upon request of an animal control officer who has probable cause to believe that a person has violated this chapter or RCW 9.08.070 or 81.48.070, a law enforcement agency officer may arrest the alleged offender.

Sec. 3. RCW 16.52.310 and 2009 c 286 s 2 are each amended to read as follows:

(1) A person may not own, possess, control, or otherwise have charge or custody of more than ((fifty)) 50 dogs with intact sexual organs over the age of six months at any time.

(2) Any person who owns, possesses, controls, or otherwise has charge or custody of more than ((ten)) 10 dogs with intact sexual organs over the age of six months and keeps the dogs in an enclosure for the majority of the day must at a minimum:

(a) Provide space to allow each dog to turn about freely, to stand, sit, and lie down. The dog must be able to lie down while fully extended without the dog's head, tail, legs, face, or feet touching any side of an enclosure and without touching any other dog in the enclosure when all dogs are lying down simultaneously. The interior height of the enclosure must be at least six inches higher than the head of the tallest dog in the enclosure when it is in a normal standing position. Each enclosure must be at least three times the length and width of the longest dog in the enclosure, from tip of nose to base of tail and shoulder blade to shoulder blade.

(b) Provide each dog that is over the age of four months with a minimum of one exercise period during each day for a total of not less than one hour of exercise during such day. Such exercise must include either leash walking or giving the dog access to an enclosure at least four times the size of the minimum allowable enclosure specified in (a) of this subsection allowing the dog free mobility for the entire exercise period, but may not include use of a cat mill, jenny mill, slat mill, or similar device, unless prescribed by a doctor of veterinary medicine. The exercise requirements in this subsection do not apply to a dog certified by a doctor of veterinary medicine as being medically precluded from exercise.

(c) Maintain adequate housing facilities and primary enclosures that meet the following requirements at a minimum:

(i) Housing facilities and primary enclosures must be kept in a sanitary condition. Housing facilities where dogs are kept must be sufficiently ventilated at all times to minimize odors, drafts, ammonia levels, and to prevent moisture condensation. Housing facilities must have a means of fire suppression, such as functioning fire extinguishers, on the premises and must have sufficient lighting to allow for observation of the dogs at any time of day or night;

(ii) Housing facilities must enable all dogs to remain dry and clean;

(iii) Housing facilities must provide shelter and protection from extreme temperatures and weather conditions that may be uncomfortable or hazardous to the dogs;

(iv) Housing facilities must provide sufficient shade to shelter all the dogs housed in the primary enclosure at one time;

(v) A primary enclosure must have floors that are constructed in a manner that protects the dogs' feet and legs from injury;

(vi) Primary enclosures must be placed no higher than forty-two inches above the floor and may not be placed over or stacked on top of another cage or primary enclosure;

(vii) Feces, hair, dirt, debris, and food waste must be removed from primary enclosures at least daily or more often if necessary to prevent accumulation and to reduce disease hazards, insects, pests, and odors; and

(viii) All dogs in the same enclosure at the same time must be compatible, as determined by observation. Animals with a vicious or aggressive disposition must never be placed in an enclosure with another animal, except for breeding purposes. Breeding females in heat may not be in the same enclosure at the same time with sexually mature males, except for breeding purposes. Breeding females and their litters may not be in the same enclosure at the same time with other adult dogs. Puppies under twelve weeks may not be in the same enclosure at the same time with other adult dogs, other than the dam or foster dam unless under immediate supervision.

(d) Provide dogs with easy and convenient access to adequate amounts of clean food and water. Food and water receptacles must be regularly cleaned and sanitized. All enclosures must contain potable water that is not frozen, is substantially free from debris, and is readily accessible to all dogs in the enclosure at all times.

(e) Provide veterinary care without delay when necessary. A dog may not be bred if a veterinarian determines that the animal is unfit for breeding purposes. Only dogs between the ages of twelve months and eight years of age may be used for breeding. Animals requiring euthanasia must be euthanized only by a licensed veterinarian.

(3) A person who violates subsection (1) or (2) of this section is guilty of a gross misdemeanor.

(4) This section does not apply to the following:

(a) A publicly operated animal control facility or animal shelter;

(b) A private, charitable not-for-profit humane society or animal adoption organization;

(c) A veterinary facility;

(d) A retail pet store;

(e) A research institution;

(f) A boarding facility; or

(g) A grooming facility.

(5) ((Subsection (1) of this section does not apply to a commercial dog breeder licensed, before January 1, 2010, by the United States department of agriculture pursuant to the federal animal welfare act (Title 7 U.S.C. Sec. 2131 et seq.).

(6)) For the purposes of this section, the following definitions apply, unless the context clearly requires otherwise:

(a) "Dog" means any member of *Canis lupus familiaris*; and

(b) "Retail pet store" means a commercial establishment that engages in a for-profit business of selling at retail cats, dogs, or other animals to be kept as household pets and is regulated by the United States department of agriculture.

NEW SECTION. Sec. 4. A new section is added to chapter 63.10 RCW to read as follows:

A lessor shall not finance a consumer lease for the purchase of a dog or cat. A lease contract entered into on or after the effective date of this section for the purchase of a dog or cat is void and unenforceable and the lessor shall have no right to collect, receive, or retain any principal, interest, or charges related to the lease contract.

NEW SECTION. Sec. 5. A new section is added to chapter 63.14 RCW to read as follows:

A retail installment transaction entered into on or after the effective date of this section for the purchase of a dog or cat is void and unenforceable and the retail seller shall have no right to collect, receive, or retain any principal, interest, or charges related to the retail installment transaction.

NEW SECTION. Sec. 6. A new section is added to chapter 31.04 RCW to read as follows:

A licensee shall not finance or make a loan for the purchase of a dog or cat. A loan entered into on or after the effective date of this section for the purchase of a dog or cat is void and unenforceable and the licensee shall have no right to collect, receive, or retain any principal, interest, or charges related to the loan."

On page 1, line 2 of the title, after "cats;" strike the remainder of the title and insert "amending RCW 16.52.360, 16.52.015, and 16.52.310; adding a new section to chapter 63.10 RCW; adding a new section to chapter 63.14 RCW; adding a new section to chapter 31.04 RCW; and prescribing penalties."

MOTION

Senator Rivers moved that the following amendment no. 0289 by Senator Rivers be adopted:

On page 3, after line 7, insert the following:

"(5) Nothing in this section prohibits any city, town, or county from enacting or enforcing a local ordinance that places greater proscriptions on the sale of any animal by a retail pet store than proscribed by this section or that provides penalties equal to or greater than the penalties provided in this section."

Senator Rivers spoke in favor of adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0289 by Senator Rivers on page 3, after line 7 to the committee striking amendment.

The motion by Senator Rivers carried and amendment no. 0289 was adopted by voice vote.

MOTION

Senator Gildon moved that the following amendment no. 0278 by Senator Gildon be adopted:

On page 7, after line 2, strike all material through "transaction." on line 7 and insert the following:

"A retail installment transaction or contract entered into on or after the effective date of this section for the purchase of a live dog meets the requirements of this chapter. The seller may charge interest or fees for contracts entered into on or after the effective date of this section for the purchase of a live dog, not to exceed in the aggregate 12 percent per annum. The holder of a retail installment contract may, upon agreement with the buyer, extend the scheduled due date or defer a scheduled payment of all or of any part of any installment or installments payable thereunder if the interest or fees on the loan do not exceed 12 percent per annum. The seller is not entitled to reclaim a dog subject to a retail installment transaction or contract, or include a live dog as a security interest as established under RCW 63.14.127, in the event the buyer violates the retail installment transaction or contract. The provisions of this section do not affect any other remedy available in law."

Senators Gildon and Wagoner spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Stanford spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0278 by Senator Gildon on page 7, after line 2 to the committee striking amendment.

The motion by Senator Gildon did not carry and amendment no. 0278 was not adopted by voice vote.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Business, Financial Services, Gaming & Trade as amended to Engrossed Substitute House Bill No. 1424.

The motion by Senator Stanford carried and the committee striking amendment as amended was adopted by voice vote.

MOTION

On motion of Senator Stanford, the rules were suspended, Engrossed Substitute House Bill No. 1424 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Stanford and Dozier spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 1424 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 1424 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 39; Nays, 9; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Frame, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Stanford, Trudeau, Valdez, Wellman, Wilson, C. and Wilson, J.

Voting nay: Senators Fortunato, Gildon, McCune, Padden, Short, Torres, Wagoner, Warnick and Wilson, L.

Excused: Senator Van De Wege

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1424 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1624, by Representatives Ybarra and Waters

Administering educational service district elections.

The measure was read the second time.

MOTION

On motion of Senator Wellman, the rules were suspended, House Bill No. 1624 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wellman and Hawkins spoke in favor of passage of the bill.

EIGHTY SEVENTH DAY, APRIL 5, 2023

The President declared the question before the Senate to be the final passage of House Bill No. 1624.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1624 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senator Fortunato

Excused: Senator Van De Wege

HOUSE BILL NO. 1624, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1066, by Representatives Goodman, Abbarno, Simmons and Kloba

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

The measure was read the second time.

MOTION

Senator Wellman moved that the following amendment no. 0287 by Senator Wellman be adopted:

On page 3, after line 22, insert the following:

"(15) Section 3022 of this act amends cross-references in the interstate compact on educational opportunity for military children."

On page 172, after line 7, insert the following:

"**Sec. 3022.** RCW 28A.705.010 and 2009 c 380 s 1 are each amended to read as follows:

ARTICLE I PURPOSE

It is the purpose of this compact to remove barriers to educational success imposed on children of military families because of frequent moves and deployment of their parents by:

A. Facilitating the timely enrollment of children of military families and ensuring that they are not placed at a disadvantage due to difficulty in the transfer of education records from the previous school districts or variations in entrance and age requirements;

B. Facilitating the student placement process through which children of military families are not disadvantaged by variations in attendance requirements, scheduling, sequencing, grading, course content, or assessment;

C. Facilitating the qualification and eligibility for enrollment, educational programs, and participation in extracurricular academic, athletic, and social activities;

D. Facilitating the on-time graduation of children of military families;

E. Providing for the promulgation and enforcement of administrative rules implementing the provisions of this compact;

F. Providing for the uniform collection and sharing of information between and among member states, schools, and military families under this compact;

G. Promoting coordination between this compact and other compacts affecting military children; and

H. Promoting flexibility and cooperation between the educational system, parents, and the student in order to achieve educational success for the student.

ARTICLE II DEFINITIONS

As used in this compact, unless the context clearly requires a different construction:

A. "Active duty" means full-time duty status in the active uniformed service of the United States, including members of the national guard and reserve on active duty orders pursuant to 10 U.S.C. ((Sees.)) Chapters 1209 and 1211.

B. "Children of military families" means school-aged children, enrolled in kindergarten through twelfth grade, in the household of an active duty member.

C. "Compact commissioner" means the voting representative of each compacting state appointed pursuant to Article VIII of this compact.

D. "Deployment" means the period one month prior to the service members' departure from their home station on military orders through six months after return to their home station.

E. "Education records" or "educational records" means those official records, files, and data directly related to a student and maintained by the school or local education agency, including but not limited to, records encompassing all the material kept in the student's cumulative folder such as general identifying data, records of attendance and of academic work completed, records of achievement and results of evaluative tests, health data, disciplinary status, test protocols, and individualized education programs.

F. "Extracurricular activities" means a voluntary activity sponsored by the school or local education agency or an organization sanctioned by the local education agency. Extracurricular activities include, but are not limited to, preparation for and involvement in public performances, contests, athletic competitions, demonstrations, displays, and club activities.

G. "Interstate commission on educational opportunity for military children" means the commission that is created under Article IX of this compact, which is generally referred to as the interstate commission.

H. "Local education agency" means a public authority legally constituted by the state as an administrative agency to provide control of and direction for kindergarten through twelfth grade public educational institutions.

I. "Member state" means a state that has enacted this compact.

J. "Military installation" means a base, camp, post, station, yard, center, homeport facility for any ship, or other activity under the jurisdiction of the United States department of defense, including any leased facility, which is located within any of the several states, the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, the Northern Mariana Islands, and any other U.S. territory. Such term does not include any facility used primarily for civil works, rivers and harbors projects, or flood control projects.

K. "Nonmember state" means a state that has not enacted this compact.

L. "Receiving state" means the state to which a child of a military family is sent, brought, or caused to be sent or brought.

M. "Rule" means a written statement by the interstate commission promulgated pursuant to Article XII of this compact that is of general applicability, implements, interprets, or prescribes a policy or provision of the compact, or an organizational, procedural, or practice requirement of the interstate commission, and has the force and effect of statutory law in a member state, and includes the amendment, repeal, or suspension of an existing rule.

N. "Sending state" means the state from which a child of a military family is sent, brought, or caused to be sent or brought.

O. "State" means a state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, the Northern Mariana Islands, and any other U.S. territory.

P. "Student" means the child of a military family for whom the local education agency receives public funding and who is formally enrolled in kindergarten through twelfth grade.

Q. "Transition" means: (1) The formal and physical process of transferring from school to school; or (2) the period of time in which a student moves from one school in the sending state to another school in the receiving state.

R. "Uniformed services" means the army, navy, air force, marine corps, and coast guard, as well as the commissioned corps of the national oceanic and atmospheric administration, and public health services.

S. "Veteran" means a person who served in the uniformed services and who was discharged or released therefrom under conditions other than dishonorable.

ARTICLE III APPLICABILITY

A. Except as otherwise provided in section B of this article, this compact shall apply to the children of:

1. Active duty members of the uniformed services as defined in this compact, including members of the national guard and reserve on active duty orders pursuant to 10 U.S.C. ((Sees.)) Chapters 1209 and 1211;

2. Members or veterans of the uniformed services who are severely injured and medically discharged or retired for a period of one year after medical discharge or retirement; and

3. Members of the uniformed services who die on active duty or as a result of injuries sustained on active duty for a period of one year after death.

B. The provisions of this interstate compact shall only apply to local education agencies as defined in this compact.

C. The provisions of this compact shall not apply to the children of:

1. Inactive members of the national guard and military reserves;

2. Members of the uniformed services now retired, except as provided in section A of this article;

3. Veterans of the uniformed services, except as provided in section A of this article; and

4. Other U.S. department of defense personnel and other federal agency civilian and contract employees not defined as active duty members of the uniformed services.

ARTICLE IV

EDUCATIONAL RECORDS AND ENROLLMENT

A. Unofficial or "hand-carried" education records – In the event that official education records cannot be released to the parents for the purpose of transfer, the custodian of the records in the sending state shall prepare and furnish to the parent a complete set of unofficial educational records containing uniform information as determined by the interstate commission. Upon receipt of the unofficial education records by a school in the receiving state, the school shall enroll and appropriately place the

student based on the information provided in the unofficial records pending validation by the official records, as quickly as possible.

B. Official education records and transcripts – Simultaneous with the enrollment and conditional placement of the student, the school in the receiving state shall request the student's official education record from the school in the sending state. Upon receipt of this request, the school in the sending state will process and furnish the official education records to the school in the receiving state within ten days or within such time as is reasonably determined under the rules promulgated by the interstate commission. However, if the student has an unpaid fine at a public school or unpaid tuition, fees, or fines at a private school, then the sending school shall send the information requested but may withhold the official transcript until the monetary obligation is met.

C. Immunizations – On or before the first day of attendance, the parent or guardian must meet the immunization documentation requirements of the Washington board of health. Compacting states shall give thirty days from the date of enrollment or within such time as is reasonably determined under the rules promulgated by the interstate commission, for students to obtain any immunizations required by the receiving state. For a series of immunizations, initial vaccinations must be obtained within thirty days or within such time as is reasonably determined under the rules promulgated by the interstate commission.

D. Kindergarten and first grade entrance age – Students shall be allowed to continue their enrollment at grade level in the receiving state commensurate with their grade level (including kindergarten) from a local education agency in the sending state at the time of transition, regardless of age. A student who has satisfactorily completed the prerequisite grade level in the local education agency in the sending state shall be eligible for enrollment in the next highest grade level in the receiving state, regardless of age. A student transferring after the start of the school year in the receiving state shall enter the school in the receiving state on his or her validated level from an accredited school in the sending state.

ARTICLE V PLACEMENT AND ATTENDANCE

A. Course placement - When the student transfers before or during the school year, the receiving state school shall initially honor placement of the student in educational courses based on the student's enrollment in the sending state school and/or educational assessments conducted at the school in the sending state if the courses are offered and if space is available, as determined by the school district. Course placement includes but is not limited to honors, international baccalaureate, advanced placement, vocational, technical, and career pathways courses. Continuing the student's academic program from the previous school and promoting placement in academically and career challenging courses should be paramount when considering placement. This does not preclude the school in the receiving state from performing subsequent evaluations to ensure appropriate placement and continued enrollment of the student in the courses.

B. Educational program placement – The receiving state school shall initially honor placement of the student in educational programs based on current educational assessments conducted at the school in the sending state or participation and placement in like programs in the sending state and if space is available, as determined by the school district. Such programs include, but are not limited to: (1) Gifted and talented programs; and (2) English as a second language (ESL). This does not preclude the school in the receiving state from performing

EIGHTY SEVENTH DAY, APRIL 5, 2023

subsequent evaluations to ensure appropriate placement of the student.

C. Special education services – (1) In compliance with the federal requirements of the Individuals with Disabilities Education Act (IDEA), 20 U.S.C. Sec. 1400 et seq., the receiving state shall initially provide comparable services to a student with disabilities based on his or her current Individualized Education Program (IEP); and (2) in compliance with the requirements of section 504 of the rehabilitation act, 29 U.S.C. Sec. 794, and with Title II of the Americans with disabilities act, 42 U.S.C. Secs. 12131-12165, the receiving state shall make reasonable accommodations and modifications to address the needs of incoming students with disabilities, subject to an existing 504 or Title II plan, to provide the student with equal access to education. This does not preclude the school in the receiving state from performing subsequent evaluations to ensure appropriate placement of the student.

D. Placement flexibility – Local education agency administrative officials shall have flexibility in waiving course and program prerequisites, or other preconditions for placement in courses and programs offered under the jurisdiction of the local education agency.

E. Absence as related to deployment activities – A student whose parent or legal guardian is an active duty member of the uniformed services, as defined by this compact, and has been called to duty for, is on leave from, or immediately returned from deployment to a combat zone or combat support posting, shall be granted additional excused absences at the discretion of the local education agency superintendent to visit with his or her parent or legal guardian relative to such leave or deployment of the parent or guardian.

ARTICLE VI ELIGIBILITY

A. Eligibility for enrollment

1. Special power of attorney, relative to the guardianship of a child of a military family and executed under applicable law shall be sufficient for the purposes of enrollment and all other actions requiring parental participation and consent.

2. A local education agency shall be prohibited from charging local tuition to a transitioning military child placed in the care of a noncustodial parent or other person standing in loco parentis who lives in a jurisdiction other than that of the custodial parent.

3. A transitioning military child, placed in the care of a noncustodial parent or other person standing in loco parentis who lives in a jurisdiction other than that of the custodial parent, may continue to attend the school in which he or she was enrolled while residing with the custodial parent.

B. Eligibility for extracurricular participation - Under RCW 28A.225.280, the Washington interscholastic activities association and local education agencies shall facilitate the opportunity for transitioning military children's inclusion in extracurricular activities, regardless of application deadlines, to the extent they are otherwise qualified and space is available, as determined by the school district.

ARTICLE VII GRADUATION

In order to facilitate the on-time graduation of children of military families, states and local education agencies shall incorporate the following procedures:

A. Waiver requirements – Local education agency administrative officials shall waive specific courses required for graduation if similar coursework has been satisfactorily completed in another local education agency or shall provide reasonable justification for denial. Should a waiver not be granted to a student who would qualify to graduate from the sending

school, the local education agency shall use best efforts to provide an alternative means of acquiring required coursework so that graduation may occur on time.

B. Exit exams - For students entering high school in eleventh or twelfth grade, states shall accept: (1) Exit or end-of-course exams required for graduation from the sending state; or (2) national norm-referenced achievement tests; or (3) alternative testing, in lieu of testing requirements for graduation in the receiving state. In the event the above alternatives cannot be accommodated by the receiving state for a student transferring in his or her senior year, then the provisions of section C of this article shall apply.

C. Transfers during senior year – Should a military student transferring at the beginning or during his or her senior year be ineligible to graduate from the receiving local education agency after all alternatives have been considered, the sending and receiving local education agencies shall ensure the receipt of a diploma from the sending local education agency, if the student meets the graduation requirements of the sending local education agency. In the event that one of the states in question is not a member of this compact, the member state shall use best efforts to facilitate the on-time graduation of the student in accordance with sections A and B of this article.

ARTICLE VIII STATE COORDINATION

A. Each member state shall, through the creation of a state council or use of an existing body or board, provide for the coordination among its agencies of government, local education agencies, and military installations concerning the state's participation in, and compliance with, this compact and interstate commission activities. While each member state may determine the membership of its own state council, its membership must include at least: The state superintendent of public instruction, a superintendent of a school district with a high concentration of military children, a representative from a military installation, one representative each from the legislative and executive branches of government, and other offices and stakeholder groups the state council deems appropriate. A member state that does not have a school district deemed to contain a high concentration of military children may appoint a superintendent from another school district to represent local education agencies on the state council.

B. The state council of each member state shall appoint or designate a military family education liaison to assist military families and the state in facilitating the implementation of this compact.

C. The compact commissioner responsible for the administration and management of the state's participation in the compact shall be appointed by the governor or as otherwise determined by each member state. The governor is strongly encouraged to appoint a practicing K-12 educator as the compact commissioner.

D. The compact commissioner and the military family education liaison designated herein shall be ex officio members of the state council, unless either is already a full voting member of the state council.

ARTICLE IX INTERSTATE COMMISSION ON EDUCATIONAL OPPORTUNITY FOR MILITARY CHILDREN

The member states hereby create the "interstate commission on educational opportunity for military children." The activities of the interstate commission are the formation of public policy and are a discretionary state function. The interstate commission shall:

A. Be a body corporate and joint agency of the member states and shall have all the responsibilities, powers, and duties set forth herein, and such additional powers as may be conferred upon it by a subsequent concurrent action of the respective legislatures of the member states in accordance with the terms of this compact;

B. Consist of one interstate commission voting representative from each member state who shall be that state's compact commissioner.

1. Each member state represented at a meeting of the interstate commission is entitled to one vote.

2. A majority of the total member states shall constitute a quorum for the transaction of business, unless a larger quorum is required by the bylaws of the interstate commission.

3. A representative shall not delegate a vote to another member state. In the event the compact commissioner is unable to attend a meeting of the interstate commission, the governor or state council may delegate voting authority to another person from their state for a specified meeting.

4. The bylaws may provide for meetings of the interstate commission to be conducted by telecommunication or electronic communication;

C. Consist of ex officio, nonvoting representatives who are members of interested organizations. Such ex officio members, as defined in the bylaws, may include but not be limited to, members of the representative organizations of military family advocates, local education agency officials, parent and teacher groups, the U.S. department of defense, the education commission of the states, the interstate agreement on the qualification of educational personnel, and other interstate compacts affecting the education of children of military members;

D. Meet at least once each calendar year. The chairperson may call additional meetings and, upon the request of a simple majority of the member states, shall call additional meetings;

E. Establish an executive committee, whose members shall include the officers of the interstate commission and such other members of the interstate commission as determined by the bylaws. Members of the executive committee shall serve a one-year term. Members of the executive committee shall be entitled to one vote each. The executive committee shall have the power to act on behalf of the interstate commission, with the exception of rule making, during periods when the interstate commission is not in session. The executive committee shall oversee the day-to-day activities of the administration of the compact including enforcement and compliance with the provisions of the compact, its bylaws and rules, and other such duties as deemed necessary. The U.S. department of defense shall serve as an ex officio, nonvoting member of the executive committee;

F. Establish bylaws and rules that provide for conditions and procedures under which the interstate commission shall make its information and official records available to the public for inspection or copying. The interstate commission may exempt from disclosure information or official records to the extent they would adversely affect personal privacy rights or proprietary interests;

G. Give public notice of all meetings and all meetings shall be open to the public, except as set forth in the rules or as otherwise provided in the compact. The interstate commission and its committees may close a meeting, or portion thereof, where it determines by two-thirds vote that an open meeting would be likely to:

1. Relate solely to the interstate commission's internal personnel practices and procedures;

2. Disclose matters specifically exempted from disclosure by federal and state statute;

3. Disclose trade secrets or commercial or financial information which is privileged or confidential;

4. Involve accusing a person of a crime, or formally censuring a person;

5. Disclose information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy;

6. Disclose investigative records compiled for law enforcement purposes; or

7. Specifically relate to the interstate commission's participation in a civil action or other legal proceeding;

H. Cause its legal counsel or designee to certify that a meeting may be closed and shall reference each relevant exemptible provision for any meeting, or portion of a meeting, which is closed pursuant to this provision. The interstate commission shall keep minutes which shall fully and clearly describe all matters discussed in a meeting and shall provide a full and accurate summary of actions taken, and the reasons therefor, including a description of the views expressed and the record of a roll call vote. All documents considered in connection with an action shall be identified in such minutes. All minutes and documents of a closed meeting shall remain under seal, subject to release by a majority vote of the interstate commission;

I. Collect standardized data concerning the educational transition of the children of military families under this compact as directed through its rules which shall specify the data to be collected, the means of collection, and data exchange and reporting requirements. Such methods of data collection, exchange, and reporting shall, in so far as is reasonably possible, conform to current technology and coordinate its information functions with the appropriate custodian of records as identified in the bylaws and rules;

J. Create a process that permits military officials, education officials, and parents to inform the interstate commission if and when there are alleged violations of the compact or its rules or when issues subject to the jurisdiction of the compact or its rules are not addressed by the state or local education agency. This section shall not be construed to create a private right of action against the interstate commission or any member state.

ARTICLE X

POWERS AND DUTIES OF THE INTERSTATE COMMISSION

The interstate commission shall have the following powers:

A. To provide for dispute resolution among member states;

B. To promulgate rules and take all necessary actions to effect the goals, purposes, and obligations as enumerated in this compact. The rules shall have the force and effect of statutory law and shall be binding in the compact states to the extent and in the manner provided in this compact;

C. To issue, upon request of a member state, advisory opinions concerning the meaning or interpretation of the interstate compact, its bylaws, rules, and actions;

D. To enforce compliance with the compact provisions, the rules promulgated by the interstate commission, and the bylaws, using all necessary and proper means, including but not limited to the use of judicial process;

E. To establish and maintain offices which shall be located within one or more of the member states;

F. To purchase and maintain insurance and bonds;

G. To borrow, accept, hire, or contract for services of personnel;

H. To establish and appoint committees including, but not limited to, an executive committee as required by Article IX, section E of this compact, which shall have the power to act on

EIGHTY SEVENTH DAY, APRIL 5, 2023

behalf of the interstate commission in carrying out its powers and duties hereunder;

I. To elect or appoint such officers, attorneys, employees, agents, or consultants, and to fix their compensation, define their duties, and determine their qualifications; and to establish the interstate commission's personnel policies and programs relating to conflicts of interest, rates of compensation, and qualifications of personnel;

J. To accept any and all donations and grants of money, equipment, supplies, materials, and services, and to receive, utilize, and dispose of it;

K. To lease, purchase, accept contributions or donations of, or otherwise to own, hold, improve, or use any property, real, personal, or mixed;

L. To sell, convey, mortgage, pledge, lease, exchange, abandon, or otherwise dispose of any property, real, personal, or mixed;

M. To establish a budget and make expenditures;

N. To adopt a seal and bylaws governing the management and operation of the interstate commission;

O. To report annually to the legislatures, governors, judiciary, and state councils of the member states concerning the activities of the interstate commission during the preceding year. Such reports shall also include any recommendations that may have been adopted by the interstate commission;

P. To coordinate education, training, and public awareness regarding the compact, its implementation, and operation for officials and parents involved in such activity;

Q. To establish uniform standards for the reporting, collecting, and exchanging of data;

R. To maintain corporate books and records in accordance with the bylaws;

S. To perform such functions as may be necessary or appropriate to achieve the purposes of this compact; and

T. To provide for the uniform collection and sharing of information between and among member states, schools, and military families under this compact.

ARTICLE XI

ORGANIZATION AND OPERATION OF THE INTERSTATE COMMISSION

A. The interstate commission shall, by a majority of the members present and voting, within twelve months after the first interstate commission meeting, adopt bylaws to govern its conduct as may be necessary or appropriate to carry out the purposes of the compact, including, but not limited to:

1. Establishing the fiscal year of the interstate commission;
2. Establishing an executive committee, and such other committees as may be necessary;
3. Providing for the establishment of committees and for governing any general or specific delegation of authority or function of the interstate commission;
4. Providing reasonable procedures for calling and conducting meetings of the interstate commission, and ensuring reasonable notice of each such meeting;
5. Establishing the titles and responsibilities of the officers and staff of the interstate commission;
6. Providing a mechanism for concluding the operations of the interstate commission and the return of surplus funds that may exist upon the termination of the compact after the payment and reserving of all of its debts and obligations; and
7. Providing "start-up" rules for initial administration of the compact.

B. The interstate commission shall, by a majority of the members, elect annually from among its members a chairperson, a vice chairperson, and a treasurer, each of whom shall have such

authority and duties as may be specified in the bylaws. The chairperson or, in the chairperson's absence or disability, the vice chairperson, shall preside at all meetings of the interstate commission. The officers so elected shall serve without compensation or remuneration from the interstate commission; provided that, subject to the availability of budgeted funds, the officers shall be reimbursed for ordinary and necessary costs and expenses incurred by them in the performance of their responsibilities as officers of the interstate commission.

C. Executive committee, officers, and personnel

1. The executive committee shall have such authority and duties as may be set forth in the bylaws, including but not limited to:

a. Managing the affairs of the interstate commission in a manner consistent with the bylaws and purposes of the interstate commission;

b. Overseeing an organizational structure within, and appropriate procedures for the interstate commission to provide for the creation of rules, operating procedures, and administrative and technical support functions; and

c. Planning, implementing, and coordinating communications and activities with other state, federal, and local government organizations in order to advance the goals of the interstate commission.

2. The executive committee may, subject to the approval of the interstate commission, appoint or retain an executive director for such period, upon such terms and conditions and for such compensation, as the interstate commission may deem appropriate. The executive director shall serve as secretary to the interstate commission, but shall not be a member of the interstate commission. The executive director shall hire and supervise such other persons as may be authorized by the interstate commission.

D. The interstate commission's executive director and its employees shall be immune from suit and liability, either personally or in their official capacity, for a claim for damage to or loss of property or personal injury or other civil liability caused or arising out of or relating to an actual or alleged act, error, or omission that occurred, or that such person had a reasonable basis for believing occurred, within the scope of interstate commission employment, duties, or responsibilities; provided, that such person shall not be protected from suit or liability for damage, loss, injury, or liability caused by the intentional or willful and wanton misconduct of such person.

1. The liability of the interstate commission's executive director and employees or interstate commission representatives, acting within the scope of such person's employment or duties for acts, errors, or omissions occurring within such person's state may not exceed the limits of liability set forth under the Constitution and laws of that state for state officials, employees, and agents. The interstate commission is considered to be an instrumentality of the states for the purposes of any such action. Nothing in this subsection shall be construed to protect such person from suit or liability for damage, loss, injury, or liability caused by the intentional or willful and wanton misconduct of such person.

2. The interstate commission shall defend the executive director and its employees and, subject to the approval of the attorney general or other appropriate legal counsel of the member state represented by an interstate commission representative, shall defend such interstate commission representative in any civil action seeking to impose liability arising out of an actual or alleged act, error, or omission that occurred within the scope of interstate commission employment, duties, or responsibilities, or that the defendant had a reasonable basis for believing occurred within the scope of interstate commission employment, duties, or

responsibilities, provided that the actual or alleged act, error, or omission did not result from intentional or willful and wanton misconduct on the part of such person.

3. To the extent not covered by the state involved, member state, or the interstate commission, the representatives or employees of the interstate commission shall be held harmless in the amount of a settlement or judgment, including attorneys' fees and costs, obtained against such persons arising out of an actual or alleged act, error, or omission that occurred within the scope of interstate commission employment, duties, or responsibilities, or that such persons had a reasonable basis for believing occurred within the scope of interstate commission employment, duties, or responsibilities, provided that the actual or alleged act, error, or omission did not result from intentional or willful and wanton misconduct on the part of such persons.

ARTICLE XII

RULE-MAKING FUNCTIONS OF THE INTERSTATE COMMISSION

A. Rule-making authority - The interstate commission shall promulgate reasonable rules in order to effectively and efficiently achieve the purposes of this compact. Notwithstanding the foregoing, in the event the interstate commission exercises its rule-making authority in a manner that is beyond the scope of the purposes of this compact, or the powers granted hereunder, then such an action by the interstate commission shall be invalid and have no force or effect.

B. Rule-making procedure - Rules shall be made pursuant to a rule-making process that substantially conforms to the "model state administrative procedure act," of 1981, Uniform Laws Annotated, Vol. 15, p.1 (2000) as amended, as may be appropriate to the operations of the interstate commission.

C. Not later than thirty days after a rule is promulgated, any person may file a petition for judicial review of the rule; provided, that the filing of such a petition shall not stay or otherwise prevent the rule from becoming effective unless the court finds that the petitioner has a substantial likelihood of success. The court shall give deference to the actions of the interstate commission consistent with applicable law and shall not find the rule to be unlawful if the rule represents a reasonable exercise of the interstate commission's authority.

D. If a majority of the legislatures of the compacting states rejects a rule by enactment of a statute or resolution in the same manner used to adopt the compact, then such rule shall have no further force and effect in any compacting state.

ARTICLE XIII

OVERSIGHT, ENFORCEMENT, AND DISPUTE RESOLUTION

A. Oversight

1. The executive, legislative, and judicial branches of state government in each member state shall enforce this compact and shall take all actions necessary and appropriate to effectuate the compact's purposes and intent. The provisions of this compact and the rules promulgated hereunder shall have standing as statutory law.

2. All courts shall take judicial notice of the compact and the rules in any judicial or administrative proceeding in a member state pertaining to the subject matter of this compact which may affect the powers, responsibilities, or actions of the interstate commission.

3. The interstate commission shall be entitled to receive all service of process in any such proceeding, and shall have standing to intervene in the proceeding for all purposes. Failure to provide service of process to the interstate commission shall render a judgment or order void as to the interstate commission, this compact, or promulgated rules.

B. Default, technical assistance, suspension, and termination - If the interstate commission determines that a member state has defaulted in the performance of its obligations or responsibilities under this compact, or the bylaws or promulgated rules, the interstate commission shall:

1. Provide written notice to the defaulting state and other member states of the nature of the default, the means of curing the default, and any action taken by the interstate commission. The interstate commission shall specify the conditions by which the defaulting state must cure its default;

2. Provide remedial training and specific technical assistance regarding the default;

3. If the defaulting state fails to cure the default, the defaulting state shall be terminated from the compact upon an affirmative vote of a majority of the member states and all rights, privileges, and benefits conferred by this compact shall be terminated from the effective date of termination. A cure of the default does not relieve the offending state of obligations or liabilities incurred during the period of the default;

4. Suspension or termination of membership in the compact shall be imposed only after all other means of securing compliance have been exhausted. Notice of intent to suspend or terminate shall be given by the interstate commission to the governor, the majority and minority leaders of the defaulting state's legislature, and each of the member states;

5. The state which has been suspended or terminated is responsible for all assessments, obligations, and liabilities incurred through the effective date of suspension or termination including obligations the performance of which extends beyond the effective date of suspension or termination;

6. The interstate commission shall not bear any costs relating to any state that has been found to be in default or which has been suspended or terminated from the compact, unless otherwise mutually agreed upon in writing between the interstate commission and the defaulting state;

7. The defaulting state may appeal the action of the interstate commission by petitioning the U.S. District Court for the District of Columbia or the federal district where the interstate commission has its principal offices. The prevailing party shall be awarded all costs of such litigation including reasonable attorneys' fees.

C. Dispute Resolution

1. The interstate commission shall attempt, upon the request of a member state, to resolve disputes which are subject to the compact and which may arise among member states and between member and nonmember states.

2. The interstate commission shall promulgate a rule providing for both mediation and binding dispute resolution for disputes as appropriate.

D. Enforcement

1. The interstate commission, in the reasonable exercise of its discretion, shall enforce the provisions and rules of this compact.

2. The interstate commission, may by majority vote of the members, initiate legal action in the United ((State(s))) States District Court for the District of Columbia or, at the discretion of the interstate commission, in the federal district where the interstate commission has its principal offices, to enforce compliance with the provisions of the compact, and its promulgated rules and bylaws, against a member state in default. The relief sought may include both injunctive relief and damages. In the event judicial enforcement is necessary the prevailing party shall be awarded all costs of such litigation including reasonable attorneys' fees.

3. The remedies herein shall not be the exclusive remedies of the interstate commission. The interstate commission may avail

EIGHTY SEVENTH DAY, APRIL 5, 2023

itself of any other remedies available under state law or the regulation of a profession.

ARTICLE XIV

FINANCING OF THE INTERSTATE COMMISSION

A. The interstate commission shall pay, or provide for the payment of the reasonable expenses of its establishment, organization, and ongoing activities.

B. The interstate commission may levy on and collect an annual assessment from each member state to cover the cost of the operations and activities of the interstate commission and its staff which must be in a total amount sufficient to cover the interstate commission's annual budget as approved each year. The aggregate annual assessment amount shall be allocated based upon a formula to be determined by the interstate commission, which shall promulgate a rule binding upon all member states.

C. The interstate commission shall not incur obligations of any kind prior to securing the funds adequate to meet the same; nor shall the interstate commission pledge the credit of any of the member states, except by and with the authority of the member state.

D. The interstate commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the interstate commission shall be subject to the audit and accounting procedures established under its bylaws. However, all receipts and disbursements of funds handled by the interstate commission shall be audited yearly by a certified or licensed public accountant and the report of the audit shall be included in and become part of the annual report of the interstate commission.

ARTICLE XV

MEMBER STATES, EFFECTIVE DATE, AND AMENDMENT

A. Any state is eligible to become a member state.

B. The compact shall become effective and binding upon legislative enactment of the compact into law by no less than ten of the states. The effective date shall be no earlier than December 1, 2007.

Thereafter it shall become effective and binding as to any other member state upon enactment of the compact into law by that state. The governors of nonmember states or their designees shall be invited to participate in the activities of the interstate commission on a nonvoting basis prior to adoption of the compact by all states.

C. The interstate commission may propose amendments to the compact for enactment by the member states. No amendment shall become effective and binding upon the interstate commission and the member states unless and until it is enacted into law by unanimous consent of the member states.

ARTICLE XVI

WITHDRAWAL AND DISSOLUTION

A. Withdrawal

1. Once effective, the compact shall continue in force and remain binding upon each and every member state; provided that a member state may withdraw from the compact by specifically repealing the statute, which enacted the compact into law.

2. Withdrawal from this compact shall be by the enactment of a statute repealing the same, but shall not take effect until one year after the effective date of such statute and until written notice of the withdrawal has been given by the withdrawing state to the governor of each other member jurisdiction.

3. The withdrawing state shall immediately notify the chairperson of the interstate commission in writing upon the introduction of legislation repealing this compact in the withdrawing state. The interstate commission shall notify the

other member states of the withdrawing state's intent to withdraw within sixty days of its receipt thereof.

4. The withdrawing state is responsible for all assessments, obligations, and liabilities incurred through the effective date of withdrawal, including obligations, the performance of which extend beyond the effective date of withdrawal.

5. Reinstatement following withdrawal of a member state shall occur upon the withdrawing state reenacting the compact or upon such later date as determined by the interstate commission.

B. Dissolution of compact

1. This compact shall dissolve effective upon the date of the withdrawal or default of the member state which reduces the membership in the compact to one member state.

2. Upon the dissolution of this compact, the compact becomes null and void and shall be of no further force or effect, and the business and affairs of the interstate commission shall be concluded and surplus funds shall be distributed in accordance with the bylaws.

ARTICLE XVII

SEVERABILITY AND CONSTRUCTION

A. The provisions of this compact shall be severable, and if any phrase, clause, sentence, or provision is deemed unenforceable, the remaining provisions of the compact shall be enforceable.

B. The provisions of this compact shall be liberally construed to effectuate its purposes.

C. Nothing in this compact shall be construed to prohibit the applicability of other interstate compacts to which the states are members.

ARTICLE XVIII

BINDING EFFECT OF COMPACT AND OTHER LAWS

A. Other laws

1. Nothing herein prevents the enforcement of any other law of a member state that is not inconsistent with this compact.

2. All member states' laws conflicting with this compact are superseded to the extent of the conflict.

B. Binding effect of the compact

1. All lawful actions of the interstate commission, including all rules and bylaws promulgated by the interstate commission, are binding upon the member states.

2. All agreements between the interstate commission and the member states are binding in accordance with their terms.

3. In the event any provision of this compact exceeds the constitutional limits imposed on the legislature of any member state, such provision shall be ineffective to the extent of the conflict with the constitutional provision in question in that member state."

On page 2, at the beginning of line 6 of the title, strike "and 88.02.620" and insert "88.02.620, and 28A.705.010"

Senator Wellman spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0287 by Senator Wellman on page 3, after line 22 to House Bill No. 1066.

The motion by Senator Wellman carried and amendment no. 0287 was adopted by voice vote.

MOTION

On motion of Senator Dhingra, the rules were suspended, House Bill No. 1066 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Dhingra and Padden spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1066 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1066 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Van De Wege

HOUSE BILL NO. 1066 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1048, by House Committee on State Government & Tribal Relations (originally sponsored by Mena, Simmons, Goodman, Berry, Ramel, Peterson, Pollet, Doglio, Macri, Morgan, Wylie, Gregerson, Bergquist, Street, Cortes, Santos, Ormsby and Farivar)

Enhancing the Washington voting rights act.

The measure was read the second time.

MOTION

Senator Wilson, J. moved that the following amendment no. 0273 by Senator Wilson, J. be adopted:

On page 2, line 18, after "choices" insert ", and as it is further defined in case law regarding enforcement of the federal voting rights act, 52 U.S.C. 10301 et seq"

On page 2, beginning on line 25, after "difference" strike all material through "~~et seq.~~)" and insert ", as defined in case law regarding enforcement of the federal voting rights act, 52 U.S.C. 10301 et seq.,"

Senator Wilson, J. spoke in favor of adoption of the amendment.

Senator Kuderer spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0273 by Senator Wilson, J. on page 2, line 18 to Engrossed Substitute House Bill No. 1048.

The motion by Senator Wilson, J. did not carry, and amendment no. 0273 was not adopted by voice vote.

MOTION

Senator Padden moved that the following amendment no. 0288 by Senator Padden be adopted:

On page 3, beginning on line 22, after "class." strike all material through "subdivision." on line 25

Senator Padden spoke in favor of adoption of the amendment.

Senator Kuderer spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0288 by Senator Padden on page 3, line 22 to Engrossed Substitute House Bill No. 1048.

The motion by Senator Padden did not carry and amendment no. 0288 was not adopted by voice vote.

MOTION

Senator Short moved that the following amendment no. 0277 by Senator Short be adopted:

Beginning on page 3, line 39, after "(5)" strike all material through "(6)" on page 4, line 4

Re-number the remaining subsections consecutively and correct any internal references accordingly.

On page 4, beginning on line 18, strike all of subsection (8)

On page 5, beginning on line 30, after "electorate." strike all material through "cohesive." on line 33

Senator Short spoke in favor of adoption of the amendment.

Senator Hunt spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0277 by Senator Short on page 3, line 39 to Engrossed Substitute House Bill No. 1048.

The motion by Senator Short did not carry and amendment no. 0277 was not adopted by voice vote.

MOTION

Senator Short moved that the following amendment no. 0276 by Senator Short be adopted:

On page 8, beginning on line 16, strike all of subsection (5)

Beginning on page 9, line 32, strike all of subsection (4)

On page 10, beginning on line 16, after "action." strike all material through "~~filed.~~)" on line 17 and insert "No fees or costs may be awarded if no action is filed."

On page 10, beginning on line 18, after "(2)" strike all material through "(3)" on line 26

Correct any internal references accordingly.

Senators Short and Padden spoke in favor of adoption of the amendment.

Senator Hunt spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0276 by Senator Short on page 8, line 16 to Engrossed Substitute House Bill No. 1048.

The motion by Senator Short did not carry and amendment no. 0276 was not adopted by voice vote.

MOTION

Senator Wilson, J. moved that the following amendment no. 0274 by Senator Wilson, J. be adopted:

On page 8, line 31, after "exceed" strike "\$50,000" and insert "\$30,000"

On page 10, line 8, after "exceed" strike "\$50,000" and insert "\$30,000"

EIGHTY SEVENTH DAY, APRIL 5, 2023

Senator Wilson, J. spoke in favor of adoption of the amendment.

Senator Kuderer spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0274 by Senator Wilson, J. on page 8, line 31 to Engrossed Substitute House Bill No. 1048.

The motion by Senator Wilson, J. did not carry, and amendment no. 0274 was not adopted by voice vote.

MOTION

Senator Fortunato moved that the following striking amendment no. 0279 by Senator Fortunato be adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 29A.92.040 and 2018 c 113 s 201 are each amended to read as follows:

(1) A political subdivision that conducts an election pursuant to state, county, or local law, is authorized to change its electoral system, including, but not limited to, implementing a district-based election system, to remedy a potential violation of RCW 29A.92.020.

(2) If a political subdivision invokes its authority under this section to implement a district-based election system, the districts shall be drawn in a manner consistent with RCW 29A.92.050.

(3) A political subdivision that changes its electoral system under this section must utilize the same method of election for its primary and general elections.

Sec. 2. RCW 29A.92.110 and 2019 c 454 s 2 are each amended to read as follows:

(1) The court may order appropriate remedies including, but not limited to, the imposition of a district-based election system. The court may order the affected jurisdiction to draw or redraw district boundaries or appoint an individual or panel to draw or redraw district lines. The proposed districts must be approved by the court prior to their implementation.

(2) Implementation of a district-based remedy is not precluded by the fact that members of a protected class do not constitute a numerical majority within a proposed district-based election district. If, in tailoring a remedy, the court orders the implementation of a district-based election district where the members of the protected class are not a numerical majority, the court shall do so in a manner that provides the protected class an equal opportunity to elect candidates of their choice. The court may also approve a district-based election system that provides the protected class the opportunity to join in a coalition of two or more protected classes to elect candidates of their choice if there is demonstrated political cohesion among the protected classes.

(3) In tailoring a remedy after a finding of a violation of RCW 29A.92.020:

(a) If the court's order providing a remedy or approving proposed districts, whichever is later, is issued during the period of time between the first Tuesday after the first Monday of November and on or before January 15th of the following year, the court shall order new elections, conducted pursuant to the remedy, to occur at the next succeeding general election. If a special filing period is required, filings for that office shall be reopened for a period of three business days, such three-day period to be fixed by the filing officer.

(b) If the court's order providing a remedy or approving proposed districts, whichever is later, is issued during the period of time between January 16th and on or before the first Monday of November, the next election will occur as scheduled and organized under the current electoral system, but the court shall

order new elections to occur pursuant to the remedy at the general election the following calendar year.

(c) The remedy may provide for the political subdivision to hold elections for the members of its governing body at the same time as regularly scheduled elections for statewide or federal offices. All positions on the governing body must stand for election at the next election for the governing body, scheduled pursuant to this subsection (3). The governing body may subsequently choose to stagger the terms of its positions.

(d) The remedy must require that the political subdivision use the same method of election for its primary and general elections.

(4) Within thirty days of the conclusion of any action filed under RCW 29A.92.100, the political subdivision must publish on the subdivision's website, the outcome and summary of the action, as well as the legal costs incurred by the subdivision. If the political subdivision does not have its own website, then it may publish on the county website.

Sec. 3. RCW 35A.12.180 and 2019 c 454 s 7 are each amended to read as follows:

At any time not within three months previous to a municipal general election the council of a noncharter code city organized under this chapter may divide the city into wards or change the boundaries of existing wards. Unless the city is dividing into wards or changing the boundaries of existing wards under RCW 29A.92.040 or 29A.92.110, no change in the boundaries of wards shall affect the term of any councilmember, and councilmembers shall serve out their terms in the wards of their residences at the time of their elections: PROVIDED, That if this results in one ward being represented by more councilmembers than the number to which it is entitled those having the shortest unexpired terms shall be assigned by the council to wards where there is a vacancy, and the councilmembers so assigned shall be deemed to be residents of the wards to which they are assigned for purposes of those positions being vacant. The representation of each ward in the city council shall be in proportion to the population as nearly as is practicable.

If the city is dividing into wards or changing the boundaries of existing wards under RCW 29A.92.040 or 29A.92.110, all council positions are subject to election at the next regular election.

Wards shall be redrawn as provided in chapter 29A.76 RCW. Wards shall be used as follows: (1) Only a resident of the ward may be a candidate for, or hold office as, a councilmember of the ward; and (2) only voters of the ward may vote ~~((at a primary))~~ to nominate or elect candidates for a councilmember of the ward. ~~((Voters of the entire city may vote at the general election to elect a councilmember of a ward, unless the city had prior to January 1, 1994, limited the voting in the general election for any or all council positions to only voters residing within the ward associated with the council positions. If a city had so limited the voting in the general election to only voters residing within the ward, then the city shall be authorized to continue to do so.))~~

Sec. 4. RCW 35.23.051 and 2019 c 454 s 5 are each amended to read as follows:

General municipal elections in second-class cities shall be held biennially in the odd-numbered years and shall be subject to general election law.

The terms of office of the mayor, city attorney, clerk, and treasurer shall be four years and until their successors are elected and qualified and assume office in accordance with RCW 29A.60.280: PROVIDED, That if the offices of city attorney, clerk, and treasurer are made appointive, the city attorney, clerk, and treasurer shall not be appointed for a definite term: PROVIDED FURTHER, That the term of the elected treasurer shall not commence in the same biennium in which the term of

the mayor commences, nor in which the terms of the city attorney and clerk commence if they are elected.

Council positions shall be numbered in each second-class city so that council position seven has a two-year term of office and council positions one through six shall each have four-year terms of office. Each councilmember shall remain in office until a successor is elected and qualified and assumes office in accordance with RCW 29A.60.280.

In its discretion the council of a second-class city may divide the city by ordinance, into a convenient number of wards, not exceeding six, fix the boundaries of the wards, and change the ward boundaries from time to time and as provided in RCW 29A.76.010. No change in the boundaries of any ward shall be made within one hundred twenty days next before the date of a general municipal election, nor within twenty months after the wards have been established or altered unless pursuant to RCW 29A.92.040 or 29A.92.110. However, if a boundary change results in one ward being represented by more councilmembers than the number to which it is entitled, those having the shortest unexpired terms shall be assigned by the council to wards where there is a vacancy, and the councilmembers so assigned shall be deemed to be residents of the wards to which they are assigned for purposes of determining whether those positions are vacant.

Whenever such city is so divided into wards, the city council shall designate by ordinance the number of councilmembers to be elected from each ward, apportioning the same in proportion to the population of the wards. Thereafter the councilmembers so designated shall be elected by the voters resident in such ward (~~or by general vote of the whole city as may be designated in such ordinance~~). Council position seven shall not be associated with a ward and the person elected to that position may reside anywhere in the city and voters throughout the city may vote at a primary to nominate candidates for position seven, when a primary is necessary, and at a general election to elect the person to council position seven. Additional territory that is added to the city shall, by act of the council, be annexed to contiguous wards without affecting the right to redistrict at the expiration of twenty months after last previous division. The removal of a councilmember from the ward for which he or she was elected shall create a vacancy in such office.

Wards shall be redrawn as provided in chapter 29A.76 RCW. Wards shall be used as follows: (1) Only a resident of the ward may be a candidate for, or hold office as, a councilmember of the ward; and (2) only voters of the ward may vote (~~(at a primary)~~) to nominate or elect candidates for a councilmember of the ward. (~~(Voters of the entire city may vote at the general election to elect a councilmember of a ward, unless the city had prior to January 1, 1994, limited the voting in the general election for any or all council positions to only voters residing within the ward associated with the council positions. If a city had so limited the voting in the general election to only voters residing within the ward, then the city shall be authorized to continue to do so.)~~) The elections for the remaining council position or council positions that are not associated with a ward shall be conducted as if the wards did not exist.

Sec. 5. RCW 36.32.050 and 2018 c 301 s 7 are each amended to read as follows:

~~((1) Except as provided otherwise in subsection (2) of this section or this chapter, county commissioners shall be elected by the qualified voters of the county and the person receiving the highest number of votes for the office of commissioner for the district in which he or she resides shall be declared duly elected from that district.~~

~~(2) Beginning in 2022, in any noncharter county with a population of four hundred thousand or more, county) County~~

commissioners must be nominated and elected by the qualified electors of the commissioner district in which he or she resides. The person receiving the highest number of votes at a general election for the office of commissioner for the district in which he or she resides must be declared duly elected from that district.

Sec. 6. RCW 52.14.013 and 2019 c 454 s 8 are each amended to read as follows:

The board of fire commissioners of a fire protection district may adopt a resolution by unanimous vote causing a ballot proposition to be submitted to voters of the district authorizing the creation of commissioner districts. The board of fire commissioners shall create commissioner districts if the ballot proposition authorizing the creation of commissioner districts is approved by a simple majority vote of the voters of the fire protection district voting on the proposition. Three commissioner districts shall be created for a fire protection district with three commissioners, five commissioner districts shall be created for a fire protection district with five commissioners, and seven commissioner districts shall be created for a fire protection district with seven commissioners. No two commissioners may reside in the same commissioner district.

No change in the boundaries of any commissioner district shall be made within one hundred twenty days next before the date of a general district election, nor within twenty months after the commissioner districts have been established or altered unless pursuant to RCW 29A.92.040 or 29A.92.110. However, if a boundary change results in one commissioner district being represented by two or more commissioners, those commissioners having the shortest unexpired terms shall be assigned by the commission to commissioner districts where there is a vacancy, and the commissioners so assigned shall be deemed to be residents of the commissioner districts to which they are assigned for purposes of determining whether those positions are vacant.

The population of each commissioner district shall include approximately equal population. Commissioner districts shall be redrawn as provided in chapter 29A.76 RCW. Commissioner districts shall be used as follows: (1) Only a registered voter who resides in a commissioner district may be a candidate for, or serve as, a commissioner of the commissioner district; and (2) only voters of a commissioner district may vote (~~(at a primary)~~) to nominate or elect candidates for a commissioner of the commissioner district. (~~(Voters of the entire fire protection district may vote at a general election to elect a person as a commissioner of the commissioner district.)~~)

When a board of fire commissioners that has commissioner districts has been increased to five or seven members under RCW 52.14.015, the board of fire commissioners shall divide the fire protection district into five or seven commissioner districts before it appoints the two or four additional fire commissioners. The two or four additional fire commissioners who are appointed shall reside in separate commissioner districts in which no other fire commissioner resides.

Sec. 7. RCW 53.12.010 and 2022 c 47 s 1 are each amended to read as follows:

(1) The powers of the port district shall be exercised through a port commission consisting of three or, when permitted by this title, five members. Every port district that is not coextensive with a county having a population of five hundred thousand or more shall be divided into the same number of commissioner districts as there are commissioner positions, each having approximately equal population, unless provided otherwise under subsection (2) of this section. Where a port district with three commissioner positions is coextensive with the boundaries of a county that has a population of less than five hundred thousand and the county has three county legislative authority districts, the port commissioner

EIGHTY SEVENTH DAY, APRIL 5, 2023

districts shall be the county legislative authority districts. In other instances where a port district is divided into commissioner districts, the port commission shall divide the port district into commissioner districts unless the commissioner districts have been described pursuant to RCW 53.04.031. The commissioner districts shall be altered as provided in chapter 53.16 RCW.

Commissioner districts shall be used as follows: (a) Only a registered voter who resides in a commissioner district may be a candidate for, or hold office as, a commissioner of the commissioner district; and (b) only the voters of a commissioner district may vote ~~((at a primary))~~ to nominate or elect candidates for a commissioner of the commissioner district. ~~((Voters of the entire port district may vote at a general election to elect a person as a commissioner of the commissioner district.))~~

(2)(a) In port districts with five commissioners, two of the commissioner districts may include the entire port district if approved by the voters of the district either at the time of formation or at a subsequent port district election at which the issue is proposed pursuant to a resolution adopted by the board of commissioners and delivered to the county auditor.

(b) In a port district with five commissioners, where two of the commissioner districts include the entire port district, the port district may be divided into five commissioner districts if proposed pursuant to a resolution adopted by the board of commissioners or pursuant to a petition by the voters and approved by the voters of the district at the next general or special election occurring sixty or more days after the adoption of the resolution. A petition proposing such an increase must be submitted to the county auditor of the county in which the port district is located and signed by voters of the port district at least equal in number to ten percent of the number of voters in the port district who voted at the last general election.

Upon approval by the voters, the commissioner district boundaries shall be redrawn into five districts prior to the first day of January in the year in which the two additional commissioners shall be elected and submitted to the county auditor pursuant to RCW 53.16.015. The new commissioner districts shall be numbered one through five and the three incumbent commissioners representing the three former districts shall represent commissioner districts one through three. The two at large incumbent commissioners shall represent commissioner districts four and five. If, as a result of redrawing the district boundaries more than one of the incumbent commissioners resides in one of the new commissioner districts, the commissioners who reside in the same commissioner district shall determine by lot which of the numbered commissioner districts they shall represent for the remainder of their respective terms.

Sec. 8. RCW 54.12.010 and 2018 c 113 s 210 are each amended to read as follows:

A public utility district that is created as provided in RCW 54.08.010 shall be a municipal corporation of the state of Washington, and the name of such public utility district shall be Public Utility District No. . . . of County.

The powers of the public utility district shall be exercised through a commission consisting of three members in three commissioner districts, and five members in five commissioner districts.

(1) If the public utility district is countywide and the county has three county legislative authority districts, then, at the first election of commissioners and until any change is made in the boundaries of public utility district commissioner districts, one public utility district commissioner shall be chosen from each of the three county legislative authority districts.

(2) If the public utility district comprises only a portion of the county, with boundaries established in accordance with chapter 54.08 RCW, or if the public utility district is countywide and the county does not have three county legislative authority districts, three public utility district commissioner districts, numbered consecutively, each with approximately equal population and following precinct lines, as far as practicable, shall be described in the petition for the formation of the public utility district, subject to appropriate change by the county legislative authority if and when it changes the boundaries of the proposed public utility district. One commissioner shall be elected as a commissioner of each of the public utility district commissioner districts.

(3) Only a registered voter who resides in a commissioner district may be a candidate for, or hold office as, a commissioner of the commissioner district. Only voters of a commissioner district may vote ~~((at a primary))~~ to nominate or elect candidates for a commissioner of the commissioner district. ~~((Voters of the entire public utility district may vote at a general election to elect a person as a commissioner of the commissioner district.))~~

(4) The term of office of each public utility district commissioner other than the commissioners at large shall be six years, and the term of each commissioner at large shall be four years. Each term shall be computed in accordance with RCW 29A.60.280 following the commissioner's election. All public utility district commissioners shall hold office until their successors shall have been elected and have qualified and assume office in accordance with RCW 29A.60.280.

(5) A vacancy in the office of public utility district commissioner shall occur as provided in chapter 42.12 RCW or by nonattendance at meetings of the public utility district commission for a period of sixty days unless excused by the public utility district commission. Vacancies on a board of public utility district commissioners shall be filled as provided in chapter 42.12 RCW.

(6) The boundaries of the public utility district commissioner districts may be changed only by the public utility district commission or by a court order issued pursuant to RCW 29A.92.110, and shall be examined every ten years to determine substantial equality of population in accordance with chapter 29A.76 RCW. Except as provided in this section, RCW 29A.92.110, RCW 54.04.039, or in the case of an intervening census, the boundaries shall not be changed more often than once in four years. Boundaries may only be changed when all members of the commission are present. Whenever territory is added to a public utility district under RCW 54.04.035, or added or withdrawn under RCW 54.04.039, the boundaries of the public utility commissioner districts shall be changed to include the additional or exclude the withdrawn territory. Unless the boundaries are changed pursuant to RCW 54.04.039, the proposed change of the boundaries of the public utility district commissioner district must be made by resolution and after public hearing. Notice of the time of the public hearing shall be published for two weeks before the hearing. Upon a referendum petition signed by ten percent of the qualified voters of the public utility district being filed with the county auditor, the county legislative authority shall submit the proposed change of boundaries to the voters of the public utility district for their approval or rejection. The petition must be filed within ninety days after the adoption of resolution of the proposed action. The validity of the petition is governed by the provisions of chapter 54.08 RCW."

On page 1, line 1 of the title, after "act;" strike the remainder of the title and insert "and amending RCW 29A.92.040,

29A.92.110, 35A.12.180, 35.23.051, 36.32.050, 52.14.013, 53.12.010, and 54.12.010."

Senator Fortunato spoke in favor of adoption of the amendment.

WITHDRAWAL OF AMENDMENT

On motion of Senator Fortunato and without objection, striking amendment no. 0279 by Senator Fortunato to Engrossed Substitute House Bill No. 1048 was withdrawn.

MOTION

Senator Wagoner moved that the following striking amendment no. 0280 by Senator Wagoner be adopted:

Strike everything after the enacting clause and insert the following:

"**NEW SECTION. Sec. 1.** (1) The task force on enhancing the voting rights act is created.

(2) The task force shall consist of the following members:

(a) The secretary of state or his or her designee;

(b) One member of the senate majority caucus, appointed by the senate majority leader;

(c) One member of the senate minority caucus, appointed by the senate minority leader;

(d) One member of the house of representatives majority caucus, appointed by the speaker of the house of representatives;

(e) One member of the house of representatives minority caucus, appointed by the house of representatives minority leader;

(f) The attorney general or his or her designee;

(g) Two county auditors, one from a county located west of the crest of the Cascade mountains and one from a county located east of the crest of the Cascade mountains, appointed by the Washington association of county auditors;

(h) One professor with expertise in Washington elections and redistricting law from an institution of higher education located in the state, appointed by the governor;

(i) One member appointed by the association of Washington cities; and

(j) One member appointed by the Washington state association of counties.

(3) The task force shall examine, including through conducting public hearings, improvements to law to enhance the operation of the voting rights act, chapter 29A.92 RCW, including the following issues:

(a) Reimbursement for costs incurred for research to develop a notice of a claim of a violation of the voting rights act, including:

(i) What changes to a political subdivision's electoral scheme are required for a claimant or plaintiff to be considered prevailing and entitled to any recovery of costs incurred for research to develop the notice of a claim;

(ii) At what level reimbursement should be capped; and

(iii) Any other recommendations regarding reimbursement of prenotice or presuit research costs to increase the fairness of local elections and encourage settlement of claims;

(b) Improvements to law to clarify the standing of coalitions of protected classes, organizations representing interested groups, and Indian tribes to bring claims;

(c) Clarifications to current law which would make it easier for courts to interpret provisions, assign burdens of proof, and construct statutes;

(d) An examination of the current status of elections in political subdivisions in the state, including the structures of political subdivisions, and whether any discriminatory impact exists that could be remedied by changes to law; and

(e) Any other modifications to the voting rights act to ensure equal opportunity for all groups to elect candidates of their choice, timely resolution of claims, and decreased costs for all parties.

(4) The task force may elect a member to serve as chair.

(5) Staff support for the task force shall be provided by the office of the secretary of state.

(6) The task force shall prepare recommendations which must be contained in a report submitted to the relevant committees of the legislature by December 1, 2024.

(7) Legislative members of the task force may be reimbursed for travel expenses in accordance with RCW 44.04.120. Nonlegislative members, except those representing an employer, governmental entity, or other organization, are entitled to be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060.

(8) This section expires December 31, 2024."

On page 1, line 1 of the title, after "act;" strike the remainder of the title and insert "creating a new section; and providing an expiration date."

Senators Wagoner, Short and Braun spoke in favor of adoption of the striking amendment.

Senators Hunt and Kuderer spoke against adoption of the striking amendment.

The President declared the question before the Senate to be the adoption of striking amendment no. 0280 by Senator Wagoner to Engrossed Substitute House Bill No. 1048.

The motion by Senator Wagoner did not carry and striking amendment no. 0280 was not adopted by voice vote.

MOTION

On motion of Senator Saldaña, the rules were suspended, Engrossed Substitute House Bill No. 1048 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Saldaña spoke in favor of passage of the bill.

Senator Wilson, J. spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 1048.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 1048 and the bill passed the Senate by the following vote: Yeas, 27; Nays, 21; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Lias, Lovelett, Lovick, Nguyen, Nobles, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Mullet, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

Excused: Senator Van De Wege

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1048, having received the constitutional majority, was declared passed.

EIGHTY SEVENTH DAY, APRIL 5, 2023

There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1289, by House Committee on Postsecondary Education & Workforce (originally sponsored by Reed, Ybarra, Berry, Ortiz-Self, Riccelli, Paul, Reeves, Leavitt and Timmons)

Concerning program administration for the Washington state opportunity scholarship program.

The measure was read the second time.

MOTION

Senator Randall moved that the following committee striking amendment by the Committee on Higher Education & Workforce Development be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 28B.145.010 and 2022 c 211 s 1 are each amended to read as follows:

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

(1) "Board" means the opportunity scholarship board.

(2) "Council" means the student achievement council.

(3) "Eligible advanced degree program" means a health professional degree program beyond the baccalaureate level and includes graduate and professional degree programs.

(4) "Eligible county" has the same meaning as "rural county" as defined in RCW 82.14.370 and also includes any county that shares a common border with Canada and has a population of over 125,000.

(5) "Eligible education programs" means high employer demand and other programs of study as determined by the board.

(6) "Eligible expenses" means reasonable expenses associated with the costs of acquiring an education such as tuition, books, equipment, fees, room and board, and other expenses as determined by the program administrator in consultation with the council and the state board for community and technical colleges.

(7) "Eligible school district" means a school district of the second class as identified in RCW 28A.300.065(2).

(8)(a) "Eligible student" means a resident student who:

(i)(A) Received his or her high school diploma or high school equivalency certificate as provided in RCW 28B.50.536 in Washington and has been accepted at a four-year institution of higher education into an eligible education program leading to a baccalaureate degree;

(B) Received his or her high school diploma or high school equivalency certificate as provided in RCW 28B.50.536 in Washington and will attend a two-year institution of higher education and intends to transfer to an eligible education program at a four-year institution of higher education;

(C) Received his or her high school diploma or equivalent and has been accepted at an institution of higher education into a professional-technical certificate or degree program in an eligible education program; or

(D) Has been accepted at an institution of higher education into an eligible advanced degree program that leads to credentials in health professions;

(ii) Declares an intention to obtain a professional-technical certificate, professional-technical degree, baccalaureate degree, or an advanced degree; and

(iii) Has a family income at or below 125 percent of the state median family income at the time the student applies for an opportunity scholarship. For the advanced degree program, family income may be greater than 125 percent if the eligible student can demonstrate financial need through other factors such as a history of prior household income, income loss caused by entering the advanced degree program, level of student debt at application and annually thereafter, or other factors determined by the program.

(b) To remain eligible for scholarship funds under the opportunity scholarship program the student must meet satisfactory academic progress toward completion of an eligible program as determined by the office of student financial assistance in the Washington college grant program under chapter 28B.92 RCW.

(9) "Gift aid" means financial aid received from the federal Pell grant, the Washington college grant program in chapter 28B.92 RCW, the college bound scholarship program in chapter 28B.118 RCW, the opportunity grant program in chapter 28B.50 RCW, or any other state grant, scholarship, or worker retraining program that provides funds for educational purposes with no obligation of repayment. "Gift aid" does not include student loans, work-study programs, the basic food employment and training program administered by the department of social and health services, or other employment assistance programs that provide job readiness opportunities and support beyond the costs of tuition, books, and fees.

(10) "High employer demand program of study" has the same meaning as provided in RCW 28B.50.030.

(11) "Participant" means an eligible student who has received a scholarship under the opportunity scholarship program.

(12) "Private sources," "private funds," "private contributions," or "private sector contributions" means donations from private organizations, corporations, federally recognized Indian tribes, municipalities, counties, and other sources, but excludes state dollars.

(13) "Professional-technical certificate" means a program as approved by the state board for community and technical colleges under RCW 28B.50.090(7)(c), that is offered by an institution of higher education or an eligible registered apprenticeship program under chapter 28B.92 RCW.

(14) "Professional-technical degree" means a program as approved by the state board for community and technical colleges under RCW 28B.50.090(7)(c), that is offered by an institution of higher education or an eligible registered apprenticeship program under chapter 28B.92 RCW.

(15) "Program administrator" means ((#)) one or more private nonprofit corporations registered under Title 24 RCW and qualified as a tax-exempt entity under section 501(c)(3) of the federal internal revenue code.

(16) "Resident student" means a student meeting the requirements under RCW 28B.92.200(5)(c) as defined in the Washington college grant program.

(17) "Rural jobs program" means the rural county high employer demand jobs program created in this chapter.

Sec. 2. RCW 28B.145.020 and 2019 c 406 s 64 are each amended to read as follows:

(1) The opportunity scholarship board is created. The board consists of eleven members:

(a) Six members appointed by the governor. For three of the six appointments, the governor shall consider names from a list

provided by the president of the senate and the speaker of the house of representatives; and

(b) Five foundation or business and industry representatives appointed by the governor from among the state's most productive industries such as aerospace, manufacturing, health care, information technology, engineering, agriculture, and others, as well as philanthropy. The foundation or business and industry representatives shall be selected from among nominations provided by the private sector donors to the opportunity scholarship and opportunity expansion programs. However, the governor may request, and the private sector donors shall provide, an additional list or lists from which the governor shall select these representatives.

(2) Board members shall hold their offices for a term of four years from the first day of September and until their successors are appointed. No more than the terms of two members may expire simultaneously on the last day of August in any one year.

(3) The members of the board shall elect one of the business and industry representatives to serve as chair.

(4) Seven members of the board constitute a quorum for the transaction of business. In case of a vacancy, or when an appointment is made after the date of expiration of the term, the governor or the president of the senate or the speaker of the house of representatives, depending upon which made the initial appointment to that position, shall fill the vacancy for the remainder of the term of the board member whose office has become vacant or expired.

(5) The board shall be staffed by ~~((#))~~ one or more program administrators, under contract with the board and the council. The board may cause one or more tax-exempt nonprofit corporations to be created, organized, and operated exclusively to perform some or all of the program administrator duties under this act. The board and council may contract directly with any such nonprofit corporation.

(6) The purpose of the board is to provide oversight and guidance for the opportunity expansion program, the opportunity scholarship program, and the rural jobs program, in light of established legislative priorities and to fulfill the duties and responsibilities under this chapter, including but not limited to determining eligible education programs and eligible advanced degree programs for purposes of the opportunity scholarship program and rural jobs program. In determining eligible advanced degree programs, the board shall consider advanced degree programs that lead to credentials in health professions that include, but are not limited to, primary care, dental care, behavioral health, and public health. Duties, exercised jointly with the program administrator, include soliciting funds and setting annual fund-raising goals.

(7) The board may report to the governor and the appropriate committees of the legislature with recommendations as to:

(a) Whether some or all of the scholarships should be changed to conditional scholarships that must be repaid in the event the participant does not complete the eligible education program;

(b) A source or sources of funds for the opportunity expansion program in addition to the voluntary contributions of the high-technology research and development tax credit under RCW 82.32.800; and

(c) Whether the program should include a loan repayment or low-interest or no-interest loan component for the advanced degree portion of the program.

Sec. 3. RCW 28B.145.040 and 2019 c 406 s 66 are each amended to read as follows:

(1) The opportunity scholarship program is established.

(2) The purpose of this scholarship program is to provide scholarships that will help low and middle-income Washington

residents earn professional-technical certificates, professional-technical degrees, baccalaureate degrees in high employer demand and other programs of study, and advanced degrees in health professions, and encourage them to remain in the state to work. The program must be designed for students starting professional-technical certificate or degree programs, students starting at two-year institutions of higher education and intending to transfer to four-year institutions of higher education, students starting at four-year institutions of higher education, and students enrolled in eligible advanced degree programs.

(3) The opportunity scholarship board shall determine which programs of study, including but not limited to high employer demand programs, are eligible for purposes of the opportunity scholarship. For eligible advanced degree programs, the board shall limit scholarships to eligible students enrolling in programs that lead to credentials in health professions.

(4)(a) The source of funds for the program shall be a combination of private grants and contributions and state matching funds. A state match may be earned under this section for private contributions made on or after June 6, 2011.

~~(b) ((The state match must be based on donations and pledges received as))~~ (i) The state must provide an annual appropriation for a state match, on an equal dollar basis, not to exceed \$50,000,000 per fiscal year.

(ii) Appropriations for the state match in the biennial omnibus operating appropriations act must be based on estimated donations and pledges for those fiscal years as reported by the board to the office of financial management as of the date each official state caseload forecast is submitted by the caseload forecast council to the legislative fiscal committees, as provided under RCW 43.88C.020.

(iii) Annually in the supplemental omnibus operating appropriations act, the state match must be adjusted to donations received and estimated pledges committed for the current fiscal biennium as reported by the board to the office of financial management as of the date each official state caseload forecast is submitted by the caseload forecast council to the legislative fiscal committees, as provided under RCW 43.88C.020. Additionally, the state match for the current fiscal year must be adjusted to reflect the excess or deficit between donations and pledges actually received in the prior fiscal year and the state match provided in the prior fiscal year.

(iv) The purpose of this subsection (4)(b) is to ensure the predictable treatment of the program in the budget process by clarifying the calculation process of the state match required by this section and ensuring the program is budgeted at maintenance level.

~~(((e) A state match, up to a maximum of fifty million dollars annually, shall be provided beginning the later of January 1, 2014, or January 1st next following the end of the fiscal year in which collections of state retail sales and use tax, state business and occupation tax, and state public utility tax exceed, by ten percent the amounts collected from these tax resources in the fiscal year that ended June 30, 2008, as determined by the department of revenue.))~~

Sec. 4. RCW 28B.145.100 and 2022 c 211 s 3 are each amended to read as follows:

(1)(a) The rural county high employer demand jobs program is created to meet the workforce needs of business and industry in rural counties by assisting students in earning certificates, associate degrees, or other industry-recognized credentials necessary for employment in high employer demand fields.

(b) Subject to the requirements of this section, the rural jobs program provides selected students scholarship funds and support services, as determined by the board, to help students meet their

EIGHTY SEVENTH DAY, APRIL 5, 2023

eligible expenses when they enroll in a community or technical college program that prepares them for high employer demand fields.

(c) The source of funds for the rural jobs program shall be a combination of private donations, grants, and contributions and state matching funds.

(d) The state ~~((match must be based on donations and pledges received))~~ must provide an annual appropriation for the state match, on an equal dollar basis, not to exceed \$1,000,000 each fiscal biennium.

(i) Appropriations for the state match in the biennial omnibus operating appropriations act must be based on estimated donations and pledges for those fiscal years as reported by the board to the office of financial management as of the date each official state caseload forecast is submitted by the caseload forecast council to the legislative fiscal committees, as provided under RCW 43.88C.020.

(ii) Annually in the supplemental omnibus operating appropriations act, the state match must be adjusted to donations received and estimated pledges committed for the current fiscal biennium as reported by the board to the office of financial management as of the date each official state caseload forecast is submitted by the caseload forecast council to the legislative fiscal committees, as provided under RCW 43.88C.020. Additionally, the state match for the current fiscal year must be adjusted to reflect the excess or deficit between donations and pledges actually received in the prior fiscal year and the state match provided in the prior fiscal year.

(iii) The purpose of this subsection (1)(d) is to ensure the predictable treatment of the program in the budget process by clarifying the calculation process of the state match required by this section and to ensure the program is budgeted at maintenance level.

(2) The program administrator has the duties and responsibilities provided under this section, including but not limited to:

(a) Publicize the rural jobs program and conducting outreach to eligible counties;

(b) In consultation with the state board for community and technical colleges, any interested community or technical college located in an eligible county, and the county's workforce development council, identify high employer demand fields within the eligible counties. When identifying high employer demand fields, the board must consider:

(i) County-specific employer demand reports issued by the employment security department or the list of statewide high-demand programs for secondary career and technical education established under RCW 28A.700.020; and

(ii) The ability and capacity of the community and technical college to meet the needs of qualifying students and industry in the eligible county;

(c) Develop and implement an application, selection, and notification process for awarding rural jobs program scholarship funds. In making determinations on scholarship recipients, the board shall use county-specific employer high-demand data;

(d) Determine the annual scholarship fund amounts to be awarded to selected students;

(e) Distribute funds to selected students;

(f) Notify institutions of higher education of the rural jobs program recipients who will attend their institutions of higher education and inform them of the scholarship fund amounts and terms of the awards; and

(g) Establish and manage an account as provided under RCW 28B.145.110 to receive donations, grants, contributions from

private sources, and state matching funds, and from which to disburse scholarship funds to selected students.

(3) To be eligible for scholarship funds under the rural jobs program, a student must:

(a) Either:

(i) Be a resident of an eligible county;

(ii) Have attended and graduated from a school in an eligible school district; or

(iii) Be enrolled in either a community or technical college established under chapter 28B.50 RCW located in an eligible county or participating in an eligible registered apprenticeship program under chapter 28B.92 RCW in an eligible county;

(b) Be a resident student as defined in the Washington college grant program in RCW 28B.92.200(5)(c);

(c) Be in a certificate, degree, or other industry-recognized credential or training program that has been identified by the board as a program that prepares students for a high employer demand field;

(d) Have a family income that does not exceed seventy percent of the state median family income adjusted for family size; and

(e) Demonstrate financial need according to the free application for federal student aid or the Washington application for state financial aid.

(4) To remain eligible for scholarship funds under the rural jobs program, the student must meet satisfactory academic progress toward completion of an eligible program as established by the program. Rural jobs program eligibility may not extend beyond five years or 125 percent of the published length of the program in which the student is enrolled or the credit or clock-hour equivalent.

(5) A scholarship award under the rural jobs program may not result in a reduction of any gift aid. Nothing in this section creates any right or entitlement.

Sec. 5. RCW 28B.145.120 and 2018 c 254 s 6 are each amended to read as follows:

(1) The rural jobs program match transfer account is created in the custody of the state treasurer as a nonappropriated account to be used solely and exclusively for the rural jobs program created in RCW 28B.145.100. The purpose of the rural jobs program match transfer account is to provide state matching funds for the rural jobs program.

(2) Revenues to the rural jobs program match transfer account shall consist of appropriations by the legislature into the rural jobs program match transfer account.

(3) No expenditures from the rural jobs program match transfer account may be made except upon receipt of proof, by the executive director of the council from the program administrator, of private contributions to the rural jobs program. Expenditures, in the form of matching funds, may not exceed the total amount of private contributions.

(4) Only the executive director of the council or the executive director's designee may authorize expenditures from the rural jobs program match transfer account. Such authorization must be made as soon as practicable following receipt of proof as required under this section.

(5)(a) The council shall enter into an appropriate agreement with the program administrator to demonstrate exchange of consideration for the matching funds.

(b) Once moneys in the rural jobs program match transfer account are subject to an agreement under this subsection and are deposited in the student support pathways account, the state acts in a fiduciary rather than ownership capacity with regard to those assets. Assets in the student support pathways account are not considered state money, common cash, or revenue to the state.

~~((6) The state match must not exceed one million dollars in a single fiscal biennium and must be based on donations and pledges received by the rural jobs program as of the date each official state caseload forecast is submitted by the caseload forecast council to the legislative fiscal committees, as provided under RCW 43.88C.020. Nothing in this section expands or modifies the responsibilities of the caseload forecast council.))~~

NEW SECTION. Sec. 6. RCW 28B.145.130 (Rural jobs program—State matching funds) and 2018 c 254 s 7 are each repealed.

NEW SECTION. Sec. 7. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

On page 1, line 2 of the title, after "program;" strike the remainder of the title and insert "amending RCW 28B.145.010, 28B.145.020, 28B.145.040, 28B.145.100, and 28B.145.120; repealing RCW 28B.145.130; and declaring an emergency."

Senators Randall and Holy spoke in favor of adoption of the committee striking amendment.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Higher Education & Workforce Development to Substitute House Bill No. 1289.

The motion by Senator Randall carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Randall, the rules were suspended, Substitute House Bill No. 1289 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Randall and Holy spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1289 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1289 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Van De Wege

SUBSTITUTE HOUSE BILL NO. 1289, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced students from Snoqualmie Elementary School who were seated in the gallery. The classes were guests of Senator Mullet.

SECOND READING

HOUSE BILL NO. 1308, by Representatives Stonier, Dye, Ortiz-Self, Tharinger, Riccelli, Reed and Pollet

Concerning high school graduation pathway options.

The measure was read the second time.

MOTION

Senator Wellman moved that the following committee striking amendment by the Committee on Early Learning & K-12 Education be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) In 2019 the legislature created a system of multiple graduation pathway options, which took effect beginning with the class of 2020. The legislature intended for the graduation pathways to be student-focused, adaptable, rigorous, and meaningful ways for students to demonstrate appropriate readiness in support of their individualized career and college goals.

(2) The legislature anticipated that school districts might face barriers to implementing the pathways and students might face barriers to accessing the pathway options. The legislature charged the state board of education with research on the first three years of implementation to identify barriers and provide recommendations for changes to the existing pathways and additional pathway options.

(3) While implementation of the graduation pathway options was significantly disrupted by the COVID-19 pandemic, the research on early implementation identified access and equity barriers that would exist even without the pandemic. The research shows that the initial set of graduation pathway options do not meet the needs of all students. The research found some students completing pathways that do not align with their individual goals for after high school, in which case the pathway is not serving its intended purpose. Overall, students, families, and educators report a need for additional relevant and authentic options.

(4) The legislature recognizes that students can demonstrate readiness in multiple ways and recognizes the need to expand graduation pathways in order to provide options that are student-focused, individualized, relevant, and that support all student needs. Research shows that performance-based assessments are valid ways of measuring students' readiness for success in college and careers. Further, research shows that performance-based assessments are associated with increased student engagement, skill development, critical thinking, and postsecondary success. The legislature recognizes that a performance-based graduation pathway option supports the state's transition to mastery-based learning.

(5) Therefore, the legislature intends to create graduation pathway options that allow students to demonstrate their readiness in performance-based ways, in addition to the existing test-based and course-based options. Further, the legislature intends to create ongoing requirements to monitor the graduation pathway options implementation at both the state and local levels to ensure accountability and equitable offerings. In providing a wider variety of graduation pathway options, the state maintains

EIGHTY SEVENTH DAY, APRIL 5, 2023

its commitment to high standards for earning a meaningful high school diploma that prepares students for success in postsecondary education, gainful employment, civic engagement, and lifelong learning.

Sec. 2. RCW 28A.655.250 and 2021 c 7 s 3 are each amended to read as follows:

(1)(a) Beginning with the class of 2020, except as provided in RCW 28A.230.320, graduation from a public high school and the earning of a high school diploma must include the following:

(i) Satisfying the graduation requirements established by the state board of education under RCW 28A.230.090 and any graduation requirements established by the applicable public high school or school district;

(ii) Satisfying credit requirements for graduation;

(iii) Demonstrating career and college readiness through completion of the high school and beyond plan as required by RCW 28A.230.090; and

(iv) Meeting the requirements of at least one graduation pathway option established in this section.

(b) Successful completion of the components in (a) of this subsection together signals a student's readiness to graduate with a meaningful high school diploma that fulfills the diploma purpose established in RCW 28A.230.090.

(2) The pathway options established in this section are intended to provide a student with multiple ((pathways to graduating with a meaningful high school diploma that are tailored to the goals of the student)) ways, including test-based, course-based, and performance-based options, to demonstrate readiness in furtherance of the student's individual goals for high school and beyond. For the purposes of this section, "demonstrate readiness" means the student meets or exceeds state learning standards addressed in the pathway option. A student may choose to pursue one or more of the pathway options under ((b)) subsection (3) of this ((subsection)) section, but any pathway option used by a student to demonstrate career and college readiness must be in alignment with the student's high school and beyond plan.

(((b))) (3) The following graduation pathway options may be used to demonstrate career and college readiness in accordance with (((a)(iv))) subsection (1)(a)(iv) of this ((subsection)) section:

(((i))) (a) Meet or exceed the graduation standard established by the state board of education under RCW 28A.305.130 on the statewide high school assessments in English language arts and mathematics as provided for under RCW 28A.655.070;

(((ii))) (b) Complete and qualify for college credit in dual credit courses in English language arts and mathematics. For the purposes of this subsection, "dual credit course" means a course in which a student qualifies for college and high school credit in English language arts or mathematics upon successfully completing the course;

(((iii))) (c) Earn high school credit in a high school transition course in English language arts and mathematics, an example of which includes a bridge to college course. For the purposes of this subsection (((1)(b)(iii))) (3)(c), "high school transition course" means an English language arts or mathematics course offered in high school where successful completion by a high school student ensures the student college-level placement at participating institutions of higher education as defined in RCW 28B.10.016. High school transition courses must satisfy core or elective credit graduation requirements established by the state board of education. A student's successful completion of a high school transition course does not entitle the student to be admitted to an institution of higher education as defined in RCW 28B.10.016;

(((iv))) (d) Earn high school credit, with a C+ grade((, or receiving a three or higher on the AP exam, or equivalent,)) or

higher in AP, international baccalaureate, or Cambridge international courses in English language arts and mathematics; or ((receiving a four or higher on international baccalaureate exams. For English language arts, successfully completing any of the following courses meets the standard: AP English language and composition literature, macroeconomics, microeconomics, psychology, United States history, world history, United States government and politics, or comparative government and politics; or any of the international baccalaureate individuals and societies courses. For mathematics, successfully completing any of the following courses meets the standard: AP statistics, computer science, computer science principles, or calculus; or any of the international baccalaureate mathematics courses)) earn at least the minimum scores outlined in RCW 28B.10.054(1) on the corresponding exams. The state board of education shall establish by rule the list of AP, international baccalaureate, and Cambridge international courses of which successful completion meets the standard in this subsection for English language arts and for mathematics;

(((v))) (e) Meet or exceed the scores established by the state board of education for the mathematics portion and the reading, English, or writing portion of the SAT or ACT;

(((vi))) (f)(i) Complete a performance-based learning experience through which the student demonstrates knowledge and skills in a real-world context, providing evidence that the student meets or exceeds state learning standards in English language arts and mathematics. The performance-based learning experience may take a variety of forms, such as a project, practicum, work-related experience, community service, or cultural activity, and may result in a variety of products that can be evaluated, such as a performance, presentation, portfolio, report, film, or exhibit.

(ii) The performance-based learning experience must conform to state requirements established in rule by the state board of education addressing the safety and quality of the performance-based learning experience and the authentic performance-based assessment criteria for determining the student has demonstrated the applicable learning standards. The rules adopted by the state board of education may allow external parties, including community leaders and professionals, to participate in the evaluation of the student's performance and must include at least one certificated teacher with an endorsement in each relevant subject area or with other applicable qualifications as permitted by the professional educator standards board.

(iii) To support implementation of the performance-based learning experience graduation pathway option, the state board of education shall establish graduation proficiency targets and associated rubrics aligned with state learning standards in English language arts and mathematics.

(iv) Prior to offering the performance-based learning experience graduation pathway option in this subsection (3)(f) to students, the school district board of directors shall adopt a written policy in conformity with applicable state requirements;

(g) Meet any combination of at least one English language arts option and at least one mathematics option established in (((b)(i) through (v))) (a) through (f) of this subsection (((1)));

(((vii))) (h) Meet standard in the armed services vocational aptitude battery; and

(((viii))) (i) Complete a sequence of career and technical education courses that are relevant to a student's postsecondary pathway, including those leading to workforce entry, state or nationally approved apprenticeships, or postsecondary education, and that meet either: The curriculum requirements of core plus programs for aerospace, maritime, health care, information

technology, or construction and manufacturing; or the minimum criteria identified in RCW 28A.700.030. Nothing in this subsection (((1)(b)(viii))) (3)(i) requires a student to enroll in a preparatory course that is approved under RCW 28A.700.030 for the purposes of demonstrating career and college readiness under this section.

((2)) (4) While the legislature encourages school districts to make all pathway options established in this section available to their high school students, and to expand their pathway options until that goal is met, school districts have discretion in determining which pathway options under this section they will offer to students.

((3)) School districts, however, must annually provide students in grades eight through 12 and their parents or legal guardians with comprehensive information about the graduation pathway options offered by the school district and are strongly encouraged to begin providing this information beginning in sixth grade. School districts must provide this information in a manner that conforms with the school district's language access policy and procedures as required under RCW 28A.183.040.

(5) The state board of education shall adopt rules to implement the graduation pathway options established in this section.

Sec. 3. RCW 28A.655.260 and 2021 c 144 s 3 are each amended to read as follows:

(1) The superintendent of public instruction shall collect the following information from school districts: Which of the graduation pathways under RCW 28A.655.250 are available to students at each of the school districts; and the number of students using each graduation pathway for graduation purposes. This information shall be reported annually to the education committees of the legislature beginning January 10, 2021. To the extent feasible, data on student participation in each of the graduation pathways shall be disaggregated by race, ethnicity, gender, and receipt of free or reduced-price lunch.

(2) ((Beginning August 1, 2019, the state board of education shall survey interested parties regarding what additional graduation pathways should be added to the existing graduation pathways identified in RCW 28A.655.250 and whether modifications should be made to any of the existing pathways. Interested parties shall include at a minimum: High school students; recent high school graduates; representatives from the state board for community and technical colleges and four-year higher education institutions; representatives from the apprenticeship and training council; associations representing business; members of the educational opportunity gap oversight and accountability committee; and associations representing educators, school board members, school administrators, superintendents, and parents. The state board of education shall provide reports to the education committees of the legislature by August 1, 2020, and December 10, 2022, summarizing the information collected in the surveys.

(3) Using the data reported by the superintendent of public instruction under subsection (1) of this section, the state board of education shall survey a sampling of the school districts unable to provide all of the graduation pathways under RCW 28A.655.250 in order to identify the types of barriers to implementation school districts have. Using the survey results from this subsection and the survey results collected under subsection (2) of this section, the state board of education shall review the existing graduation pathways, suggested changes to those graduation pathways, and the options for additional graduation pathways, and shall provide a report to the education committees of the legislature by December 10, 2022, on the following:

(a) Recommendations on whether changes to the existing pathways should be made and what those changes should be;

(b) The barriers school districts have to offering all of the graduation pathways and recommendations for ways to eliminate or reduce those barriers for school districts;

(c) Whether all students have equitable access to all of the graduation pathways and, if not, recommendations for reducing the barriers students may have to accessing all of the graduation pathways; and

(d) Whether additional graduation pathways should be included and recommendations for what those pathways should be)
The state board of education shall review and monitor the implementation of the graduation pathway options to ensure school district compliance with requirements established under RCW 28A.655.250 and subsection (3) of this section. The reviews and monitoring required by this subsection may be conducted concurrently with other oversight and monitoring conducted by the state board of education. The information shall be collected annually and reported to the education committees of the legislature by January 10, 2025, and biennially thereafter.

(3)(a) At least annually, school districts shall examine data on student groups participating in and completing each graduation pathway option offered by the school district. At a minimum, the data on graduation pathway participation and completion must be disaggregated by the student groups described in RCW 28A.300.042 (1) and (3), and by:

(i) Gender;

(ii) Students who are the subject of a dependency proceeding pursuant to chapter 13.34 RCW;

(iii) Students who are experiencing homelessness as defined in RCW 28A.300.542(4); and

(iv) Multilingual/English learners.

(b) If the results of the analysis required under (a) of this subsection show disproportionate participation and completion rates by student groups, then the school district shall identify reasons for the observed disproportionality and implement strategies as appropriate to ensure the graduation pathway options are equitably available to all students in the school district."

On page 1, line 1 of the title, after "options;" strike the remainder of the title and insert "amending RCW 28A.655.250 and 28A.655.260; and creating a new section."

MOTION

Senator Pedersen moved that the following amendment no. 0269 by Senators Pedersen and Hawkins be adopted:

On page 4, line 40, after "education" insert ", in collaboration with the office of the superintendent of public instruction,"

Senators Pedersen and Hawkins spoke in favor of adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0269 by Senators Pedersen and Hawkins on page 4, line 40 to the committee striking amendment.

The motion by Senator Pedersen carried and amendment no. 0269 was adopted by voice vote.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Early Learning & K-12 Education as amended.

The motion by Senator Wellman carried and the committee striking amendment as amended was adopted by voice vote.

EIGHTY SEVENTH DAY, APRIL 5, 2023
MOTION

On motion of Senator Wellman, the rules were suspended, House Bill No. 1308 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wellman and Hawkins spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1308 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1308 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 47; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Valdez, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senator Trudeau

Excused: Senator Van De Wege

HOUSE BILL NO. 1308 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1207, by House Committee on Education (originally sponsored by Senn, Rude, Fey, Reed, Bergquist, Ramel, Doglio, Callan, Thai and Pollet)

Preventing and responding to harassment, intimidation, bullying, and discrimination in schools.

The measure was read the second time.

MOTION

Senator Wellman moved that the following committee striking amendment by the Committee on Early Learning & K-12 Education be adopted:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. A new section is added to chapter 28A.300 RCW to read as follows:

(1) The office of the superintendent of public instruction shall develop, and periodically update, model student handbook language that includes information about policies and complaint procedures related to discrimination, including sexual harassment and addressing transgender students, and information about policies and complaint procedures related to harassment, intimidation, and bullying, as well as the overlap between the policies and complaint procedures. The model student handbook language must also include a description of the services available through the office of the education ombuds and the contact

information for the office of the education ombuds. The model student handbook language must be aligned with existing requirements in state law including chapters 28A.640 and 28A.642 RCW and RCW 28A.600.477 and 28A.600.510. The model student handbook language must be jointly developed with the Washington state school directors' association, and in consultation with the office of the education ombuds. The model student handbook language must be posted publicly on the office of the superintendent of public instruction's website beginning July 1, 2024.

(2) Beginning with the 2024-25 school year, each school district must include the model student handbook language developed under subsection (1) of this section in any student, parent, employee, and volunteer handbook that it or one of its schools publishes and on the school district's website, and any school's website, if a school or the school district maintains a website. If a school district neither publishes a handbook nor maintains a website, it must provide the model student handbook language developed under subsection (1) of this section to each student, parent, employee, and volunteer at least annually.

NEW SECTION. Sec. 2. A new section is added to chapter 28A.642 RCW to read as follows:

(1) Each school district shall designate one person in the school district as the primary contact regarding school district compliance with this chapter. In addition to any other duties required by law and the school district, the primary contact must:

(a) Ensure that complaints of discrimination communicated to the school district are promptly investigated and resolved; and

(b) Communicate with the primary contact regarding the school district's policy and procedure prohibiting harassment, intimidation, and bullying under RCW 28A.600.477, and the primary contact regarding the school district's policies and procedures related to transgender students under RCW 28A.642.080.

(2) The primary contact may also serve as the primary contact regarding the school district's policy and procedure prohibiting harassment, intimidation, and bullying under RCW 28A.600.477 and the primary contact regarding the school district's policy and procedure related to transgender students under RCW 28A.642.080.

Sec. 3. RCW 28A.640.020 and 1994 c 213 s 1 are each amended to read as follows:

(1) The superintendent of public instruction shall develop regulations and guidelines to eliminate sex discrimination as it applies to public school employment, counseling and guidance services to students, recreational and athletic activities for students, access to course offerings, and in textbooks and instructional materials used by students.

(a) Specifically with respect to public school employment, all schools shall be required to:

(i) Maintain credential requirements for all personnel without regard to sex;

(ii) Make no differentiation in pay scale on the basis of sex;

(iii) Assign school duties without regard to sex except where such assignment would involve duty in areas or situations, such as but not limited to a shower room, where persons might be disrobed;

(iv) Provide the same opportunities for advancement to males and females; and

(v) Make no difference in conditions of employment including, but not limited to, hiring practices, leaves of absence, hours of employment, and assignment of, or pay for, instructional and noninstructional duties, on the basis of sex.

(b) Specifically with respect to counseling and guidance services for students, they shall be made available to all students

equally. All certificated personnel shall be required to stress access to all career and vocational opportunities to students without regard to sex.

(c) Specifically with respect to recreational and athletic activities, they shall be offered to all students without regard to sex. Schools may provide separate teams for each sex. Schools which provide the following shall do so with no disparities based on sex: Equipment and supplies; medical care; services and insurance; transportation and per diem allowances; opportunities to receive coaching and instruction; laundry services; assignment of game officials; opportunities for competition, publicity and awards; scheduling of games and practice times including use of courts, gyms, and pools: PROVIDED, That such scheduling of games and practice times shall be determined by local administrative authorities after consideration of the public and student interest in attending and participating in various recreational and athletic activities. Each school which provides showers, toilets, or training room facilities for athletic purposes shall provide comparable facilities for both sexes. Such facilities may be provided either as separate facilities or shall be scheduled and used separately by each sex.

The superintendent of public instruction shall also be required to develop a student survey to distribute every three years to each local school district in the state to determine student interest for male/female participation in specific sports.

(d) Specifically with respect to course offerings, all classes shall be required to be available to all students without regard to sex: PROVIDED, That separation is permitted within any class during sessions on sex education or gym classes.

(e) Specifically with respect to textbooks and instructional materials, which shall also include, but not be limited to, reference books and audiovisual materials, they shall be required to adhere to the guidelines developed by the superintendent of public instruction to implement the intent of this chapter: PROVIDED, That this subsection shall not be construed to prohibit the introduction of material deemed appropriate by the instructor for educational purposes.

(2)(a) By December 31, 1994, the superintendent of public instruction shall develop criteria for use by school districts in developing sexual harassment policies as required under (b) of this subsection. The criteria shall address the subjects of grievance procedures, remedies to victims of sexual harassment, disciplinary actions against violators of the policy, and other subjects at the discretion of the superintendent of public instruction. Disciplinary actions must conform with collective bargaining agreements and state and federal laws. The superintendent of public instruction also shall supply sample policies to school districts upon request.

(b) By June 30, 1995, every school district shall adopt and implement a written policy concerning sexual harassment. The policy shall apply to all school district employees, volunteers, parents, and students, including, but not limited to, conduct between students.

(c) School district policies on sexual harassment shall be reviewed by the superintendent of public instruction considering the criteria established under (a) of this subsection as part of the monitoring process established in RCW 28A.640.030.

(d) The school district's sexual harassment policy shall be conspicuously posted throughout each school building, and provided to each employee. A copy of the policy shall appear in any publication of the school or school district setting forth the rules, regulations, procedures, and standards of conduct for the school or school district. This requirement as it relates to students, parents, and guardians may be satisfied by using the model student handbook language in section 1 of this act.

(e) Each school shall develop a process for discussing the district's sexual harassment policy. The process shall ensure the discussion addresses the definition of sexual harassment and issues covered in the sexual harassment policy.

(f) "Sexual harassment" as used in this section means unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact, or other verbal or physical conduct or communication of a sexual nature if:

(i) Submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining an education or employment;

(ii) Submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's education or employment; or

(iii) That conduct or communication has the purpose or effect of substantially interfering with an individual's educational or work performance, or of creating an intimidating, hostile, or offensive educational or work environment.

Sec. 4. RCW 28A.600.477 and 2019 c 194 s 1 are each amended to read as follows:

(1)(a) By January 31, 2020, each school district must adopt or amend if necessary a policy and procedure prohibiting harassment, intimidation, and bullying of any student and that, at a minimum, incorporates the model policy and procedure described in subsection (3) of this section.

(b) School districts must share the policy and procedure prohibiting harassment, intimidation, and bullying with parents or guardians, students, volunteers, and school employees in accordance with the rules adopted by the office of the superintendent of public instruction. This requirement as it relates to students, parents, and guardians may be satisfied by using the model student handbook language in section 1 of this act.

(c)(i) Each school district must designate one person in the school district as the primary contact regarding the policy and procedure prohibiting harassment, intimidation, and bullying. In addition to other duties required by law and the school district, the primary contact must:

(A) Ensure the implementation of the policy and procedure prohibiting harassment, intimidation, and bullying;

(B) Receive copies of all formal and informal complaints relating to harassment, intimidation, or bullying;

(C) Communicate with the school district employees responsible for monitoring school district compliance with chapter 28A.642 RCW prohibiting discrimination in public schools, and the primary contact regarding the school district's policies and procedures related to transgender students under RCW 28A.642.080; and

(D) Serve as the primary contact between the school district, the office of the education ombuds, and the office of the superintendent of public instruction on the policy and procedure prohibiting harassment, intimidation, and bullying.

(ii) The primary contact from each school district must attend at least one training class as provided in subsection (4) of this section, once this training is available.

(iii) The primary contact may also serve as the primary contact regarding the school district's policies and procedures relating to transgender students under RCW 28A.642.080 and the primary contact regarding school district compliance with nondiscrimination laws under section 1 of this act.

(2) School districts are encouraged to adopt and update the policy and procedure prohibiting harassment, intimidation, and bullying through a process that includes representation of parents or guardians, school employees, volunteers, students, administrators, and community representatives.

EIGHTY SEVENTH DAY, APRIL 5, 2023

(3)(a) By September 1, 2019, and periodically thereafter, the Washington state school directors' association must collaborate with the office of the superintendent of public instruction to develop and update a model policy and procedure prohibiting harassment, intimidation, and bullying.

(b) Each school district must provide to the office of the superintendent of public instruction a brief summary of its policies, procedures, programs, partnerships, vendors, and instructional and training materials prohibiting harassment, intimidation, and bullying to be posted on the office of the superintendent of public instruction's school safety center website, and must also provide the office of the superintendent of public instruction with a link to the school district's website for further information. The school district's primary contact for harassment, intimidation, and bullying issues must annually by August 15th verify posted information and links and notify the school safety center of any updates or changes.

(c) The office of the superintendent of public instruction must publish on its website, with a link to the school safety center website, the revised and updated model policy and procedure prohibiting harassment, intimidation, and bullying, along with training and instructional materials on the components that must be included in any school district policy and procedure prohibiting harassment, intimidation, and bullying. By September 1, 2019, the office of the superintendent of public instruction must adopt rules regarding school districts' communication of the policy and procedure prohibiting harassment, intimidation, and bullying to parents, students, employees, and volunteers.

(4) By December 31, 2020, the office of the superintendent of public instruction must develop a statewide training class for those people in each school district who act as the primary contact regarding the policy and procedure prohibiting harassment, intimidation, and bullying as provided in subsection (1) of this section. The training class must be offered on an annual basis by educational service districts in collaboration with the office of the superintendent of public instruction. The training class must be based on the model policy and procedure prohibiting harassment, intimidation, and bullying as provided in subsection (3) of this section and include materials related to hazing and the Washington state school directors' association model transgender student policy and procedure as provided in RCW 28A.642.080.

(5) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Electronic" means any communication where there is the transmission of information by wire, radio, optical cable, electromagnetic, or other similar means.

(b)(i) "Harassment, intimidation, or bullying" means any intentional electronic, written, verbal, or physical act including, but not limited to, one shown to be motivated by any characteristic in RCW 28A.640.010 and 28A.642.010, or other distinguishing characteristics, when the intentional electronic, written, verbal, or physical act:

(A) Physically harms a student or damages the student's property;

(B) Has the effect of substantially interfering with a student's education;

(C) Is so severe, persistent, or pervasive that it creates an intimidating or threatening educational environment; or

(D) Has the effect of substantially disrupting the orderly operation of the school.

(ii) Nothing in (b)(i) of this subsection requires the affected student to actually possess a characteristic that is a basis for the harassment, intimidation, or bullying.

Sec. 5. RCW 28A.642.080 and 2019 c 194 s 2 are each amended to read as follows:

(1)(a) By January 31, 2020, each school district must adopt or amend if necessary policies and procedures that, at a minimum, incorporate all the elements of the model transgender student policy and procedure described in subsection (3) of this section.

(b) School districts must share the policies and procedures that meet the requirements of (a) of this subsection with parents or guardians, students, volunteers, and school employees in accordance with rules adopted by the office of the superintendent of public instruction. This requirement as it relates to students, parents, and guardians may be satisfied by using the model student handbook language in section 1 of this act.

(c)(i) Each school district must designate one person in the school district as the primary contact regarding the policies and procedures relating to transgender students that meet the requirements of (a) of this subsection. In addition to any other duties required by law and the school district, the primary contact must:

(A) Ensure the implementation of the policies and procedures relating to transgender students that meet the requirements of (a) of this subsection;

(B) Receive copies of all formal and informal complaints relating to transgender students;

(C) Communicate with the school district employees responsible for monitoring school district compliance with this chapter, and the primary contact regarding the school district's policy and procedure prohibiting harassment, intimidation, and bullying under RCW 28A.600.477; and

(D) Serve as the primary contact between the school district, the office of the education ombuds, and the office of the superintendent of public instruction on policies and procedures relating to transgender students that meet the requirements of (a) of this subsection.

(ii) The primary contact from each school district must attend at least one training class as provided in RCW 28A.600.477, once this training is available.

(iii) The primary contact may also serve as the primary contact regarding the school district's policy and procedure prohibiting harassment, intimidation, and bullying under RCW 28A.600.477 and the primary contact regarding school district compliance with nondiscrimination laws under section 1 of this act.

(2) As required by the office of the superintendent of public instruction, each school district must provide to the office of the superintendent of public instruction its policies and procedures relating to transgender students that meet the requirements of subsection (1)(a) of this section.

(3)(a) By September 1, 2019, and periodically thereafter, the Washington state school directors' association must collaborate with the office of the superintendent of public instruction to develop and update a model transgender student policy and procedure.

(b) The elements of the model transgender student policy and procedure must, at a minimum: Incorporate the office of the superintendent of public instruction's rules and guidelines developed under RCW 28A.642.020 to eliminate discrimination in Washington public schools on the basis of gender identity and expression; address the unique challenges and needs faced by transgender students in public schools; and describe the application of the model policy and procedure prohibiting harassment, intimidation, and bullying, required under RCW 28A.600.477, to transgender students.

(c) The office of the superintendent of public instruction and the Washington state school directors' association must maintain

the model policy and procedure on each agency's website at no cost to school districts.

(4)(a) By December 31, 2020, the office of the superintendent of public instruction must develop online training material available to all school staff based on the model transgender student policy and procedure described in subsection (3) of this section and the office of the superintendent of public instruction's rules and guidance as provided under this chapter.

(b) The online training material must describe the role of school district primary contacts for monitoring school district compliance with this chapter prohibiting discrimination in public schools, RCW 28A.600.477 related to the policies and procedures prohibiting harassment, intimidation, and bullying, and this section related to policies and procedures relating to transgender students.

(c) The online training material must include best practices for policy and procedure implementation and cultural change that are guided by school district experiences.

(d) The office of the superintendent of public instruction must annually notify school districts of the availability of the online training material.

Sec. 6. RCW 28A.600.510 and 2022 c 222 s 2 are each amended to read as follows:

(1) Beginning August 1, 2023, public schools must:

(a) Provide students and their parents or guardians with a description of the services available through the office of the education ombuds and the contact information for the office of the education ombuds at the time of initial enrollment or admission; and

(b) Either: (i) Include on their website a description of the services available through the office of the education ombuds and a link to the website of the office of the education ombuds; or (ii) provide a description of the services available through the office of the education ombuds and the contact information for the office of the education ombuds in existing materials that are shared annually with families, students, and school employees, such as welcome packets, orientation guides, and newsletters. This requirement as it relates to students and families may be satisfied by using the model student handbook language in section 1 of this act.

(2) Public schools are encouraged to comply with both subsection (1)(b)(i) and (ii) of this section.

(3) By July 1, 2022, the office of the education ombuds must develop a template of the information described in subsection (1) of this section. The template must be translated into Spanish and into other languages as resources allow. The template must be made available upon request and updated as needed.

(4) For the purposes of this section, "public schools" has the same meaning as in RCW 28A.150.010.

NEW SECTION. Sec. 7. A new section is added to chapter 28A.600 RCW to read as follows:

(1) The legislature recognizes that public schools have the authority to immediately remove a student from school if the student poses an immediate and continuing danger to other students or to school staff, or if the student poses an immediate and continuing threat of material and substantial disruption of the education process. The legislature acknowledges that emergency expulsion is limited to 10 consecutive school days, the school must provide an opportunity for the student to receive educational services during the emergency expulsion, and both the emergency expulsion and any suspension or expulsion that the emergency expulsion is converted to can be appealed. However, the legislature finds that emergency expulsion tarnishes a student's reputation and self-image, which can result in school staff, fellow students, or the student's families making

assumptions about the student, and, in some cases, these assumptions result in harassment, intimidation, or bullying of the student. Therefore, the legislature intends to discontinue the use of the prejudicial term "emergency expulsion," and replace it with the term "emergency removal," which is a more accurate description of the temporary removal of a student from school to assess and properly respond to an emergent situation involving the student.

(2) As soon as possible after the effective date of this section, the office of the superintendent of public instruction must publish a bulletin to notify school districts and public schools that the term "emergency removal" must be used instead of the term "emergency expulsion" in the context of student discipline and as required by RCW 28A.300.042 and 28A.600.015. The legislature's intent as described in subsection (1) of this section must be included in the bulletin. The bulletin must also include guidance about student discipline data collection and historical data comparison.

(3) A student who was emergency expelled between September 1, 2019, and the effective date of this section may request that any reference to "emergency expulsion" in the student's education record be revised to "emergency removal."

Sec. 8. RCW 28A.300.042 and 2016 c 72 s 501 are each amended to read as follows:

(1) Beginning with the 2017-18 school year, and using the phase-in provided in subsection (2) of this section, the superintendent of public instruction must collect and school districts must submit all student-level data using the United States department of education 2007 race and ethnicity reporting guidelines, including the subracial and subethnic categories within those guidelines, with the following modifications:

(a) Further disaggregation of the Black category to differentiate students of African origin and students native to the United States with African ancestors;

(b) Further disaggregation of countries of origin for Asian students;

(c) Further disaggregation of the White category to include subethnic categories for Eastern European nationalities that have significant populations in Washington; and

(d) For students who report as multiracial, collection of their racial and ethnic combination of categories.

(2) Beginning with the 2017-18 school year, school districts shall collect student-level data as provided in subsection (1) of this section for all newly enrolled students, including transfer students. When the students enroll in a different school within the district, school districts shall resurvey the newly enrolled students for whom subracial and subethnic categories were not previously collected. School districts may resurvey other students.

(3) All student data-related reports required of the superintendent of public instruction in this title must be disaggregated by at least the following subgroups of students: White, Black, Hispanic, American Indian/Alaskan Native, Asian, Pacific Islander/Hawaiian Native, low income, transitional bilingual, migrant, special education, and students covered by section 504 of the federal rehabilitation act of 1973, as amended (29 U.S.C. Sec. 794).

(4) All student data-related reports prepared by the superintendent of public instruction regarding student suspensions and expulsions as required under this title are subject to disaggregation by subgroups including:

(a) Gender;

(b) Foster care;

(c) Homeless, if known;

(d) School district;

(e) School;

EIGHTY SEVENTH DAY, APRIL 5, 2023

(f) Grade level;
 (g) Behavior infraction code, including:
 (i) Bullying;
 (ii) Tobacco;
 (iii) Alcohol;
 (iv) Illicit drug;
 (v) Fighting without major injury;
 (vi) Violence without major injury;
 (vii) Violence with major injury;
 (viii) Possession of a weapon; and
 (ix) Other behavior resulting from a short-term or long-term suspension, expulsion, or interim alternative education setting intervention;

(h) Intervention applied, including:
 (i) Short-term suspension;
 (ii) Long-term suspension;
 (iii) Emergency ~~((expulsion))~~ removal;
 (iv) Expulsion;
 (v) Interim alternative education settings;
 (vi) No intervention applied; and
 (vii) Other intervention applied that is not described in this subsection (4)(h);

(i) Number of days a student is suspended or expelled, to be counted in half or full days; and

(j) Any other categories added at a future date by the data governance group.

(5) All student data-related reports required of the superintendent of public instruction regarding student suspensions and expulsions as required in RCW 28A.300.046 are subject to cross-tabulation at a minimum by the following:

(a) School and district;
 (b) Race, low income, special education, transitional bilingual, migrant, foster care, homeless, students covered by section 504 of the federal rehabilitation act of 1973, as amended (29 U.S.C. Sec. 794), and categories to be added in the future;
 (c) Behavior infraction code; and
 (d) Intervention applied.

(6) The K-12 data governance group shall develop the data protocols and guidance for school districts in the collection of data as required under this section, and the office of the superintendent of public instruction shall modify the statewide student data system as needed. The office of the superintendent of public instruction shall also incorporate training for school staff on best practices for collection of data on student race and ethnicity in other training or professional development related to data provided by the office.

Sec. 9. RCW 28A.600.015 and 2016 c 72 s 105 are each amended to read as follows:

(1) The superintendent of public instruction shall adopt and distribute to all school districts lawful and reasonable rules prescribing the substantive and procedural due process guarantees of pupils in the common schools. Such rules shall authorize a school district to use informal due process procedures in connection with the short-term suspension of students to the extent constitutionally permissible: PROVIDED, That the superintendent of public instruction deems the interest of students to be adequately protected. When a student suspension or expulsion is appealed, the rules shall authorize a school district to impose the suspension or expulsion temporarily after an initial hearing for no more than ~~((ten))~~ 10 consecutive school days or until the appeal is decided, whichever is earlier. Any days that the student is temporarily suspended or expelled before the appeal is decided shall be applied to the term of the student suspension or expulsion and shall not limit or extend the term of the student

suspension or expulsion. An expulsion or suspension of a student may not be for an indefinite period of time.

(2) Short-term suspension procedures may be used for suspensions of students up to and including, ~~((ten))~~ 10 consecutive school days.

(3) Emergency ~~((expulsions))~~ removals must end or be converted to another form of corrective action within ten school days from the date of the emergency removal from school. Notice and due process rights must be provided when an emergency ~~((expulsion))~~ removal is converted to another form of corrective action.

(4) School districts may not impose long-term suspension or expulsion as a form of discretionary discipline.

(5) Any imposition of discretionary and nondiscretionary discipline is subject to the bar on suspending the provision of educational services pursuant to subsection (8) of this section.

(6) As used in this chapter, "discretionary discipline" means a disciplinary action taken by a school district for student behavior that violates rules of student conduct adopted by a school district board of directors under RCW 28A.600.010 and this section, but does not constitute action taken in response to any of the following:

(a) A violation of RCW 28A.600.420;

(b) An offense in RCW 13.04.155;

(c) Two or more violations of RCW 9A.46.120, 9.41.280, 28A.600.455, 28A.635.020, or 28A.635.060 within a three-year period; or

(d) Behavior that adversely impacts the health or safety of other students or educational staff.

(7) Except as provided in RCW 28A.600.420, school districts are not required to impose long-term suspension or expulsion for behavior that constitutes a violation or offense listed under subsection (6)(a) through (d) of this section and should first consider alternative actions.

(8) School districts may not suspend the provision of educational services to a student as a disciplinary action. A student may be excluded from a particular classroom or instructional or activity area for the period of suspension or expulsion, but the school district must provide an opportunity for a student to receive educational services during a period of suspension or expulsion.

(9) Nothing in this section creates any civil liability for school districts, or creates a new cause of action or new theory of negligence against a school district board of directors, a school district, or the state."

On page 1, line 6 of the title, after "term;" strike the remainder of the title and insert "amending RCW 28A.640.020, 28A.600.477, 28A.642.080, 28A.600.510, 28A.300.042, and 28A.600.015; adding a new section to chapter 28A.300 RCW; adding a new section to chapter 28A.642 RCW; and adding a new section to chapter 28A.600 RCW."

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Early Learning & K-12 Education to Substitute House Bill No. 1207.

The motion by Senator Wellman carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Wellman, the rules were suspended, Substitute House Bill No. 1207 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wellman and Nobles spoke in favor of passage of the bill.

Senator Hawkins spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1207 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1207 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 28; Nays, 20; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Liias, Lovelett, Lovick, Mullet, Nguyen, Nobles, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

Excused: Senator Van De Wege

SUBSTITUTE HOUSE BILL NO. 1207, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced students from Snoqualmie Elementary School who were seated in the gallery. The students were guests of Senator Mullet.

SECOND READING

SECOND SUBSTITUTE HOUSE BILL NO. 1522, by House Committee on Appropriations (originally sponsored by Pollet, Leavitt, Berry and Macri)

Addressing sexual misconduct at scholarly or professional associations.

The measure was read the second time.

MOTION

On motion of Senator Randall, the rules were suspended, Second Substitute House Bill No. 1522 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Randall and Holy spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute House Bill No. 1522.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute House Bill No. 1522 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Van De Wege

SECOND SUBSTITUTE HOUSE BILL NO. 1522, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED HOUSE BILL NO. 1274, by Representatives Couture, Lekanoff, Eslick, Waters, Walsh, Griffey, Low, Hutchins, Dent, Taylor, Barnard, Connors, Rude, Sandlin, Slatter, Stonier, Harris, Reeves, Abbarno, Robertson, Senn, Davis, Gregerson, Christian, Schmidt, Orwall, Ramel and Pollet

Creating a child malnutrition field guide for the department of children, youth, and families.

The measure was read the second time.

MOTION

On motion of Senator Boehnke, the rules were suspended, Engrossed House Bill No. 1274 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators MacEwen and Wilson, C. spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed House Bill No. 1274.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 1274 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Van De Wege

ENGROSSED HOUSE BILL NO. 1274, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 11:59 a.m., on motion of Senator Pedersen, the Senate was declared to be at ease subject to the call of the President for the

EIGHTY SEVENTH DAY, APRIL 5, 2023

purposes of lunch, caucus meetings, and a meeting of the Committee on Rules.

Senator Hasegawa announced a meeting of the Democratic Caucus.

Senator Warnick announced a meeting of the Republican Caucus.

AFTERNOON SESSION

The Senate was called to order at 2:47 p.m. by President Heck.

SIGNED BY THE PRESIDENT

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

SUBSTITUTE SENATE BILL NO. 5338.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1125, by House Committee on Transportation (originally sponsored by Fey, Lekanoff, Timmons, Paul, Wylie and Donaghy)

Making transportation appropriations for the 2023-2025 fiscal biennium. Revised for first Substitute: Making transportation appropriations for the 2021-2023 fiscal biennium and the 2023-2025 fiscal biennium.

The measure was read the second time.

MOTION

Senator Liias moved that the following striking amendment no. 0283 by Senators Liias and King be adopted:

Strike everything after the enacting clause and insert the following:

"2023-2025 FISCAL BIENNIUM

NEW SECTION. Sec. 1. (1) The transportation budget of the state is hereby adopted and, subject to the provisions set forth, the several amounts specified, or as much thereof as may be necessary to accomplish the purposes designated, are hereby appropriated from the several accounts and funds named to the designated state agencies and offices for employee compensation and other expenses, for capital projects, and for other specified purposes, including the payment of any final judgments arising out of such activities, for the period ending June 30, 2025.

(2) Unless the context clearly requires otherwise, the definitions in this subsection apply throughout this act.

(a) "Fiscal year 2024" or "FY 2024" means the fiscal year ending June 30, 2024.

(b) "Fiscal year 2025" or "FY 2025" means the fiscal year ending June 30, 2025.

(c) "FTE" means full-time equivalent.

(d) "Lapse" or "revert" means the amount shall return to an unappropriated status.

(e) "Provided solely" means the specified amount may be spent only for the specified purpose. Unless otherwise specifically authorized in this act, any portion of an amount provided solely for a specified purpose that is not expended subject to the specified conditions and limitations to fulfill the specified purpose shall lapse.

(f) "Reappropriation" means appropriation and, unless the context clearly provides otherwise, is subject to the relevant conditions and limitations applicable to appropriations.

(g) "LEAP" means the legislative evaluation and accountability program committee.

GENERAL GOVERNMENT AGENCIES—OPERATING NEW SECTION. Sec. 101. FOR THE DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION

Motor Vehicle Account—State Appropriation.....\$566,000

NEW SECTION. Sec. 102. FOR THE UTILITIES AND TRANSPORTATION COMMISSION

Grade Crossing Protective Account—State Appropriation\$504,000

Pilotage Account—State Appropriation.....\$150,000

TOTAL APPROPRIATION\$654,000

NEW SECTION. Sec. 103. FOR THE OFFICE OF FINANCIAL MANAGEMENT

Motor Vehicle Account—State Appropriation.....\$200,000

Puget Sound Ferry Operations Account—State Appropriation\$126,000

TOTAL APPROPRIATION\$326,000

NEW SECTION. Sec. 104. FOR THE STATE PARKS AND RECREATION COMMISSION

Motor Vehicle Account—State Appropriation.....\$1,186,000

Multimodal Transportation Account—State Appropriation\$1,000

TOTAL APPROPRIATION\$1,187,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided in subsection (2) of this section, the appropriations in this section are provided solely for road maintenance purposes.

(2) \$1,000 of the multimodal transportation account—state appropriation is provided solely for the commission to install a sign in memory of Zachary Lee Rager on or near the bridge on the Willapa trail that crosses the Chehalis river near old highway 603 providing information about the hazards of cold water shock related to diving or jumping off the bridge.

NEW SECTION. Sec. 105. FOR THE DEPARTMENT OF AGRICULTURE

Motor Vehicle Account—State Appropriation.....\$1,403,000

NEW SECTION. Sec. 106. FOR THE LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE

Motor Vehicle Account—State Appropriation.....\$714,000

NEW SECTION. Sec. 107. FOR THE OFFICE OF MINORITY AND WOMEN'S BUSINESS ENTERPRISES

Move Ahead WA Flexible Account—State Appropriation\$2,000,000

The appropriation in this section is subject to the following conditions and limitations: The entire appropriation in this section is provided solely for increasing the number of certified women and minority-owned contractors in the transportation sector.

NEW SECTION. Sec. 108. FOR THE JOINT LEGISLATIVE AUDIT AND REVIEW COMMITTEE

Multimodal Transportation Account—State Appropriation\$300,000

The appropriation in this section is subject to the following conditions and limitations: \$300,000 of the multimodal transportation account—state appropriation is provided solely for the joint legislative audit and review committee to conduct an independent review of the usage of triple trailer commercial vehicle configurations.

(1) As part of the review, the committee must:

(a) Consult with at least seven industry motor carriers, including five national carriers and two regional carriers, that operate triple trailer configurations to gather vehicle miles traveled, collisions and causes of collisions for each trailer configuration operated, power unit vehicle miles traveled saved by triple trailer usage, employee displacement and classification changes, and estimated carbon reductions resulting from triple trailer usage; and

(b) Evaluate, at a minimum, triple trailer usage in other states to include requirements pertaining to permitting, operator and vehicle licensing, and equipment and infrastructure, with a five-year comparison of collision and safety related data pertaining to the operation of triple trailers in allowable states as compared to all other allowable commercial vehicle trailer configurations.

(2) The review must include:

(a) Details of triple trailer operations by motor carriers to identify unique dependencies placed on public infrastructure for parking, enforcement, inspection, and travel routes;

(b) Consultation with commercial vehicle enforcement entities in states that allow the use of triple trailer configurations to determine challenges to enforcement, safety, and expedient traffic flow; and

(c) A review of federal ISTEAs freeze variances that have occurred since 1991, including changes in the 2015 FAST act, that can be utilized to gain federal approval for a pilot or operation of triple trailer configurations in Washington state.

(3) The committee must report to the transportation committees of the legislature best practices that would benefit Washington state in the operation of triple trailer configurations, and any recommendations for further legislative and policy actions by September 1, 2024.

NEW SECTION. Sec. 109. FOR THE DEPARTMENT OF COMMERCE

Electric Vehicle Account—State Appropriation.....	\$220,000
Multimodal Transportation Account—State Appropriation	\$535,000
TOTAL APPROPRIATION.....	\$755,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$220,000 of the electric vehicle account—state appropriation is provided solely to the department to commission an independent study, based on the findings of the transportation electrification strategy authorized under RCW 43.392.040, of costs of installation, maintenance, and operation of electrical distribution infrastructure on the utility's side of the meter to commercial customers installing electric vehicle supply equipment. The department shall gather data from at least five electric utilities serving retail customers in the state for purposes of completing the study. The department shall submit a report of study findings and an explanation of how those findings will support implementation of the transportation electrification strategy authorized under RCW 43.392.040 to the governor and appropriate legislative committees by November 1, 2024.

(2) \$535,000 of the multimodal transportation account—state appropriation is provided solely for implementation of chapter . . . (Engrossed Substitute Senate Bill No. 5466), Laws of 2023 (transit-oriented development). If chapter . . . (Engrossed Substitute Senate Bill No. 5466), Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

NEW SECTION. Sec. 110. FOR THE BOARD OF PILOTAGE COMMISSIONERS

Pilotage Account—State Appropriation	\$3,519,000
--	-------------

The appropriation in this section is subject to the following conditions and limitations: The board of pilotage commissioners

shall file the annual report to the governor and chairs of the transportation committees required under RCW 88.16.035(1)(f) by September 1, 2023, and annually thereafter. The report must include the continuation of policies and procedures necessary to increase the diversity of pilots, trainees, and applicants, including a diversity action plan. The diversity action plan must articulate a comprehensive vision of the board's diversity goals and the steps it will take to reach those goals.

NEW SECTION. Sec. 111. FOR THE OFFICE OF THE GOVERNOR

State Patrol Highway Account—State Appropriation	\$750,000
--	-----------

The appropriation in this section is subject to the following conditions and limitations: \$750,000 of the state patrol highway account—state appropriation is provided solely to the state office of equity to contract with an independent consultant to conduct the studies, evaluations, and reporting functions required in RCW 43.06D.060.

NEW SECTION. Sec. 112. FOR THE ATTORNEY GENERAL

Motor Vehicle Account—State Appropriation.....	\$600,000
--	-----------

The appropriation in this section is subject to the following conditions and limitations:

(1) \$500,000 of the motor vehicle account—state appropriation is provided solely for the antitrust division of the attorney general's office to convene a work group to examine consumer motor vehicle fuel pricing in Washington state.

(2) \$100,000 of the motor vehicle account—state appropriation is provided solely for an interagency agreement with the department of licensing for staff support and assistance related to the work group established under subsection (1) of this section.

(3) The membership of the work group established under subsection (1) of this section must include, but is not limited to:

(a) The chair and ranking member of the transportation committees of the legislature;

(b) Representatives of the department of licensing, the department of commerce, the department of ecology, and the office of financial management;

(c) Fuel refineries, distributors, suppliers, and retail establishments; and

(d) Academic experts and consumer advocacy organizations with knowledge and expertise in fuel pricing.

(4) The work group established under subsection (1) of this section must review issues to include, but not be limited to:

(a) Previous studies and evaluations of fuel pricing in Washington state, including an update of the 2007-08 Gas Price Study through 2022 as deemed appropriate by the work group;

(b) Trends in fuel pricing in Washington state;

(c) Factors causing fuel prices in Washington state to be higher than the national average and how these factors have changed over time;

(d)(i) Margins and profits at the fuel production, distribution, and retail levels;

(ii) Information provided pursuant to (d)(i) of this subsection must be kept confidential and is exempt from disclosure under chapter 42.56 RCW. Such information must be aggregated to ensure confidentiality, but may be utilized in summarized form as part of the work group process and in the final report under subsection (5) of this section;

(e) State tax policies, environmental protections, and regulatory factors that may impact fuel pricing and make the state's fuel marketplace more or less competitive;

(f) Supply dynamics affecting the fuel markets in Washington state; and

(g) Potential reporting and audit requirements that would make fuel pricing more transparent to Washington state consumers.

EIGHTY SEVENTH DAY, APRIL 5, 2023

(5) The attorney general's office must report its findings and recommendations to the governor's office and the appropriate policy and fiscal committees of the legislature by December 1, 2024.

NEW SECTION. Sec. 113. FOR THE UNIVERSITY OF WASHINGTON

Multimodal Transportation Account—State Appropriation \$2,000,000

The appropriation in this section is subject to the following conditions and limitations: \$2,000,000 of the multimodal transportation account—state appropriation is provided solely for the University of Washington's sidewalk inventory and accessibility mapping project to develop a public dataset under an open license and develop the tools needed to publish that data according to an open data specification. The project must include, but is not limited to, utilization of existing data sources, imagery, detailed surveys, and manually collected, detailed data for city streets, county rural and urban local access roads and collectors/arterials, state roads of all types, and roads owned by other entities. The project may draw on partially developed sidewalk data for all state facilities. To the extent practicable, the final product must be suitable for use by the department of transportation, local and regional agencies, tribal governments, and the general public. For the 2023-2025 fiscal biennium, geographic preference must be given to the 16 statewide locations the department of ecology has identified as overburdened and highly impacted by air pollution. A report summarizing mapping project progress is due to the transportation committees of the legislature by December 1, 2024.

NEW SECTION. Sec. 114. FOR WASHINGTON STATE UNIVERSITY

Multimodal Transportation Account—State Appropriation \$100,000

The appropriation in this section is subject to the following conditions and limitations: \$100,000 of the multimodal transportation account—state appropriation is provided solely for Washington State University to study the potential impacts that current licensing requirements, including training hours, and testing may have on the shortage of commercial drivers, with a focus on public transit operators. The study must provide a comprehensive review and recommendations for improving the state's commercial driver training and certification, including:

- (1) A review of standards that identify federal mandates for transit operator training;
- (2) The department of licensing's interpretation of the federal mandates and what constitutes an additive standard not required by federal mandates;
- (3) Identifying areas for streamlining state training requirements;
- (4) Reviewing similarities and differences of at least five states on their training and certification of commercial drivers; and
- (5) Identifying challenges and issues for transit agencies regarding current training, notice, department response, certification, and commercial drivers licensing standards and what adjustments may be warranted to help alleviate the shortage of public transit operators.

NEW SECTION. Sec. 115. FOR THE OFFICE OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR GRANTS AND PASS THROUGH FUNDING

Driver's Education Safety Improvement Account—State Appropriation \$543,000

The appropriation in this section is subject to the following conditions and limitations: The entire driver's education safety improvement account—state appropriation is provided solely for the implementation of chapter . . . (Engrossed Substitute Senate

Bill No. 5583), Laws of 2023 (improving young driver safety). If chapter . . . (Engrossed Substitute Senate Bill No. 5583), Laws of 2023 is not enacted by June 30, 2023, the amount provided in this section lapses.

NEW SECTION. Sec. 116. FOR THE ECONOMIC AND REVENUE FORECAST COUNCIL

Motor Vehicle Account—State Appropriation..... \$674,000

The appropriation in this section is subject to the following conditions and limitations: The entire motor vehicle account—state appropriation is provided solely for the implementation of chapter . . . (Senate Bill No. 5757), Laws of 2023 (transportation revenue forecast) or chapter . . . (Engrossed Substitute House Bill No. 1838), Laws of 2023 (transportation revenue forecast). If neither chapter . . . (Senate Bill No. 5757), Laws of 2023 or chapter . . . (Engrossed Substitute House Bill No. 1838), Laws of 2023 are enacted by June 30, 2023, the amount provided in this section lapses.

**TRANSPORTATION AGENCIES—OPERATING
NEW SECTION. Sec. 201. FOR THE WASHINGTON TRAFFIC SAFETY COMMISSION**

Highway Safety Account—State Appropriation ... \$5,093,000
 Highway Safety Account—Federal Appropriation \$27,419,000
 Highway Safety Account—Private/Local Appropriation \$60,000
 Cooper Jones Active Transportation Safety Account—State Appropriation \$636,000
 Motor Vehicle Account—State Appropriation..... \$400,000
 School Zone Safety Account—State Appropriation. \$850,000
 TOTAL APPROPRIATION \$34,458,000

The appropriations in this section are subject to the following conditions and limitations:

- (1) \$400,000 of the Cooper Jones active transportation safety account—state appropriation is provided solely for grant projects or programs for bicycle, pedestrian, and nonmotorist safety improvement administered by the commission in consultation with the Cooper Jones active transportation safety council.
- (2) \$485,000 of the highway safety account—state appropriation and \$50,000 of the highway safety account—federal appropriation are provided solely to develop a statewide public awareness campaign to inform and educate Washington citizens about the slow down and move over law, RCW 46.61.212. The educational campaign must include the use of public service announcements and written and digital informative and educational materials distributed by reasonable means. The commission and the department of licensing, working independently or in collaboration, or both, shall develop the public awareness campaign using any available resources, as well as federal and other grant funds that may, from time to time, become available for this purpose.
- (3) Within existing resources, the commission must examine national safety reports and recommendations on alcohol and drug impaired driving and report to the transportation committees of the legislature, by December 15, 2023, any recommendations for legislative or policy changes to improve traffic safety in Washington state.
- (4)(a) \$235,500 of the Cooper Jones active transportation safety account—state appropriation is provided solely for the commission to conduct research pertaining to the issue of street lighting and safety, including a public input component and learning from counties, cities, the state, and other impacted entities. Research may include the following:
 - (i) Interviewing additional local and regional roads departments, water-sewer districts, and other utility services to gather a holistic data set or further input on which authority

assumes primary responsibility for street illumination in various underserved areas throughout the state;

(ii) Systematically soliciting information from communities with poor street illumination and lighting to gather input as to whether this is an issue the community would like to see improved;

(iii) Conferring with regional and state-level police, fire, and emergency medical services to assess and document potential delays in emergency response times due to poor street illumination;

(iv) Further assessing the impact of using LED lights in roadway and pedestrian scale lighting in reducing carbon emissions and light pollution throughout the United States; and

(v) Subject to more in-depth findings, convening a meeting with appropriate state, regional, and local stakeholders and community partners.

(b) The commission must report research results and provide any recommendations for legislative or policy action to the transportation committees of the legislature by January 1, 2025.

(5) Within existing resources, the commission, through the Cooper Jones active transportation safety council, must prioritize the review of pedestrian, bicyclist, or nonmotorist fatality and serious injury review when the victim is a member of a federally recognized tribe. Consistent with RCW 43.59.156(5), the commission may recommend any policy or legislative changes to improve traffic safety for tribes through such review.

(6)(a) \$400,000 of the motor vehicle account—state appropriation is provided solely for the commission to establish a pilot program to evaluate the outcomes and effectiveness of oral fluid roadside information used as part of the enforcement of driving under the influence laws. The commission, in cooperation with the Washington state patrol and associations representing local law enforcement agencies, must select a minimum of 10 locations to implement the pilot program as part of the field sobriety evaluation used in the investigation of suspected violations of driving under the influence laws. Pilot program locations must be initiated by March 1, 2024. The commission, in cooperation with the Washington state patrol and associations representing local law enforcement agencies, must establish specific requirements for pilot program locations including, but not limited to:

(i) Selection of the most valid and reliable oral fluid test instrument to be used;

(ii) Training for the law enforcement officers allowed to administer the test; and

(iii) Required measures to protect personally identifying information and test results.

(b) By June 30, 2025, the commission must submit a report detailing the results of the pilot program to the appropriate policy and fiscal committees of the legislature.

(7) Within existing resources, the commission must review and report to the transportation committees of the legislature, by December 15, 2023, on strategies and technologies used in other states to prevent and respond to wrong-way driving crashes.

NEW SECTION. Sec. 202. FOR THE COUNTY ROAD ADMINISTRATION BOARD

Rural Arterial Trust Account—State Appropriation	\$2,338,000
Motor Vehicle Account—State Appropriation	..... \$2,854,000
County Arterial Preservation Account—State Appropriation	..... \$1,726,000
TOTAL APPROPRIATION	..... \$6,918,000

The appropriations in this section are subject to the following conditions and limitations: Within appropriated funds, the county road administration board may opt in as provided under RCW 70A.02.030 to assume all of the substantive and procedural

requirements of covered agencies under chapter 70A.02 RCW. The board shall include in its 2023 and 2024 annual reports to the legislature a progress report on opting into the healthy environment for all act and a status report on diversity, equity, and inclusion within the board's jurisdiction.

NEW SECTION. Sec. 203. FOR THE TRANSPORTATION IMPROVEMENT BOARD

Transportation Improvement Account—State Appropriation \$4,589,000
--	-------------------

The appropriation in this section is subject to the following conditions and limitations: Within appropriated funds, the transportation improvement board may opt in as provided under RCW 70A.02.030 to assume all of the substantive and procedural requirements of covered agencies under chapter 70A.02 RCW. The board shall include in its 2023 and 2024 annual reports to the legislature a progress report on opting into the healthy environment for all act and a status report on diversity, equity, and inclusion within the board's jurisdiction.

NEW SECTION. Sec. 204. FOR THE JOINT TRANSPORTATION COMMITTEE

Multimodal Transportation Account—State Appropriation	..... \$350,000
Motor Vehicle Account—State Appropriation	..... \$2,852,000
TOTAL APPROPRIATION	..... \$3,202,000

The appropriations in this section are subject to the following conditions and limitations:

(1)(a) \$250,000 of the motor vehicle account—state appropriation is for the joint transportation committee, from amounts set aside out of statewide fuel taxes distributed to cities according to RCW 46.68.110(2), to convene a study of a statewide retail delivery fee on orders of taxable retail items delivered by motor vehicles within the state. The study must:

(i) Determine the annual revenue generation potential of a range of fee amounts;

(ii) Examine options for revenue distributions to state and local governments based upon total deliveries, lane miles, or other factors; and

(iii) Estimate total implementation costs, including start-up and ongoing administrative costs.

(b) The study should document and evaluate similar programs adopted in other states. The joint transportation committee must submit a report on the study to the transportation committees of the legislature by June 30, 2024.

(2)(a) \$350,000 of the multimodal transportation account—state appropriation is for the joint transportation committee to assess and make recommendations to the transportation committees of the legislature on the status of the workforce pipeline for commercial driver's license (CDL) operators and mechanics in the transit, highway maintenance, and maritime sectors across the state. The assessment must, but is not limited to:

(i) Identify barriers to entry for prospective CDL or mechanic candidates;

(ii) Examine existing programs that may be scaled to serve a greater number of candidates;

(iii) Highlight existing programs that may be replicated by transit agencies statewide; and

(iv) Recommend state policy changes or investments that may accelerate the growth of CDL operators and mechanics.

(b) A report on the assessment and recommendations is due to the legislature by December 1, 2024.

(3)(a) \$400,000 of the motor vehicle account—state appropriation is for the joint transportation committee, in collaboration with the department of transportation, to convene a work group to study and recommend a new statutory framework

EIGHTY SEVENTH DAY, APRIL 5, 2023

for the department's public-private partnership program. The committee may contract with a third-party consultant for work group support and drafting the new statutory framework.

(b)(i) The work group must consist of, but is not limited to, the following members:

- (A) The secretary of transportation or their designee;
- (B) Joint transportation committee executive committee members or their designees;
- (C) The state treasurer or the state treasurer's designee;
- (D) A representative of a national nonprofit organization specializing in public-private partnership program development;
- (E) A representative of the construction trades; and
- (F) A representative from an organization representing general contractors.

(ii) The work group must also consult with the Washington state transportation commission and the department of commerce.

(c)(i) The work group must review the 2012 joint transportation committee's "Evaluation of Public-Private Partnerships" study, consisting of an evaluation of the recommendations for replacing chapter 47.29 RCW and development of a process for implementing public-private partnerships that serve the defined public interest, including, but not limited to:

- (A) Protecting the state's ability to retain public ownership of assets constructed or managed under a public-private partnership contract;
- (B) Allowing for the most transparency during the negotiation of terms of a public-private partnership agreement; and
- (C) Addressing the state's ability to oversee the private entity's management of the asset.

(ii)(A) The work group must identify any barriers to the implementation of funding models that best protect the public interest, including statutory and constitutional barriers.

(B) The work group may also evaluate public-private partnership opportunities for required fish passage and culvert work on state highways, and for the construction of, replacement of, or commercial retail options within Washington state ferries' terminals.

(iii) The work group must update the 2012 recommendations and devise an implementation plan for the state.

(d) The work group must submit a preliminary report, including any recommendations or draft legislation, to the office of the governor and the transportation committees of the legislature by December 15, 2023. The work group must submit a final report with draft legislation to the office of the governor and the transportation committees of the legislature by July 1, 2024.

(4) \$450,000 of the motor vehicle account—state appropriation is for the joint transportation committee to provide oversight on the procurement of the hybrid-electric Olympic class vessels. The committee must hire an expert consultant to review Washington state ferries documents and procedures relating to the procurement and to identify opportunities to improve the process for the benefit of the state of Washington. The consultant must be familiar with vessel procurement best practices, the technologies and propulsion systems planned for use in new vessels, and Washington state ferries operations and procurement procedures. A report on the status and assessment of the procurement is due by December 15th of each year.

NEW SECTION. Sec. 205. FOR THE TRANSPORTATION COMMISSION

Motor Vehicle Account—State Appropriation	\$2,700,000
Interstate 405 and State Route Number 167 Express Toll Lanes Account—State Appropriation	\$187,000

Multimodal Transportation Account—State Appropriation	\$125,000
State Route Number 520 Corridor Account—State Appropriation	\$374,000
Tacoma Narrows Toll Bridge Account—State Appropriation	\$225,000
Alaskan Way Viaduct Replacement Project Account—State Appropriation	\$198,000
TOTAL APPROPRIATION	\$3,809,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$125,000 of the multimodal transportation account—state appropriation and \$125,000 of the motor vehicle account—state appropriation are provided solely for the commission to update the statewide transportation plan required under RCW 47.01.071(4). The update process must be informed by guidance from a steering committee comprised of the commission, the joint transportation committee's executive committee, the governor's office, the secretary of the department of transportation, and representatives of metropolitan and regional transportation planning organizations. As part of the update process, the commission shall undertake specific actions in the following order:

- (a) Conduct stakeholder outreach, gathering input, and framing the outreach around the current plan's policy construct and high level priorities, the 2022 transportation revenue package, and recently enacted significant policy legislation;
- (b) Report outreach findings and results to the joint transportation committee for review and input;
- (c) Restructure the plan to (i) primarily focus on high level policy priorities within the six transportation policy goals under RCW 47.04.280 and (ii) align policies, strategies, and objectives with the interests of stakeholders and legislators;
- (d) Gather further input from stakeholders and the joint transportation committee on the restructured plan's format and content; and
- (e) Finalize the updated plan, based upon input from stakeholders and the joint transportation committee.

(2) The legislature finds that the current balance of and projected revenues into the Alaskan Way viaduct replacement project account are sufficient to meet financial obligations during fiscal years 2024 and 2025.

(3) Within the parameters established under RCW 47.56.880, the commission shall review toll revenue performance on the Interstate 405 and state route number 167 corridor and adjust Interstate 405 tolls as appropriate to increase toll revenue to provide sufficient funds for payments of future debt pursuant to RCW 47.10.896 and to support improvements to the corridor. The commission shall consider adjusting maximum toll rates, minimum toll rates, and time-of-day rates, and restricting direct access ramps to transit and HOV vehicles only, or any combination thereof, in setting tolls to increase toll revenue. The commission is encouraged to make any adjustments to toll rates in coordination with the planned expansion of express toll lanes between the cities of Renton and Bellevue.

(4) \$500,000 of the motor vehicle account—state appropriation is provided solely for the commission to conduct a route jurisdiction study aimed at assessing the current state highway inventory and local roadway designations to determine if changes are needed in jurisdictional assignment between the state, county, and city road systems. The study must also review current criteria used to define the state highway system to determine if such criteria continue to be applicable. The commission shall submit a report of study findings and recommendations to the transportation committees of the legislature by July 1, 2025.

(5)(a) \$37,000 of the Interstate 405 and state route number 167 express toll lanes account—state appropriation, \$86,000 of the state route number 520 corridor account—state appropriation, \$46,000 of the Tacoma Narrows toll bridge account—state appropriation, and \$31,000 of the Alaskan Way viaduct replacement project account—state appropriation are provided solely for the commission to oversee a survey to assess public attitudes regarding a potential low-income tolling program for qualifying drivers.

(b) The survey must gather input on the potential value of a toll discount program for qualifying drivers, and potential barriers to participation in such a program. This input will support identification of potential options for toll discounts or credits and other potential benefits to pair with toll discounts or credits and inform the design of a possible future program. The commission must contract for administration of the survey with the center for economic and business research at Western Washington University.

(c) The commission must engage with members of the public who are interested in a potential low-income tolling program, including persons from communities of color, low-income households, vulnerable populations, and displaced communities. Input from members of the public must inform the design of the survey questionnaire and methodology. The commission must notify members of the public of opportunities to engage through a variety of communication channels including, but not limited to, the following: Outreach through community organizations, print and broadcast media, and social media.

(d) The results and findings from this survey research must be submitted to the transportation committees of the legislature by December 31, 2023.

(6) As part of the pilot program authorized under section 209(6) of this act, the commission shall set a schedule of toll rates, not to exceed 50 cents per trip, to generate revenue sufficient to provide for the cost of maintenance of the three state route number 520 eastside lids and surrounding areas at Evergreen Point Road, 84th Avenue NE, and 92nd Avenue NE.

(7) The commission may coordinate with the department of transportation to jointly seek federal funds available through the federal strategic innovations in revenue collection grant program, applying toll credits for meeting match requirements.

NEW SECTION. Sec. 206. FOR THE FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD

Freight Mobility Investment Account—State Appropriation \$824,000

The appropriation in this section is subject to the following conditions and limitations: Within appropriated funds, the freight mobility strategic investment board may opt in as provided under RCW 70A.02.030 to assume all of the substantive and procedural requirements of covered agencies under chapter 70A.02 RCW. The board shall include in its 2023 and 2024 annual reports to the legislature a progress report on opting into the healthy environment for all act and a status report on diversity, equity, and inclusion within the board's jurisdiction.

NEW SECTION. Sec. 207. FOR THE WASHINGTON STATE PATROL

Alaskan Way Viaduct Replacement Project Account—State Appropriation \$43,000
State Patrol Highway Account—State Appropriation\$596,347,000
State Patrol Highway Account—Federal Appropriation\$20,030,000
State Patrol Highway Account—Private/Local Appropriation \$4,596,000
Highway Safety Account—State Appropriation... \$1,438,000

Ignition Interlock Device Revolving Account—State Appropriation.....\$1,940,000
Multimodal Transportation Account—State Appropriation\$300,000
State Route Number 520 Corridor Account—State Appropriation.....\$89,000
Tacoma Narrows Toll Bridge Account—State Appropriation\$275,000
I-405 and SR 167 Express Toll Lanes Account—State Appropriation.....\$2,896,000
TOTAL APPROPRIATION\$627,954,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$580,000 of the state patrol highway account—state appropriation is provided solely for the operation of and administrative support to the license investigation unit to enforce vehicle registration laws in southwestern Washington. The Washington state patrol, in consultation with the department of revenue, shall maintain a running estimate of the additional vehicle registration fees, sales and use taxes, and local vehicle fees remitted to the state pursuant to activity conducted by the license investigation unit. Beginning October 1, 2023, and quarterly thereafter, the Washington state patrol shall submit a report detailing the additional revenue amounts generated since July 1, 2023, to the director of the office of financial management and the transportation committees of the legislature. At the end of the fiscal quarter in which it is estimated that more than \$625,000 in state sales and use taxes have been remitted to the state since July 1, 2023, the Washington state patrol shall notify the state treasurer and the state treasurer shall transfer funds pursuant to section 406 of this act.

(2) Washington state patrol officers engaged in off-duty uniformed employment providing traffic control services to the department of transportation or other state agencies may use state patrol vehicles for the purpose of that employment, subject to guidelines adopted by the chief of the Washington state patrol. The Washington state patrol must be reimbursed for the use of the vehicle at the prevailing state employee rate for mileage and hours of usage, subject to guidelines developed by the chief of the Washington state patrol.

(3)(a) By December 1st of each year during the 2023-2025 fiscal biennium, the Washington state patrol must report to the transportation committees of the legislature on the status of recruitment and retention activities as follows:

- (i) A summary of recruitment and retention strategies;
- (ii) The number of transportation funded staff vacancies by major category;
- (iii) The number of applicants for each of the positions by these categories;
- (iv) The composition of workforce;
- (v) Other relevant outcome measures with comparative information with recent comparable months in prior years; and
- (vi) Activities related to the implementation of the agency's workforce diversity plan, including short-term and long-term, specific comprehensive outreach, and recruitment strategies to increase populations underrepresented within both commissioned and noncommissioned employee groups.

(b) During the 2023-2025 fiscal biennium, the office of financial management, with assistance of the Washington state patrol, must conduct two surveys regarding the competitiveness with law enforcement agencies within the boundaries of the state of Washington pursuant to RCW 43.43.380, with the first survey being informational regarding the change since the last survey was conducted and the second survey used as part of the collective bargaining process.

EIGHTY SEVENTH DAY, APRIL 5, 2023

(4)(a) \$5,825,000 of the state patrol highway account—state appropriation is provided solely for the land mobile radio system replacement, upgrade, and other related activities.

(b) Funding is not provided for the six-year replacement of individual portable radios and mobile car radios at this time. Before requesting funding as part of future agency budget submittals for this component of the land mobile radio project, the state patrol, in consultation with the office of the chief information officer, must conduct a technical feasibility analysis and cost comparison between potential project vendors to determine that the recommended vendor will result in the most cost-effective project delivery, while maintaining interoperability with other radio systems and ensure maximum radio coverage. A report detailing the results and recommendations from these requirements must be submitted to the office of financial management and the transportation committees of the legislature by November 1, 2023.

(c) Beginning January 1, 2024, the Washington state patrol must report semiannually to the office of the chief information officer on the progress related to the projects and activities associated with the land mobile radio system, including the governance structure, outcomes achieved in the prior six-month time period, and how the activities are being managed holistically as recommended by the office of the chief information officer. At the time of submittal to the office of the chief information officer, the report must be transmitted to the office of financial management and the transportation committees of the legislature.

(5) The appropriations in this section provide sufficient funding for state patrol staffing assuming vacancy savings that may change over time. Funding for staffing will be monitored and adjusted in the 2024 supplemental transportation appropriations act to restore funding as authorized staffing levels are achieved.

(6) \$2,072,000 of the state patrol highway account—state appropriation is provided solely for enhancing the state patrol's diversity, equity, and inclusion program and contracting with an external psychologist to perform exams. The state patrol will work with the governor's office of equity and meet all reporting requirements and responsibilities pursuant to RCW 43.06D.060 and expand its community engagement program.

(7) \$493,000 of the state patrol highway account—state appropriation is provided solely for the replacement aerial criminal investigation tools and related costs. This funding is subject to the conditions, limitations, and review requirements of section 701 of this act, and may not be used to purchase, acquire, or otherwise use an unmanned aircraft or unmanned aircraft system produced by a manufacturer of covered equipment, systems, or services pursuant to section 889 of the John S. McCain national defense authorization act for fiscal year 2019 (P.L. 115–232) or as amended by subsequent acts of the United States congress or federal administrative rule making.

(8) \$1,564,000 of the state patrol highway account—state appropriation is provided solely for vehicle identification number inspection staff to reduce the backlog of inspections. By October 1, 2024, the state patrol must submit a report detailing the progress on reducing the inspection backlog and related activities to the office of financial management and the transportation committees of the legislature.

(9)(a) \$10,000 of the state patrol highway account—state appropriation is provided solely for the Washington state patrol to administer a pilot program that implements a yellow alert system notifying the public when a hit-and-run accident resulting in a fatality or substantial bodily harm has occurred and been reported to the state patrol or other local law enforcement entity. The Washington state patrol must post on traffic message boards or share on public communication systems any identifying

information acquired including, but not limited to, a complete or partial license plate number or a description of the vehicle. Each alert must be posted or shared as such for at least 24 hours.

(b) The Washington state patrol must report the following to the transportation committees of the legislature annually until June 30, 2025:

- (i) The number of yellow alerts received;
- (ii) The number of arrests made from accidents reported on the yellow alert system;
- (iii) The number of hit-and-run accidents resulting in a fatality or substantial bodily harm statewide;
- (iv) The number of arrests made from accidents described under (b)(iii) of this subsection; and
- (v) The number of hit-and-run accidents reported statewide.

(c) The Washington state patrol must also report on the efficacy of the program and recommend in its final report if the pilot program should continue or be enacted on a permanent basis and implemented statewide, based on the results of the report.

(10)(a) \$1,870,000 of the state patrol highway account—state appropriation is provided solely for administrative costs, advertising, outreach, and bonus payments associated with developing and implementing a state trooper expedited recruitment incentive program for the purpose of recruiting and filling vacant trooper positions in the 2023-2025 fiscal biennium. The recruitment, advertising, and outreach associated with this program must continue efforts to create a more diverse workforce and must also provide an accelerated pathway for joining the state patrol for high quality individuals who have previously been employed as a general authority peace officer.

(b) The state trooper expedited recruitment incentive program established by the Washington state patrol must include:

(i) Thorough hiring procedures to ensure that only the highest quality candidates are selected as cadets and as lateral hires, including extensive review of past law enforcement employment history through extensive reference checks, Brady list identification, and any other issues that may impact the performance, credibility, and integrity of the individual.

(ii) An accelerated training program for lateral hires from other agencies that recognizes the knowledge and experience of candidates previously employed in law enforcement; and

(iii) A sign-on bonus for each trooper hired through the expedited recruitment incentive program as follows:

(A) \$4,000 for each cadet after completion of the Washington state patrol academy;

(B) A bonus amount for each successful graduating cadet after completion of a one-year probation period based on any collectively bargained negotiated retention incentive bonus payment for commissioned staff;

(C) \$8,000 for each lateral hire after completion of the accelerated training program for lateral hires;

(D) \$6,000 for each lateral hire after completion of a one-year probation period; and

(E) \$6,000 for each lateral hire after completion of two years of service.

(c) The expenditure on the state trooper expedited recruitment incentive program is contingent upon execution of an appropriate memorandum of understanding between the governor or the governor's designee and the exclusive bargaining representative, consistent with the terms of this section. Expenditures and eligibility for the state trooper expedited recruitment incentive program established in this section are subject to the availability of amounts appropriated for this specific purpose.

(d) For the purposes of this subsection:

(i) "Cadet" means a person employed for the express purpose of receiving the on-the-job training required for attendance at the

Washington state patrol academy and for becoming a commissioned trooper.

(ii) "Lateral hire" means an eligible employee previously employed as a general authority peace officer.

(11) \$3,864,000 of the state patrol highway account—state appropriation is provided solely for implementation of chapter . . . (Engrossed Substitute Senate Bill No. 5272), Laws of 2023 (speed safety cameras). If chapter . . . (Engrossed Substitute Senate Bill No. 5272), Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

(12) \$500,000 of the state patrol highway account—state appropriation is provided solely for bonuses and other recruitment and retention-related compensation adjustments for communication officers and other noncommissioned staff of the Washington state patrol who are covered by a collective bargaining agreement. Funding in this subsection must first be used for targeted adjustments for communication officers. Remaining amounts may be used for compensation adjustments for other noncommissioned staff. Funding provided in this subsection is contingent upon the governor or the governor's designee reaching an appropriate memorandum of understanding with the exclusive bargaining representative. Agreements reached for compensation adjustments under this section may not exceed the amounts provided. If any agreement or combination of agreements exceed the amount provided in this subsection, all the agreements are subject to the requirements of RCW 41.80.010(3).

NEW SECTION. Sec. 208. FOR THE DEPARTMENT OF LICENSING

Driver Licensing Technology Support Account—State Appropriation	\$1,743,000
Driver's Education Safety Improvement Account—State Appropriation	\$638,000
Marine Fuel Tax Refund Account—State Appropriation	\$34,000
Motorcycle Safety Education Account—State Appropriation	\$5,166,000
Limited Fish and Wildlife Account—State Appropriation	\$733,000
Highway Safety Account—State Appropriation	\$262,592,000
Highway Safety Account—Federal Appropriation	\$2,371,000
Motor Vehicle Account—State Appropriation	\$94,207,000
Motor Vehicle Account—Private/Local Appropriation	\$1,336,000
Ignition Interlock Device Revolving Account—State Appropriation	\$6,340,000
Department of Licensing Services Account—State Appropriation	\$8,451,000
License Plate Technology Account—State Appropriation	\$4,135,000
Abandoned Recreational Vehicle Account—State Appropriation	\$3,082,000
Limousine Carriers Account—State Appropriation.	\$126,000
Electric Vehicle Account—State Appropriation	\$430,000
DOL Technology Improvement & Data Management Account—State Appropriation	\$914,000
Agency Financial Transaction Account—State Appropriation	\$16,998,000
Move Ahead WA Flexible Account—State Appropriation	\$6,020,000
TOTAL APPROPRIATION.....	\$415,316,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,100,000 of the highway safety account—state appropriation and \$1,100,000 of the move ahead WA flexible account—state appropriation are provided solely for the

department to provide an interagency transfer to the department of children, youth, and families for the purpose of providing more comprehensive driver's support to foster youth within existing resources. In addition to support services required under RCW 74.13.338(2), support services may include:

(a) Reimbursement for the cost incurred by youth in foster care, foster parents, relative placements, or other foster placements adding a foster youth to his or her motor vehicle insurance policy, with a preference on reimbursements for those foster youth who practice safe driving and avoid moving violations and at-fault collisions.

(b) Reimbursement of the cost of roadside assistance, car insurance deductibles, car tab renewals, car registration fees, AAA membership, gas cards, car maintenance, and comprehensive car insurance.

(c) Reimbursement of any other costs related to obtaining a driver's license and driving legally and safely.

(2) \$3,924,000 of the move ahead WA flexible account—state appropriation is provided solely to establish two mobile licensing units to provide driver's licensing and identocard services to individuals outside of the typical license service office. By December 1, 2024, the department must submit a report to the governor and the transportation committees of the legislature detailing the locations served, the number and type of documents issued, and other outcome measures associated with the mobile licensing units.

(3) \$150,000 of the highway safety account—state appropriation is provided solely for the department to conduct a study on the feasibility of implementing a mobile application for driver licensing. The department must submit a report of the study findings and any recommendations to the governor and the transportation committees of the legislature by December 1, 2024. The study must:

(a) Review the adoption actions in other states, including successes and lessons learned;

(b) Examine existing technical infrastructure and potential changes needed to maximize interoperability, utility, and privacy protection;

(c) Identify the technical investments and other costs associated with issuing digital drivers' licenses through a mobile application;

(d) Identify how the technology may impact and can be used by external stakeholders, such as law enforcement;

(e) Recommend any process changes required to implement the program successfully and ensure customer satisfaction; and

(f) Recommend any statutory changes required to allow for the usage of digital drivers' licenses, including recognition of interstate travelers.

(4)(a) \$300,000 of the highway safety account—state appropriation is provided solely for the department to lead a study on the potential impacts of driver monitoring technology as an assessment tool to be used as part of driver education, intermediate licensure, restricted licensure, or identification of high-risk drivers. For purposes of this subsection, "driver monitoring technology" means an in-vehicle sensor linked to an application to track and record real-time driving data, with both immediate in-vehicle feedback and delayed retrospective feedback that would send such data to the department or the department's service provider, with the intent to modify driving behavior and improve road safety outcomes, including speeding, abrupt braking, harsh acceleration, hard cornering, and distracted driving.

(b) The department must consult with the Washington traffic safety commission, office of equity, representatives of the driver training school industry, organizations representing young and

EIGHTY SEVENTH DAY, APRIL 5, 2023

elder drivers, organizations representing underrepresented populations, and organizations representing businesses or government entities that support novice drivers in completing this study.

(c) The department must report study findings as to the potential use of driver monitoring technology in licensing applications to the governor and the transportation committees of the legislature by December 1, 2024. The department must report study findings as to the feasibility of driver monitoring technology implementation, including which areas of licensing practices may benefit from driver monitoring technology, to the governor and transportation committees of the legislature by June 30, 2025.

(5) \$283,000 of the highway safety account—state appropriation is provided solely for the department, in consultation with the Washington traffic safety commission, department of health, the elder law section of the Washington state bar association, organizations representing older drivers, and driver rehabilitation specialists, to develop a comprehensive plan aimed at improving older driver safety. The department must submit a report on the comprehensive plan to the governor and the transportation committees of the legislature by December 1, 2024. The plan must include, but is not limited to:

(a) A comprehensive review of department policies surrounding older drivers and medically at-risk drivers, including:

(i) The medical assessment review process; and

(ii) The counter assessment process in licensing service offices;

(b) A feasibility analysis of the department establishing a medical advisory board to advise on general policy for at-risk drivers, driving privileges for individual medically at-risk drivers, and an appeals process for drivers whose privileges are revoked or restricted due to medical conditions;

(c) A recommended assessment tool to determine a driver's potential risk to themselves or others when operating a motor vehicle so the department may make informed decisions on appropriate courses of action within the older driver program;

(d) A draft of the rules associated with the plan;

(e) An implementation schedule for the components of the plan;

(f) Detailed information on how each component of the plan improves the safety associated with older drivers, while preserving the maximum level of older driver independence and privacy; and

(g) Any additional recommended statutory changes required to implement the plan.

(6) \$250,000 of the highway safety account—state appropriation is provided solely for the department to implement improvements to older driver traffic safety, which may include:

(a) Developing a program where older drivers who voluntarily surrender their driver's license before or on its expiration date receive a no-cost identicard;

(b) Reducing the length of time by which the driver's license of an older driver expires; and

(c) Other recommendations from the department.

(7) For purposes of subsections (5) and (6) of this section, "older driver" means a driver who is issued an original or renewed driver's license on or after the age of 70.

(8) \$5,499,000 of the motor vehicle account—state appropriation is provided solely for the department to upgrade and improve its prorate and fuel tax system, and is subject to the conditions, limitations, and review requirements of section 701 of this act. In each phase of the project, the department must ensure and document the increase in business capabilities and customer

service outcomes, the improvements in fuel tax collection related information designed to resolve historical discrepancies in reporting information, and how the implementation plan mitigates risks associated with the proposed timeline and results in the sustainability of systems and platforms for the future. Before initiating the implementation phase of the project, the department must report to the office of the chief information officer on how the project meets its FAST act modernization roadmap, and vendor management and resource plans.

(9) \$16,000 of the motorcycle safety education account—state appropriation, \$2,000 of the limited fish and wildlife account—state appropriation, \$947,000 of the highway safety account—state appropriation, \$308,000 of the motor vehicle account—state appropriation, \$14,000 of the ignition interlock device revolving account—state appropriation, and \$14,000 of the department of licensing services account—state appropriation are provided solely for the department to redesign and improve its online services and website, and are subject to the conditions, limitations, and review requirements in section 701 of this act.

(10) \$25,557,000 of the highway safety account—state appropriation is provided solely for costs necessary to accommodate increased demand for enhanced drivers' licenses and enhanced identicards. The department shall report on a quarterly basis on the use of these funds, associated workload, and information with comparative information with recent comparable months in prior years. The report must include detailed statewide and by licensing service office information on staffing levels, average monthly wait times, the number of enhanced drivers' licenses and enhanced identicards issued and renewed, and the number of primary drivers' licenses and identicards issued and renewed. By November 1, 2024, the department must prepare a report with recommendations on the future of licensing service office operations based on the recent implementation of efficiency measures designed to reduce the time for licensing transactions and wait times, and the implementation of statutory and policy changes during the pandemic.

(11) For the 2023-2025 fiscal biennium, the department shall charge \$1,336,000 for the administration and collection of a motor vehicle excise tax on behalf of a regional transit authority, as authorized under RCW 82.44.135. The amount in this subsection must be deducted before distributing any revenues to a regional transit authority.

(12) \$742,000 of the motor vehicle account—state appropriation is provided solely for the increased costs associated with improvements desired to resolve delays in the production of license plates, including converting all subagents to the standard ordering process as recommended in the December 2022 plate inventory report, and to provide updated annual reports detailing changes in license plate production, inventory, and other practices taken to guard against plate production delays. The reports must be submitted to the governor and the transportation committees of the legislature by December 1, 2023, and December 1, 2024.

(13) \$243,000 of the highway safety account—state appropriation is provided solely for the department to continue to provide written materials on, place signage in licensing service offices regarding, and include into new driver training curricula, the requirements of RCW 46.61.212, the slow down and move over law.

(14) The appropriations in this section provide sufficient funding for the department of licensing assuming vacancy savings which may change over time. Funding for staffing will be monitored and adjusted in the 2024 supplemental transportation

appropriations act to restore funding as authorized staffing levels are achieved.

(15) \$3,082,000 of the abandoned recreational vehicle disposal account—state appropriation is provided solely for providing reimbursements in accordance with the department's abandoned recreational vehicle disposal reimbursement program. It is the intent of the legislature that the department prioritize this funding for allowable and approved reimbursements and not to build a reserve of funds within the account. During the 2023-2025 fiscal biennium, the department must report any amounts recovered to the office of financial management and appropriate committees of the legislature on a quarterly basis.

(16) \$1,077,000 of the highway safety account—federal appropriation is provided solely for implementation of chapter . . . (Senate Bill No. 5041), Laws of 2023 (CDL drug and alcohol clearinghouse) or chapter . . . (House Bill No. 1448), Laws of 2023 (CDL drug and alcohol clearinghouse). If neither chapter . . . (Senate Bill No. 5041), Laws of 2023 or chapter . . . (House Bill No. 1448), Laws of 2023 are enacted by June 30, 2023, the amount provided in this subsection lapses.

(17) \$116,000 of the highway safety account—state appropriation is provided solely for implementation of chapter . . . (Senate Bill No. 5251), Laws of 2023 (streamlining CDL issuance) or chapter . . . (House Bill No. 1058), Laws of 2023 (streamlining CDL issuance). If neither chapter . . . (Senate Bill No. 5251), Laws of 2023 or chapter . . . (House Bill No. 1058), Laws of 2023 are enacted by June 30, 2023, the amount provided in this subsection lapses.

(18) \$1,972,000 of the highway safety account—state appropriation and \$1,276,000 of the driver's education safety improvement account—state appropriation are provided solely for the implementation of chapter . . . (Substitute Senate Bill No. 5583), Laws of 2023 (improving young driver safety). If chapter . . . (Substitute Senate Bill No. 5583), Laws of 2023 is not enacted by June 30, 2023, the amounts provided in this subsection lapse.

(19) \$180,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter . . . (Substitute Senate Bill No. 5504), Laws of 2023 (open motor vehicle safety recalls). If chapter . . . (Substitute Senate Bill No. 5504), Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

(20) \$1,206,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter . . . (Substitute Senate Bill No. 5326), Laws of 2023 (verification of motor vehicle insurance). If chapter . . . (Substitute Senate Bill No. 5326), Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

(21) \$497,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter . . . (Substitute Senate Bill No. 5112), Laws of 2023 (updating processes related to voter registration). If chapter . . . (Substitute Senate Bill No. 5112), Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

(22) \$29,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter . . . (Substitute Senate Bill No. 5333), Laws of 2023 (the state sport special license plate). If chapter . . . (Substitute Senate Bill No. 5333), Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

(23) \$29,000 of the motor vehicle account—state appropriation is provided solely for implementation of chapter . . . (Senate Bill No. 5590), Laws of 2023 (Mount St. Helens special license plate) or chapter . . . (House Bill No. 1489), Laws of 2023 (Mount St. Helens special license plate). If neither chapter . . . (Senate Bill No. 5590), Laws of 2023 or chapter . . . (House Bill No. 1489),

Laws of 2023 are enacted by June 30, 2023, the amount provided in this subsection lapses.

(24) \$29,000 of the motor vehicle account—state appropriation is provided solely for implementation of chapter . . . (Senate Bill No. 5738) (LeMay special license plate) or chapter . . . (House Bill No. 1829), Laws of 2023 (LeMay special license plate). If neither chapter . . . (Senate Bill No. 5738), Laws of 2023 or chapter . . . (House Bill No. 1829), Laws of 2023 are enacted by June 30, 2023, the amount provided in this subsection lapses.

(25) \$29,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter . . . (Substitute Senate Bill No. 5347), Laws of 2023 (driver's abstract changes). If chapter . . . (Substitute Senate Bill No. 5347), Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

(26) \$47,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter . . . (Substitute Senate Bill No. 5440), Laws of 2023 (competency evaluations). If chapter . . . (Substitute Senate Bill No. 5440), Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

(27) \$23,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter . . . (Senate Bill No. 5606), Laws of 2023 (illegal racing). If chapter . . . (Senate Bill No. 5606), Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

(28) \$155,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter . . . (Substitute Senate Bill No. 5128), Laws of 2023 (jury diversity). If chapter . . . (Substitute Senate Bill No. 5128), Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

NEW SECTION. Sec. 209. FOR THE DEPARTMENT OF TRANSPORTATION—TOLL OPERATIONS AND MAINTENANCE—PROGRAM B

State Route Number 520 Corridor Account—State Appropriation.....	\$58,645,000
State Route Number 520 Civil Penalties Account—State Appropriation.....	\$4,178,000
Tacoma Narrows Toll Bridge Account—State Appropriation	\$30,594,000
Alaskan Way Viaduct Replacement Project Account—State Appropriation.....	\$20,587,000
Interstate 405 and State Route Number 167 Express Toll Lanes Account—State Appropriation.....	\$23,658,000
TOTAL APPROPRIATION	\$137,662,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,300,000 of the Tacoma Narrows toll bridge account—state appropriation and \$12,484,000 of the state route number 520 corridor account—state appropriation are provided solely for the purposes of addressing unforeseen operations and maintenance costs on the Tacoma Narrows bridge and the state route number 520 bridge, respectively. The office of financial management shall place the amounts provided in this subsection, which represent a portion of the required minimum fund balance under the policy of the state treasurer, in unallotted status. The office may release the funds only when it determines that all other funds designated for operations and maintenance purposes have been exhausted.

(2) As long as the facility is tolled, the department must provide annual reports to the transportation committees of the legislature on the Interstate 405 express toll lane project performance measures listed in RCW 47.56.880(4). These reports must include:

EIGHTY SEVENTH DAY, APRIL 5, 2023

(a) Information on the travel times and travel time reliability (at a minimum, average and 90th percentile travel times) maintained during peak and nonpeak periods in the express toll lanes and general purpose lanes for both the entire corridor and commonly made trips in the corridor including, but not limited to, northbound from Bellevue to Rose Hill, state route number 520 at NE 148th to Interstate 405 at state route number 522, Bellevue to Bothell (both NE 8th to state route number 522 and NE 8th to state route number 527), and a trip internal to the corridor (such as NE 85th to NE 160th) and similar southbound trips; and

(b) Underlying congestion measurements, that is, speeds, that are being used to generate the summary graphs provided, to be made available in a digital file format.

(3) \$314,000 of the Interstate 405 and state route number 167 express toll lanes account—state appropriation, \$734,000 of the state route number 520 corridor account—state appropriation, \$315,000 of the Tacoma Narrows toll bridge account—state appropriation, and \$413,000 of the Alaskan Way viaduct replacement project account—state appropriation are provided solely for the reappropriation of unspent funds on the new tolling back office system from the 2021-2023 fiscal biennium.

(4) The department shall make detailed annual reports to the transportation committees of the legislature and the public on the department's website in a manner consistent with past practices as specified in section 209(5), chapter 186, Laws of 2022.

(5) As part of the department's 2025-2027 biennial budget request, the department shall update the cost allocation recommendations that assign appropriate costs to each of the toll funds for services provided by relevant Washington state department of transportation programs, the Washington state patrol, and the transportation commission. The recommendations shall be based on updated traffic and toll transaction patterns and other relevant factors.

(6)(a) The department shall oversee a pilot program to deploy advanced technologies to collect tolls on the westbound state route number 520 on-ramp at 84th Avenue NE beginning no later than December 31, 2023, and ending June 30, 2025. Tolls and other revenues received from the pilot program must be deposited into the state route number 520 corridor account to be used solely to provide for the cost of maintenance of the three state route number 520 eastside lids and surrounding areas at Evergreen Point Road, 84th Avenue NE, and 92nd Avenue NE. The pilot program must use advanced technologies that enable the installation of any required equipment and testing to be provided at no cost to the state of Washington; however, the department shall provide staff time to support the pilot program.

(b) The pilot program shall utilize a system that provides:

- (i) Image capture technology;
- (ii) Self-contained technology that does not require a connection to the department's communications and utilities;
- (iii) A reduced physical footprint without using overhead infrastructure; and

(iv) A license plate accuracy rate of 99 percent or more to reduce the risk of vehicle misidentification.

(c) By December 1, 2024, the department and the transportation commission shall provide a report to the transportation committees of the legislature on:

- (i) An assessment of how well the system was able to identify vehicles using the on-ramp;
- (ii) Revenues generated by the pilot program;
- (iii) Other lessons learned from the pilot program; and
- (iv) Recommendations of whether to extend the pilot program or expand the use of advanced tolling technology on state highways.

NEW SECTION. Sec. 210. FOR THE DEPARTMENT OF TRANSPORTATION—INFORMATION TECHNOLOGY—PROGRAM C

Transportation Partnership Account—State Appropriation	\$1,494,000
Motor Vehicle Account—State Appropriation..	\$118,977,000
Puget Sound Ferry Operations Account—State Appropriation	\$307,000
Multimodal Transportation Account—State Appropriation	\$2,986,000
Transportation 2003 Account (Nickel Account)—State Appropriation	\$1,488,000
TOTAL APPROPRIATION	\$125,252,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$2,006,000 of the motor vehicle account—state appropriation is provided solely for hardware cost increases. Before any hardware replacement, the department, in consultation with WaTech, must further review leasing options.

(2) The appropriations in this section provide sufficient funding for the department assuming vacancy savings that may change over time. Funding for staffing will be monitored and adjusted in the 2024 supplemental transportation appropriations act to restore funding as authorized staffing levels are achieved.

NEW SECTION. Sec. 211. FOR THE DEPARTMENT OF TRANSPORTATION—FACILITY MAINTENANCE, OPERATIONS, AND CONSTRUCTION—PROGRAM D—OPERATING

Motor Vehicle Account—State Appropriation....	\$38,572,000
Move Ahead WA Account—State Appropriation.	\$2,812,000
State Route Number 520 Corridor Account—State Appropriation	\$34,000
TOTAL APPROPRIATION	\$41,418,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The appropriations in this section provide sufficient funding for the department assuming vacancy savings which may change over time. Funding for staffing will be monitored and adjusted in the 2024 supplemental transportation appropriations act to restore funding as authorized staffing levels are achieved.

(2)(a)(i) \$500,000 of the move ahead WA account—state appropriation is provided solely for the department to conduct a detailed space study and develop an implementation plan that builds off the findings and recommendations of the department's "Telework Impact Study" completed in September 2022. Such efforts must also incorporate office space use reduction requirements for the department in this act as well as current and planned telework levels. The detailed space study and development of the implementation plan must be conducted in consultation with the office of financial management and the department of enterprise services, and must focus on office and administrative space efficiency, providing specific recommendations, cost estimates, and cost savings. While focused on office and administrative space, the department is encouraged to review other types of facilities where efficiencies can be achieved. The final study report must include:

(A) The development of low, medium, and high scenarios based on reducing space use, with the high space reduction scenario being based on a minimum of a 30 percent reduction by 2030;

(B) Detailed information on any increased capital and other implementation costs under each scenario;

(C) Detailed information on reduced costs, such as leases, facility maintenance, and utilities, under each scenario;

(D) An analysis of opportunities to collocate with other state, local, and other public agencies to reduce costs and improve cost-efficiency while meeting utilization standards; and

(E) An assessment of the commercial value and return to the state transportation funds associated with the sale of the property from consolidation and other space efficiency measures.

(ii) The department must submit the implementation plan and final report from the detailed space study to the office of financial management and the transportation committees of the legislature by October 1, 2024.

(b) Conducting the detailed space study under (a) of this subsection must not prevent or delay the department from meeting other space use and related requirements, or where warranted by current information or opportunities.

NEW SECTION. Sec. 212. FOR THE DEPARTMENT OF TRANSPORTATION—TRANSPORTATION EQUIPMENT FUND—PROGRAM E

Move Ahead WA Account—State Appropriation	\$14,060,000
Multimodal Transportation Account—State Appropriation	.....
TOTAL APPROPRIATION	.....\$14,493,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$14,060,000 of the move ahead WA account—state appropriation is provided solely for the department’s costs related to replacing obsolete transportation equipment and replacing fuel sites. Beginning January 1, 2024, and annually thereafter, the department must provide a report to the office of financial management and the transportation committees of the legislature detailing the current progress on replacing obsolete equipment, progress towards reaching a level purchasing state, and the status of implementing a fuel site replacement prioritization plan.

(2)(a) \$100,000 of the multimodal transportation account—state appropriation is provided solely for the department to administer a pilot program to install and test intelligent speed monitoring technology in a portion of the department’s fleet of vehicles while using global positioning system technology and other mapping tools to monitor vehicle location and corresponding speed limits on traveled roadways.

(b) The pilot program must begin by January 1, 2024, for a 12-month period. By June 30, 2025, the department must report to the transportation committees of the legislature the results of the pilot program and provide any legislative or policy recommendations.

NEW SECTION. Sec. 213. FOR THE DEPARTMENT OF TRANSPORTATION—AVIATION—PROGRAM F

Aeronautics Account—State Appropriation	.....\$11,790,000
Aeronautics Account—Federal Appropriation	..... \$3,650,000
Aeronautics Account—Private/Local Appropriation	.....\$60,000
TOTAL APPROPRIATION	.....\$15,500,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$2,000,000 of the aeronautics account—state appropriation is provided solely for the Move Ahead Washington expansion of airport aid grants, airport preservation and maintenance, and support of land use planning and education activities.

(2) \$1,476,000 of the aeronautics account—state appropriation is provided solely for sustainable aviation grant projects submitted by the department in December 2022.

(3) \$300,000 of the aeronautics account—state appropriation is provided solely for the department to develop a statewide advanced air mobility aircraft plan to develop and integrate advanced air mobility aircraft into current modal systems. The department shall submit a report by June 1, 2025, to the office of

financial management and the transportation committees of the legislature including, but not limited to:

(a) Near, medium, and long-term recommendations for land use planning for advanced and urban air mobility vertiports and vertistops;

(b) An inventory of infrastructure needs to support a statewide vertiport network and a recommended program to deploy funds to local governments to share costs;

(c) Proposed state governance structures and regulatory mechanisms to adequately complement federal aviation administration oversight;

(d) Recommended policies to foster vertiport and vertistop infrastructure development that ensure open public access, efficiency in land use siting, and equitable distribution across the state; and

(e) In consultation with local jurisdictions, planning organizations, and other modal managers, recommendations on advanced air mobility aircraft integration into statewide transportation plans.

NEW SECTION. Sec. 214. FOR THE DEPARTMENT OF TRANSPORTATION—PROGRAM DELIVERY MANAGEMENT AND SUPPORT—PROGRAM H

Motor Vehicle Account—State Appropriation	.....\$61,222,000
Motor Vehicle Account—Federal Appropriation	.....\$500,000
Multimodal Transportation Account—State Appropriation	.....
Move Ahead WA Flexible Account—State Appropriation	.....
TOTAL APPROPRIATION	.....\$63,052,000

The appropriations in this section are subject to the following conditions and limitations:

(1) During the 2023-2025 fiscal biennium, if the department takes possession of the property situated in the city of Edmonds for which a purchase agreement was executed between Unocal and the department in 2005 (Tax Parcel Number 262703-2-003-0009), and if the department confirms that the property is still no longer needed for transportation purposes, the department shall provide the city of Edmonds with the right of first purchase at fair market value in accordance with RCW 47.12.063(3) for the city’s intended use of the property to rehabilitate near-shore habitat for salmon and related species.

(2) \$469,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter 217, Laws of 2021 (noxious weeds).

(3) The department shall offer to sell the northern parcel of site 14 on the Puget Sound Gateway Program SR 509 Completion Project Surplus Property list, located immediately south of S. 216th Street and adjacent to the Barnes Creek Nature Trail in Des Moines, to Seattle Goodwill Industries, a nonprofit organization with tax ID 91-05688708, located at 700 Dearborn Place S., Seattle, WA 98144, in accordance with RCW 47.12.063 at fair market value because the legislature finds it in the public interest to do so for the public benefit that will result from Goodwill’s redevelopment of the property it owns at Rainier Ave. South and South Dearborn Street to increase the supply of affordable housing.

(4) The appropriations in this section provide sufficient funding for the department assuming vacancy savings that may change over time. Funding for staffing will be monitored and adjusted in the 2024 supplemental transportation appropriations act to restore funding as authorized staffing levels are achieved.

(5)(a) \$572,000 of the move ahead WA flexible account—state appropriation is provided solely to track and maximize clean fuels credit generation of at least five percent and not more than

EIGHTY SEVENTH DAY, APRIL 5, 2023

10 percent in nonadvance clean fuels credits from transportation investments as required under RCW 70A.535.050(3).

(b) The LEAP Transportation Document 2023-2 ALL PROJECTS as developed March 29, 2023, anticipates fulfillment of the requirements under RCW 70A.535.050(3) of generating nonadvance credits for transportation investments funded in an omnibus transportation appropriations act, including the move ahead WA transportation package. The clean fuels credit generation anticipates nonadvance credits for ferry electrification for new hybrid electric vessels, active transportation, transit programs and projects, alternative fuel infrastructure, connecting communities, and multimodal investments.

(c) Pursuant to the reporting requirements of RCW 70A.535.050(5), the department must present a detailed projection of the credit revenues generated and achieved directly as a result of the funding and activities in this subsection.

NEW SECTION. Sec. 215. FOR THE DEPARTMENT OF TRANSPORTATION—PUBLIC-PRIVATE PARTNERSHIPS—PROGRAM K

Motor Vehicle Account—State Appropriation	\$660,000
Electric Vehicle Account—State Appropriation...	\$4,746,000
Multimodal Transportation Account—State Appropriation	\$2,100,000
Multimodal Transportation Account—Federal Appropriation	\$25,000,000
Carbon Emissions Reduction Account—State Appropriation	\$9,400,000
TOTAL APPROPRIATION.....	\$41,906,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,746,000 of the electric vehicle account—state appropriation is provided solely for the clean alternative fuel vehicle charging and refueling infrastructure program in chapter 287, Laws of 2019 (advancing green transportation adoption).

(2) \$1,000,000 of the electric vehicle account—state appropriation and \$500,000 of the multimodal transportation account—state appropriation are provided solely for a colocated DC fast charging and hydrogen fueling station near the Wenatchee or East Wenatchee area near a state route or near or on a publicly owned facility to service passenger, light-duty and heavy-duty vehicles. The hydrogen fueling station must include a DC fast charging station colocated at the hydrogen fueling station site. Funds may be used for one or more fuel cell electric vehicles that would utilize the fueling stations. The department must contract with a public utility district that produces hydrogen in the area to own and/or manage and provide technical assistance for the design, planning, permitting, construction, maintenance and operation of the hydrogen fueling station. The department and public utility district are encouraged to collaborate with and seek contributions from additional public and private partners for the fueling station.

(3) The appropriations in this section provide sufficient funding for the department assuming vacancy savings that may change over time. Funding for staffing will be monitored and adjusted in the 2024 supplemental transportation appropriations act to restore funding as authorized staffing levels are achieved.

(4) The legislature recognizes that for the state to meet long-term zero emissions goals requires consumers have options when investing in different vehicle technologies, including battery electric vehicles and fuel cell electric vehicles. Therefore, it is the intent of the legislature to appropriate climate commitment act funds not to exceed \$30,000,000 over the next three biennia as a state match for secured federal funds to finance hydrogen fueling stations in disadvantaged and overburdened communities for both passenger and light-truck vehicles and

medium to heavy-duty vehicles. The department, in consultation with the interagency electric vehicle coordinating council, must pursue any federal funding available through the charging and fueling infrastructure discretionary grant program and any other sources under the federal infrastructure investment and jobs act (P.L. 117-58).

(5) \$9,400,000 of the carbon emissions reduction account—state appropriation is provided solely for clean alternative fuel charging and infrastructure projects and activities selected by the department in consultation with the interagency electric vehicle coordinating council.

NEW SECTION. Sec. 216. FOR THE DEPARTMENT OF TRANSPORTATION—HIGHWAY MAINTENANCE—PROGRAM M

Motor Vehicle Account—State Appropriation..	\$510,925,000
Motor Vehicle Account—Federal Appropriation..	\$7,000,000
Move Ahead WA Account—State Appropriation	\$19,000,000
State Route Number 520 Corridor Account—State Appropriation	\$4,723,000
Tacoma Narrows Toll Bridge Account—State Appropriation	\$1,585,000
Alaskan Way Viaduct Replacement Project Account—State Appropriation	\$8,752,000
Interstate 405 and State Route Number 167 Express Toll Lanes Account—State Appropriation.....	\$2,624,000
TOTAL APPROPRIATION	\$554,609,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$5,000,000 of the motor vehicle account—state appropriation is provided solely for a contingency pool for snow and ice removal. The department must notify the office of financial management and the transportation committees of the legislature when they have spent the base budget for snow and ice removal and will begin using the contingency pool funding.

(2) The department must continue a pilot program for the 2023-2025 fiscal biennium at the four highest-demand safety rest areas to create and maintain an online calendar for volunteer groups to check availability of weekends for the free coffee program. The calendar must be updated at least weekly and show dates and times that are, or are not, available to participate in the free coffee program.

(3) \$3,195,000 of the motor vehicle account—state appropriation is provided solely for a contingency pool for repairing damages to highways caused by known and unknown third parties. The department must notify the office of financial management and the transportation committees of the legislature when they have spent the base budget for third-party damage repair and will begin using the contingency pool funding.

(4) The appropriations in this section provide sufficient funding for the department assuming vacancy savings that may change over time. Funding for staffing will be monitored and adjusted in the 2024 supplemental transportation appropriations act to restore funding as authorized staffing levels are achieved.

(5) \$294,000 of the motor vehicle account—state appropriation is provided solely for implementation of chapter . . . (Senate Bill No. 5487), Laws of 2023 (parking at rest areas). If chapter . . . (Senate Bill No. 5487), Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

(6) \$10,040,000 of the motor vehicle account—state appropriation is provided solely for the department to address safety improvements and debris cleanup on department-owned rights-of-way from encampments of people living on such rights-of-way. Of the amounts provided in this subsection, \$500,000 is for the department to contract with the Washington state patrol for support of the department's activities as needed.

(a) Of this amount, a minimum of \$1,025,000 is to be used for a continued partnership program between the department and the city of Seattle, provided that the department's level of effort to implement safety improvements and debris cleanup on department-owned rights-of-way in the city of Seattle must not be reduced from the level implemented during the 2021-2023 fiscal biennium.

(b) Of this amount, a minimum of \$1,015,000 is to be used for a continued partnership program between the department and the city of Tacoma.

(c) Beginning November 1, 2023, and semiannually thereafter, the Washington state patrol and the department of transportation must jointly submit a report to the governor and the transportation committees of the legislature on the efforts described under this subsection, including:

(i) A summary of the activities related to addressing encampments, including information on arrangements with local governments or other entities related to these activities;

(ii) A description of the planned activities in the ensuing two quarters to further address the emergency hazards and risks along state highway rights-of-way; and

(iii) Recommendations for executive branch or legislative action to achieve the desired outcome of reduced emergency hazards and risks along state highway rights-of-way.

(7) The department shall submit a report to the transportation committees of the legislature by December 1, 2023, with a review of best practices to efficiently cleanup highway litter and debris and recommendations for improving the efficiency of the department's highway clean-up efforts and reducing safety risks to highway clean-up workers. The report must consider new technologies that could improve the safety and efficiency of highway cleanup.

NEW SECTION. Sec. 217. FOR THE DEPARTMENT OF TRANSPORTATION—TRANSPORTATION OPERATIONS—PROGRAM Q—OPERATING

Highway Safety Fund—State Appropriation	\$3,529,000
Motor Vehicle Account—State Appropriation	\$77,611,000
Motor Vehicle Account—Federal Appropriation .	\$2,050,000
Motor Vehicle Account—Private/Local Appropriation	\$294,000
Move Ahead WA Account—State Appropriation	\$3,090,000
Multimodal Transportation Account—State Appropriation	\$5,200,000
State Route Number 520 Corridor Account—State Appropriation	\$247,000
Tacoma Narrows Toll Bridge Account—State Appropriation	\$44,000
Alaskan Way Viaduct Replacement Project Account—State Appropriation	\$1,122,000
Interstate 405 and State Route Number 167 Express Toll Lanes Account—State Appropriation	\$37,000
TOTAL APPROPRIATION.....	\$93,224,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$6,000,000 of the motor vehicle account—state appropriation and \$1,811,000 of the move ahead WA account—state appropriation are provided solely for low-cost enhancements. The department shall give priority to low-cost enhancement projects that improve safety or provide congestion relief. By December 15th of each odd-numbered year, the department shall provide a report to the legislature listing all low-cost enhancement projects completed in the prior fiscal biennium.

(2)(a) During the 2023-2025 fiscal biennium, the department shall continue a pilot program that expands private transportation

providers' access to high occupancy vehicle lanes. Under the pilot program, when the department reserves a portion of a highway based on the number of passengers in a vehicle, the following vehicles must be authorized to use the reserved portion of the highway if the vehicle has the capacity to carry eight or more passengers, regardless of the number of passengers in the vehicle:

(i) Auto transportation company vehicles regulated under chapter 81.68 RCW; (ii) passenger charter carrier vehicles regulated under chapter 81.70 RCW, except marked or unmarked stretch limousines and stretch sport utility vehicles as defined under department of licensing rules; (iii) private nonprofit transportation provider vehicles regulated under chapter 81.66 RCW; and (iv) private employer transportation service vehicles. For purposes of this subsection, "private employer transportation service" means regularly scheduled, fixed-route transportation service that is offered by an employer for the benefit of its employees. Nothing in this subsection is intended to authorize the conversion of public infrastructure to private, for-profit purposes or to otherwise create an entitlement or other claim by private users to public infrastructure.

(b) The department shall expand the high occupancy vehicle lane access pilot program to vehicles that deliver or collect blood, tissue, or blood components for a blood-collecting or distributing establishment regulated under chapter 70.335 RCW. Under the pilot program, when the department reserves a portion of a highway based on the number of passengers in a vehicle, blood-collecting or distributing establishment vehicles that are clearly and identifiably marked as such on all sides of the vehicle are considered emergency vehicles and must be authorized to use the reserved portion of the highway.

(c) Nothing in this subsection is intended to exempt these vehicles from paying tolls when they do not meet the occupancy requirements established by the department for express toll lanes.

(3) The appropriations in this section assume implementation of additional cost recovery mechanisms to recoup at least \$100,000 in credit card and other financial transaction costs related to the collection of fees imposed under RCW 46.17.400, 46.44.090, and 46.44.0941 for driver and vehicle fee transactions beginning January 1, 2023. The department may recover transaction fees incurred through credit card transactions. The department shall also submit, as part of its 2025-2027 budget submittal, an overview of the credit card cost recovery approach, including fee rates and the amount of revenue expected to be generated in the 2021-2023, 2023-2025, and 2025-2027 biennia, and any recommendations to improve the cost recovery approach.

(4) The department shall promote safety messages encouraging drivers to slow down and move over and pay attention when emergency lights are flashing on the side of the road and other suitable safety messages on electronic message boards the department operates across the state. The messages must be promoted through June 30, 2025. The department may coordinate such messaging with any statewide public awareness campaigns being developed by the department of licensing or the Washington state traffic safety commission, or both.

(5) \$5,000,000 of the multimodal transportation account—state appropriation is provided solely for the department to address emergent issues related to safety for pedestrians and bicyclists. Funds may only be spent after approval from the office of financial management. By December 15th of each odd-numbered year, the department shall provide a report to the legislature listing all emergent issues addressed in the prior fiscal biennium.

(6) The appropriations in this section provide sufficient funding for the department assuming vacancy savings that may change over time. Funding for staffing will be monitored and

EIGHTY SEVENTH DAY, APRIL 5, 2023

adjusted in the 2024 supplemental transportation appropriations act to restore funding as authorized staffing levels are achieved.

(7) \$3,529,000 of the highway safety account—state appropriation is provided solely for implementation of chapter . . . (Engrossed Substitute Senate Bill No. 5272), Laws of 2023 (speed safety cameras). If chapter . . . (Engrossed Substitute Senate Bill No. 5272), Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

(8) \$1,279,000 of the move ahead WA account—state appropriation is provided solely for maintenance and operations of the virtual coordination center. The department is encouraged to apply for federal grant funds for the virtual coordination center and may use state funds as a match. By December 1, 2023, the department shall report to the transportation committees of the legislature recommendations to expand the center's operations, including specific additional jurisdictions and corridors across the state.

(9) The department shall submit a report to the transportation committees of the legislature by December 1, 2023, with a prioritized list of recommendations for improving safety and mobility on Interstate 90 between North Bend and Cle Elum during winter weather events, including estimated costs. The recommendations must include, but are not limited to, options to improve compliance with traction tire and chain requirements and reduce snow-related closures.

(10) \$200,000 of the multimodal transportation account—state appropriation is provided solely for the department of transportation, in collaboration with the Washington state patrol, to administer a pilot program requiring one motor carrier with intrastate commercial motor vehicles and a poor equipment and traffic safety record to operate with side underride guards, or rear impact guards consistent with updates to federal motor vehicle safety standards 223 and 224, or both, on designated public highways of the state. By June 30, 2025, the department must collect data and report to the transportation committees of the legislature the program impacts on highway safety, traffic movement, and the environment, if any. The report must also include a recommendation if the pilot program should continue or be enacted on a permanent basis for all other motor carriers with intrastate commercial motor vehicles.

(11)(a) The department shall establish the weigh station preclearance program in accordance with the commercial vehicle information systems and networks electronic screening truck inspection and weigh station preclearance standards authorized by the federal motor carrier safety administration. The program must include preclearance systems providers that meet the following criteria:

(i) The preclearance system commercial mobile radio services and dedicated short-range communication devices as transponders technologies must be represented in the program.

(ii) The preclearance system must be broadly deployed across the state for interstate operability purposes on the effective date of this section.

(b) Computer software and hardware, including any infrastructure-based devices or technologies, that is necessary to implement this section and must be made available at no cost to the Washington state patrol. The preclearance system provider is responsible for all costs of operating and maintaining the computer software and hardware. The computer software and hardware must meet all of the following criteria:

(i) The computer software and hardware must meet the requirements of the federal motor carrier safety administration for core compliance with the commercial vehicle information systems and networks electronic screening truck inspection and weigh station preclearance standards.

(ii) In-vehicle equipment must be operated in compliance with applicable state law and regulations.

(iii) Preclearance messaging must be transmitted and received by the driver through electronic messaging within the cab of the commercial motor vehicle.

(iv) If required for preclearance services, real-time data from weigh-in-motion systems or any other systems shall be made available to preclearance system providers.

(c) The department, in consultation with the Washington state patrol, shall establish standards for the program in order to meet the needs of this state and conform with weigh station preclearance programs in other states, including standards regarding safety history credential status.

NEW SECTION. Sec. 218. FOR THE DEPARTMENT OF TRANSPORTATION—TRANSPORTATION MANAGEMENT AND SUPPORT—PROGRAM S

Motor Vehicle Account—State Appropriation.....	\$59,774,000
Motor Vehicle Account—Federal Appropriation.....	\$780,000
Motor Vehicle Account—Private/Local Appropriation	\$500,000
Move Ahead WA Flexible Account—State Appropriation	\$6,400,000
Puget Sound Ferry Operations Account—State Appropriation	\$488,000
Multimodal Transportation Account—State Appropriation	\$22,323,000
State Route Number 520 Corridor Account—State Appropriation	\$220,000
Tacoma Narrows Toll Bridge Account—State Appropriation	\$136,000
Alaskan Way Viaduct Replacement Project Account—State Appropriation	\$127,000
Interstate 405 and State Route Number 167 Express Toll Lanes Account—State Appropriation.....	\$114,000
TOTAL APPROPRIATION	\$90,862,000

The appropriations in this section are subject to the following conditions and limitations:

(1)(a) \$2,000,000 of the motor vehicle account—state appropriation and \$6,400,000 of the move ahead WA flexible account—state appropriation are provided solely for efforts to increase diversity in the transportation construction workforce through:

(i) The preapprenticeship support services (PASS) and career opportunity maritime preapprenticeship support services (COMPASS) programs, which aim to increase diversity in the highway construction and maritime workforces and prepare individuals interested in entering the highway construction and maritime workforces. In addition to the services allowed under RCW 47.01.435, the PASS and COMPASS programs may provide housing assistance for youth aging out of the foster care and juvenile rehabilitation systems to support their participation in a transportation-related preapprenticeship program and support services to obtain necessary maritime documents and coast guard certification;

(ii) Assisting minority and women-owned businesses to perform work in the highway construction industry;

(iii) Free-of-charge business counseling and technical assistance to minority and women-owned businesses to help them compete for the department's projects;

(iv) A program to allow smaller minority and women-owned trucking companies to pool their resources and compete with larger scale trucking operations; and

(v) A capacity building mentorship program to enable more mentor contractors and consultants to be paired with

veteran-owned businesses or firms certified by the office of minority and women's business enterprises.

(b) The department shall report annually to the transportation committees of the legislature on efforts to increase diversity in the transportation construction workforce.

(2) For Washington state department of transportation small works roster projects under RCW 39.04.155, the department may only allow firms certified as small business enterprises, under 49 C.F.R. 26.39, to bid on the contract, unless the department determines there would be insufficient bidders for a particular project.

(3) \$21,195,000 of the motor vehicle account—state appropriation and \$21,194,000 of the multimodal transportation account—state appropriation are provided solely for the department to upgrade the transportation reporting and accounting information system to the current cloud version of the software, and is subject to the conditions, limitations, and review requirements of section 701 of this act.

(4) The appropriations in this section provide sufficient funding for the department assuming vacancy savings that may change over time. Funding for staffing will be monitored and adjusted in the 2024 supplemental transportation appropriations act to restore funding as authorized staffing levels are achieved.

(5) If either chapter . . . (Senate Bill No. 5757), Laws of 2023 (transportation revenue forecast) or chapter . . . (Engrossed Substitute House Bill No. 1838), Laws of 2023 (transportation revenue forecast) is enacted by June 30, 2023, \$278,000 of the motor vehicle account—state appropriation in this section lapses.

NEW SECTION. Sec. 219. FOR THE DEPARTMENT OF TRANSPORTATION—TRANSPORTATION PLANNING, DATA, AND RESEARCH—PROGRAM T

Motor Vehicle Account—State Appropriation	....\$30,660,000
Motor Vehicle Account—Federal Appropriation	\$31,742,000
Motor Vehicle Account—Private/Local Appropriation	..... \$400,000
Move Ahead WA Flexible Account—Federal Appropriation	.....\$11,922,000
Multimodal Transportation Account—State Appropriation	..... \$3,414,000
Multimodal Transportation Account—Federal Appropriation	..... \$2,809,000
Multimodal Transportation Account—Private/Local Appropriation	..... \$100,000
TOTAL APPROPRIATION	.....\$81,047,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,750,000 of the multimodal transportation account—state appropriation is provided solely for the department to partner with the department of commerce and regional transportation planning organizations in implementing vehicle miles traveled targets and supporting actions. The department and the department of commerce shall partner with local jurisdictions, regional transportation planning organizations, and other stakeholders to determine the level of vehicle miles traveled reductions needed to meet state goals for greenhouse gas emissions above what will already be achieved by vehicle electrification. Vehicle miles traveled reduction targets and actions to meet those targets will be set by region for those regions who opt to pilot the new process. The department shall provide technical assistance to local partners in developing targets, conducting modeling and analysis, identifying appropriate strategies to meet targets, and conducting outreach. The department will build on the recommendations developed in section 219(3), chapter 186, Laws of 2022. As part of target setting, important factors that must be considered include land

use patterns, safety, and vulnerable populations. The department shall provide an interim report by June 30, 2024, and a final report by June 30, 2025.

(2) The appropriations in this section provide sufficient funding for the department assuming vacancy savings that may change over time. Funding for staffing will be monitored and adjusted in the 2024 supplemental transportation appropriations act to restore funding as authorized staffing levels are achieved.

(3)(a) \$330,000 of the motor vehicle account—state appropriation and \$330,000 of the motor vehicle account—federal appropriation are provided solely for the department to continue implementation of a performance-based project evaluation model. This implementation work should include:

- (i) Public engagement and outreach;
- (ii) Establishment of data flow for criteria;
- (iii) Ongoing implementation of the evaluation process in coordination with the legislative work cycle; and
- (iv) Migration to a web-based or app-based system with an external user interface.

(b) The department must issue a report by September 1, 2024, with an update on implementation of the new project evaluation model, new system and user interface, and efforts to coordinate project evaluation with the legislative work cycle.

(4)(a) \$180,000 of the multimodal transportation account—state appropriation is provided solely for Thurston regional planning council (TRPC) to conduct a study examining options for multimodal high capacity transportation (HCT) to serve travelers on the Interstate 5 corridor between central Thurston county (Olympia area) and Pierce county.

(b) The study will include an assessment of travelsheds and ridership potential and identify and provide an evaluation of options to enhance connectivity and accessibility for the greater south Puget Sound region with an emphasis on linking to planned or existing commuter or regional light rail. The study must account for previous and ongoing efforts by transit agencies and the department. The study will emphasize collaboration with a diverse community of interests, including but not limited to transit, business, public agencies, tribes, and providers and users of transportation who because of age, income, or ability may face barriers and challenges.

(c) The study is due to the governor and transportation committees of the legislature by September 1, 2024.

(5) \$400,000 of the multimodal transportation account—state appropriation is provided solely for the city of Seattle's office of planning and community development to support an equitable development initiative to reconnect the South Park neighborhood, currently divided by state route number 99.

- (a) The support work must include:
 - (i) A public engagement and visioning process led by a neighborhood-based, community organization; and
 - (ii) A feasibility study of decommissioning state route number 99 in the South Park neighborhood to include, but not be limited to, traffic studies, environmental impact analysis, and development of alternatives, including the transfer of the land to a neighborhood-led community land trust.

(b) The support work must be conducted in coordination and partnership with neighborhood residents, neighborhood industrial and commercial representatives, the state department of transportation, and other entities and neighborhoods potentially impacted by changes to the operation of state route number 99.

(c) The city must provide a report on the plan that includes recommendations to the Seattle city council, state department of transportation, and the transportation committees of the legislature by December 1, 2024.

EIGHTY SEVENTH DAY, APRIL 5, 2023

(6) \$15,000,000 of the motor vehicle account—federal appropriation is provided solely for the transportation planning, data, and research program. The department shall prioritize federal funding for legislatively directed projects and activities in this section above other federally funded projects and activities authorized in this act.

(7) \$2,557,000 of the motor vehicle account—state appropriation is provided solely for the department to upgrade the department's linear referencing system (LRS) and highway performance monitoring system (HPMS), and is subject to the conditions, limitations, and review requirements in section 701 of this act.

(8) \$306,000 of the multimodal transportation account—state appropriation is provided solely for the implementation of chapter . . . (Engrossed Substitute Senate Bill No. 5466), Laws of 2023 (transit-oriented development). If chapter . . . (Engrossed Substitute Senate Bill No. 5466), Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

(9) \$627,000 of the motor vehicle account—federal appropriation is provided solely for remaining work on the "Forward Drive" road usage charge research project overseen by the transportation commission using the remaining amounts of the federal grant award. The remaining work of this project includes:

(a) Analysis of road usage charge simulation and participant surveys;

(b) Follow up on road usage charge experiences related to payment installments, mileage exemptions, and vehicle-based mileage reporting;

(c) Completion of technology research; and

(d) Development of the final "Forward Drive" research program report.

(10)(a) \$11,922,000 of the move ahead WA flexible account—federal appropriation is provided solely for an Interstate 5 planning and environmental linkage study and a statewide Interstate 5 master plan, building upon existing work under way in the corridor. It is the intent of the legislature to provide a total of \$40,000,000 for this work by 2029.

(b) The work under (a) of this subsection must include, but is not limited to, the following:

(i) Seismic resiliency planning to refine the level of effort and develop informed cost estimates for the seismic vulnerability analysis;

(ii) HOV lane system-wide performance planning and initial steps to launch a pilot project that progresses innovative and emerging technologies;

(iii) Interstate 5 corridor planning work, including development of a framework, coordination of corridor needs, development of core evaluation criteria and a prioritization process, and identification of early action priority projects that address safety or resiliency, or both, along the corridor; and

(iv) A report to the transportation committees of the legislature by December 1, 2024, with recommendations for future phases and a detailed funding request for work planned through 2029.

(c) Of the amounts provided in this section, \$300,000 is provided solely for the department to conduct a Seattle Interstate 5 ramp reconfiguration and lid feasibility study. The study must be conducted in coordination and partnership with the city of Seattle's department of transportation, informed by the input of Interstate 5 lid stakeholders, and coordinated with work under (a) and (b) of this subsection. The department must provide a study report, including recommendations, to the city of Seattle's department of transportation and the transportation committees of the legislature by December 1, 2024. The study must include an analysis of:

(i) Options and opportunities to reconfigure, relocate, or remove Interstate 5 ramps within and between Chinatown-International District and the University District for the purpose of improving through-traffic operations, enhancing multimodal transportation safety, and enabling more efficient air rights development;

(ii) Potential mitigation needs and cost estimates of ramp changes and demolitions;

(iii) Benefits of ramp changes and demolitions to pedestrian and bicycle travel, transit operations, and future lid design;

(iv) Ramps for the mainline collector-distributor lanes and express lanes including, at a minimum, ramps connecting to and from James Street, Cherry Street, 6th Avenue, Madison Street, Seneca Street, Spring Street, University Street, Union Street, Olive Way, Yale Avenue, NE 45th Street, and NE 50th Street;

(v) Removal of the existing ramps at Seneca Street, Spring Street, and University Street; and

(vi) Removal and consolidation of the existing NE 45th Street and NE 50th Street ramps.

(d) The department shall work with the emergency management division of the military department to identify strategic transportation corridors, opportunities to improve resilience and reinforce the corridors against natural disasters, and opportunities to secure federal funding for investments in the resilience of the transportation network. The department shall provide a report to the transportation committees of the legislature by December 1, 2023, on:

(i) Strategic transportation corridors and opportunities to improve their resilience;

(ii) Federal funding opportunities the state should pursue; and

(iii) Recommendations for actions to maximize federal funding for the state of Washington.

(11) The department shall continue to coordinate planning work focused on the transportation system in western Washington across modes with the goal of maximizing system performance toward the policy goals in RCW 47.04.280 in the most cost-effective manner. This coordination must include, but is not limited to: The Interstate 5 highway corridor, existing rail infrastructure and future high-speed rail alignment, and commercial aviation capacity. The department must report to the transportation committees of the legislature through existing reporting mechanisms on the status of these planning efforts including, but not limited to, a long-term strategy for addressing resilience of the transportation system in western Washington through consideration of changing demand, modal integration, and preservation needs. The coordinated work must include an analysis of different alternatives to promote system resilience, including performance and cost of each scenario.

(12) \$200,000 of the motor vehicle account—state appropriation is provided solely for planning and intersection improvements along state route number 904 and improvements to the local network that would feed intersections with state route number 904. This work must include, but is not limited to, the Medical Lake/Four Lakes Road/West 3rd Ave intersection and feeding local network. The department must collaborate with Spokane county and the city of Cheney on this work and other improvement ideas along the corridor.

(13) \$1,500,000 of the motor vehicle account—state appropriation is provided solely for a comprehensive analysis of the state and local transportation network in the US 12/A Street/Tank Farm Road/Sacajawea Road/Lewis Street Interchange vicinity to identify long-term, practical, and multimodal solutions that maximize the use of the existing transportation system and reduce the risk of crashes in the corridor.

NEW SECTION. Sec. 220. FOR THE DEPARTMENT OF TRANSPORTATION—CHARGES FROM OTHER AGENCIES—PROGRAM U

Aeronautics Account—State Appropriation	\$1,000
Transportation Partnership Account—State Appropriation	\$29,000
Motor Vehicle Account—State Appropriation	\$93,059,000
Puget Sound Ferry Operations Account—State Appropriation	\$244,000
State Route Number 520 Corridor Account—State Appropriation	\$69,000
Connecting Washington Account—State Appropriation	\$233,000
Multimodal Transportation Account—State Appropriation	\$4,529,000
Tacoma Narrows Toll Bridge Account—State Appropriation	\$43,000
Alaskan Way Viaduct Replacement Project Account—State Appropriation	\$38,000
Interstate 405 and State Route Number 167 Express Toll Lanes Account—State Appropriation	\$40,000
TOTAL APPROPRIATION	\$98,285,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Consistent with existing protocol and practices, for any negotiated settlement of a claim against the state for the department that exceeds \$5,000,000, the department, in conjunction with the attorney general and the department of enterprise services, shall notify the director of the office of financial management and the transportation committees of the legislature.

(2) On August 1, 2023, and semiannually thereafter, the department, in conjunction with the attorney general and the department of enterprise services, shall provide a report with judgments and settlements dealing with the Washington state ferry system to the director of the office of financial management and the transportation committees of the legislature. The report must include information on: (a) The number of claims and settlements by type; (b) the average claim and settlement by type; (c) defense costs associated with those claims and settlements; and (d) information on the impacts of moving legal costs associated with the Washington state ferry system into the statewide self-insurance pool.

(3) On August 1, 2023, and semiannually thereafter, the department, in conjunction with the attorney general and the department of enterprise services, shall provide a report with judgments and settlements dealing with the nonferry operations of the department to the director of the office of financial management and the transportation committees of the legislature. The report must include information on: (a) The number of claims and settlements by type; (b) the average claim and settlement by type; and (c) defense costs associated with those claims and settlements.

(4) When the department identifies significant legal issues that have potential transportation budget implications, the department must initiate a briefing for appropriate legislative members or staff through the office of the attorney general and its legislative briefing protocol.

NEW SECTION. Sec. 221. FOR THE DEPARTMENT OF TRANSPORTATION—PUBLIC TRANSPORTATION—PROGRAM V

Carbon Emissions Reduction Account—State Appropriation	\$7,000,000
Climate Transit Programs Account—State Appropriation	\$417,954,000

State Vehicle Parking Account—State Appropriation	\$784,000
Regional Mobility Grant Program Account—State Appropriation	\$115,060,000
Rural Mobility Grant Program Account—State Appropriation	\$32,774,000
Multimodal Transportation Account—State Appropriation	\$126,064,000
Multimodal Transportation Account—Federal Appropriation	\$4,374,000
Multimodal Transportation Account—Private/Local Appropriation	\$100,000
TOTAL APPROPRIATION	\$704,110,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$64,354,000 of the multimodal transportation account—state appropriation and \$78,100,000 of the climate transit programs account—state appropriation are provided solely for a grant program for special needs transportation provided by transit agencies and nonprofit providers of transportation. Of this amount:

(a) \$14,801,420 of the multimodal transportation account—state appropriation and \$17,963,000 of the climate transit programs account—state appropriation are provided solely for grants to nonprofit providers of special needs transportation. Grants for nonprofit providers must be based on need, including the availability of other providers of service in the area, efforts to coordinate trips among providers and riders, and the cost effectiveness of trips provided.

(b) \$49,552,580 of the multimodal transportation account—state appropriation and \$60,137,000 of the climate transit programs account—state appropriation are provided solely for grants to transit agencies to transport persons with special transportation needs. To receive a grant, the transit agency must, to the greatest extent practicable, have a maintenance of effort for special needs transportation that is no less than the previous year's maintenance of effort for special needs transportation. Grants for transit agencies must be prorated based on the amount expended for demand response service and route deviated service in calendar year 2021 as reported in the "2021 Summary of Public Transportation" published by the department of transportation. No transit agency may receive more than 30 percent of these distributions.

(2) \$32,774,000 of the rural mobility grant program account—state appropriation is provided solely for grants to aid small cities in rural areas as prescribed in RCW 47.66.100.

(3) \$11,382,000 of the multimodal transportation account—state appropriation is provided solely for a public transit rideshare grant program for: (a) Public transit agencies to add or replace rideshare vehicles; and (b) incentives and outreach to increase rideshare use. The grant program for public transit agencies may cover capital costs only, and costs for operating vanpools at public transit agencies are not eligible for funding under this grant program. Awards from the grant program must not be used to supplant transit funds currently funding ride share programs, or to hire additional employees.

(4) \$37,382,000 of the regional mobility grant program account—state appropriation is reappropriated and provided solely for the regional mobility grant projects identified in LEAP Transportation Document 2023-2 ALL PROJECTS as developed March 29, 2023, Program - Public Transportation Program (V).

(5)(a) \$77,679,000 of the regional mobility grant program account—state appropriation is provided solely for the regional mobility grant projects identified in LEAP Transportation Document 2023-2 ALL PROJECTS as developed March 29,

EIGHTY SEVENTH DAY, APRIL 5, 2023

2023, Program - Public Transportation Program (V). The department shall review all projects receiving grant awards under this program at least semiannually to determine whether the projects are making satisfactory progress. Any project that has been awarded funds, but does not report activity on the project within one year of the grant award, must be reviewed by the department to determine whether the grant should be terminated. The department shall promptly close out grants when projects have been completed, and any remaining funds must be used only to fund projects identified in the LEAP transportation document referenced in this subsection. The department shall provide annual status reports on December 15, 2023, and December 15, 2024, to the office of financial management and the transportation committees of the legislature regarding the projects receiving the grants. It is the intent of the legislature to appropriate funds through the regional mobility grant program only for projects that will be completed on schedule. A grantee may not receive more than 25 percent of the amount appropriated in this subsection unless all other funding is awarded. Additionally, when allocating funding for the 2023-2025 fiscal biennium, no more than 30 percent of the total grant program may directly benefit or support one grantee unless all other funding is awarded. The department shall not approve any increases or changes to the scope of a project for the purpose of a grantee expending remaining funds on an awarded grant.

(b) In order to be eligible to receive a grant under (a) of this subsection during the 2023-2025 fiscal biennium, a transit agency must establish a process for private transportation providers to apply for the use of park and ride facilities. For purposes of this subsection, (i) "private transportation provider" means: An auto transportation company regulated under chapter 81.68 RCW; a passenger charter carrier regulated under chapter 81.70 RCW, except marked or unmarked stretch limousines and stretch sport utility vehicles as defined under department of licensing rules; a private nonprofit transportation provider regulated under chapter 81.66 RCW; or a private employer transportation service provider; and (ii) "private employer transportation service" means regularly scheduled, fixed-route transportation service that is offered by an employer for the benefit of its employees.

(c) \$1,500,000 of the amount appropriated in this subsection is provided solely for a contingency fund to assist current regional mobility grantees with cost escalations and overages. The department shall create a system for grantees to request funds, and set a cap of contingency funds per grantee to ensure an equitable distribution among requesters.

(6) \$6,195,000 of the multimodal transportation account—state appropriation, \$3,300,000 of the climate transit programs account—state appropriation, and \$784,000 of the state vehicle parking account—state appropriation are provided solely for CTR grants and activities. Of this amount, \$495,000 of the multimodal transportation account—state appropriation is provided solely for continuation of the first mile/last mile connections grant program. The commute trip reduction board shall develop grant parameters, evaluation criteria, and evaluate grant proposals. The commute trip reduction board shall provide the transportation committees of the legislature a report on the effectiveness of this grant program and best practices for continuing the program.

(7) Except as provided otherwise in this subsection, \$11,914,000 of the multimodal transportation account—state appropriation is provided solely for connecting Washington transit projects identified in LEAP Transportation Document 2023-2 ALL PROJECTS as developed March 29, 2023. It is the intent of the legislature that entities identified to receive funding in the LEAP transportation document referenced in this

subsection receive the amounts specified in the time frame specified in that LEAP document. If an entity has already completed a project in the LEAP transportation document referenced in this subsection before the time frame identified, the entity may substitute another transit project or projects that cost a similar or lesser amount.

(8) The department shall not require more than a 10 percent match from nonprofit transportation providers for state grants.

(9) \$16,407,000 of the multimodal transportation account—state appropriation and \$39,400,000 of the climate transit programs account—state appropriation are provided solely for the green transportation capital grant program as outlined in RCW 47.66.120. Of the amount of climate transit program account funds appropriated in this subsection, up to one percent may be used for program administration and staffing.

(10) \$2,565,000 of the multimodal transportation account—state appropriation is provided solely for the implementation of chapter . . . (Engrossed Substitute Senate Bill No. 5466), Laws of 2023 (transit-oriented development). If chapter . . . (Engrossed Substitute Senate Bill No. 5466), Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

(11)(a) \$10,000,000 of the climate transit programs account—state appropriation is provided solely for the department to establish a tribal transit competitive grant program to be administered as part of the department's consolidated grant program. The department shall report to the transportation committees of the legislature and the office of financial management with a list of projects recommended for funding by September 1, 2023, along with recommendations on how to remove barriers for tribes to access grant funds, and recommendations for how the department can provide technical assistance.

(b) Within the amount provided in this subsection, \$529,000 is provided solely for the Sauk-Suiattle Commuter project (L1000318).

(c) Up to one percent of amounts appropriated in this subsection may be used for program administration and staffing.

(12) \$188,900,000 of the climate transit programs account—state appropriation is provided solely for transit support grants for public transit agencies that have adopted a zero-fare policy for youth 18 years of age and under by October 1, 2022.

(13) \$40,000,000 of the climate transit programs account—state appropriation is provided solely for the bus and bus facility grant program for replacement, rehabilitation, and purchase of transit rolling stock, or construction, modification, or rehabilitation of transit facilities.

(14) \$2,000,000 of the climate transit programs account—state appropriation is provided solely for newly selected transit coordination grants. The department shall prioritize grant proposals that promote the formation of joint partnerships between transit agencies or merge service delivery across entities.

(15)(a) For projects funded as part of the move ahead WA transportation package as listed in LEAP Transportation Document 2023-2 ALL PROJECTS as developed March 29, 2023, Move Ahead WA - Transit Projects, and if the department expects to have substantial reappropriations for the 2023-2025 fiscal biennium, the department may, on a pilot basis, apply funding from a project with an appropriation that is unable to be used within the 2023-2025 fiscal biennium to advance one or more of the following projects listed as part of the list, prioritizing projects first by tier then by project readiness.

(b) In instances when projects listed in the LEAP transportation document referenced in (a) of this subsection are

no longer viable or have been completed, the department may approve alternative project proposals from the local jurisdictions if the project is similar in type and scope and consistent with limitations on certain funds provided.

(c) At least 10 business days before advancing or swapping a project pursuant to this subsection, the department must notify the office of financial management and the transportation committees of the legislature. The advancement of a project may not hinder the delivery of the projects for which the reappropriations are necessary for the 2023-2025 fiscal biennium.

(16) \$580,000 of the multimodal transportation account—state appropriation is provided solely for the department to provide a statewide vanpool benefit for all state employees. For department employees working in remote job sites, such as mountain passes, the department must ensure employees are able to access job sites via a subsidized vanpool or provide a modal alternative for the "last mile" to ensure employees can access the job site without additional charge.

(17)(a) \$400,000 of the multimodal transportation account—state appropriation is provided solely for the department, in consultation with the joint transportation committee, to continue a study of statewide frequent transit standard goals. The study must make recommendations on goals for frequent transit access across the state, taking into account:

- (i) State climate and vehicle miles traveled goals;
- (ii) Findings from recently completed joint transportation committee studies concerning nondrivers; and
- (iii) Regional contexts and populations forecasts.

(b) As part of the study process, the department shall convene stakeholder groups comprised of, but not limited to, transit users, nondrivers, transit agencies, and nonprofit transit providers to inform development of statewide frequent transit goals.

(c) The department shall submit findings and recommendations to the transportation committees of the legislature and the office of financial management by September 1, 2024.

(18)(a) \$700,000 of the multimodal transportation account—state appropriation is provided solely for the department to develop an action plan for the establishment of cycle highways in locations that connect population centers and support mode shift.

(b) The action plan must complement and incorporate existing resources, including the state trails database maintained by the recreation and conservation office, local and regional plans, and the state active transportation plan.

(c) The action plan must also include, but is not limited to:

- (i) Recommended design; geometric and operational criteria and typologies appropriate to urban, suburban, and rural settings; settings that include shared use; and incremental approaches to achieve desired facility types;

- (ii) A model or methodology to project potential demand and carrying capacity based on facility quality, level of traffic stress, location, directness, land use, and other key attributes;

- (iii) Examination of the feasibility of developing high-capacity infrastructure for bicycle and micromobility device use within a variety of contexts and recommendations for pilot projects;

- (iv) Identification of key gaps in regional networks, including planned and aspirational routes and locations within three miles of high-capacity transit or existing shared-use paths and trails suitable for transportation;

- (v) Identification of legal, regulatory, financial, collaboration, and practical barriers to development and community acceptance and support of such facilities; and

- (vi) Recommended strategies to consider and address issues to avoid unintended consequences such as displacement, and to ensure equity in long-term development of such facilities.

(d) The department must provide a report with its findings to the transportation committees of the legislature by June 30, 2025.

(19) \$200,000 of the multimodal transportation account—state appropriation is provided solely for the department to update the 2019 feasibility study to add a fifth travel Washington intercity bus line in the Yakima Valley. The department must provide a summary report of the updated feasibility and cost estimates to the transportation committees of the legislature by December 1, 2024.

(20)(a)(i) \$5,000,000 of the carbon emissions reduction account—state appropriation is provided solely for the department to establish a program for providing rebates to qualifying persons who purchase e-bikes and qualifying equipment and services from a qualifying retailer. Of this amount, \$3,000,000 is for rebate amounts as described under (a)(iii)(A) of this subsection, and \$2,000,000 is for rebate amounts as described under (a)(iii)(B) of this subsection.

(ii) To qualify for and use the rebate under this subsection, a person must be a resident of Washington state and purchase an e-bike and qualifying equipment and services, if any, from a qualifying retailer in this state. Qualifying equipment and services must be purchased as part of the same transaction as the e-bike.

(iii)(A) For persons who are at least 16 years of age and reside in households with incomes at or below 80 percent of the county area median income, the amount of the rebate is up to \$1,200 on the sale of an e-bike and any qualifying equipment and services.

(B) For all other persons who are at least 16 years of age, the amount of the rebate is up to \$300 on the sale of an e-bike and any qualifying equipment and services.

(C) No more than one rebate may be awarded per household.

(iv)(A) The department must establish application procedures for e-bike retailers to participate in the rebate program, and application and award procedures for applicants to participate in the program. If an applicant qualifies for a rebate amount and there is sufficient funds to award the applicant with the appropriate rebate amount, the department must provide the qualifying individual the rebate amount in a format that can be redeemed at the time of purchase at a qualifying retailer.

(B) An applicant must provide contact information, including a physical address, email address, and phone number, and demographic information, including the applicant's age, gender, race, and ethnicity, to the department on a form provided by the department at the time of applying for the rebate. The department may share or provide access to such information with the University of Washington to provide the University of Washington an opportunity to ask program applicants and recipients to fill out a survey collecting information only to the extent to inform its report described under (d) of this subsection.

(v) A qualifying retailer must register with the department before participating in the rebate program. A qualifying retailer must:

- (A) Verify the identity of the qualifying individual at the time of purchase; and

- (B) Calculate and apply the rebate at the time of purchase.

(vi) The department must reimburse a qualifying retailer that accepts a rebate from a qualifying individual no later than 30 days after the rebate is redeemed.

(vii) For purposes of this subsection (20)(a):

- (A) "E-bike" means an electric assisted bicycle as defined in RCW 46.04.169, but does not include mountain bikes.

EIGHTY SEVENTH DAY, APRIL 5, 2023

(B) "Qualifying equipment and services" means a bicycle helmet, safety vest, bicycle light, or bicycle lock, and any maintenance or other services agreed upon by the qualifying retailer and qualifying individual at the time of purchase.

(C) "Qualifying retailer" means a retail business establishment with one or more physical retail locations in this state that provides on-site e-bike sales, service, and repair and has registered with the department to participate in the rebate program established under this subsection.

(b) For fiscal year 2025, \$2,000,000 of the carbon emissions reduction account—state appropriation is provided solely for the department to establish an e-bike lending library and ownership grant program. The department may accept grant applications from other state entities, local governments, and tribes that administer or plan to administer an e-bike lending library or ownership program for their employees for commute trip reduction purposes. The department may also accept grant applications from nonprofit organizations or tribal governments that serve persons who are low-income or reside in overburdened communities and that administer or plan to administer an e-bike lending library or ownership program for qualifying persons. Grant recipients must report program information and participation data to the University of Washington to inform its report described under (d) of this subsection.

(c) It is the intent of the legislature that funding provided in (a) and (b) of this subsection continue to be appropriated in the 2025-2027 and 2027-2029 fiscal biennia.

(d) Of the amounts provided in this subsection (20), \$90,000 is provided solely for the department to contract with the University of Washington's sustainable transportation lab to publish a general policy brief that provides innovative e-bike rebate and lending library or ownership grant program models and recommendations, a report on survey results based on data and demographic information collected under the e-bike rebate program established in (a) of this subsection, and a report on program information and data collected under the e-bike lending library and ownership grant program established in (b) of this subsection. An initial brief and report must be submitted to the transportation committees of the legislature by July 1, 2024, with the final policy brief and report due to the transportation committees of the legislature by July 1, 2025.

(e) The department may not collect more than five percent of appropriated amounts to administer the programs under (a) and (b) of this subsection.

(21) The appropriations in this section provide sufficient funding for the department assuming vacancy savings that may change over time. Funding for staffing will be monitored and adjusted in the 2024 supplemental transportation appropriations act to restore funding as authorized staffing levels are achieved.

(22) It is the intent of the legislature that the Swift Bus Rapid Transit - Gold Line (Community Transit) project (L4000209) receives funding in the amount of \$3,333,000 in the 2025-2027, 2027-2029, and 2029-2031 fiscal biennia, and that the list referenced in subsection (15) of this section be changed accordingly.

NEW SECTION. Sec. 222. FOR THE DEPARTMENT OF TRANSPORTATION—MARINE—PROGRAM X

Puget Sound Ferry Operations Account—State Appropriation	\$581,747,000
Puget Sound Ferry Operations Account—Federal Appropriation	\$166,643,000
Puget Sound Ferry Operations Account—Private/Local Appropriation	\$121,000
TOTAL APPROPRIATION.....	\$748,511,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The office of financial management budget instructions require agencies to recast enacted budgets into activities. The Washington state ferries shall include a greater level of detail in its 2023-2025 supplemental and 2025-2027 omnibus transportation appropriations act requests, as determined jointly by the office of financial management, the Washington state ferries, and the transportation committees of the legislature. This level of detail must include the administrative functions in the operating as well as capital programs. The data in the tables in the report must be supplied in a digital file format.

(2) \$90,014,000 of the Puget Sound ferry operations account—federal appropriation and \$50,067,000 of the Puget Sound ferry operations account—state appropriation are provided solely for auto ferry vessel operating fuel in the 2023-2025 fiscal biennium, which reflect cost savings from a reduced biodiesel fuel requirement and, therefore, is contingent upon the enactment of section 703 of this act. The amount provided in this subsection represents the fuel budget for the purposes of calculating any ferry fare fuel surcharge. The department shall review future use of alternative fuels and dual fuel configurations, including hydrogen.

(3) \$500,000 of the Puget Sound ferry operations account—state appropriation is provided solely for operating costs related to moving vessels for emergency capital repairs. Funds may only be spent after approval by the office of financial management.

(4) The department must work to increase its outreach and recruitment of populations underrepresented in maritime careers and continue working to expand apprenticeship and internship programs, with an emphasis on programs that are shown to improve recruitment for positions with the state ferry system.

(5) \$175,000 of the Puget Sound ferry operations account—state appropriation is provided solely for the department to continue a study of passenger demographics. The study may be included as part of a larger origin and destination study. The department shall report study results to the transportation committees of the legislature by December 1, 2023.

(6) The department shall continue to oversee a consultant study to identify and recommend cost-effective strategies to maximize walk-on passenger ridership of the Anacortes – San Juan ferry routes. The study is due to the transportation committees of the legislature by December 1, 2023.

(7) \$19,850,000 of the Puget Sound ferry operations account—state appropriation is provided solely for Washington state ferries to:

(a) Provide scholarships, coursework fees, and stipends for candidates to become licensed deck officers (mates);

(b) Improve the process for unlicensed candidates who have achieved able-bodied sailor (AB) status to earn their mate's license;

(c) Annually hire, orient, train, and develop entry level engine room staff at the wiper classification with the intention of successfully promoting to oiler classification;

(d) Add a second shift at Eagle Harbor maintenance facility; and

(e) Expand the existing Washington state ferries Eagle Harbor apprenticeship program from two to eight apprentices.

(8)(a) During negotiations of the 2025-2027 collective bargaining agreements, the department must conduct a review and analysis of the collective bargaining agreements governing state ferry employees, to identify provisions that create barriers for, or contribute to creating a disparate impact on, newly hired

ferry employees, including those who are women, people of color, veterans, and other employees belonging to communities that have historically been underrepresented in the workforce. The review and analysis must incorporate, to the extent practicable, the findings and recommendations from the December 2022 joint transportation committee study on Washington state ferries' workforce, and must also include, but not be limited to, provisions regarding seniority, work assignments, and work shifts. The review and analysis must also include consultation with the governor's office of labor relations, the governor's office of equity, and the attorney general's office.

(b) For future negotiations or modifications of the collective bargaining agreements, it is the intent of the legislature that the collective bargaining representatives for the state and ferry employee organizations may consider the findings of the review and analysis required in (a) of this subsection and negotiate in a manner to remove identified barriers and address identified impacts so as not to perpetuate negative impacts.

(9) \$1,500,000 of the Puget Sound ferry operations account—state appropriation is provided solely for the restoration of service to Sidney, British Columbia.

(10) \$1,504,000 of the Puget Sound ferry operations account—state appropriation is provided solely for the implementation of chapter . . . (Senate Bill No. 5550 or House Bill No. 1846), Laws of 2023 (state ferry workforce development issues). If neither chapter . . . (Senate Bill No. 5550), Laws of 2023 or chapter . . . (House Bill No. 1846), Laws of 2023 is enacted by June 30, 2023, the amount provided in this subsection lapses.

(11) \$1,000,000 of the Puget Sound ferry operations account—state appropriation is provided solely for support of the Kitsap transit passenger ferry to supplement service on the Seattle-Bremerton route.

(12) \$100,000 of the Puget Sound ferry operations account—state appropriation is provided solely to assess temporary service restoration options for the Sidney, British Columbia route until Washington state ferries can resume its service. Washington state ferries must provide service options and recommendations to the office of financial management and the transportation committees of the legislature by January 1, 2024.

(13) \$2,100,000 of the Puget Sound ferry operations account—state appropriation is provided solely for security services at Colman Dock.

NEW SECTION. Sec. 223. FOR THE DEPARTMENT OF TRANSPORTATION—RAIL—PROGRAM Y—OPERATING

Carbon Emissions Reduction Account—State Appropriation	\$2,250,000
Motor Vehicle Fund—State Appropriation	\$5,000,000
Multimodal Transportation Account—State Appropriation	\$82,591,000
Multimodal Transportation Account—Private/Local Appropriation	\$46,000
TOTAL APPROPRIATION.....	\$89,887,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The department shall continue to pursue restoring Amtrak Cascades service to pre-COVID service levels, and to the service levels committed to through the department's obligation of funding from the federal American recovery and reinvestment act. A status report must be provided to the transportation committees of the legislature and the office of financial management by September 1, 2023.

(2)(a) \$5,000,000 of the motor vehicle account—state appropriation is provided solely for the department to conduct an analysis of highway, road, and freight rail transportation needs and options to accommodate the movement of freight and goods that currently move by barge through the lower Snake river dams. The analysis must generate volume estimates and evaluate scenarios for changes in infrastructure and operations that would be necessary to address those additional volumes. The analysis must also include quantitative analysis based on available data as well as qualitative input gathered from tribal governments, local governments, freight interests, farmers and businesses who ship on barges above Ice Harbor dam, and other key stakeholders. The analysis must also include a robust public engagement process to solicit feedback from interested stakeholders including, but not limited to: Residents and officials in affected cities and counties; stakeholders involved in railroad, agriculture, fishing, trucking, shipping, and other related industries; appropriate Native American tribes; representatives of advocacy and community organizations; and transportation, public works, and economic development professionals in the affected areas. The analysis must include the following:

- (i) Existing volumes and traffic patterns;
- (ii) Potential changes in volumes and traffic patterns immediately following the loss of freight movement by barge and over the following 20 years;
- (iii) Identification of potential infrastructure and operational improvements to existing highways, roads, and rail, including additional access to facilities, needed to accommodate higher freight volumes;
- (iv) Identification of rail line development options;
- (v) Evaluation of dam removal impacts on existing bridges that cross the Snake river;
- (vi) Cost estimates for development and implementation of identified needs and options including planning, design, and construction; and
- (vii) An accounting of greenhouse gas emissions resulting from recommended development of highway, road, and freight rail transportation freight options, and recommended mitigation strategies to comport with statewide greenhouse gas emission reductions as outlined in RCW 70A.45.020.

(b) The department shall provide a final report to the governor and the transportation committees of the legislature by December 31, 2024.

(3) The appropriations in this section provide sufficient funding for the department assuming vacancy savings that may change over time. Funding for staffing will be monitored and adjusted in the 2024 supplemental transportation appropriations act to restore funding as authorized staffing levels are achieved.

NEW SECTION. Sec. 224. FOR THE DEPARTMENT OF TRANSPORTATION—LOCAL PROGRAMS—PROGRAM Z—OPERATING

Motor Vehicle Account—State Appropriation....	\$12,473,000
Motor Vehicle Account—Federal Appropriation..	\$2,567,000
Multise Roadway Safety Account—State Appropriation	\$450,000
Multimodal Transportation Account—State Appropriation	\$500,000
TOTAL APPROPRIATION	\$15,990,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$500,000 of the motor vehicle account—state appropriation is provided solely for development, administration, program management, and evaluation of the federal fund exchange pilot program.

EIGHTY SEVENTH DAY, APRIL 5, 2023

(2) \$1,063,000 of the motor vehicle account—state appropriation is provided solely for the department, from amounts set aside out of statewide fuel taxes distributed to counties according to RCW 46.68.120(3), to contract with the Washington state association of counties to:

(a) Contract with the department of fish and wildlife to identify, inventory, and prioritize county-owned fish passage barriers;

(b) Continue streamlining and updating the county road administration board's data dashboard, to provide a more detailed, more transparent, and user-friendly platform for data management, reporting, and research by the public and other interested parties;

(c) Commission a study to develop guidance for county public works departments conducting environmental justice assessments in their communities and recommend best practices for community engagement plans to address environmental health disparities for identified overburdened communities;

(d) Contract for a study to identify best practices within public works for the recruitment and retention of employees, including: Recommendations for improving outreach and recruitment to underrepresented populations, methods to partner with local community colleges and universities, methods to expand apprenticeship and internship programs, strategies to increase training and development opportunities, and recommendations for career advancement programs and better work-life balance outcomes; and

(e) Update the 2020 county transportation revenue study.

(3) The department shall examine the feasibility of creating a new departmental program for active transportation. By December 1, 2023, the department shall report findings and recommendations to the transportation committees of the legislature and the office of financial management, including, but not limited to:

(a) Estimated cost, new staffing needs, and time frame to establish the program;

(b) A proposed budget structure, and whether both operating and capital components should be established; and

(c) Identification of staff, capital projects, and other resources that would need to transfer from other existing programs.

(4) The appropriations in this section provide sufficient funding for the department assuming vacancy savings that may change over time. Funding for staffing will be monitored and adjusted in the 2024 supplemental transportation appropriations act to restore funding as authorized staffing levels are achieved.

NEW SECTION. Sec. 225. FOR THE DEPARTMENT OF TRANSPORTATION

(1) The appropriations to the department of transportation must be expended for the programs and in the amounts specified in this act. Appropriations made in this act to the department of transportation must initially be allotted as required under this act. Subsequent allotment modifications may not include transfers of appropriation authority between sections of this act except as expressly provided in this act. Allotment modifications may not permit moneys that are provided solely for a specified purpose to be used for another purpose. However, between October 1, 2023, and March 1, 2024, subject to subsection (2)(a) of this section, the department of transportation may transfer state appropriation authority for the 2023-2025 fiscal biennium among operating programs after approval by the director of the office of financial management.

(2)(a) To ensure that staffing vacancy savings assumed in this act do not impair the ability of each individual program to fill authorized staffing positions, maintain operational capacity, and provide anticipated service delivery levels, the department of

transportation may, after approval by the director of the office of financial management: (i) Transfer state motor vehicle fund and multimodal transportation account appropriation authority among operating programs, up to the amount of the assumed vacancy savings in each program receiving the transfer; and (ii) make associated staffing-related allotment modifications associated with expenditures for fiscal year 2024. However, transfers authorized in this section may not include the toll operations and maintenance program (program B) or the marine operations program (program X) appropriation authority or allotments, and transfers may only be made within each specific fund source. The department may not transfer appropriation authority, and the director of the office of financial management may not approve the transfer, unless the transfer is consistent with the objective of conserving, to the maximum extent possible, the expenditure of state funds and not federal funds.

(b) The director of the office of financial management shall notify in writing the transportation committees of the legislature seven days before approving any allotment modifications or transfers under this section. The written notification must include a narrative explanation and justification of the changes, along with expenditures and allotments by programs and appropriation, both before and after any allotment modifications or transfers.

**TRANSPORTATION AGENCIES—CAPITAL
NEW SECTION. Sec. 301. FOR THE FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD**

Freight Mobility Investment Account—State Appropriation	\$20,808,000
Freight Mobility Multimodal Account—State Appropriation	\$23,453,000
TOTAL APPROPRIATION	\$44,261,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as otherwise provided in this section, the entire appropriations in this section are provided solely for the projects by amount, as listed in the LEAP Transportation Document 2023-2 ALL PROJECTS as developed March 29, 2023, Freight Mobility Strategic Investment Board (FMSIB).

(2) It is the intent of the legislature to continue to make strategic investments in a statewide freight mobility transportation system with the help of the freight mobility strategic investment board, including projects that mitigate the impact of freight movement on local communities. To that end, and in coordination with the department of transportation as it updates its federally compliant freight plan, the board is directed to identify the highest priority freight investments for the state, across freight modes, state and local jurisdictions, and regions of the state.

(3)(a) For the 2023-2025 project appropriations, unless otherwise provided in this act, the director of the office of financial management may authorize a transfer of appropriation authority between projects managed by the freight mobility strategic investment board in order for the board to manage project spending and support the efficient and timely delivery of all projects in the program. The office of financial management may authorize a transfer of appropriation authority between projects under the following conditions and limitations:

(i) Transfers from a project may not be made as a result of the reduction of the scope of a project or be made to support increases in the scope of a project;

(ii) Each transfer between projects may only occur if the director of the office of financial management finds that any resulting change will not hinder the completion of the projects on LEAP Transportation Document 2023-2 ALL PROJECTS as developed March 29, 2023;

(iii) Transfers between projects may be made by the board without the formal written approval provided under this subsection (3)(a), provided that the transfer amount does not exceed \$250,000 or 10 percent of the total project, whichever is less. These transfers must be reported to the director of the office of financial management and the chairs of the house of representatives and senate transportation committees; and

(iv) Except for transfers made under (a)(iii) of this subsection, transfers may only be made in fiscal year 2024.

(b) At the time the board submits a request to transfer funds under this section, a copy of the request must be submitted to the chairs and ranking members of the transportation committees of the legislature.

(c) Before approval, the office of financial management shall work with legislative staff of the house of representatives and senate transportation committees to review the requested transfers in a timely manner and consider any concerns raised by the chairs and ranking members of the transportation committees.

(d) No fewer than 10 days after the receipt of a project transfer request, the director of the office of financial management must provide written notification to the board of any decision regarding project transfers, with copies submitted to the transportation committees of the legislature.

(4) \$12,000,000 of the freight mobility investment account—state appropriation is provided solely for further refinement, and actual implementation, of the 2021 joint transportation committee truck parking action plan in the 2023-2025 fiscal biennium. A report identifying a proposed phased implementation, including specific action steps for the 2023-2025 fiscal biennium, must be transmitted to the office of financial management and the transportation committees of the legislature by June 30, 2024. The refined truck parking action plan must include, but is not limited to:

(a) Establishment of a truck parking implementation work group;

(b) Comprehensive identification of Washington state department of transportation and private land parcels for potential development as potential truck parking sites;

(c) A list of options to support increased truck parking including: (i) Incentives for expanding truck parking locations, including an emphasis on alternative fuel infrastructure; and (ii) creating state supported shuttle service to provide access to food, restrooms, and shower facilities at some locations;

(d) Conversion of vacant land adjacent to an existing rest area on state route number 906 to allow additional truck parking near Snoqualmie Pass. The refinement of the truck parking action plan must not prevent progress on this specific action step during the 2023-2025 fiscal biennium;

(e) Feasibility analysis of sites adjacent to Interstate 90 in the vicinity of the city of North Bend as a truck stop facility with the potential for 400 to 600 truck parking spaces;

(f) Evaluation and commencement of improvements reconfiguring public rest areas to increase truck parking availability. The refinement of the truck parking action plan and the development of the rest area strategic plan must not prevent progress on this specific action step during the 2023-2025 fiscal biennium;

(g) Additional outreach to state, local, and regional partners, and integration of truck parking considerations into state and local growth management and land use decision-making processes;

(h) Specific review of potential restroom facility improvements at weigh stations for truck driver use; and

(i) A feasibility analysis of expanding the truck parking availability system beyond the current locations and possibly

integrating parking availability in private lots that voluntarily allow truck parking.

NEW SECTION. Sec. 302. FOR THE WASHINGTON STATE PATROL

State Patrol Highway Account—State Appropriation\$7,950,000

The appropriation in this section is subject to the following conditions and limitations:

(1) \$7,950,000 of the state patrol highway account—state appropriation is provided solely for the following projects:

- (a) \$500,000 is for emergency repairs;
- (b) \$2,000,000 is for roof replacements;
- (c) \$350,000 is for fuel tank decommissioning;
- (d) \$500,000 is for generator and electrical replacement;
- (e) \$500,000 is for the exterior envelope of the Yakima office;
- (f) \$2,000,000 is for energy efficiency projects;
- (g) \$1,000,000 is for pavement surface improvements;
- (h) \$300,000 is for fire alarm panel replacement;
- (i) \$200,000 is for training academy expansion. As part of the academy expansion master plan, the Washington state patrol must review and provide an analysis on the potential to colocate some training programs with other state agencies, including the department of corrections, the department fish and wildlife, the liquor and cannabis board, and the criminal justice training commission. The Washington state patrol must consult with the other state agencies to determine where cost efficiencies and mutually beneficial shared arrangements for training delivery could occur;

(j) \$500,000 reappropriation is for the Tacoma district office generator replacement project; and

(k) \$100,000 reappropriation is for the energy improvement project at the SeaTac northbound facility.

(2) The Washington state patrol may transfer funds between projects specified in subsection (1) of this section to address cash flow requirements.

(3) If a project specified in subsection (1) of this section is completed for less than the amount provided, the remainder may be transferred to another project specified in subsection (1) of this section not to exceed the total appropriation provided in subsection (1) of this section after notifying the office of financial management and the transportation committees of the legislature 20 days before any transfer.

NEW SECTION. Sec. 303. FOR THE COUNTY ROAD ADMINISTRATION BOARD

Move Ahead WA Account—State Appropriation. \$9,333,000

Rural Arterial Trust Account—State Appropriation\$58,000,000

Motor Vehicle Account—State Appropriation.....\$2,456,000

County Arterial Preservation Account—State Appropriation\$35,500,000

TOTAL APPROPRIATION\$105,289,000

NEW SECTION. Sec. 304. FOR THE TRANSPORTATION IMPROVEMENT BOARD

Small City Pavement and Sidewalk Account—State Appropriation\$3,975,000

Transportation Improvement Account—State Appropriation\$240,000,000

Complete Streets Grant Program Account—State Appropriation\$14,670,000

Move Ahead WA Account—State Appropriation. \$9,333,000

Climate Active Transportation Account—State Appropriation\$19,067,000

TOTAL APPROPRIATION\$287,045,000

The appropriations in this section are subject to the following conditions and limitations: \$1,000,000 of the transportation

EIGHTY SEVENTH DAY, APRIL 5, 2023

improvement account—state appropriation is provided solely for the Relight Washington Program.

NEW SECTION. Sec. 305. FOR THE DEPARTMENT OF TRANSPORTATION—FACILITIES—PROGRAM D—(DEPARTMENT OF TRANSPORTATION-ONLY PROJECTS)—CAPITAL

Motor Vehicle Account—State Appropriation	....\$14,316,000
Move Ahead WA Account—State Appropriation	\$11,248,000
TOTAL APPROPRIATION	.....\$25,564,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$4,025,000 of the motor vehicle account—state appropriation is provided solely for payments of a financing contract issued pursuant to chapter 39.94 RCW for the department facility located at 15700 Dayton Ave N in Shoreline. All payments from the department of ecology pursuant to the agreement with the department to pay a share of the financing contract for this facility must be deposited into the motor vehicle account.

(2)(a) \$11,248,000 of the move ahead WA account—state appropriation is provided solely for the department to improve its ability to keep facility assets in a state of good repair. In using the funds appropriated in this subsection, the department, with periodic reporting to the joint transportation committee, must develop and implement a prioritization of facility capital preservation needs and repair projects. The legislature intends these to be reasonable, forward-thinking investments that consider potential future space efficiency measures and consolidations, including those assessed as having high commercial value and potential returns to state transportation funds associated with the sale of the property. Prioritization must be based on, but not limited to, the following criteria: (i) Employee safety and facility security; (ii) state and federal regulatory and statutory requirements and compliance issues; (iii) quality of work issues; (iv) facility condition assessment evaluations and scoring; (v) asset preservation; and (vi) amount of operational support provided by the facility to the achievement of the department's performance measures and outcomes, including facility utilization based on field operations work supported at the location. "Field operations" include maintenance, transportation operations, materials testing, and construction.

(b) By October 15, 2024, covering the first 15 months of the 2023-2025 fiscal biennium, the department must provide a report based on the prioritization of facility preservation needs and repair projects developed pursuant to (a) of this subsection to the office of financial management and the transportation committees of the legislature. The report must include: (i) A by facility ranking based on the criteria implemented; (ii) detailed information on the actions taken in the previous period to address the identified issues and deficiencies; and (iii) the plan, by facility, to address issues and deficiencies for the remainder of the 2023-2025 fiscal biennium and the 2025-2027 fiscal biennium.

(c) The by facility ranking developed under (b) of this subsection must be the basis of an agency budget submittal for the 2025-2027 fiscal biennium.

NEW SECTION. Sec. 306. FOR THE DEPARTMENT OF TRANSPORTATION—IMPROVEMENTS—PROGRAM I

Alaskan Way Viaduct Replacement Project Account—State Appropriation	.....\$23,794,000
Climate Active Transportation Account—State Appropriation	..... \$2,000,000
Move Ahead WA Account—Private/Local Appropriation	.....\$137,500,000

Transportation 2003 Account (Nickel Account)—State Appropriation	..... \$317,000
Transportation Partnership Account—State Appropriation	..... \$32,643,000
Motor Vehicle Account—State Appropriation	.... \$57,756,000
Motor Vehicle Account—Federal Appropriation	\$539,051,000
Coronavirus State Fiscal Recovery Fund—Federal Appropriation	..... \$300,000,000
Motor Vehicle Account—Private/Local Appropriation	..... \$52,530,000
Connecting Washington Account—State Appropriation	..... \$2,011,113,000
Special Category C Account—State Appropriation	..... \$133,749,000
Multimodal Transportation Account—State Appropriation	..... \$5,323,000
State Route Number 520 Corridor Account—State Appropriation	..... \$400,000
Interstate 405 and State Route Number 167 Express Toll Lanes Account—State Appropriation	..... \$304,480,000
Move Ahead WA Account—State Appropriation	..... \$585,080,000
Move Ahead WA Account—Federal Appropriation	..... \$340,300,000
TOTAL APPROPRIATION	..... \$4,526,036,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire connecting Washington account—state appropriation, the entire move ahead WA account—federal appropriation, the entire move ahead WA account—state appropriation, and the entire transportation partnership account—state appropriation are provided solely for the projects and activities as listed by fund, project, and amount in LEAP Transportation Document 2023-1 as developed March 29, 2023, Program - Highway Improvements Program (I). However, limited transfers of specific line-item project appropriations may occur between projects for those amounts listed subject to the conditions and limitations in section 601 of this act.

(2) Except as provided otherwise in this section, the entire motor vehicle account—state appropriation and motor vehicle account—federal appropriation are provided solely for the projects and activities listed in LEAP Transportation Document 2023-2 as developed March 29, 2023, Program - Highway Improvements Program (I). Any federal funds gained through efficiencies, adjustments to the federal funds forecast, or the federal funds redistribution process must then be applied to bridge preservation activities.

(3) Within the motor vehicle account—state appropriation and motor vehicle account—federal appropriation, the department may transfer appropriation authority between programs I and P, except for appropriation authority that is otherwise restricted in this act, as follows:

(a) Ten days prior to any transfer, the department must submit its request to the office of financial management and the transportation committees of the legislature and consider any concerns raised.

(b) The director of the office of financial management must first provide written authorization for such transfer to the department and the transportation committees of the legislature.

(c) The department shall submit a report on appropriation authority transferred in the prior fiscal year using this subsection as part of the department's annual budget submittal.

(4) The connecting Washington account—state appropriation includes up to \$1,198,980,000 in proceeds from the sale of bonds authorized in RCW 47.10.889.

(5) The special category C account—state appropriation includes up to \$118,773,000 in proceeds from the sale of bonds authorized in RCW 47.10.812.

(6) The transportation partnership account—state appropriation includes up to \$32,643,000 in proceeds from the sale of bonds authorized in RCW 47.10.873.

(7) The department shall itemize all future requests for the construction of buildings on a project list and submit them through the transportation executive information system as part of the department's annual budget submittal. It is the intent of the legislature that new facility construction must be transparent and not appropriated within larger highway construction projects.

(8) By June 30, 2025, to the extent practicable, the department shall decommission the facilities for the Lacey project engineering office and the Tumwater project engineering office at the end of their lease terms and consolidate the Lacey project engineering office and the Tumwater project engineering office into the department's Olympic regional headquarters.

(9) The legislature intends that any savings realized on the following projects will not be attributable to the application of practical design, retired risk, or unused contingency funding for the purposes of RCW 47.01.480:

(a) I-5/Marvin Road/SR 510 Interchange (L1100110); and

(b) I-82/EB WB On and Off Ramps (L2000123).

(10) \$300,000,000 of the coronavirus state fiscal recovery fund—federal appropriation, \$390,771,000 of the motor vehicle account—federal appropriation, \$349,341,000 of the move ahead WA account—state appropriation, and \$1,293,000 of the motor vehicle account—state appropriation are provided solely for the Fish Passage Barrier Removal project (OB14001) with the intent of fully complying with the federal *U.S. v. Washington* court injunction by 2030. The fish passage barrier removal program, in consultation with the office of innovative partnerships, shall explore opportunities to employ innovative delivery methods to ensure compliance with the court injunction including, but not limited to, public-private partnerships and batched contracts. It is the intent of the legislature that appropriations for this purpose may be used to jointly leverage state and local funds for match requirements in applying for competitive federal aid grants provided in the infrastructure investment and jobs act for removals of fish passage barriers under the national culvert removal, replacement, and restoration program. State funds used for the purpose described in this subsection must not compromise full compliance with the court injunction by 2030.

(11)(a) \$6,000,000 of the move ahead WA account—state appropriation is provided solely for the Stormwater Retrofits and Improvements project (L4000040). It is the intent of the legislature, over the 16-year move ahead WA investment program, to provide \$500,000,000 for this project.

(b) The appropriation in this subsection is provided solely for the Urban Stormwater Partnership - I-5 Ship-Canal Bridge Pilot (Seattle) project.

(c) The funding provided for stormwater retrofits and improvements must enhance stormwater runoff treatment from existing roads and infrastructure with an emphasis on green infrastructure retrofits. Projects must be prioritized based on benefits to salmon recovery and ecosystem health, reducing toxic pollution, addressing health disparities, and cost-effectiveness. The department of transportation must submit progress reports on its efforts to reduce the toxicity of stormwater runoff from existing infrastructure, recommendations for addressing barriers

to innovative solutions, and anticipated demand for funding each fiscal biennium.

(12) \$35,465,000 of the connecting Washington account—state appropriation is provided solely for the SR 3 Freight Corridor (T30400R) project. The legislature intends to provide a total of \$78,910,000 for this project, including an increase of \$12,000,000 in future biennia to safeguard against inflation and supply/labor interruptions and ensure that:

(a) The northern terminus remains at Lake Flora Road and the southern terminus at the intersection of SR 3/SR 302;

(b) Multimodal safety improvements at the southern terminus remain in the project to provide connections to North Mason school district and provide safe routes to schools; and

(c) Intersections on the freight corridor are constructed at Romance Hill and Log Yard road.

(13) \$6,000,000 of the move ahead WA account—state appropriation and \$10,000,000 of the move ahead WA account—federal appropriation are provided solely for the SR 3/Gorst Area - Widening project (L4000017). Tribal consultation with the Suquamish tribe must begin at the earliest stage of planning, including, without limitation, all funding decisions and funding programs, to provide a government-to-government mechanism for the tribe to evaluate, identify, and expressly notify governmental entities of any potential impacts to tribal cultural resources, archaeological sites, sacred sites, fisheries, or other rights and interests in tribal lands and lands within which the tribe possesses rights reserved or protected by federal treaty, statute, or executive order. The consultation is independent of, and in addition to, any public participation process required under state law, or by a state agency, including the requirements of Executive Order 21-02 related to archaeological and cultural resources, and regardless of whether the agency receives a request for consultation from the Suquamish tribe. Regularly scheduled tribal consultation meetings with the Suquamish tribe must continue throughout the duration of any funding program and proposed project approval.

(14)(a) \$84,500,000 of the move ahead WA account—federal appropriation, \$137,500,000 of the move ahead WA account—private/local appropriation, and \$53,000,000 of the move ahead WA account—state appropriation are provided solely for the I-5 Columbia river bridge project (L4000054). The legislature finds that the replacement of the I-5 Columbia river bridge is a project of national significance and is critical for the movement of freight. One span is now 105 years old, at risk for collapse in the event of a major earthquake, and no longer satisfies the needs of commerce and travel. Replacing the aging interstate bridge with a modern, seismically resilient, multimodal structure that provides improved mobility for people, goods, and services is a high priority. Therefore, the legislature intends to support the replacement of the I-5 Columbia river bridge with an investment of \$1,000,000,000 over the 16-year move ahead WA investment program.

(b) The legislature recognizes the importance of the I-5/Mill Plain Boulevard project (L2000099) and intends to provide funding for reconstruction of the existing interchange in conjunction with construction of the Interstate 5 bridge over the Columbia river.

(15) Consistent with section 607 of this act, the department must adjust the scope of the I-5 JBLM Corridor Improvements project (M00100R) through the application of value engineering, practical design, or other planning techniques to match the funding provided for this project in the LEAP transportation document referenced in subsection (1) of this section.

(16) \$19,000,000 of the connecting Washington account—state appropriation is provided solely for the I-5/116th

EIGHTY SEVENTH DAY, APRIL 5, 2023

Street NE, 88th Street NE, and SR 528/Marine Drive Interchange project (T20700SC). It is the intent of the legislature that this amount be added to the amount provided for this project on the LEAP lists referenced in this section.

(17) The legislature recognizes the importance of the US-12/Walla Walla Corridor Improvements project (T20900R) and intends to advance funding to provide matching funds if competitive federal funding is awarded for the final remaining four-lane section between Wallula and Nine Mile Hill. The department, in consultation with local governments in the vicinity, must pursue any federal funding available.

(18) \$2,642,000 of the move ahead WA account—state appropriation is provided solely for the US 101/Simdars Bypass project (L4000013).

(19)(a) \$394,963,000 of the connecting Washington account—state appropriation, \$400,000 of the state route number 520 corridor account—state appropriation, and \$4,496,000 of the motor vehicle account—private/local appropriation are provided solely for the SR 520 Seattle Corridor Improvements - West End project (M00400R).

(b) Upon completion of the Montlake Phase of the West End project (current anticipated contract completion of 2023), the department shall sell that portion of the property not used for permanent transportation improvements and initiate a process to convey that surplus property to a subsequent owner.

(c) Of the amounts provided in this subsection, \$400,000 of the state route number 520 corridor account—state appropriation is provided solely for noise mitigation activities. It is the intent of the legislature to provide an additional \$600,000 for noise mitigation activities.

(20) \$25,000,000 of the motor vehicle account—federal appropriation is provided solely for a federal fund exchange pilot program. The pilot program must allow exchanges of federal surface transportation block grant population funding and state funds at an exchange rate of 90 cents in state funds per \$1.00 in federal funds. The projects receiving the exchanged federal funds must adhere to all federal requirements, including the applicable disadvantaged business enterprise goals. The entirety of the appropriation in this subsection must be held in unallotted status until surface transportation block grant population funding has been offered to the state, and the department determines that a federalized project or projects funded in this section is eligible to spend the surface transportation block grant population funding. \$22,500,000 from existing state appropriations identified elsewhere within this section are available to be used as part of the exchange. Upon determination that a project or projects funded in this section is eligible to spend the offered surface transportation block grant population funding, state funds appropriated in this section for the eligible state project or projects in an amount equal to 100 percent of the offered surface transportation block grant population funding must be placed in unallotted status.

NEW SECTION. Sec. 307. FOR THE DEPARTMENT OF TRANSPORTATION—PRESERVATION—PROGRAM P

Move Ahead WA Account—State Appropriation	\$13,291,000
Recreational Vehicle Account—State Appropriation	\$793,000
Transportation 2003 Account (Nickel Account)—State Appropriation	\$18,759,000
Motor Vehicle Account—State Appropriation ..	\$155,352,000
Motor Vehicle Account—Federal Appropriation	\$441,232,000
Motor Vehicle Account—Private/Local Appropriation	\$12,000,000
Connecting Washington Account—State Appropriation	\$37,078,000

State Route Number 520 Corridor Account—State Appropriation	\$5,481,000
Tacoma Narrows Toll Bridge Account—State Appropriation	\$10,892,000
Alaskan Way Viaduct Replacement Project Account—State Appropriation	\$12,000
Interstate 405 and State Route Number 167 Express Toll Lanes Account—State Appropriation	\$27,026,000
TOTAL APPROPRIATION	\$721,917,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire connecting Washington account—state appropriation, the entire move ahead WA account—federal appropriation, the entire move ahead WA account—state appropriation, and the entire transportation partnership account—state appropriation are provided solely for the projects and activities as listed by fund, project, and amount in LEAP Transportation Document 2023-1 as developed March 29, 2023, Program - Highway Preservation Program (P). However, limited transfers of specific line-item project appropriations may occur between projects for those amounts listed subject to the conditions and limitations in section 601 of this act.

(2) Except as provided otherwise in this section, the entire motor vehicle account—state appropriation and motor vehicle account—federal appropriation are provided solely for the projects and activities listed in LEAP Transportation Document 2023-2 as developed March 29, 2023, Program - Highway Preservation Program (P). Any federal funds gained through efficiencies, adjustments to the federal funds forecast, or the federal funds redistribution process must then be applied to bridge preservation activities.

(3) Within the motor vehicle account—state appropriation and motor vehicle account—federal appropriation, the department may transfer appropriation authority between programs I and P, except for appropriation authority that is otherwise restricted in this act, as follows:

(a) Ten days prior to any transfer, the department must submit its request to the office of financial management and the transportation committees of the legislature and consider any concerns raised.

(b) The director of the office of financial management must first provide written authorization for such transfer to the department and the transportation committees of the legislature.

(c) The department shall submit a report on appropriation authority transferred in the prior fiscal year using this subsection as part of the department's annual budget submittal.

(4) \$22,000,000 of the motor vehicle account—state appropriation is provided solely for extraordinary costs incurred from litigation awards, settlements, or dispute mitigation activities not eligible for funding from the self-insurance fund (L2000290). The amount provided in this subsection must be held in unallotted status until the department submits a request to the office of financial management that includes documentation detailing litigation-related expenses. The office of financial management may release the funds only when it determines that all other funds designated for litigation awards, settlements, and dispute mitigation activities have been exhausted.

(5) Within the connecting Washington account—state appropriation, the department may transfer funds from Highway System Preservation (L1100071) to other preservation projects listed in the LEAP transportation document identified in subsection (1) of this section, if it is determined necessary for completion of these high priority preservation projects. The

department's next budget submittal after using this subsection must appropriately reflect the transfer.

(6) By June 30, 2025, to the extent practicable, the department shall decommission the facilities for the Lacey project engineering office and the Tumwater project engineering office at the end of their lease terms and consolidate the Lacey project engineering office and the Tumwater project engineering office into the department's Olympic regional headquarters.

(7) \$25,000,000 of the motor vehicle account—federal appropriation is provided solely for a federal fund exchange pilot program. The pilot program must allow exchanges of federal surface transportation block grant population funding and state funds at an exchange rate of 90 cents in state funds per \$1.00 in federal funds. The projects receiving the exchanged federal funds must adhere to all federal requirements, including the applicable disadvantaged business enterprise goals. The entirety of the appropriation in this subsection must be held in unallotted status until surface transportation block grant population funding has been offered to the state and the department determines that a federalized project or projects funded in this section is eligible to spend the surface transportation block grant population funding. \$22,500,000 from existing state appropriations identified elsewhere within this section are available to be used as part of the exchange. Upon determination that a project or projects funded in this section is eligible to spend the offered surface transportation block grant population funding, state funds appropriated in this section for the eligible state project or projects in an amount equal to 100 percent of the offered surface transportation block grant population funding must be placed in unallotted status.

(8) \$7,615,000 of the connecting Washington account—state appropriation and \$8,227,000 of the move ahead WA account—state appropriation are provided solely for the SR 155/Omak Bridge Rehabilitation project (L2000203).

NEW SECTION. Sec. 308. FOR THE DEPARTMENT OF TRANSPORTATION—TRANSPORTATION OPERATIONS—PROGRAM Q—CAPITAL

Motor Vehicle Account—State Appropriation.....	\$9,738,000
Motor Vehicle Account—Federal Appropriation .	\$5,100,000
Motor Vehicle Account—Private/Local Appropriation	\$500,000
TOTAL APPROPRIATION.....	\$15,338,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$4,918,000 of the motor vehicle account—state appropriation is provided solely for Programmatic Investment for Traffic Operations Capital projects (000005Q). By December 15th of each odd-numbered year, the department shall provide a report to the legislature listing all traffic operations capital project investments completed in the prior fiscal biennium. The legislature finds that the section of public roadway owned by the department that is located south of state route number 532 and west of Interstate 5 in the vicinity of the intersection of state route number 532 and 19th Avenue NW is no longer necessary for the state highway system. Therefore, pursuant to RCW 36.75.090, the department shall certify that the roadway is no longer needed by the state and convey the roadway to the county for continued use as a public highway for motor vehicle use. In consideration of the value of maintenance services provided by the county on the roadway during the time of department ownership, the department shall also convey to the county any access rights owned by the department limiting access to state route number 532 from 19th Avenue NW.

(2) \$3,080,000 of the motor vehicle account—state appropriation is provided solely to construct pedestrian signals at

nine locations on state route number 7 from 124th Street South to 189th Street South (0000YYY).

(3) \$1,463,000 of the motor vehicle account—state appropriation is provided solely for the replacement of 22 existing traffic cameras and installation of 10 new traffic cameras, including five pole installation sites, on the Interstate 90 corridor between mileposts 34 and 82 (L2021144). The department shall consult with news media organizations to explore options to allow such organizations access to traffic camera feeds.

NEW SECTION. Sec. 309. FOR THE DEPARTMENT OF TRANSPORTATION—WASHINGTON STATE FERRIES CONSTRUCTION—PROGRAM W

Carbon Emissions Reduction Account—State Appropriation	\$74,027,000
Puget Sound Capital Construction Account—State Appropriation.....	\$355,772,000
Puget Sound Capital Construction Account—Federal Appropriation.....	\$35,168,000
Puget Sound Capital Construction Account—Private/Local Appropriation.....	\$1,081,000
Transportation Partnership Account—State Appropriation	\$7,442,000
Connecting Washington Account—State Appropriation	\$10,809,000
Capital Vessel Replacement Account—State Appropriation	\$46,818,000
TOTAL APPROPRIATION	\$531,117,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed in LEAP Transportation Document 2023-2 ALL PROJECTS as developed March 29, 2023, Program - Washington State Ferries Capital Program (W).

(2) \$5,000,000 of the Puget Sound capital construction account—state appropriation is provided solely for emergency capital repair costs (999910K). Funds may only be spent after approval by the office of financial management.

(3) \$46,818,000 of the capital vessel replacement account—state appropriation is provided solely for the acquisition of a 144-car hybrid-electric vessel (L2000329). The amounts provided in this subsection are contingent upon the enactment of chapter . . . (Senate Bill No. 5760 or House Bill No. 1846), Laws of 2023, as the legislature intends with that act to provide the state's best chance of accelerating an efficient and effective procurement of the construction of a fleet of vessels sufficient to serve the traveling public within the system's existing ferry routes.

(4) The legislature intends that funding will be provided in the 2025-2027 fiscal biennium for the Future Hybrid Electric Ferry Class Pre-Design study (L2021131) to advance procurement of a new class of vessel that will account for changes in technology, staffing, and system needs.

(5) \$8,032,000 of the Puget Sound capital construction account—state appropriation is provided solely for modernization of the ticketing and reservation system (990052C). Of this amount, \$3,032,000 must be held in unallotted status until Washington state ferries has consulted with the office of the chief information officer on the project scope and integration capabilities of the reservation system with existing Good to Go! and ORCA next generation products, and reported results to the office of financial management and the transportation committees of the legislature.

EIGHTY SEVENTH DAY, APRIL 5, 2023

(6) \$125,000 of the Puget Sound capital construction account—state appropriation and \$125,000 of the Puget sound capital construction account—federal appropriation are provided solely for development of a terminal wait times information system (998609A). Washington state ferries must consult with the office of the chief information officer on a technology solution for automated vehicle detection, and report the project scope, along with office of the chief information officer recommendations, to the office of financial management and the transportation committees of the legislature by December 1, 2024.

(7) \$1,345,000 of the Puget Sound capital construction account—state appropriation is provided solely for Anacortes terminal improvements (902020D). Of this amount, \$1,000,000 of the Puget Sound capital construction account—state appropriation is provided solely for further analysis, in consultation with the department's innovative partnerships division, of the Anacortes terminal replacement. The analysis should include, but is not limited to, rider projections and travel patterns, community needs, modernization of the design, opportunities for public-private partnerships in terminal construction and operation, or consideration of other financing options. An analysis summary must be submitted to the office of financial management and the transportation committees of the legislature by June 30, 2024.

(8) The transportation partnership account—state appropriation includes up to \$6,813,000 in proceeds from the sale of bonds authorized in RCW 47.10.873.

NEW SECTION. Sec. 310. FOR THE DEPARTMENT OF TRANSPORTATION—RAIL—PROGRAM Y—CAPITAL

Carbon Emissions Reduction Account—State Appropriation	\$50,000,000
Essential Rail Assistance Account—State Appropriation	\$676,000
Move Ahead WA Flexible Account—State Appropriation	\$35,000,000
Transportation Infrastructure Account—State Appropriation	\$10,369,000
Multimodal Transportation Account—State Appropriation	\$53,984,000
Multimodal Transportation Account—Federal Appropriation	\$18,882,000
TOTAL APPROPRIATION	\$168,911,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed by project and amount in LEAP Transportation Document 2023-2 ALL PROJECTS as developed March 29, 2023, Program - Rail Program (Y).

(2)(a) \$2,030,000 of the transportation infrastructure account—state appropriation is provided solely for new low-interest loans approved by the department through the freight rail investment bank (FRIB) program. The department shall issue FRIB program loans with a repayment period of no more than 10 years, and charge only so much interest as is necessary to recoup the department's costs to administer the loans. The department shall report annually to the transportation committees of the legislature and the office of financial management on all FRIB loans issued.

(b) \$7,970,000 of the transportation infrastructure account—state appropriation is provided solely for new FRIB program loans recommended by the department for 2024 supplemental transportation appropriations. The department shall

submit a prioritized list for any loans recommended to the office of financial management and the transportation committees of the legislature by November 15, 2023.

(c) The department may change the terms of existing loans in the essential rail assistance account for repayment of loans, including the repayment schedule and rate of interest, for a period of up to 15 years for any recipient with a total loan value in the program of over 10 percent as of June 30, 2023.

(3) \$7,566,836 of the multimodal transportation account—state appropriation is provided solely for new statewide emergent freight rail assistance projects identified in the LEAP transportation document referenced in subsection (1) of this section.

(4) \$369,000 of the transportation infrastructure account—state appropriation and \$1,100,000 of the multimodal transportation account—state appropriation are provided solely for final reimbursement to Highline Grain, LLC for approved work completed on Palouse River and Coulee City (PCC) railroad track in Spokane county between the BNSF Railway Interchange at Cheney and Geiger Junction and must be administered in a manner consistent with freight rail assistance program projects.

(5) The department shall issue a call for projects for the freight rail assistance program, and shall evaluate the applications in a manner consistent with past practices as specified in section 309, chapter 367, Laws of 2011. By November 15, 2024, the department shall submit a prioritized list of recommended projects to the office of financial management and the transportation committees of the legislature.

(6) \$50,000,000 of the carbon emissions reduction account—state appropriation is provided solely for state match contributions to support the department's application for federal grant opportunities for a new ultra high-speed ground transportation corridor. These funds are to remain in unallotted status and are available only upon award of federal funds. The department must provide periodic grant application updates to the transportation committees of the legislature, as well as anticipated state match estimates for successful grants.

(7) \$33,500,000 of the move ahead WA flexible account—state appropriation is provided solely for rehabilitation of the Palouse River and Coulee City Railroad (L4000079). Up to \$433,000 of the amount in this subsection may be used for management and oversight of operation and maintenance activities.

(8) \$15,000,000 of the multimodal transportation account—federal appropriation is provided solely for the rehabilitation of the Salmon Bay drawbridge (752010A) to ensure the efficient movement of freight and passenger trains.

NEW SECTION. Sec. 311. FOR THE DEPARTMENT OF TRANSPORTATION—LOCAL PROGRAMS—PROGRAM Z—CAPITAL

Carbon Emissions Reduction Account—State Appropriation	\$14,000,000
Climate Active Transportation Account—State Appropriation	\$157,818,000
Highway Infrastructure Account—State Appropriation	\$793,000
Highway Infrastructure Account—Federal Appropriation	\$1,600,000
Move Ahead WA Account—State Appropriation	\$110,070,000
Move Ahead WA Account—Federal Appropriation	\$10,000,000
Move Ahead WA Flexible Account—State Appropriation	\$31,500,000

Transportation Partnership Account—State Appropriation	\$500,000
Motor Vehicle Account—State Appropriation	\$33,313,000
Motor Vehicle Account—Federal Appropriation.....	\$103,553,000
Connecting Washington Account—State Appropriation	\$85,660,000
Multimodal Transportation Account—State Appropriation	\$68,335,000
TOTAL APPROPRIATION.....	\$617,142,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed by project and amount in LEAP Transportation Document 2023-2 ALL PROJECTS as developed March 29, 2023, Program - Local Programs Program (Z).

(2) The amounts identified in the LEAP transportation document referenced under subsection (1) of this section for pedestrian safety/safe routes to school are as follows:

(a) \$34,673,000 of the multimodal transportation account—state appropriation and \$37,563,000 of the climate active transportation account—state appropriation are provided solely for pedestrian and bicycle safety program projects (L2000188 and L1000307). Of the amount of climate active transportation account funds appropriated in this subsection, up to one percent may be used for program administration and staffing.

(b) \$19,137,000 of the motor vehicle account—federal appropriation, \$38,915,000 of the climate active transportation account—state appropriation, and \$12,844,000 of the multimodal transportation account—state appropriation are provided solely for safe routes to school projects (L2000189 and L1000306). Of the amount of climate active transportation account funds appropriated in this subsection, up to one percent may be used for program administration and staffing.

(3) The department shall submit a report to the transportation committees of the legislature by December 1, 2023, and December 1, 2024, on the status of projects funded as part of the pedestrian safety/safe routes to school grant program.

(4) \$6,875,000 of the multimodal transportation account—state appropriation is provided solely for bicycle and pedestrian projects listed in the LEAP transportation document referenced in subsection (1) of this section.

(5) \$36,640,000 of the motor vehicle account—federal appropriation is provided solely for acceleration of local preservation projects that ensure the reliable movement of freight on the national highway freight system (G2000100).

(6) \$22,500,000 of the motor vehicle account—state appropriation is provided solely for a federal fund exchange pilot program. The pilot program will allow exchanges of federal surface transportation block grant population funding and state funds at an exchange rate of 90 cents in state funds per \$1.00 in federal funds. The entirety of the appropriation in this subsection must be held in unallotted status until: Surface transportation block grant population funding has been offered to the state, the department determines that a federalized project or projects funded in section 306 or 307 of this act is eligible to spend the surface transportation block grant population funding, and state funds appropriated in section 306 or 307 for the eligible state project or projects in an amount equal to 100 percent of the offered surface transportation block grant population funding have been placed in unallotted status. A report on the effectiveness of the exchange program and recommendations for continuing the pilot program is due to the governor and

transportation committees of the legislature by December 1, 2024.

(7)(a) For projects funded as part of the move ahead WA transportation package as listed in LEAP Transportation Documents 2023-2 ALL PROJECTS as developed March 29, 2023, Move Ahead WA - Pedestrian and Bike Projects and Move Ahead WA - Road and Highway Projects, and if the department expects to have substantial reappropriations for the 2023-2025 fiscal biennium, the department may, on a pilot basis, apply funding from a project with an appropriation that is unable to be used in the 2023-2025 fiscal biennium to advance one or more of the projects listed in the LEAP transportation documents referenced in this subsection (7)(a), prioritizing projects first by tier then by project readiness.

(b) In instances when projects listed in the LEAP transportation documents referenced in (a) of this subsection are no longer viable or have been completed, the department may approve alternative project proposals from the local jurisdictions if the project is similar in type and scope and consistent with limitations of certain funds provided.

(c) At least 10 business days before advancing or swapping a project pursuant to this subsection, the department must notify the office of financial management and the transportation committees of the legislature. The advancement of a project may not hinder the delivery of the projects for which the reappropriations are necessary for the 2023-2025 fiscal biennium.

(8) \$16,800,000 of the climate active transportation account—state appropriation is provided solely for the statewide school-based bicycle education grant program (L1000309). The department may partner with a statewide nonprofit to deliver programs.

(9) \$25,000,000 of the climate active transportation account—state appropriation is provided solely for the Sandy Williams connecting communities pilot program (L1000308) to deliver projects to reconnect communities that have been bifurcated by state highways. Priority must be given to historically marginalized or overburdened communities. The department may consult with the Cooper Jones active transportation safety council to identify geographic locations where there are high incidences of serious injuries and fatalities of active transportation users among vulnerable populations.

(10) \$14,000,000 of the carbon emissions reduction account—state appropriation is provided solely for the Guemes Ferry Boat Replacement project (L4000124).

(11) \$6,500,000 of the move ahead WA flexible account—state appropriation is provided solely for development of an applied sustainable aviation evaluation center (L2021135). Snohomish county, in partnership with Washington State University, shall plan and establish facilities to evaluate, qualify or certify, and research technologies that can minimize the impact of aviation on human health and the environment. Funds may be used for, but are not limited to, planning, construction, and land acquisition for sustainable aviation fuel (SAF) qualification testing (ASTM D4054), research on the impact of SAF on the environment and human health, and SAF storage for the purpose of advancing sustainable aviation. At a minimum, three sustainable aviation platforms must be considered:

- (a) Sustainable aviation fuel (SAF);
- (b) Hydrogen; and
- (c) Battery electric energy storage mechanisms.

(12) The legislature intends to fund the Ballard and Magnolia Bridge project (L4000123) and the Aurora Avenue North Safety Improvements project (L4000154), as described in section 911(18) and (19) of this act.

EIGHTY SEVENTH DAY, APRIL 5, 2023

(13) \$10,000,000 of the move ahead WA flexible account—state appropriation is provided solely for railroad crossing grant awards that match federal funds for city and county projects that eliminate at-grade highway-rail crossings (L2021126).

(14) \$300,000 of the multimodal transportation account—state appropriation is provided solely for the Historic South Downtown CPDA to coordinate and develop outreach strategy for community engagement with design and vision updates for the waterfront in Seattle (L2021136). Community engagement must include, but is not limited to:

- (a) Convening a community advisory board; and
- (b) Facilitating community engagement in the design development process, prioritizing language access by hosting meetings with Cantonese and Mandarin interpretation, and including Spanish and Vietnamese interpretation on request, with all materials to be translated into Chinese and Spanish, and other languages as need is determined.

(15) \$200,000 of the multimodal transportation account—state appropriation is provided solely for the Seattle office of planning and community development to update and add to the 2020 I-5 Lid Feasibility Study with additional test cases with ramp changes and removals in downtown Seattle and alternative assumptions with regards to parking, expansion of Freeway Park, affordable housing, and commercial real estate (L2021140). The Seattle office of planning and community development shall conduct ongoing community engagement with underrepresented constituencies to support the technical work of this study and raise public awareness of opportunities of I-5 lids. Focus should be given to low-income households living and working in the I-5 lid study areas in central Seattle.

(16) \$2,000,000 of the multimodal transportation account—state appropriation is provided solely for the department to award grants to local jurisdictions to implement network-wide traffic conflict screening programs using video analytics in controlled intersections with a disproportionate number of traffic violations and injuries to active transportation users (L2021149). Grants must be awarded proportionally across the state and include controlled intersections in both urban and rural environments and along state highways and county roads. Grant recipients must report back to the department all traffic violation and active transportation facility data acquired during the grant period and provide the department with appropriate next steps for the state and the local jurisdiction to improve traffic safety for active transportation users in such intersections. The department must report such findings and recommendations to the transportation committees of the legislature by December 1, 2024.

(17) It is the intent of the legislature that the title of the Seattle Pier 48 community engagement and outreach strategy project (L2021136) be changed to Seattle waterfront community engagement and outreach strategy on the list referenced in subsection (1) of this section.

(18) \$200,000 of the multimodal transportation account—state appropriation is provided solely for Roy Sidewalk & Crossing Improvements. It is the intent of the legislature that this amount be moved from the Ped Safety & ADA Improvements, West Eatonville project (L2021151) to this new project, project (L2021151) be removed, and the list referenced in subsection (1) of this section be updated accordingly.

(19) It is the intent of the legislature that the title of the Infra Grant Matching Funds project (L2021127) be changed to Confluence Parkway Infra Match on the list referenced in subsection (1) of this section.

NEW SECTION. Sec. 312. ANNUAL REPORTING REQUIREMENTS FOR CAPITAL PROGRAM

As part of its annual budget submittal, the department of transportation shall provide an update to the report provided to the legislature in the prior fiscal year in a manner consistent with past practices as specified in section 312, chapter 333, Laws of 2021.

NEW SECTION. Sec. 313. QUARTERLY REPORTING REQUIREMENTS FOR CAPITAL PROGRAM

On a quarterly basis, the department of transportation shall provide to the office of financial management and the legislative transportation committees a report for all capital projects in a manner consistent with past practices as specified in section 313, chapter 186, Laws of 2022.

NEW SECTION. Sec. 314. NOTIFICATION REQUIREMENTS FOR PAUSES AND CANCELLATIONS

(1) The department shall notify the transportation committees of the legislature when it intends to pause for a significant length of time or not proceed with operating items or capital projects included as budget provisos or on project lists. When feasible, this notification shall be provided prior to the pause or cancellation and at least seven days in advance of any public announcement related to such a pause or cancellation.

(2) At the time of notification, the department shall provide an explanation for the reason or reasons for the pause or cancellation for each operating budget item and capital project. The explanation shall include specific reasons for each pause or cancellation, in addition to a statement of the broad rationale for the pause or cancellation.

(3) When feasible, the department shall make best efforts to keep the transportation committees of the legislature informed of an evaluation process underway for selecting operating budget items and capital projects to be paused or canceled, providing updates as its selection efforts proceed.

(4) When exigent circumstances prevent prior notice of a pause or cancellation from being provided to the transportation committees of the legislature, the department shall provide the information required under this section to the transportation committees of the legislature as soon as is practicable.

NEW SECTION. Sec. 315. FOR THE WASHINGTON STATE DEPARTMENT OF TRANSPORTATION—FUNDS MANAGEMENT

As part of the department's 2024 supplemental and 2025-2027 biennial budget requests, the department shall also report on:

- (1) The federal grant programs it has applied for; and
- (2) The federal competitive grant programs it could have applied for but did not and the reason or reasons it did not apply.

TRANSFERS AND DISTRIBUTIONS

NEW SECTION. Sec. 401. FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALES DISCOUNTS AND DEBT TO BE PAID BY MOTOR VEHICLE ACCOUNT AND TRANSPORTATION FUND REVENUE

Transportation Partnership Account—State Appropriation	\$1,049,000
Connecting Washington Account—State Appropriation	\$9,261,000
Special Category C Account—State Appropriation	\$922,000
Highway Bond Retirement Account—State Appropriation	\$1,443,264,000
Ferry Bond Retirement Account—State Appropriation	\$4,616,000

Transportation Improvement Board Bond Retirement Account—State Appropriation	\$10,895,000
Nondebt-Limit Reimbursable Bond Retirement Account—State Appropriation	\$28,606,000
Toll Facility Bond Retirement Account—State Appropriation	\$76,372,000
TOTAL APPROPRIATION.....	\$1,574,985,000

NEW SECTION. Sec. 402. FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES AND FISCAL AGENT CHARGES

Transportation Partnership Account—State Appropriation	\$209,000
Transportation Improvement Account—State Appropriation	\$20,000
Connecting Washington Account—State Appropriation	\$1,853,000
Special Category C Account—State Appropriation	\$183,000
TOTAL APPROPRIATION.....	\$2,265,000

NEW SECTION. Sec. 403. FOR THE STATE TREASURER—STATE REVENUES FOR DISTRIBUTION

Motor Vehicle Account—State Appropriation: For motor vehicle fuel tax statutory distributions to cities and counties.....	\$465,354,000
Multimodal Transportation Account—State Appropriation: For distribution to cities and counties.....	\$26,786,000
Motor Vehicle Account—State Appropriation: For distribution to cities and counties	\$23,438,000
TOTAL APPROPRIATION.....	\$515,578,000

NEW SECTION. Sec. 404. FOR THE STATE TREASURER—TRANSFERS

Motor Vehicle Account—State Appropriation: For motor vehicle fuel tax refunds and statutory transfers	\$1,969,182,000
---	-----------------

NEW SECTION. Sec. 405. FOR THE DEPARTMENT OF LICENSING—TRANSFERS

Motor Vehicle Account—State Appropriation: For motor vehicle fuel tax refunds and transfers	\$246,480,000
---	---------------

NEW SECTION. Sec. 406. FOR THE STATE TREASURER—ADMINISTRATIVE TRANSFERS

- (1)(a) Pilotage Account—State Appropriation: For transfer to the Multimodal Transportation Account—State
- (b) The amount transferred in this subsection represents partial repayment of prior biennium transfers to cover self-insurance liability premiums.
- (2) Transportation Partnership Account—State Appropriation: For transfer to the Motor Vehicle Account—State
- (3) Connecting Washington Account—State Appropriation: For transfer to the Move Ahead WA Account—State
- (4) Electric Vehicle Account—State appropriation: For transfer to the Move Ahead WA Flexible Account—State
- (5) Electric Vehicle Account—State Appropriation: For transfer to the Multimodal Transportation Account—State
- (6) Washington State Aviation Account—State Appropriation: For transfer to the Aeronautics Account—State
- (7) Carbon Emissions Reduction Account—State Appropriation: For transfer to the Climate Active Transportation Account—State.....

(8) Carbon Emissions Reduction Account—State Appropriation: For transfer to the Climate Transit Programs Account—State

(9) Carbon Emissions Reduction Account—State Appropriation: For transfer to the Multimodal Transportation Account—State

(10) Carbon Emissions Reduction Account—State Appropriation: For transfer to the Puget Sound Ferry Operations Account—State

(11) Move Ahead WA Flexible Account—State Appropriation: For transfer to the Move Ahead WA Account—State

(12) Alaskan Way Viaduct Replacement Project Account—State Appropriation: For transfer to the Motor Vehicle Account—State

(13) Highway Safety Account—State Appropriation: For transfer to the State Patrol Highway Account—State

(14)(a) Transportation Partnership Account—State Appropriation: For transfer to the Tacoma Narrows Toll Bridge Account—State

(b) It is the intent of the legislature that this transfer is temporary, for the purpose of minimizing the impact of toll increases. An equivalent reimbursing transfer is to occur after the debt service and deferred sales tax on the Tacoma Narrows bridge construction costs are fully repaid in accordance with chapter 195, Laws of 2018.

(15) Motor Vehicle Account—State Appropriation: For transfer to the County Arterial Preservation Account—State

(16) Motor Vehicle Account—State Appropriation: For transfer to the Freight Mobility Investment Account—State

(17) Motor Vehicle Account—State Appropriation: For transfer to the Rural Arterial Trust Account—State

(18) Motor Vehicle Account—State Appropriation: For transfer to the Transportation Improvement Account—State

(19)(a) State Route Number 520 Civil Penalties Account—State Appropriation: For transfer to the Motor Vehicle Account—State

(b) The transfer in this subsection is to repay moneys loaned to the state route number 520 civil penalties account in the 2019-2021 fiscal biennium.

(20) State Route Number 520 Civil Penalties Account—State Appropriation: For transfer to the State Route Number 520 Corridor Account—State.....

(21)(a) Capital Vessel Replacement Account—State Appropriation: For transfer to the Connecting Washington Account—State

(b) It is the intent of the legislature that this transfer is temporary, for the purpose of minimizing the use of bonding in the connecting Washington account.

(22) Multimodal Transportation Account—State Appropriation: For transfer to the Complete Streets Grant Program Account—State.....

(23) Multimodal Transportation Account—State Appropriation: For transfer to the Connecting Washington Account—State

(24) Multimodal Transportation Account—State Appropriation: For transfer to the Freight Mobility Multimodal Account—State

(25) Multimodal Transportation Account—State Appropriation: For transfer to the Move Ahead WA Flexible Account—State

EIGHTY SEVENTH DAY, APRIL 5, 2023

(26) Multimodal Transportation Account—State Appropriation: For transfer to the Puget Sound Capital Construction Account—State.....\$160,000,000

(27) Multimodal Transportation Account—State Appropriation: For transfer to the Puget Sound Ferry Operations Account—State.....\$40,000,000

(28) Multimodal Transportation Account—State Appropriation: For transfer to the Regional Mobility Grant Program Account—State.....\$27,679,000

(29) Multimodal Transportation Account—State Appropriation: For transfer to the Rural Mobility Grant Program Account—State.....\$12,223,000

(30) Multimodal Transportation Account—State Appropriation: For transfer to the State Patrol Highway Account—State.....\$57,000,000

(31)(a) Alaskan Way Viaduct Replacement Project Account—State Appropriation: For transfer to the Transportation Partnership Account—State.....\$47,899,000

(b) \$22,899,000 of the amount transferred in this subsection represents repayment of debt service incurred for the construction of the SR 99/Alaskan Way Viaduct Replacement project (809936Z).

(32) Tacoma Narrows Toll Bridge Account—State Appropriation: For transfer to the Motor Vehicle Account—State..... \$543,000

(33)(a) General Fund Account—State Appropriation: For transfer to the State Patrol Highway Account—State.. \$625,000

(b) The state treasurer shall transfer the funds only after receiving notification from the Washington state patrol under section 207 of this act.

TOTAL APPROPRIATION.....\$2,203,633,000

NEW SECTION. Sec. 407. FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR DEBT TO BE PAID BY STATUTORILY PRESCRIBED REVENUE

Toll Facility Bond Retirement Account—Federal Appropriation.....\$194,241,000

Toll Facility Bond Retirement Account—State Appropriation.....\$25,372,000

TOTAL APPROPRIATION.....\$219,613,000

The appropriations in this section are subject to the following conditions and limitations: \$35,250,000 of the toll facility bond retirement account—federal appropriation may be used to prepay certain outstanding bonds if sufficient debt service savings can be obtained.

COMPENSATION

NEW SECTION. Sec. 501. COLLECTIVE BARGAINING AGREEMENTS NOT IMPAIRED

Nothing in this act prohibits the expenditure of any funds by an agency or institution of the state for benefits guaranteed by any collective bargaining agreement in effect on the effective date of this section.

NEW SECTION. Sec. 502. COLLECTIVE BARGAINING AGREEMENTS

(1) In accordance with chapters 41.80, 41.56, and 47.64 RCW, agreements have been reached between the governor and organizations representing state employee bargaining units for the 2023-2025 fiscal biennium and funding is provided in this act for agreements and awards with the following organizations:

- (a) Washington federation of state employees, general government;
- (b) Washington public employees association, general government;
- (c) Professional and technical engineers, local 17;

- (d) The coalition of unions;
- (e) Washington state patrol troopers association;
- (f) Washington state patrol lieutenants and captains association;
- (g) Office and professional employees international union local 8;
- (h) Ferry agents, supervisors, and project administrators association;
- (i) Service employees international union local 6;
- (j) Pacific northwest regional council of carpenters;
- (k) Puget Sound metal trades council;
- (l) Marine engineers' beneficial association unlicensed engine room employees;
- (m) Marine engineers' beneficial association licensed engineer officers;
- (n) Marine engineers' beneficial association port engineers;
- (o) Masters, mates, and pilots - mates;
- (p) Masters, mates, and pilots - masters;
- (q) Masters, mates, and pilots – watch center supervisors; and
- (r) Inlandboatmen's union of the Pacific;

(2) Expenditures for agreements in this section may also be funded from nonappropriated accounts. If positions are funded with lidded grants or dedicated fund sources with insufficient revenue, additional funding from other sources is not provided.

NEW SECTION. Sec. 503. COMPENSATION—REPRESENTED EMPLOYEES—HEALTH CARE—COALITION—INSURANCE BENEFITS

An agreement was reached for the 2023-2025 fiscal biennium between the governor and the health care coalition under the provisions of chapter 41.80 RCW. Appropriations in this act for state agencies are sufficient to implement the provisions of the 2023-2025 collective bargaining agreement, which maintains the provisions of the prior agreement, and are subject to the following conditions and limitations:

(1) The monthly employer funding rate for insurance benefit premiums, public employees' benefits board administration, and the uniform medical plan, shall not exceed \$1,145 per eligible employee for fiscal year 2024. For fiscal year 2025, the monthly employer funding rate shall not exceed \$1,191 per eligible employee. These rates are sufficient to separate vision benefits out of medical plans into stand-alone vision insurance, beginning January 1, 2025.

(2) The board shall collect a \$25 per month surcharge payment from members who use tobacco products and a surcharge payment of not less than \$50 per month from members who cover a spouse or domestic partner where the spouse or domestic partner has chosen not to enroll in another employer-based group health insurance that has benefits and premiums with an actuarial value of not less than 95 percent of the actuarial value of the public employees' benefits board plan with the largest enrollment. The surcharge payments shall be collected in addition to the member premium payment.

NEW SECTION. Sec. 504. COMPENSATION—INSURANCE BENEFITS

Appropriations for state agencies in this act are sufficient for represented employees outside the health care coalition and nonrepresented state employee health benefits for state agencies, and are subject to the following conditions and limitations: The employer monthly funding rate for insurance benefit premiums, public employees' benefits board administration, and the uniform medical plan, shall not exceed \$1,145 per eligible employee for fiscal year 2024. For fiscal year 2025, the monthly employer funding rate shall not exceed \$1,191 per eligible employee.

NEW SECTION. Sec. 505. GENERAL WAGE INCREASES AND LUMP SUM PAYMENTS

(1)(a) Appropriations for state agency employee compensation in this act are sufficient to provide general wage increases to state agency employees and employees of institutions of higher education, who are not represented or who bargain under statutory authority other than chapter 41.80 or 47.64 RCW or RCW 41.56.473 or 41.56.475.

(b) Appropriations for state agency employee compensation in this act are sufficient to provide a retention lump sum payment and a lump sum COVID-19 booster incentive to state agency employees who are not represented or who bargain under statutory authority other than chapter 41.80 or 47.64 RCW or RCW 41.56.473 or 41.56.475.

(2) Funding is provided for a four percent general wage increase effective July 1, 2023, for all classified employees as specified in subsection (1)(a) of this section, employees in the Washington management service, and exempt employees under the jurisdiction of the office of financial management. The appropriations are also sufficient to fund a four percent salary increase effective July 1, 2023, for executive, legislative, and judicial branch employees exempt from merit system rules whose maximum salaries are not set by the commission on salaries for elected officials.

(3) Funding is provided for a three percent general wage increase effective July 1, 2024, for all classified employees as specified in subsection (1)(a) of this section, employees in the Washington management service, and exempt employees under the jurisdiction of the office of financial management. The appropriations are also sufficient to fund a three percent salary increase effective July 1, 2024, for executive, legislative, and judicial branch employees exempt from merit system rules whose maximum salaries are not set by the commission on salaries for elected officials.

(4) Funding is provided for a retention lump sum payment of \$1,000 for all employees as specified in subsection (1)(b) of this section who were employed on or before July 1, 2022, and continuously employed through July 1, 2023.

(5) Funding is provided for a COVID-19 booster incentive payment of \$1,000 for all employees as specified in subsection (1)(b) of this section who provide verification, beginning January 1, 2023, through December 31, 2023, that they are up-to-date with the COVID-19 vaccine booster.

NEW SECTION. Sec. 506. COMPENSATION—PENSION CONTRIBUTIONS

The appropriations in this act for state agencies are subject to the following conditions and limitations:

(1) Appropriations are adjusted to reflect changes to agency appropriations to reflect pension contribution rates adopted by the pension funding council, and the law enforcement officers' and firefighters' retirement system plan 2 board, and as adjusted under chapter . . . (Engrossed Substitute Senate Bill No. 5294), Laws of 2023 (plan 1 UAAL rates).

(2) An increase of 0.12 percent is funded for state employer contributions to the public employees' retirement system, the public safety employees' retirement system, and the school employees' retirement system. An increase of 0.23 percent for employer contributions to the teachers' retirement system is funded. These increases are provided for the purpose of a one-time, ongoing pension increase for retirees in the public employees' retirement system plan 1 and teachers' retirement system plan 1, as provided in chapter . . . (Senate Bill No. 5350), Laws of 2023 (providing a benefit increase to certain retirees of the public employees' retirement system plan 1 and the teachers' retirement system plan 1). If chapter . . . (Senate Bill No. 5350),

Laws of 2023 is not enacted by June 30, 2023, this subsection has no force and effect and appropriations for school districts and state agencies, including institutions of higher education, shall be held in unallotted status.

(3) An increase of 0.13 percent is funded for state employer contributions to the Washington state patrol retirement system and an increase of 0.01 percent is funded for state contributions to the law enforcement officers' and firefighters' retirement system plan 2 for the provisions of chapter . . . (Senate Bill No. 5296), Laws of 2023 (military service credit). If chapter . . . (Senate Bill No. 5296), Laws of 2023 is not enacted by June 30, 2023, this subsection has no force and effect and appropriations for state agencies shall be held in unallotted status.

IMPLEMENTING PROVISIONS

NEW SECTION. Sec. 601. MANAGEMENT OF TRANSPORTATION FUNDS WHEN THE LEGISLATURE IS NOT IN SESSION

(1) The 2005 transportation partnership projects or improvements, 2015 connecting Washington projects or improvements, and 2022 move ahead WA projects or improvements are listed in the LEAP Transportation Document 2023-1 as developed March 29, 2023, which consists of a list of specific projects by fund source and amount over multiple biennia. Current fiscal biennium funding for each project is a line-item appropriation, while the outer year funding allocations represent a 16-year plan. The department of transportation is expected to use the flexibility provided in this section to assist in the delivery and completion of all transportation partnership account, connecting Washington account projects, and move ahead WA account projects on the LEAP transportation document referenced in this subsection. For the 2023-2025 project appropriations, unless otherwise provided in this act, the director of the office of financial management may provide written authorization for a transfer of appropriation authority between projects funded with transportation partnership account appropriations, connecting Washington account, or move ahead WA account appropriations to manage project spending and efficiently deliver all projects in the respective program under the following conditions and limitations:

(a) Transfers may only be made within each specific fund source referenced on the respective project list;

(b) Transfers from a project may not be made as a result of the reduction of the scope of a project or be made to support increases in the scope of a project;

(c) Transfers from a project may be made if the funds appropriated to the project are in excess of the amount needed in the current fiscal biennium;

(d) Transfers may not occur for projects not identified on the applicable project list;

(e) Transfers to a project may not occur if that project is a programmatic funding item described in broad general terms on the applicable project list without referencing a specific state route number;

(f) Transfers may not be made while the legislature is in session;

(g) Transfers to a project may not be made with funds designated as attributable to practical design savings as described in RCW 47.01.480;

(h) Except for transfers made under (l) of this subsection, transfers may only be made in fiscal year 2024;

(i) The total amount of transfers under this section may not exceed \$50,000,000;

(j) Except as otherwise provided in (l) of this subsection, transfers made to a single project may not cumulatively total more than \$20,000,000 per fiscal biennium;

EIGHTY SEVENTH DAY, APRIL 5, 2023

(k) Each transfer between projects may only occur if the director of the office of financial management finds that any resulting change will not hinder the completion of the projects as approved by the legislature; and

(l) Transfers between projects may be made by the department of transportation without the formal written approval provided under this subsection (1), provided that the transfer amount to a single project does not exceed \$250,000 or 10 percent of the total project per fiscal biennium, whichever is less. These transfers must be reported quarterly to the director of the office of financial management and the chairs of the house of representatives and senate transportation committees.

(2) The department of transportation must submit quarterly all transfers authorized under this section in the transportation executive information system. The office of financial management must maintain a legislative baseline project list identified in the LEAP transportation documents referenced in this act, and update that project list with all authorized transfers under this section, including any effects to the total project budgets and schedules beyond the current fiscal biennium.

(3) At the time the department submits a request to transfer funds under this section, a copy of the request must be submitted to the chairs and ranking members of the transportation committees of the legislature.

(4) Before approval, the office of financial management shall work with legislative staff of the house of representatives and senate transportation committees to review the requested transfers in a timely manner and address any concerns raised by the chairs and ranking members of the transportation committees.

(5) No fewer than 10 days after the receipt of a project transfer request, the director of the office of financial management must provide written notification to the department of any decision regarding project transfers, with copies submitted to the transportation committees of the legislature.

(6) The department must submit annually as part of its budget submittal a report detailing all transfers made pursuant to this section, including any effects to the total project budgets and schedules beyond the current fiscal biennium.

NEW SECTION. Sec. 602. BOND REIMBURSEMENT

To the extent that any appropriation authorizes expenditures of state funds from the motor vehicle account, special category C account, Tacoma Narrows toll bridge account, transportation 2003 account (nickel account), transportation partnership account, transportation improvement account, Puget Sound capital construction account, multimodal transportation account, state route number 520 corridor account, connecting Washington account, or other transportation capital project account in the state treasury for a state transportation program that is specified to be funded with proceeds from the sale of bonds authorized in chapter 47.10 RCW, the legislature declares that any such expenditures made before the issue date of the applicable transportation bonds for that state transportation program are intended to be reimbursed from proceeds of those transportation bonds in a maximum amount equal to the amount of such appropriation.

NEW SECTION. Sec. 603. BELATED CLAIMS

The agencies and institutions of the state may expend moneys appropriated in this act, upon approval of the office of financial management, for the payment of supplies and services furnished to the agency or institution in prior fiscal biennia.

NEW SECTION. Sec. 604. REAPPROPRIATIONS REPORTING

(1) As part of its 2024 supplemental budget submittal, the department of transportation shall provide a report to the legislature and the office of financial management that:

(a) Identifies, by capital project, the amount of state funding that has been reappropriated from the 2021-2023 fiscal biennium into the 2023-2025 fiscal biennium; and

(b) Identifies, for each project, the amount of cost savings or increases in funding that have been identified as compared to the 2021 enacted omnibus transportation appropriations act.

(2) As part of the agency request for capital programs, the department shall load reappropriations separately from funds that were assumed to be required for the 2023-2025 fiscal biennium into budgeting systems.

NEW SECTION. Sec. 605. WEBSITE REPORTING REQUIREMENTS

The department of transportation shall post on its website every report that is due from the department to the legislature during the 2023-2025 fiscal biennium on one web page in a manner consistent with past practices as specified in section 605, chapter 333, Laws of 2021.

NEW SECTION. Sec. 606. TRANSIT, BICYCLE, AND PEDESTRIAN ELEMENTS REPORTING

By November 15th of each year, the department of transportation must report on amounts expended to benefit transit, bicycle, or pedestrian elements within all connecting Washington projects in programs I, P, and Z identified in LEAP Transportation Document 2023-2 ALL PROJECTS as developed March 29, 2023, in a manner consistent with past practices as specified in section 602, chapter 186, Laws of 2022.

NEW SECTION. Sec. 607. PROJECT SCOPE CHANGES

(1) During the 2023-2025 fiscal biennium, while the legislature is not in session, the director of the office of financial management may approve project scope change requests to connecting Washington projects and move ahead WA projects in the highway improvements program, provided that the requests meet the criteria outlined in RCW 47.01.480 and are subject to the limitations in this section.

(2) At the time the department of transportation submits a request for a project scope change under this section, a copy of the request must be submitted to the transportation committees of the legislature.

(3) Before approval, the office of financial management shall work with legislative staff of the house of representatives and senate transportation committees to review the requested project scope changes.

(4) No fewer than 10 days after the receipt of a scope change request, the director of the office of financial management must provide written notification to the department of any decision regarding project scope changes, with copies submitted to the transportation committees of the legislature.

(5) As part of its annual budget submittal, the department of transportation must report on all approved scope change requests from the prior year, including a comparison of the scope before and after the requested change.

NEW SECTION. Sec. 608. TOLL CREDITS

The department of transportation may provide up to \$5,000,000 in toll credits to Kitsap transit for its role in delivering capital projects related to Kitsap transit public transportation services including, but not limited to, ferry service. The number of toll credits provided must be equal to, but no more than, the number sufficient to meet federal match requirements for grant funding for passenger-only ferry service, but must not exceed the amount authorized in this section.

NEW SECTION. Sec. 609. CODIFIED GRANT AND LOAN PROGRAMS

The grant and loan programs referenced in sections 221(1), 221(3), 310(2), 310(3), and 311(2)(a) of this act reflect the

respective programs and activities described in chapter . . . (Senate Bill No. 5742), Laws of 2023 (codifying existing WSDOT grant programs).

MISCELLANEOUS 2023-2025 FISCAL BIENNIUM
NEW SECTION. Sec. 701. INFORMATION
TECHNOLOGY OVERSIGHT

The following transportation projects are subject to the conditions, limitations, and review provided in section 701, chapter . . . (Senate Bill No. 5187 or House Bill No. 1140), Laws of 2023 (omnibus operating appropriations act):

(1) For the Washington state patrol: Aerial criminal investigation tools;

(2) For the department of licensing: Website accessibility and usability, and to upgrade and improve prorate and fuel tax system; and

(3) For the department of transportation: Linear referencing system (LRS) and highway performance monitoring system (HPMS) replacement, transportation reporting and accounting information system (TRAINS) upgrade and PROPEL – WSDOT support of one Washington, and capital systems replacement.

NEW SECTION. Sec. 702. ACQUISITION OF
PROPERTIES AND FACILITIES THROUGH
FINANCIAL CONTRACTS

The department of transportation is authorized, subject to the conditions in section 305 of this act, to enter into a financing contract pursuant to chapter 39.94 RCW through the state treasurer's lease-purchase program for the purposes indicated. The department may use any funds, appropriated or nonappropriated, in not more than the principal amounts indicated, plus financing expenses and required reserves, if any. Expenditures made by the department of transportation for the indicated purposes before the issue date of the authorized financing contract and any certificates of participation therein may be reimbursed from proceeds of the financing contract and any certificates of participation therein to the extent provided in the agency's financing plan approved by the state finance committee.

Sec. 703. RCW 43.19.642 and 2021 c 333 s 703 are each amended to read as follows:

(1) Effective June 1, 2006, for agencies complying with the ultra-low sulfur diesel mandate of the United States environmental protection agency for on-highway diesel fuel, agencies shall use biodiesel as an additive to ultra-low sulfur diesel for lubricity, provided that the use of a lubricity additive is warranted and that the use of biodiesel is comparable in performance and cost with other available lubricity additives. The amount of biodiesel added to the ultra-low sulfur diesel fuel shall be not less than two percent.

(2) Except as provided in subsection (5) of this section, effective June 1, 2009, state agencies are required to use a minimum of ~~((twenty))~~ 20 percent biodiesel as compared to total volume of all diesel purchases made by the agencies for the operation of the agencies' diesel-powered vessels, vehicles, and construction equipment.

(3) All state agencies using biodiesel fuel shall, beginning on July 1, 2016, file annual reports with the department of enterprise services documenting the use of the fuel and a description of how any problems encountered were resolved.

(4) By December 1, 2009, the department of enterprise services shall:

(a) Report to the legislature on the average true price differential for biodiesel by blend and location; and

(b) Examine alternative fuel procurement methods that work to address potential market barriers for in-state biodiesel producers and report these findings to the legislature.

(5) During the ~~((2019-2021 and))~~ 2021-2023 and 2023-2025 fiscal biennia, the Washington state ferries is required to use a minimum of five percent biodiesel as compared to total volume of all diesel purchases made by the Washington state ferries for the operation of the Washington state ferries diesel-powered vessels, as long as the price of a B5 or B10 biodiesel blend does not exceed the price of conventional diesel fuel by five percent or more.

Sec. 704. RCW 46.01.385 and 2022 c 186 s 703 are each amended to read as follows:

The agency financial transaction account is created in the state treasury. Receipts directed by law to the account from cost recovery charges for credit card and other financial transaction fees must be deposited into the account. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only for paying credit card and financial transaction fees, and other related costs incurred by state agencies. During the 2021-2023 and 2023-2025 fiscal ~~((biennium))~~ biennia, expenditures from the account may also be used for additional information technology costs related to supporting the department of licensing operations and addressing its staffing shortages.

Sec. 705. RCW 46.20.745 and 2021 c 333 s 704 are each amended to read as follows:

(1) The ignition interlock device revolving account program is created within the department to assist in covering the monetary costs of installing, removing, and leasing an ignition interlock device, and applicable licensing, for indigent persons who are required under RCW 46.20.385, 46.20.720, and 46.61.5055 to install an ignition interlock device in all vehicles owned or operated by the person. For purposes of this subsection, "indigent" has the same meaning as in RCW 10.101.010, as determined by the department. During the ~~((2019-2021 and))~~ 2021-2023 and 2023-2025 fiscal biennia, the ignition interlock device revolving account program also includes ignition interlock enforcement work conducted by the Washington state patrol.

(2) A pilot program is created within the ignition interlock device revolving account program for the purpose of monitoring compliance by persons required to use ignition interlock devices and by ignition interlock companies and vendors.

(3) The department, the state patrol, and the Washington traffic safety commission shall coordinate to establish a compliance pilot program that will target at least one county from eastern Washington and one county from western Washington, as determined by the department, state patrol, and Washington traffic safety commission.

(4) At a minimum, the compliance pilot program shall:

(a) Review the number of ignition interlock devices that are required to be installed in the targeted county and the number of ignition interlock devices actually installed;

(b) Work to identify those persons who are not complying with ignition interlock requirements or are repeatedly violating ignition interlock requirements; and

(c) Identify ways to track compliance and reduce noncompliance.

(5) As part of monitoring compliance, the Washington traffic safety commission shall also track recidivism for violations of RCW 46.61.502 and 46.61.504 by persons required to have an ignition interlock driver's license under RCW 46.20.385 and 46.20.720.

Sec. 706. RCW 46.63.030 and 2013 2nd sp.s. c 23 s 23 are each amended to read as follows:

(1) A law enforcement officer has the authority to issue a notice of traffic infraction:

EIGHTY SEVENTH DAY, APRIL 5, 2023

(a) When the infraction is committed in the officer's presence, except as provided in RCW 46.09.485;

(b) When the officer is acting upon the request of a law enforcement officer in whose presence the traffic infraction was committed;

(c) If an officer investigating at the scene of a motor vehicle accident has reasonable cause to believe that the driver of a motor vehicle involved in the accident has committed a traffic infraction;

(d) When the infraction is detected through the use of an automated traffic safety camera under RCW 46.63.170. For the 2023-2025 fiscal biennium, local law enforcement may allow noncommissioned officers to review infractions detected through the use of an automated traffic safety camera under RCW 46.63.170 and issue notices of infraction consistent with RCW 46.63.170(1)(g). Noncommissioned officers must be sufficiently trained in reviewing such infractions and issuing such notices; or

(e) When the infraction is detected through the use of an automated school bus safety camera under RCW 46.63.180.

(2) A court may issue a notice of traffic infraction upon receipt of a written statement of the officer that there is reasonable cause to believe that an infraction was committed.

(3) If any motor vehicle without a driver is found parked, standing, or stopped in violation of this title or an equivalent administrative regulation or local law, ordinance, regulation, or resolution, the officer finding the vehicle shall take its registration number and may take any other information displayed on the vehicle which may identify its user, and shall conspicuously affix to the vehicle a notice of traffic infraction.

(4) In the case of failure to redeem an abandoned vehicle under RCW 46.55.120, upon receiving a complaint by a registered tow truck operator that has incurred costs in removing, storing, and disposing of an abandoned vehicle, an officer of the law enforcement agency responsible for directing the removal of the vehicle shall send a notice of infraction by certified mail to the last known address of the person responsible under RCW 46.55.105. The notice must be entitled "Littering—Abandoned Vehicle" and give notice of the monetary penalty. The officer shall append to the notice of infraction, on a form prescribed by the department of licensing, a notice indicating the amount of costs incurred as a result of removing, storing, and disposing of the abandoned vehicle, less any amount realized at auction, and a statement that monetary penalties for the infraction will not be considered as having been paid until the monetary penalty payable under this chapter has been paid and the court is satisfied that the person has made restitution in the amount of the deficiency remaining after disposal of the vehicle.

Sec. 707. RCW 46.68.063 and 2021 c 333 s 714 are each amended to read as follows:

The department of licensing technology improvement and data management account is created in the highway safety fund. All receipts from fees collected under RCW 46.12.630(5) must be deposited into the account. Expenditures from the account may be used only for investments in technology and data management at the department. During the (~~2019-2021 and~~) 2021-2023 and 2023-2025 fiscal biennia, the account may also be used for responding to public records requests. Moneys in the account may be spent only after appropriation.

Sec. 708. RCW 46.68.290 and 2022 c 157 s 16 are each amended to read as follows:

(1) The transportation partnership account is hereby created in the motor vehicle fund. All distributions to the account from RCW 46.68.090 must be deposited into the account. Money in the account may be spent only after appropriation. Expenditures from the account must be used only for projects or improvements

identified as 2005 transportation partnership projects or improvements in the omnibus transportation appropriations act, including any principal and interest on bonds authorized for the projects or improvements.

(2) The legislature finds that:

(a) Citizens demand and deserve accountability of transportation-related programs and expenditures. Transportation-related programs must continuously improve in quality, efficiency, and effectiveness in order to increase public trust;

(b) Transportation-related agencies that receive tax dollars must continuously improve the way they operate and deliver services so citizens receive maximum value for their tax dollars; and

(c) Fair, independent, comprehensive performance audits of transportation-related agencies overseen by the elected state auditor are essential to improving the efficiency, economy, and effectiveness of the state's transportation system.

(3) For purposes of chapter 314, Laws of 2005:

(a) "Performance audit" means an objective and systematic assessment of a state agency or agencies or any of their programs, functions, or activities by the state auditor or designee in order to help improve agency efficiency, effectiveness, and accountability. Performance audits include economy and efficiency audits and program audits.

(b) "Transportation-related agency" means any state agency, board, or commission that receives funding primarily for transportation-related purposes. At a minimum, the department of transportation, the transportation improvement board or its successor entity, the county road administration board or its successor entity, and the traffic safety commission are considered transportation-related agencies. The Washington state patrol and the department of licensing shall not be considered transportation-related agencies under chapter 314, Laws of 2005.

(4) Within the authorities and duties under chapter 43.09 RCW, the state auditor shall establish criteria and protocols for performance audits. Transportation-related agencies shall be audited using criteria that include generally accepted government auditing standards as well as legislative mandates and performance objectives established by state agencies. Mandates include, but are not limited to, agency strategies, timelines, program objectives, and mission and goals as required in RCW 43.88.090.

(5) Within the authorities and duties under chapter 43.09 RCW, the state auditor may conduct performance audits for transportation-related agencies. The state auditor shall contract with private firms to conduct the performance audits.

(6) The audits may include:

(a) Identification of programs and services that can be eliminated, reduced, consolidated, or enhanced;

(b) Identification of funding sources to the transportation-related agency, to programs, and to services that can be eliminated, reduced, consolidated, or enhanced;

(c) Analysis of gaps and overlaps in programs and services and recommendations for improving, dropping, blending, or separating functions to correct gaps or overlaps;

(d) Analysis and recommendations for pooling information technology systems used within the transportation-related agency, and evaluation of information processing and telecommunications policy, organization, and management;

(e) Analysis of the roles and functions of the transportation-related agency, its programs, and its services and their compliance with statutory authority and recommendations for eliminating or changing those roles and functions and ensuring compliance with statutory authority;

(f) Recommendations for eliminating or changing statutes, rules, and policy directives as may be necessary to ensure that the transportation-related agency carry out reasonably and properly those functions vested in the agency by statute;

(g) Verification of the reliability and validity of transportation-related agency performance data, self-assessments, and performance measurement systems as required under RCW 43.88.090;

(h) Identification of potential cost savings in the transportation-related agency, its programs, and its services;

(i) Identification and recognition of best practices;

(j) Evaluation of planning, budgeting, and program evaluation policies and practices;

(k) Evaluation of personnel systems operation and management;

(l) Evaluation of purchasing operations and management policies and practices;

(m) Evaluation of organizational structure and staffing levels, particularly in terms of the ratio of managers and supervisors to nonmanagement personnel; and

(n) Evaluation of transportation-related project costs, including but not limited to environmental mitigation, competitive bidding practices, permitting processes, and capital project management.

(7) Within the authorities and duties under chapter 43.09 RCW, the state auditor must provide the preliminary performance audit reports to the audited state agency for comment. The auditor also may seek input on the preliminary report from other appropriate officials. Comments must be received within ~~((thirty))~~ 30 days after receipt of the preliminary performance audit report unless a different time period is approved by the state auditor. The final performance audit report shall include the objectives, scope, and methodology; the audit results, including findings and recommendations; the agency's response and conclusions; and identification of best practices.

(8) The state auditor shall provide final performance audit reports to the citizens of Washington, the governor, the joint legislative audit and review committee, the appropriate legislative committees, and other appropriate officials. Final performance audit reports shall be posted on the internet.

(9) The audited transportation-related agency is responsible for follow-up and corrective action on all performance audit findings and recommendations. The audited agency's plan for addressing each audit finding and recommendation shall be included in the final audit report. The plan shall provide the name of the contact person responsible for each action, the action planned, and the anticipated completion date. If the audited agency does not agree with the audit findings and recommendations or believes action is not required, then the action plan shall include an explanation and specific reasons.

The office of financial management shall require periodic progress reports from the audited agency until all resolution has occurred. The office of financial management is responsible for achieving audit resolution. The office of financial management shall annually report by December 31st the status of performance audit resolution to the appropriate legislative committees and the state auditor. The legislature shall consider the performance audit results in connection with the state budget process.

The auditor may request status reports on specific audits or findings.

(10) For the period from July 1, 2005, until June 30, 2007, the amount of \$4,000,000 is appropriated from the transportation partnership account to the state auditors office for the purposes of subsections (2) through (9) of this section.

(11) ~~((During the 2015-2017 fiscal biennium, the legislature may transfer from the transportation partnership account to the~~

~~connecting Washington account such amounts as reflect the excess fund balance of the transportation partnership account.~~

~~(12))~~ During the ~~((2019-2021 and))~~ 2021-2023 and 2023-2025 fiscal biennia, the legislature may direct the state treasurer to make transfers of moneys in the transportation partnership account to ~~((the connecting Washington account,))~~ the motor vehicle fund ~~((;))~~ and the Tacoma Narrows toll bridge account ~~((, and the capital vessel replacement account)).~~

Sec. 709. RCW 46.68.300 and 2021 c 333 s 711 are each amended to read as follows:

The freight mobility investment account is hereby created in the state treasury. Money in the account may be spent only after appropriation. Expenditures from the account may be used only for freight mobility projects that have been approved by the freight mobility strategic investment board in RCW 47.06A.020 and may include any principal and interest on bonds authorized for the projects or improvements. During the ~~((2019-2021 and))~~ 2021-2023 and 2023-2025 fiscal biennia, the expenditures from the account may also be used for the administrative expenses of the freight mobility strategic investment board.

Sec. 710. RCW 46.68.370 and 2021 c 333 s 710 are each amended to read as follows:

The license plate technology account is created in the state treasury. All receipts collected under RCW 46.17.015 must be deposited into this account. Expenditures from this account must support current and future license plate technology and systems integration upgrades for both the department and correctional industries. Moneys in the account may be spent only after appropriation. Additionally, the moneys in this account may be used to reimburse the motor vehicle account for any appropriation made to implement the digital license plate system. During the 2011-2013 and 2013-2015 fiscal biennia, the legislature may transfer from the license plate technology account to the highway safety fund such amounts as reflect the excess fund balance of the license plate technology account. During the ~~((2019-2021 and))~~ 2021-2023 and 2023-2025 fiscal biennia, the account may also be used for the maintenance of recently modernized information technology systems for vehicle registrations.

Sec. 711. RCW 46.68.395 and 2020 c 219 s 707 are each amended to read as follows:

(1) The connecting Washington account is created in the motor vehicle fund. Moneys in the account may be spent only after appropriation. Expenditures from the account must be used only for projects or improvements identified as connecting Washington projects or improvements in a transportation appropriations act, including any principal and interest on bonds authorized for the projects or improvements.

(2) Moneys in the connecting Washington account may not be expended on the state route number 99 Alaskan Way viaduct replacement project.

(3) During the ~~((2019-2021))~~ 2023-2025 fiscal biennium, the legislature may direct the state treasurer to make transfers of moneys in the connecting Washington account to the ~~((motor vehicle fund))~~ move ahead WA account.

Sec. 712. RCW 46.68.490 and 2022 c 182 s 102 are each amended to read as follows:

(1) The climate active transportation account is hereby created in the state treasury. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only for the following active transportation grant programs: Safe routes to schools, school-based bike program, bicycle and pedestrian grant program, complete streets grants program, and connecting communities grant program, as well as pedestrian and bicycle or other active transportation projects identified in an

EIGHTY SEVENTH DAY, APRIL 5, 2023

omnibus transportation appropriations act as move ahead WA projects.

(2) Beginning July 1, 2023, the state treasurer shall annually transfer 24 percent of the revenues accruing annually to the carbon emissions reduction account created in RCW 70A.65.240 to the climate active transportation account. This subsection does not apply during the 2023-2025 fiscal biennium.

Sec. 713. RCW 46.68.500 and 2022 c 182 s 103 are each amended to read as follows:

(1) The climate transit programs account is hereby created in the state treasury. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only for the following transit grant programs: Transit support grant program, tribal transit mobility grants, transit coordination grants, special needs transit grants, bus and bus facility grant program, green transit grants, and transportation demand management grants, as well as transit projects identified in an omnibus transportation appropriations act as move ahead WA projects.

(2) Beginning July 1, 2023, the state treasurer shall annually transfer 56 percent of the revenues accruing annually to the carbon emissions reduction account created in RCW 70A.65.240 to the climate transit programs account. This subsection does not apply during the 2023-2025 fiscal biennium.

Sec. 714. RCW 47.12.063 and 2022 c 186 s 710 are each amended to read as follows:

(1) It is the intent of the legislature to continue the department's policy giving priority consideration to abutting property owners in agricultural areas when disposing of property through its surplus property program under this section.

(2) Whenever the department determines that any real property owned by the state of Washington and under the jurisdiction of the department is no longer required for transportation purposes and that it is in the public interest to do so, the department may sell the property or exchange it in full or part consideration for land or building improvements or for construction of highway improvements at fair market value to any person through the solicitation of written bids through public advertising in the manner prescribed under RCW 47.28.050 or in the manner prescribed under RCW 47.12.283.

(3) The department may forego the processes prescribed by RCW 47.28.050 and 47.12.283 and sell the real property to any of the following entities or persons at fair market value:

- (a) Any other state agency;
- (b) The city or county in which the property is situated;
- (c) Any other municipal corporation;
- (d) Regional transit authorities created under chapter 81.112 RCW;
- (e) The former owner of the property from whom the state acquired title;
- (f) In the case of residentially improved property, a tenant of the department who has resided thereon for not less than six months and who is not delinquent in paying rent to the state;
- (g) Any abutting private owner but only after each other abutting private owner (if any), as shown in the records of the county assessor, is notified in writing of the proposed sale. If more than one abutting private owner requests in writing the right to purchase the property within 15 days after receiving notice of the proposed sale, the property shall be sold at public auction in the manner provided in RCW 47.12.283;
- (h) To any other owner of real property required for transportation purposes;

(i) In the case of property suitable for residential use, any nonprofit organization dedicated to providing affordable housing to very low-income, low-income, and moderate-income households as defined in RCW 43.63A.510 and is eligible to

receive assistance through the Washington housing trust fund created in chapter 43.185 RCW;

(j) During the 2021-2023 ~~and 2023-2025~~ fiscal (~~biennium~~) biennia, any nonprofit organization that identifies real property to be sold or conveyed as a substitute for real property owned by the nonprofit within the city of Seattle to be redeveloped for the purpose of affordable housing; or

(k) A federally recognized Indian tribe within whose reservation boundary the property is located.

(4) When selling real property pursuant to RCW 47.12.283, the department may withhold or withdraw the property from an auction when requested by one of the entities or persons listed in subsection (3) of this section and only after the receipt of a nonrefundable deposit equal to 10 percent of the fair market value of the real property or \$5,000, whichever is less. This subsection does not prohibit the department from exercising its discretion to withhold or withdraw the real property from an auction if the department determines that the property is no longer surplus or chooses to sell the property through one of the other means listed in subsection (2) of this section. If a transaction under this subsection is not completed within 60 days, the real property must be put back up for sale.

(5) Sales to purchasers may, at the department's option, be for cash, by real estate contract, or exchange of land or highway improvements. Transactions involving the construction of improvements must be conducted pursuant to chapter 47.28 RCW and Title 39 RCW, as applicable, and must comply with all other applicable laws and rules.

(6) Conveyances made pursuant to this section shall be by deed executed by the secretary of transportation and shall be duly acknowledged.

(7) Unless otherwise provided, all moneys received pursuant to the provisions of this section less any real estate broker commissions paid pursuant to RCW 47.12.320 shall be deposited in the motor vehicle fund.

(8) The department may not enter into equal value exchanges or property acquisitions for building improvements without first consulting with the office of financial management and the joint transportation committee.

Sec. 715. RCW 47.56.870 and 2010 c 248 s 2 are each amended to read as follows:

(1) The initial imposition of tolls on the state route number 520 corridor is authorized, the state route number 520 corridor is designated an eligible toll facility, and toll revenue generated in the corridor must only be expended as allowed under RCW 47.56.820.

(2) The state route number 520 corridor consists of that portion of state route number 520 between the junctions of Interstate 5 and state route number 202. The toll imposed by this section shall be charged only for travel on the floating bridge portion of the state route number 520 corridor. However, during the 2023-2025 fiscal biennium, a toll may also be charged for travel on the westbound state route number 520 on-ramp at 84th Avenue NE, subject to the conditions and limitations described in the pilot program and toll rates authorized under sections 205(6) and 209(6) of this act.

(3)(a) In setting the toll rates for the corridor pursuant to RCW 47.56.850, the tolling authority shall set a variable schedule of toll rates to maintain travel time, speed, and reliability on the corridor and generate the necessary revenue as required under (b) of this subsection.

(b) The tolling authority shall initially set the variable schedule of toll rates, which the tolling authority may adjust at least annually to reflect inflation as measured by the consumer price index or as necessary to meet the redemption of bonds and

interest payments on the bonds, to generate revenue sufficient to provide for:

(i) The issuance of general obligation bonds, authorized in RCW 47.10.879, first payable from toll revenue and then excise taxes on motor vehicle and special fuels pledged for the payment of those bonds in the amount necessary to fund the state route number 520 bridge replacement and HOV program, subject to subsection (4) of this section; and

(ii) Costs associated with the project designated in subsection (4) of this section that are eligible under RCW 47.56.820.

(4)(a) The proceeds of the bonds designated in subsection (3)(b)(i) of this section must be used only to fund the state route number 520 bridge replacement and HOV program; however, ~~((two hundred million dollars))~~ \$200,000,000 of bond proceeds, in excess of the proceeds necessary to complete the floating bridge segment and necessary landings, must be used only to fund the state route number 520, Interstate 5 to Medina bridge replacement and HOV project segment of the program, as identified in applicable environmental impact statements, and may be used to fund effective connections for high occupancy vehicles and transit for state route number 520, but only to the extent those connections benefit or improve the operation of state route number 520.

(b) The program must include the following elements within the cost constraints identified in section 1, chapter 472, Laws of 2009, consistent with the legislature's intent that cost savings applicable to the program stay within the program and that the bridge open to vehicular traffic in 2014:

(i) A project design, consistent with RCW 47.01.408, that includes high occupancy vehicle lanes with a minimum carpool occupancy requirement of three-plus persons on state route number 520;

(ii) High occupancy vehicle lane performance standards for the state route number 520 corridor established by the department. The department shall report to the transportation committees of the legislature when average transit speeds in the two lanes that are for high occupancy vehicle travel fall below ~~((forty five))~~ 45 miles per hour at least ten percent of the time during peak hours;

(iii) A work group convened by the mayor and city council of the city of Seattle to include sound transit, King county metro, the Seattle department of transportation, the department, the University of Washington, and other persons or organizations as designated by the mayor or city council to study and make recommendations of alternative connections for transit, including bus routes and high capacity transit, to the university link light rail line. The work group must consider such techniques as grade separation, additional stations, and pedestrian lids to effect these connections. The recommendations must be alternatives to the transit connections identified in the supplemental draft environmental impact statement for the state route number 520 bridge replacement and HOV program released in January 2010, and must meet the requirements under RCW 47.01.408, including accommodating effective connections for transit. The recommendations must be within the scope of the supplemental draft environmental impact statement. For the purposes of this section, "effective connections for transit" means a connection that connects transit stops, including high capacity transit stops, that serve the state route number 520/Montlake interchange vicinity to the university link light rail line, with a connection distance of less than ~~((one thousand two hundred))~~ 1,200 feet between the stops and the light rail station. The city of Seattle shall submit the recommendations by October 1, 2010, to the governor and the transportation committees of the legislature. However, if the city of Seattle does not convene the work group required under this subsection before July 1, 2010, or does not

submit recommendations to the governor and the transportation committees of the legislature by October 1, 2010, the department must convene the work group required under this subsection and meet all the requirements of this subsection that are described as requirements of the city of Seattle by November 30, 2010;

(iv) A work group convened by the department to include sound transit and King county metro to study and make recommendations regarding options for planning and financing high capacity transit through the state route number 520 corridor. The department shall submit the recommendations by January 1, 2011, to the governor and the transportation committees of the legislature;

(v) A plan to address mitigation as a result of the state route number 520 bridge replacement and HOV program at the Washington park arboretum. As part of its process, the department shall consult with the governing board of the Washington park arboretum, the Seattle city council and mayor, and the University of Washington to identify all mitigation required by state and federal law resulting from the state route number 520 bridge replacement and HOV program's impact on the arboretum, and to develop a project mitigation plan to address these impacts. The department shall submit the mitigation plan by December 31, 2010, to the governor and the transportation committees of the legislature. Wetland mitigation required by state and federal law as a result of the state route number 520 bridge replacement and HOV program's impacts on the arboretum must, to the greatest extent practicable, include on-site wetland mitigation at the Washington park arboretum, and must enhance the Washington park arboretum. This subsection (4)(b)(v) does not preclude any other mitigation planned for the Washington park arboretum as a result of the state route number 520 bridge replacement and HOV program;

(vi) A work group convened by the department to include the mayor of the city of Seattle, the Seattle city council, the Seattle department of transportation, and other persons or organizations as designated by the Seattle city council and mayor to study and make recommendations regarding design refinements to the preferred alternative selected by the department in the supplemental draft environmental impact statement process for the state route number 520 bridge replacement and HOV program. To accommodate a timely progression of the state route number 520 bridge replacement and HOV program, the design refinements recommended by the work group must be consistent with the current environmental documents prepared by the department for the supplemental draft environmental impact statement. The department shall submit the recommendations to the legislature and governor by December 31, 2010, and the recommendations must inform the final environmental impact statement prepared by the department; and

(vii) An account, created in section 5 of this act, into which civil penalties generated from the nonpayment of tolls on the state route number 520 corridor are deposited to be used to fund any project within the program, including mitigation. However, this subsection (4)(b)(vii) is contingent on the enactment by June 30, 2010, of either chapter 249, Laws of 2010 or chapter . . . (Substitute House Bill No. 2897), Laws of 2010, but if the enacted bill does not designate the department as the toll penalty adjudicating agency, this subsection (4)(b)(vii) is null and void.

(5) The department may carry out the improvements designated in subsection (4) of this section and administer the tolling program on the state route number 520 corridor.

Sec. 716. RCW 47.56.876 and 2022 c 157 s 17 are each amended to read as follows:

(1) A special account to be known as the state route number 520 civil penalties account is created in the state treasury. All

EIGHTY SEVENTH DAY, APRIL 5, 2023

state route number 520 bridge replacement and HOV program civil penalties generated from the nonpayment of tolls on the state route number 520 corridor must be deposited into the account, as provided under RCW 47.56.870(4)(b)(vii). Moneys in the account may be spent only after appropriation. Expenditures from the account must be used to fund legal obligations associated with bonds and loans associated with the construction and operation of state route number 520 under circumstances where the toll revenue collections at the time are not sufficient to fully cover such legal obligations, and then may be used to fund any project within the state route number 520 bridge replacement and HOV program, including mitigation. The legislature may direct the state treasurer to make transfers of moneys in the state route number 520 civil penalties account to the state route number 520 corridor account. During the 2021-2023 and 2023-2025 fiscal ~~((biennium))~~ biennia, the legislature may direct the state treasurer to transfer moneys in the state route number 520 civil penalties account to the motor vehicle account.

(2) For purposes of this section, "legal obligations associated with bonds and loans" includes, but is not limited to, debt service and all other activities necessary to comply with financial covenants associated with state route number 520, costs associated with the civil penalties program, and operation and maintenance costs.

Sec. 717. RCW 47.60.322 and 2021 c 333 s 712 are each amended to read as follows:

(1) The capital vessel replacement account is created in the motor vehicle fund. All revenues generated from the vessel replacement surcharge under RCW 47.60.315(7) and service fees collected by the department of licensing or county auditor or other agent appointed by the director under RCW 46.17.040, 46.17.050, and 46.17.060 must be deposited into the account. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only for the construction or purchase of ferry vessels and to pay the principal and interest on bonds authorized for the construction or purchase of ferry vessels. However, expenditures from the account must first be used to support the construction or purchase, including any applicable financing costs, of a ferry vessel with a carrying capacity of at least one hundred forty-four cars.

(2) The state treasurer may transfer moneys from the capital vessel replacement account to the transportation 2003 account (nickel account) for debt service on bonds issued for the construction of 144-car class ferry vessels.

(3) The legislature may transfer from the capital vessel replacement account to the connecting Washington account created under RCW 46.68.395 such amounts as reflect the excess fund balance of the capital vessel replacement account to be used for ferry terminal construction and preservation.

(4) During the ~~((2019-2021 and))~~ 2021-2023 and 2023-2025 fiscal biennia, the legislature may direct the state treasurer to make transfers of moneys in the capital vessel replacement account to the transportation partnership account and the connecting Washington account.

Sec. 718. RCW 47.66.120 and 2022 c 182 s 439 are each amended to read as follows:

(1)(a) The department's public transportation division shall establish a green transportation capital grant program. The purpose of the grant program is to aid any transit authority in funding cost-effective capital projects to reduce the carbon intensity of the Washington transportation system, examples of which include: Electrification of vehicle fleets, including battery and fuel cell electric vehicles; modification or replacement of capital facilities in order to facilitate fleet electrification and/or hydrogen refueling; necessary upgrades to electrical transmission

and distribution systems; and construction of charging and fueling stations. The department's public transportation division shall identify projects and shall submit a prioritized list of all projects requesting funding to the legislature by December 1st of each even-numbered year.

(b) The department's public transportation division shall select projects based on a competitive process that considers the following criteria:

(i) The cost-effectiveness of the reductions in carbon emissions provided by the project; and

(ii) The benefit provided to transitioning the entire state to a transportation system with lower carbon intensity.

(2) The department's public transportation division must establish an advisory committee to assist in identifying projects under subsection (1) of this section. The advisory committee must include representatives from the department of ecology, the department of commerce, the utilities and transportation commission, and at least one transit authority.

(3) In order to receive green transportation capital grant program funding for a project, a transit authority must provide matching funding for that project that is at least equal to ~~((twenty))~~ 20 percent of the total cost of the project.

(4) The department's public transportation division must report annually to the transportation committees of the legislature on the status of any grant projects funded by the program created under this section.

(5) For purposes of this section, "transit authority" means a city transit system under RCW 35.58.2721 or chapter 35.95A RCW, a county public transportation authority under chapter 36.57 RCW, a metropolitan municipal corporation transit system under chapter 36.56 RCW, a public transportation benefit area under chapter 36.57A RCW, an unincorporated transportation benefit area under RCW 36.57.100, a regional transit authority under chapter 81.112 RCW, or any special purpose district formed to operate a public transportation system.

(6) During the 2021-2023 fiscal biennium, the department may provide up to 20 percent of the total green transportation capital grant program funding for zero emissions capital transition planning projects. During the 2023-2025 fiscal biennium, the department may provide up to 10 percent of the total green transportation capital grant program funding for zero emissions capital transition planning projects.

Sec. 719. RCW 82.44.200 and 2022 c 187 s 501 are each amended to read as follows:

The electric vehicle account is created in the transportation infrastructure account. Proceeds from the principal and interest payments made on loans from the account must be deposited into the account. Expenditures from the account may be used only for the purposes specified in RCW 47.04.350, 82.08.9999, and 82.12.9999, and the support of other transportation electrification and alternative fuel related purposes, including RCW 47.01.520. Moneys in the account may be spent only after appropriation. During the 2021-2023 and 2023-2025 fiscal ~~((biennium))~~ biennia, the legislature may direct the state treasurer to make transfers of moneys in the electric vehicle account to the move ahead WA flexible account and multimodal transportation account.

NEW SECTION. **Sec. 720.** A new section is added to chapter 70A.535 RCW to read as follows:

(1) The clean fuels transportation investment account is created in the state treasury. All receipts to the state from clean fuel credits generated from transportation investments, including those listed under RCW 70A.535.050(3), must be deposited into the account. Moneys in the account may be spent only after appropriation. Expenditures from the account may only be used

by the department of transportation for transportation purposes, including activities and projects that reduce greenhouse gas emissions and decarbonize the transportation sector.

(2) This section expires June 30, 2025.

2021-2023 FISCAL BIENNIUM

TRANSPORTATION AGENCIES—OPERATING

Sec. 801. 2022 c 186 s 205 (uncodified) is amended to read as follows:

FOR THE TRANSPORTATION COMMISSION

Motor Vehicle Account—State Appropriation	\$3,804,000
Interstate 405 and State Route Number 167 Express Toll Lanes Account—State Appropriation	\$127,000
State Route Number 520 Corridor Account—State Appropriation	\$276,000
Tacoma Narrows Toll Bridge Account—State Appropriation	\$180,000
Alaskan Way Viaduct Replacement Project Account—State Appropriation	\$172,000
TOTAL APPROPRIATION.....	\$4,559,000

The appropriations in this section are subject to the following conditions and limitations:

(1)(a) The commission shall reconvene the road usage charge steering committee, with the same membership described in chapter 297, Laws of 2018, and shall periodically report to the steering committee with updates on activities undertaken in accordance with the federal grant awarded July 2020 ("Forward Drive"). A year-end update on the status of any federally-funded project for which federal funding is secured must be provided to the governor's office and the transportation committees of the legislature by January 1, 2022, and by January 1, 2023. Any legislative vacancies on the steering committee must be appointed by the speaker of the house of representatives for a house of representatives member vacancy, and by the president of the senate for a senate member vacancy.

(b) The commission shall coordinate with the department of transportation to jointly seek federal funds available through the federal strategic innovations in revenue collection grant program, applying toll credits for meeting match requirements. One or more grant applications may be developed that, at a minimum, propose to:

(i) Assess the impact of a road usage charge, incentives, and other factors on consumer purchase of electric vehicles and conduct a test with drivers to fully assess impacts;

(ii) Assess delivery vehicle fleets and how a road usage charge may be applied, identifying potential impacts to fleet operations and costs, and state transportation revenues, and conducting a pilot test to further inform the identification of potential impacts from a road usage charge;

(iii) Review the process for changing vehicle ownership and determine the considerations and possible implications with a road usage charge system, identifying the processes and structure needed for reconciling a road usage charge owed between sellers and purchasers of used vehicles; and

(iv) Identify opportunities for achieving large-scale data integration to support road usage charge service provisions that could be offered by private-sector service providers, conducting a pilot test to determine the ability of such service providers to support automated mileage reporting and periodic payment services.

(2) \$127,000 of the Interstate 405 and state route number 167 express toll lanes account—state appropriation, \$276,000 of the state route number 520 corridor account—state appropriation, \$180,000 of the Tacoma Narrows toll bridge account—state appropriation, and \$172,000 of the Alaskan Way viaduct replacement project account—state appropriation are provided

solely for the transportation commission's proportional share of time spent supporting tolling operations for the respective tolling facilities.

(3) \$1,500,000 of the motor vehicle account—state appropriation is provided solely for the commission to conduct a full planning-level traffic and revenue study of the Hood River Bridge to determine the viability of toll revenues to support future financing of improvements and possible replacement of the bridge, considering prior work and studies conducted. The commission shall coordinate this work with the department of transportation, the Port of Hood River, the Oregon department of transportation, and other entities as needed. The results of the assessment must be submitted to the house and senate transportation committees by June 30, 2023.

(4) Within the parameters established by RCW 47.56.880, the commission shall review toll revenue performance on the Interstate 405 and state route number 167 corridor and adjust Interstate 405 tolls as appropriate to increase toll revenue to provide sufficient funds for payments of future debt pursuant to RCW 47.10.896 and to support improvements to the corridor. The commission may consider adjusting maximum toll rates, minimum toll rates, time-of-day rates, restricting direct access ramps to transit and HOV vehicles only, or any combination thereof, in setting tolls to increase toll revenue.

Sec. 802. 2022 c 186 s 206 (uncodified) is amended to read as follows:

FOR THE FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD

Freight Mobility Investment Account—State Appropriation	(\$843,000)
.....	<u>\$874,000</u>

The appropriations in this section are subject to the following conditions and limitations: Within appropriated funds, the freight mobility strategic investment board may opt in as provided under RCW 70A.02.030 to assume all of the substantive and procedural requirements of covered agencies under chapter 70A.02 RCW. The board shall include in its 2022 annual report to the legislature a progress report on opting into the healthy environment for all act and a status report on diversity, equity, and inclusion within the board's jurisdiction.

Sec. 803. 2022 c 186 s 207 (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE PATROL

State Patrol Highway Account—State Appropriation	(\$524,348,000)
.....	<u>\$523,571,000</u>
State Patrol Highway Account—Federal Appropriation	(\$16,433,000)
.....	<u>\$19,578,000</u>
State Patrol Highway Account—Private/Local Appropriation	\$4,314,000
Highway Safety Account—State Appropriation ...	\$1,292,000
Ignition Interlock Device Revolving Account—State Appropriation	\$2,243,000
Multimodal Transportation Account—State Appropriation	\$293,000
State Route Number 520 Corridor Account—State Appropriation	\$433,000
Tacoma Narrows Toll Bridge Account—State Appropriation	\$77,000
I-405 and SR 167 Express Toll Lanes Account—State Appropriation	\$1,348,000
TOTAL APPROPRIATION	(\$550,781,000)
.....	<u>\$553,149,000</u>

EIGHTY SEVENTH DAY, APRIL 5, 2023

The appropriations in this section are subject to the following conditions and limitations:

(1) Washington state patrol officers engaged in off-duty uniformed employment providing traffic control services to the department of transportation or other state agencies may use state patrol vehicles for the purpose of that employment, subject to guidelines adopted by the chief of the Washington state patrol. The Washington state patrol must be reimbursed for the use of the vehicle at the prevailing state employee rate for mileage and hours of usage, subject to guidelines developed by the chief of the Washington state patrol.

(2) \$580,000 of the state patrol highway account—state appropriation is provided solely for the operation of and administrative support to the license investigation unit to enforce vehicle registration laws in southwestern Washington. The Washington state patrol, in consultation with the department of revenue, shall maintain a running estimate of the additional vehicle registration fees, sales and use taxes, and local vehicle fees remitted to the state pursuant to activity conducted by the license investigation unit. Beginning October 1, 2021, and quarterly thereafter, the Washington state patrol shall submit a report detailing the additional revenue amounts generated since January 1, 2021, to the director of the office of financial management and the transportation committees of the legislature. At the end of the calendar quarter in which it is estimated that more than \$625,000 in state sales and use taxes have been remitted to the state since January 1, 2021, the Washington state patrol shall notify the state treasurer and the state treasurer shall transfer funds pursuant to section 406, chapter 333, Laws of 2021.

(3) \$4,000,000 of the state patrol highway account—state appropriation is provided solely for a third arming and a third trooper basic training class. The cadet class is expected to graduate in June 2023.

(4) By December 1st of each year during the 2021-2023 biennium, the Washington state patrol must report to the house and senate transportation committees on the status of recruitment and retention activities as follows:

- (a) A summary of recruitment and retention strategies;
- (b) The number of transportation funded staff vacancies by major category;
- (c) The number of applicants for each of the positions by these categories;
- (d) The composition of workforce;
- (e) Other relevant outcome measures with comparative information with recent comparable months in prior years; and
- (f) Activities related to the implementation of the agency's workforce diversity plan, including short-term and long-term, specific comprehensive outreach and recruitment strategies to increase populations underrepresented within both commissioned and noncommissioned employee groups.

(5) \$493,000 of the state patrol highway account—state appropriation is provided solely for aerial criminal investigation tools, including software licensing and maintenance, and annual certification, and is subject to the conditions, limitations, and review requirements of section 701, chapter 333, Laws of 2021.

(6) (~~(\$6,422,000)~~) \$4,353,000 of the state patrol highway account—state appropriation is provided solely for the land mobile radio system replacement, upgrade, and other related activities. Beginning January 1, 2022, the Washington state patrol must report semiannually to the office of the state chief information officer on the progress related to the projects and activities associated with the land mobile radio system, including the governance structure, outcomes achieved in the prior six month time period, and how the activities are being managed

holistically as recommended by the office of the chief information officer. At the time of submittal to the office of the state chief information officer, this report shall be transmitted to the office of financial management and the house and senate transportation committees.

(7) \$510,000 of the ignition interlock device revolving account—state appropriation is provided solely for the ignition interlock program at the Washington state patrol to provide funding for two staff to work and provide support for the program in working with manufacturers, service centers, technicians, and participants in the program.

(8) \$1,348,000 of the Interstate 405 and state route number 167 express toll lanes account—state appropriation, \$433,000 of the state route number 520 corridor account—state appropriation, and \$77,000 of the Tacoma Narrows toll bridge account—state appropriation are provided solely for the Washington state patrol's proportional share of time spent supporting tolling operations and enforcement for the respective tolling facilities.

(9) \$289,000 of the state patrol highway account—state appropriation is provided solely for the replacement of 911 workstations.

(10) \$35,000 of the state patrol highway account—state appropriation is provided solely for the replacement of bomb response equipment.

(11) \$713,000 of the state patrol highway account—state appropriation is provided solely for information technology infrastructure maintenance.

(12) The Washington state patrol must provide a report to the office of financial management and the house and senate transportation committees on its plan for implementing a transition to cloud computing and storage with its 2023-2025 budget submittal.

(13) \$945,000 of the state patrol highway account—state appropriation is provided solely for implementation of chapter 329, Laws of 2021 (custodial interrogations).

(14) \$46,000 of the state patrol highway account—state appropriation is provided solely for implementation of chapter 320, Laws of 2021 (peace officer tactics).

(15) \$46,000 of the state patrol highway account—state appropriation is provided solely for implementation of chapter 324, Laws of 2021 (use of force by officers).

(16)(a) The legislature finds that the water connection extension constructed by the Washington state patrol from the city of Shelton's water facilities to the Washington state patrol academy was necessary to meet the water supply needs of the academy. The legislature also finds that the water connection provides an ongoing water supply that is necessary to the operation of the training facility, that the state is making use of the water connection for these public activities, and that any future incidental use of the municipal infrastructure put in place to support these activities will not impede the Washington state patrol's ongoing use of the water connection extension.

(b) \$2,220,000 of the transfer from the waste tire removal account to the motor vehicle fund, as required under RCW 70A.205.425, reimburses the motor vehicle fund for the portion of the water project costs assigned by the agreement to properties, other than the Washington state patrol academy, that make use of the water connection while the agreement remains in effect. This reimbursement to the motor vehicle fund is intended to address any possibility that the termination of this agreement could be determined to result in the unconstitutional use of 18th amendment designated funds for nonhighway purposes under the constitution of the state of Washington; however, this transfer is not intended to indicate that the incidental use of this infrastructure by these properties necessarily requires such

reimbursement under the state Constitution. Immediately following the transfer of funds, Washington state patrol and the city of Shelton shall meet to formally update the terms of their "Agreement for Utility Connection and Reimbursement of Water Extension Expenses" executed on June 12, 2017, to reflect the intent of the proviso.

(17) The appropriations in this section provide sufficient funding for state patrol staffing assuming vacancy savings which may change over time. Funding for staffing will be monitored and adjusted in the 2023 supplemental budget to restore funding as authorized staffing levels are achieved.

(18) \$331,000 of the state patrol highway account—state appropriation is provided solely for the state patrol's diversity, equity, and inclusion program and a contract with an external psychologist to perform exams. If chapter 146, Laws of 2022 is not enacted by June 30, 2022, the amount provided in this subsection lapses.

(19) \$793,000 of the state patrol highway account—state appropriation is provided solely for the tenant improvements and higher than expected equipment costs for the toxicology lab in Federal Way, and preparing a report on the current cost recovery mechanisms and opportunities for expanding these cost recovery mechanisms in the future. The report must be submitted to the governor and the transportation committees of the legislature by November 1, 2022.

(20) \$14,788,000 of the state patrol highway account—state appropriation is provided solely for contingency funding to address emergent issues related to mitigating negative impacts of the high level of commissioned and noncommissioned staff vacancies. Potential uses of the funding include, but are not limited to, the following: Operating a miniacademy and training opportunities for lateral transfers from other agencies; increased overtime, travel, and other related costs; increased contracting to maintain adequate service levels; and unanticipated facility and equipment needs. By January 1, 2023, the state patrol must submit a report to the governor and the transportation committees of the legislature detailing the specific expenditures made from the contingency funding provided in this subsection. The report must also include a description of the miniacademy training, including the number of lateral transfers that entered the training, the number which completed training, the cost of the miniacademy, and a comparison of how the training was different from a conventional academy class.

(21) \$122,000 of the state patrol highway account—state appropriation, \$1,000 of the highway safety account—state appropriation, and \$4,000 of the ignition interlock account—state appropriation are provided solely for implementation of chapter . . . (House Bill No. 1804), Laws of 2022 (interruptive military service credit for members of the state retirement systems). If chapter . . . (House Bill No. 1804), Laws of 2022 is not enacted by June 30, 2022, the amount provided in this subsection lapses.

(22) \$250,000 of the state patrol highway account—state appropriation is provided solely for implementation of chapter 80, Laws of 2022 (peace officers/use of force). If chapter 80, Laws of 2022 is not enacted by June 30, 2022, the amount provided in this subsection lapses.

(23) \$949,000 of the state patrol highway account—state is provided solely for vehicle identification number inspection staff to reduce the backlog of inspections and a study of how to incorporate best practices into the program, including the timeliness of inspections.

Sec. 804. 2022 c 186 s 208 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LICENSING

<u>Department of Licensing Technology Improvement and Data Management Account—State Appropriation</u>	\$874,000
Marine Fuel Tax Refund Account—State Appropriation	\$34,000
Motorcycle Safety Education Account—State Appropriation	\$5,016,000
Limited Fish and Wildlife Account—State Appropriation	\$922,000
Highway Safety Account—State Appropriation	(\$242,712,000)
.....	\$240,649,000
Highway Safety Account—Federal Appropriation	\$1,294,000
Motor Vehicle Account—State Appropriation	(\$80,449,000)
.....	\$79,522,000
Motor Vehicle Account—Federal Appropriation	\$400,000
Motor Vehicle Account—Private/Local Appropriation	\$1,336,000
Ignition Interlock Device Revolving Account—State Appropriation	\$6,123,000
Department of Licensing Services Account—State Appropriation	(\$7,964,000)
.....	\$7,872,000
License Plate Technology Account—State Appropriation	(\$4,092,000)
.....	\$4,045,000
Abandoned Recreational Vehicle Account—State Appropriation	\$3,078,000
Limousine Carriers Account—State Appropriation	\$110,000
Electric Vehicle Account—State Appropriation	\$425,000
(DOL Technology Improvement & Data Management Account—State Appropriation	\$874,000)
Agency Financial Transaction Account—State Appropriation	(\$22,257,000)
.....	\$21,360,000
<u>Move Ahead WA Flexible Account—State Appropriation</u>	\$1,260,000
TOTAL APPROPRIATION	(\$377,086,000)
.....	\$374,320,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,100,000 of the highway safety account—state appropriation is provided solely for the department to provide an interagency transfer to the department of social and health services, children's administration division for the purpose of providing driver's license support to a larger population of foster youth than is already served within existing resources. Support services include reimbursement of driver's license issuance costs, fees for driver training education, and motor vehicle liability insurance costs.

(2) The appropriations in this section assume implementation by the department of cost recovery mechanisms to recoup at least \$21,257,000 during the 2021-2023 biennium in credit card and other financial transaction costs as part of charges imposed for driver and vehicle fee transactions. During the 2021-2023 fiscal biennium, the department must report any amounts recovered to the office of financial management and appropriate committees of the legislature on a quarterly basis.

(3)(a) For the 2021-2023 biennium, the department shall charge \$1,336,000 for the administration and collection of a motor vehicle excise tax on behalf of a regional transit authority, as authorized under RCW 82.44.135. The amount in this subsection must be deducted before distributing any revenues to a regional transit authority.

(b) \$100,000 of the motor vehicle account—state appropriation is provided solely for the department to work with the regional

EIGHTY SEVENTH DAY, APRIL 5, 2023

transit authority imposing a motor vehicle excise tax pursuant to RCW 81.104.160 and transportation benefit districts imposing vehicle fees pursuant to RCW 82.80.140, and other relevant parties, to determine cost recovery options for the administration and collection of the taxes and fees. The options must include:

(i) Full cost recovery for the direct and indirect expenses by the department of licensing, subagents, and counties;

(ii) Marginal cost recovery for the direct and indirect expenses by the department of licensing, subagents, and counties;

(iii) The estimated costs if the regional transit authority or transportation benefit districts had to contract out the entire collection and administrative activity with a nongovernmental entity.

(4) \$12,000 of the motorcycle safety education account—state appropriation, \$2,000 of the limited fish and wildlife account—state appropriation, \$728,000 of the highway safety account—state appropriation, \$238,000 of the motor vehicle account—state appropriation, \$10,000 of the ignition interlock device revolving account—state appropriation, and \$10,000 of the department of licensing services account—state appropriation are provided solely for the department to redesign and improve its online services and website, and are subject to the conditions, limitations, and review requirements of section 701, chapter 333, Laws of 2021.

(5) \$28,636,000 of the highway safety account—state appropriation is provided solely for costs necessary to accommodate increased demand for enhanced drivers' licenses and enhanced identicards. The department shall report on a quarterly basis on the use of these funds, associated workload, and information with comparative information with recent comparable months in prior years. The report must include detailed statewide and by licensing service office information on staffing levels, average monthly wait times, the number of enhanced drivers' licenses and enhanced identicards issued/renewed, and the number of primary drivers' licenses and identicards issued/renewed. Within the amounts provided in this subsection, the department shall implement efficiency measures to reduce the time for licensing transactions and wait times including, but not limited to, the installation of additional cameras at licensing service offices that reduce bottlenecks and align with the "keep your customer" initiative.

(6) \$500,000 of the highway safety account—state appropriation is provided solely for communication and outreach activities necessary to inform the public of federally acceptable identification options including, but not limited to, enhanced drivers' licenses and enhanced identicards. The department shall continue the outreach plan that includes informational material that can be effectively communicated to all communities and populations in Washington. To accomplish this work, the department shall contract with an external vendor with demonstrated experience and expertise in outreach and marketing to underrepresented communities in a culturally responsive fashion.

(7) \$523,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter 158, Laws of 2021 (DOL issued documents).

(8) \$929,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter 240, Laws of 2021 (suspension of licenses for traffic infractions).

(9) \$23,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter 10, Laws of 2021 (restoring voter eligibility after felony conviction).

(10) \$3,074,000 of the abandoned recreational vehicle disposal account—state appropriation is provided solely for providing reimbursements in accordance with the department's abandoned recreational vehicle disposal reimbursement program. It is the intent of the legislature that the department prioritize this funding for allowable and approved reimbursements and not to build a reserve of funds within the account. During the 2021-2023 fiscal biennium, the department must report any amounts recovered to the office of financial management and appropriate committees of the legislature on a quarterly basis.

(11)(a) \$54,000 of the motor vehicle account—state appropriation is provided solely for the issuance of nonemergency medical transportation vehicle decals to implement the high occupancy vehicle lane access pilot program established in section 216, chapter 333, Laws of 2021. A for hire nonemergency medical transportation vehicle is a vehicle that is a "for hire vehicle" under RCW 46.04.190 that provides nonemergency medical transportation, including for life-sustaining transportation purposes, to meet the medical transportation needs of individuals traveling to medical practices and clinics, cancer centers, dialysis facilities, hospitals, and other care providers.

(b) As part of this pilot program, the owner of a for hire nonemergency medical transportation vehicle may apply to the department, county auditor or other agent, or subagent appointed by the director, for a high occupancy vehicle exempt decal for a for hire nonemergency medical transportation vehicle. The high occupancy vehicle exempt decal allows the for hire nonemergency medical transportation vehicle to use a high occupancy vehicle lane as specified in RCW 46.61.165 and 47.52.025 during the 2021-2023 fiscal biennium.

(c) For the exemption in this subsection to apply to a for hire nonemergency medical transportation vehicle, the decal:

(i) Must be displayed on the vehicle so that it is clearly visible from outside the vehicle;

(ii) Must identify that the vehicle is exempt from the high occupancy vehicle requirements; and

(iii) Must be visible from the rear of the vehicle.

(d) The owner of a for hire nonemergency medical transportation vehicle or the owner's representative must apply for a high occupancy vehicle exempt decal on a form provided or approved by the department. The application must include:

(i) The name and address of the person who is the owner of the vehicle;

(ii) A full description of the vehicle, including its make, model, year, and the vehicle identification number;

(iii) The purpose for which the vehicle is principally used;

(iv) An attestation signed by the vehicle's owner or the owner's representative that the vehicle's owner has a minimum of one contract or service agreement to provide for hire transportation services for medical purposes with one or more of the following entities: A health insurance company; a hospital, clinic, dialysis center, or other medical institution; a day care center, retirement home, or group home; a federal, state, or local agency or jurisdiction; or a broker who negotiates these services on behalf of one or more of these entities; and

(v) Other information as required by the department upon application.

(e) The department, county auditor or other agent, or subagent appointed by the director shall collect the fee required under (f) of this subsection when issuing a high occupancy vehicle exempt decal.

(f) The department, county auditor or other agent, or subagent, is required to collect a \$5 fee when issuing a decal under this

subsection, in addition to any other fees and taxes required by law.

(g) A high occupancy vehicle exempt decal expires June 30, 2023, and must be marked to indicate its expiration date. The decal may be renewed if the pilot program is continued past the date of a decal's expiration. The status as an exempt vehicle continues until the high occupancy vehicle exempt decal is suspended or revoked for misuse, the vehicle is no longer used as a for hire nonemergency medical transportation vehicle, or the pilot program established in section 216, chapter 333, Laws of 2021 is terminated.

(h) The department may adopt rules to implement this subsection.

(12) \$434,000 of the highway safety account—state appropriation is provided solely for the implementation of the Thurston county superior court order in *Pierce et al. v. Department of Licensing*.

(13) The department shall consult with the department of corrections and state board for community and technical colleges to develop a pilot program that allows incarcerated individuals who are not prohibited by state or federal law from receiving a commercial driver's license upon release to participate in a prerelease commercial driver training program. The department must submit a report to the legislature by June 30, 2023, detailing the status of the program.

(14) \$100,000 of the highway safety account—state appropriation is provided solely for the department to lead a study on the potential impacts that current licensing requirements, including required training hours, and testing requirements may have on the shortage of commercial drivers, and whether adjustments to these requirements may be warranted to help alleviate the shortage. In completing the study, the department must consult with the workforce training board, state board for community and technical colleges, federal motor carrier safety officials, organizations representing veterans, organizations representing commercial drivers, and organizations representing businesses or government entities that rely on commercial drivers. The report must be submitted to the governor and the transportation committees of the legislature by December 1, 2022.

(15) \$965,000 of the motor vehicle account—state appropriation is provided solely for the increased costs associated with delays in the production of license plates, and to provide a report detailing license plate inventory practices and whether those practices should be changed to guard against potential future plate production delays. The report must be submitted to the governor and the transportation committees of the legislature by December 1, 2022.

(16) \$28,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter 96, Laws of 2022 (state leadership board) and making improvements to the annual information submitted by special license plate sponsoring organizations pursuant to RCW 46.18.120(2). The improvements must include, but are not limited to, the following: An annual budget for the sponsoring organization's activities in the preceding year; information regarding private and other governmental support for the activities of the sponsoring organization; and a description of the number of people served or services delivered, as appropriate, by the sponsoring organization in the preceding year. If chapter 96, Laws of 2022 is not enacted by June 30, 2022, the amount provided in this subsection lapses.

(17) \$268,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter . . . (Engrossed Senate Bill No. 5054), Laws of 2022 (impaired driving). If chapter . . . (Engrossed Senate Bill No.

5054), Laws of 2022 is not enacted by June 30, 2022, the amount provided in this subsection lapses.

(18) \$113,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter 51, Laws of 2022 (human trafficking disqualification for a commercial driver's license). If chapter 51, Laws of 2022 is not enacted by June 30, 2022, the amount provided in this subsection lapses.

(19) \$18,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter 239, Laws of 2022 (Patches pal special license plates). If chapter 239, Laws of 2022 is not enacted by June 30, 2022, the amount provided in this subsection lapses.

(20) \$350,000 of the highway safety account—state appropriation is provided solely to expand driver's license assistance and support services in King county with an existing provider that is already providing these services to low-income immigrant and refugee women. By March 1, 2023, the contracted provider must submit information on the annual budget in the preceding year; information regarding private and other governmental support for the activities of the provider; and a description of the number of people served, services delivered, and outcome measures.

(21) \$6,139,000 of the highway safety account—state appropriation, \$1,849,000 of the motor vehicle account—state appropriation, \$203,000 of the department of licensing services account—state appropriation, and \$105,000 of the department of licensing technology improvement and data management account—state appropriation are provided solely for contingency funding to address emergent issues related to mitigating negative impacts of the high level of staff vacancies and agency operations and customer service levels. Potential uses of the funding include, but are not limited to, the following: Increased overtime, travel, and other related costs; increased contracting to maintain adequate service levels; and unanticipated facility and equipment needs. By January 1, 2023, the department shall submit a report to the governor and the legislative transportation committees detailing the specific expenditures made from the contingency funding provided in this subsection.

(22) \$28,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter 191, Laws of 2022 (veterans and military suicide). If chapter 191, Laws of 2022 is not enacted by June 30, 2022, the amount provided in this subsection lapses.

(23) \$83,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter 36, Laws of 2022 (vehicle registration certificate addresses). If chapter 36, Laws of 2022 is not enacted by June 30, 2022, the amount provided in this subsection lapses.

(24) \$57,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter 40, Laws of 2022 (off-road vehicles fees). If chapter 40, Laws of 2022 is not enacted by June 30, 2022, the amount provided in this subsection lapses.

(25) \$18,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter 117, Laws of 2022 (wine special license plate). If chapter 117, Laws of 2022 is not enacted by June 30, 2022, the amount provided in this subsection lapses.

(26) \$316,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter 132, Laws of 2022 (temporary license plates). If chapter 132, Laws of 2022 is not enacted by June 30, 2022, the amount provided in this subsection lapses.

EIGHTY SEVENTH DAY, APRIL 5, 2023

(27) \$251,000 of the highway safety account—state appropriation is provided solely for the department to: (a) Provide each driver's license, identicaid, instruction permit, intermediate license, and commercial driver's license applicant with written materials regarding the contents and requirements of RCW 46.61.212, the slow down and move over law, at the completion of the applicant's licensing transaction; (b) place signage in each of the licensing service offices that provide background on the written materials that the applicant will receive regarding the slow down and move over law; and (c) initiate the development of an appropriate training module relating to the requirements of RCW 46.61.212, for inclusion in all new driver training curricula.

(28) \$550,000 of the move ahead WA flexible account—state appropriation is provided solely for an interagency transfer to the department of children, youth, and families to provide driver's license support to a larger population of foster youth than is currently being served. Support services include reimbursement of driver's license issuance costs, fees for driver training education, and motor vehicle liability insurance costs.

(29) \$569,000 of the move ahead WA flexible account—state appropriation and \$103,000 of the agency financial transaction account—state appropriation are provided solely for estimated implementation costs associated with new revenues.

(30) \$141,000 of the move ahead WA flexible account—state appropriation is provided solely for chapter 57, Laws of 2022 (homeless identicaid).

Sec. 805. 2022 c 186 s 209 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—TOLL OPERATIONS AND MAINTENANCE—PROGRAM B

State Route Number 520 Corridor Account—State Appropriation	(\$58,356,000)
.....	\$56,478,000
State Route Number 520 Civil Penalties Account—State Appropriation	\$4,163,000
Tacoma Narrows Toll Bridge Account—State Appropriation	(\$31,102,000)
.....	\$34,025,000
Alaskan Way Viaduct Replacement Project Account—State Appropriation	(\$21,806,000)
.....	\$21,393,000
Interstate 405 and State Route Number 167 Express Toll Lanes Account—State Appropriation	(\$24,647,000)
.....	\$23,629,000
TOTAL APPROPRIATION.....	(\$140,074,000)
.....	\$139,688,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,300,000 of the Tacoma Narrows toll bridge account—state appropriation and \$12,484,000 of the state route number 520 corridor account—state appropriation are provided solely for the purposes of addressing unforeseen operations and maintenance costs on the Tacoma Narrows bridge and the state route number 520 bridge, respectively. The office of financial management shall place the amounts provided in this subsection, which represent a portion of the required minimum fund balance under the policy of the state treasurer, in unallotted status. The office may release the funds only when it determines that all other funds designated for operations and maintenance purposes have been exhausted.

(2) As long as the facility is tolled, the department must provide annual reports to the transportation committees of the legislature on the Interstate 405 express toll lane project

performance measures listed in RCW 47.56.880(4). These reports must include:

(a) Information on the travel times and travel time reliability (at a minimum, average and 90th percentile travel times) maintained during peak and nonpeak periods in the express toll lanes and general purpose lanes for both the entire corridor and commonly made trips in the corridor including, but not limited to, northbound from Bellevue to Rose Hill, state route number 520 at NE 148th to Interstate 405 at state route number 522, Bellevue to Bothell (both NE 8th to state route number 522 and NE 8th to state route number 527), and a trip internal to the corridor (such as NE 85th to NE 160th) and similar southbound trips;

(b) A month-to-month comparison of travel times and travel time reliability for the entire corridor and commonly made trips in the corridor as specified in (a) of this subsection since implementation of the express toll lanes and, to the extent available, a comparison to the travel times and travel time reliability prior to implementation of the express toll lanes;

(c) Total express toll lane and total general purpose lane traffic volumes, as well as per lane traffic volumes for each type of lane (i) compared to total express toll lane and total general purpose lane traffic volumes, as well as per lane traffic volumes for each type of lane, on this segment of Interstate 405 prior to implementation of the express toll lanes and (ii) compared to total express toll lane and total general purpose lane traffic volumes, as well as per lane traffic volumes for each type of lane, from month to month since implementation of the express toll lanes; and

(d) Underlying congestion measurements, that is, speeds, that are being used to generate the summary graphs provided, to be made available in a digital file format.

(3)(a) (~~(\$1,189,000)~~) \$875,000 of the Interstate 405 and state route number 167 express toll lanes account—state appropriation, (~~(\$2,783,000)~~) \$2,049,000 of the state route number 520 corridor account—state appropriation, (~~(\$1,218,000)~~) \$903,000 of the Tacoma Narrows toll bridge account—state appropriation, and (~~(\$1,568,000)~~) \$1,155,000 of the Alaskan Way viaduct replacement project account—state appropriation are provided solely for the reappropriation of unspent funds on the new tolling back office system from the 2019-2021 biennium.

(b) The office of financial management shall place the amounts provided in this subsection in unallotted status until the department submits a detailed progress report on the progress of the new tolling back office system. The director of the office of financial management or their designee shall consult with the chairs and ranking members of the transportation committees of the legislature prior to making a decision to allot these funds.

(4) \$121,000 of the Interstate 405 and state route number 167 express toll lanes account—state appropriation, \$288,000 of the state route number 520 corridor account—state appropriation, \$128,000 of the Tacoma Narrows toll bridge account—state appropriation, and \$163,000 of the Alaskan Way viaduct replacement project account—state appropriation are provided solely for the department to contract with the state auditor's office for a performance audit of the department's project to replace its electronic toll collection system. The audit should include an evaluation of the department's project planning, vendor procurement, contract management and project oversight. The final report is to be issued by December 31, 2022. The state auditor will transmit copies of the report to the jurisdictional committees of the legislature and the department.

(5) The department shall make detailed annual reports to the transportation committees of the legislature and the public on the department's web site on the following:

(a) The use of consultants in the tolling program, including the name of the contractor, the scope of work, the type of contract,

timelines, deliverables, any new task orders, and any extensions to existing consultant contracts;

(b) The nonvendor costs of administering toll operations, including the costs of staffing the division, consultants, and other personal service contracts required for technical oversight and management assistance, insurance, payments related to credit card processing, transponder purchases and inventory management, facility operations and maintenance, and other miscellaneous nonvendor costs;

(c) The vendor-related costs of operating tolled facilities, including the costs of the customer service center, cash collections on the Tacoma Narrows bridge, electronic payment processing, and toll collection equipment maintenance, renewal, and replacement;

(d) The toll adjudication process, including a summary table for each toll facility that includes:

- (i) The number of notices of civil penalty issued;
 - (ii) The number of recipients who pay before the notice becomes a penalty;
 - (iii) The number of recipients who request a hearing and the number who do not respond;
 - (iv) Workload costs related to hearings;
 - (v) The cost and effectiveness of debt collection activities; and
 - (vi) Revenues generated from notices of civil penalty; and
- (e) A summary of toll revenue by facility on all operating toll facilities and express toll lane systems, and an itemized depiction of the use of that revenue.

(6) During the 2021-2023 fiscal biennium, the department plans to issue a request for proposals as the first stage of a competitive procurement process that will replace the toll equipment and select a new tolling operator for the Tacoma Narrows Bridge. The request for proposals and subsequent competitive procurement must incorporate elements that prioritize the overall goal of lowering costs per transaction for the facility, such as incentives for innovative approaches which result in lower transactional costs, requests for efficiencies on the part of the bidder that lower operational costs, and incorporation of technologies such as self-serve credit card machines or other point-of-payment technologies that lower costs or improve operational efficiencies.

(7) \$19,908,000 of the Alaskan Way viaduct replacement project account—state appropriation is provided solely for the new state route number 99 tunnel toll facility's expected share of collecting toll revenues, operating customer services, and maintaining toll collection systems. The legislature expects to see appropriate reductions to the other toll facility accounts once tolling on the new state route number 99 tunnel toll facility stabilizes and any previously incurred costs for start-up of the new facility are charged back to the Alaskan Way viaduct replacement project account. The office of financial management shall closely monitor the application of the cost allocation model and ensure that the new state route number 99 tunnel toll facility is adequately sharing costs and the other toll facility accounts are not being overspent or subsidizing the new state route number 99 tunnel toll facility.

(8) The department shall submit a plan to the legislature for the Interstate 405 and state route number 167 express toll lanes account detailing how bond proceeds can cover the proposed construction plan on the Interstate 405 and state route number 167 express toll lane corridor outlined on LEAP Transportation Document 2021-1 as developed April 23, 2021, by January 1, 2022.

(9) ~~(\$4,554,000)~~ \$5,779,000 of the state route number 520 corridor account—state appropriation and ~~(\$580,000)~~ \$744,000 of the Tacoma Narrows toll bridge account—state appropriation

are provided solely for the increased costs of insurance for the state route number 520 floating bridge and the Tacoma Narrows bridge, respectively. The department shall conduct an evaluation of the short and long-term costs and benefits including risk mitigation of self-insurance as compared to the commercial insurance option for the state route number 520 floating bridge, as allowed under the terms of the state route number 520 master bond resolution. By December 15, 2021, the department shall report to the legislature on the results of this evaluation.

(10) As part of the department's 2023-2025 biennial budget request, the department shall update the cost allocation recommendations that assign appropriate costs to each of the toll funds for services provided by relevant Washington state department of transportation programs, the Washington state patrol, and the transportation commission. The recommendations shall be based on updated traffic and toll transaction patterns and other relevant factors.

(11) All amounts provided for operations and maintenance expenses on the SR 520 facility from the state route number 520 corridor account during the 2021-2023 fiscal biennium in this act, up to a maximum of \$59,567,000, are derived from the receipt of federal American rescue plan act of 2021 funds and not toll revenues.

(12) \$14,000 of the Interstate 405 and state route number 167 express toll lanes account—state appropriation, \$32,000 of the state route number 520 corridor account—state appropriation, \$22,000 of the Tacoma Narrows toll bridge account—state appropriation, and \$27,000 of the Alaskan Way viaduct replacement project account—state appropriation are provided solely to implement chapter 132, Laws of 2022 (temporary license plates). If chapter 132, Laws of 2022 is not enacted by June 30, 2022, the amounts provided in this subsection lapse.

Sec. 806. 2022 c 186 s 210 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF
TRANSPORTATION—INFORMATION
TECHNOLOGY—PROGRAM C**

Transportation Partnership Account—State Appropriation	\$1,461,000
Motor Vehicle Account—State Appropriation	(\$101,010,000)
.....	<u>\$101,026,000</u>
Puget Sound Ferry Operations Account—State Appropriation	\$307,000
Multimodal Transportation Account—State Appropriation	\$7,013,000
Transportation 2003 Account (Nickel Account)—State Appropriation	\$1,461,000
TOTAL APPROPRIATION	(\$111,252,000)
.....	<u>\$111,268,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$4,273,000 of the multimodal transportation account—state appropriation and \$4,273,000 of the motor vehicle account—state appropriation are provided solely for the department's cost related to the one Washington project, and is subject to the conditions, limitations, and review requirements of section 701, chapter 333, Laws of 2021.

(2) \$2,404,000 of the motor vehicle account—state appropriation and \$119,000 of the multimodal transportation account—state appropriation are provided solely for contingency funding to address emergent issues related to mitigating negative impacts of the high level of staff vacancies. Potential uses of the funding include, but are not limited to, the following: Increased overtime, travel, and other related costs; increased contracting to

EIGHTY SEVENTH DAY, APRIL 5, 2023

maintain adequate service levels; and unanticipated facility and equipment needs. By January 1, 2023, the department must submit a report to the governor and the transportation committees of the legislature detailing the specific expenditures made from the contingency funding provided in this subsection.

Sec. 807. 2022 c 186 s 211 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—FACILITY MAINTENANCE, OPERATIONS, AND CONSTRUCTION—PROGRAM D—OPERATING

Motor Vehicle Account—State Appropriation((\$36,843,000))	
.....	\$37,921,000
State Route Number 520 Corridor Account—State Appropriation	\$34,000
TOTAL APPROPRIATION.....	((\$36,877,000))
.....	\$37,955,000

The appropriations in this section are subject to the following conditions and limitations: \$780,000 of the motor vehicle account—state appropriation is provided solely for contingency funding to address emergent issues related to mitigating negative impacts of the high level of staff vacancies. Potential uses of the funding include, but are not limited to, the following: Increased overtime, travel, and other related costs; increased contracting to maintain adequate service levels; and unanticipated facility and equipment needs. By January 1, 2023, the department must submit a report to the governor and the transportation committees of the legislature detailing the specific expenditures made from the contingency funding provided in this subsection.

Sec. 808. 2022 c 186 s 212 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—TRANSPORTATION EQUIPMENT FUND—PROGRAM E

Motor Vehicle Account—State Appropriation((\$12,396,000))	
.....	\$13,860,000

The appropriation in this section is subject to the following conditions and limitations:

(1) \$10,396,000 of the motor vehicle account—state appropriation is provided solely for the department's costs related to replacing obsolete transportation equipment. The appropriations to the department in this section must be expended to maximize the amount of obsolete equipment replaced in the 2021-2023 biennium.

(2) \$2,000,000 of the motor vehicle account—state appropriation is provided solely for the department's costs related to replacing snow removal equipment. The appropriations to the department in this section must be expended to maximize the amount of snow removal equipment replaced in the 2021-2023 biennium.

Sec. 809. 2022 c 186 s 213 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—AVIATION—PROGRAM F

Aeronautics Account—State Appropriation	((\$8,127,000))
.....	\$9,129,000
Aeronautics Account—Federal Appropriation	\$3,916,000
Aeronautics Account—Private/Local Appropriation.	\$60,000
Multimodal Transportation Account—State Appropriation	\$150,000
<u>Move Ahead WA Flexible Account—State Appropriation</u>	
.....	\$10,000
TOTAL APPROPRIATION.....	((\$12,253,000))
.....	\$13,265,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$2,888,000 of the aeronautics account—state appropriation is provided solely for the airport aid grant program, which provides competitive grants to public use airports for pavement, safety, maintenance, planning, and security.

(2) \$257,000 of the aeronautics account—state appropriation is provided solely for supporting the commercial aviation coordinating commission, pursuant to section 718, chapter 333, Laws of 2021.

(3) \$280,000 of the aeronautics account—state appropriation is provided solely for the implementation of chapter 131, Laws of 2021 (unpiloted aircraft system state coordinator). If chapter 131, Laws of 2021 is not enacted by June 30, 2021, the amount provided in this subsection lapses.

(4)(a) \$150,000 of the multimodal transportation account—state appropriation is provided solely for the aviation program to continue the community engagement associated with the work of the commercial aviation coordinating commission to increase aviation capacity and provide a single preferred location for a new primary commercial aviation facility by June 15, 2023. The work of the commission shall include, but is not limited to, recommendations to the legislature on future Washington state long-range commercial aviation facility needs including possible additional aviation facilities or expansion of current aviation facilities.

(b) Community engagement efforts may include:

(i) Raising awareness among aviation stakeholders and the public on the complex issues that must be addressed by the commission;

(ii) Obtaining input from a representative cross section of the public on the construction of a new airport and the expansion of existing airports to meet future aviation demand;

(iii) Keeping people informed as the commission's work progresses, including diverse communities that are often underrepresented in processes to inform decision making;

(iv) Providing opportunities for members of the public to provide direct input to the commission during the pandemic that limits opportunities for direct social contact;

(v) Using surveys, open houses, focus groups, translation services, informational handouts, advertisements, social media, and other appropriate means of communicating with the public; and

(vi) Providing a focus on the demographics or people in the geographical areas most impacted by expanding aviation capacity or developing a new aviation facility.

(c) The department may use a communications consultant or community-based organizations to assist with community engagement efforts in (b) of this subsection.

(5) \$10,000 of the move ahead WA flexible account—state appropriation is provided solely for the creation of a sustainable aviation grant program for airports. The purpose of the grant program is to support adoption of zero emissions aircraft and sustainable aviation fuels, reduce harmful aviation-related emissions, and reduce the aviation industry's reliance on fossil fuels. Sustainable aviation projects may include, but are not limited to: (a) Sustainable aviation fuel storage; (b) electrification of ground support equipment; (c) electric aircraft charging infrastructure; (d) airport clean power production; or (e) electric vehicle charging stations whose infrastructure also supports ground support equipment and electric aircraft charging. The department must select projects, which may include planning, to propose to the legislature for funding. The department shall submit a report to the transportation committees of the legislature by December 1, 2022, identifying the initial selection of

sustainable aviation projects for funding by the legislature and recommended changes to modify and sustain the program.

(6) \$1,000,000 of the aeronautics account—state appropriation is provided solely for move ahead WA aviation grants.

Sec. 810. 2022 c 186 s 214 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—PROGRAM DELIVERY MANAGEMENT AND SUPPORT—PROGRAM H

Motor Vehicle Account—State Appropriation	(\$58,254,000)
.....	<u>\$57,864,000</u>
Motor Vehicle Account—Federal Appropriation	\$500,000
Multimodal Transportation Account—State Appropriation	.....
.....	\$758,000
TOTAL APPROPRIATION.....	(\$59,512,000)
.....	<u>\$59,122,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) The legislature recognizes that the trail known as the Rocky Reach Trail, and its extensions, serve to separate motor vehicle traffic from pedestrians and bicyclists, increasing motor vehicle safety on state route number 2 and the coincident section of state route number 97. Consistent with chapter 47.30 RCW and pursuant to RCW 47.12.080, the legislature declares that transferring portions of WSDOT Inventory Control (IC) No. 2-09-04686 containing the trail and associated buffer areas to the Washington state parks and recreation commission is consistent with the public interest. The legislature directs the department to transfer the property to the Washington state parks and recreation commission.

(a) The department must be paid fair market value for any portions of the transferred real property that is later abandoned, vacated, or ceases to be publicly maintained for trail purposes.

(b) Prior to completing the transfer in this subsection (1), the department must ensure that provisions are made to accommodate private and public utilities and any facilities that predate the department's acquisition of the property, at no cost to those entities. Prior to completing the transfer, the department shall also ensure that provisions, by fair market assessment, are made to accommodate other private and public utilities and any facilities that have been legally allowed by permit or other instrument.

(c) The department may sell any adjoining property that is not necessary to support the Rocky Reach Trail and adjacent buffer areas only after the transfer of trail-related property to the Washington state parks and recreation commission is complete. Adjoining property owners must be given the first opportunity to acquire such property that abuts their property, and applicable boundary line or other adjustments must be made to the legal descriptions for recording purposes.

(2) With respect to Parcel 12 of the real property conveyed by the state of Washington to the city of Mercer Island under that certain quitclaim deed, dated April 19, 2000, recorded in King county under recording no. 20000425001234, the requirement in the deed that the property be used for road/street purposes only will be deemed satisfied by the department of transportation so long as commuter parking, as part of the vertical development of the property, is one of the significant uses of the property.

(3) The department shall report to the transportation committees of the legislature by December 1, 2021, on the status of its efforts to consolidate franchises for broadband facilities across the state, including plans for increasing the number of consolidated franchises in the future.

(4) During the 2021-2023 biennium, if the department takes possession of the property situated in the city of Edmonds for

which a purchase agreement was executed between Unocal and the department in 2005 (Tax Parcel Number 262703-2-003-0009), and if the department confirms that the property is still no longer needed for transportation purposes, the department shall provide the city of Edmonds with the right of first purchase at fair market value in accordance with RCW 47.12.063(3) for the city's intended use of the property to rehabilitate near-shore habitat for salmon and related species.

(5) ~~(\$535,000)~~ \$125,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter 217, Laws of 2021 (noxious weeds).

(6) ~~(\$1,026,000)~~ \$526,000 of the motor vehicle account—state appropriation and \$500,000 of the multimodal transportation account—state appropriation ~~(is)~~ are provided solely for the implementation of chapter 314, Laws of 2021 (environmental justice task force).

(7) \$2,399,000 of the motor vehicle account—state appropriation is provided solely for contingency funding to address emergent issues related to mitigating negative impacts of the high level of staff vacancies. Potential uses of the funding include, but are not limited to, the following: Increased overtime, travel, and other related costs; increased contracting to maintain adequate service levels; and unanticipated facility and equipment needs. By January 1, 2023, the department must submit a report to the governor and the transportation committees of the legislature detailing the specific expenditures made from the contingency funding provided in this subsection.

(8) The department shall offer to sell the northern parcel of site 14 on the Puget Sound Gateway Program SR 509 Completion Project Surplus Property list, located immediately south of S. 216th Street and adjacent to the Barnes Creek Nature Trail in Des Moines, to Seattle Goodwill Industries, a nonprofit organization with tax ID 91-05688708, located at 700 Dearborn Place S., Seattle, WA 98144, in accordance with RCW 47.12.063 at fair market value because the legislature finds it in the public interest to do so for the public benefit that will result from Goodwill's redevelopment of the property it owns at Rainier Ave. South and South Dearborn Street to increase the supply of affordable housing.

Sec. 811. 2022 c 186 s 215 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—PUBLIC-PRIVATE PARTNERSHIPS—PROGRAM K

Motor Vehicle Account—State Appropriation.....	\$685,000
Electric Vehicle Account—State Appropriation	.....
.....	(\$11,900,000)
.....	<u>\$9,164,000</u>
Multimodal Transportation Account—State Appropriation	.....
.....	(\$3,290,000)
.....	<u>\$2,790,000</u>
<u>Multimodal Transportation Account—Federal Appropriation</u>	.....
.....	<u>\$500,000</u>
TOTAL APPROPRIATION	(\$15,875,000)
.....	<u>\$13,139,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) The public-private partnerships program must continue to explore retail partnerships at state-owned park and ride facilities, as authorized in RCW 47.04.295.

(2) ~~(\$10,900,000)~~ \$9,154,000 of the electric vehicle account—state appropriation is provided solely for the clean alternative fuel vehicle charging and refueling infrastructure program in chapter 287, Laws of 2019 (advancing green transportation adoption).

EIGHTY SEVENTH DAY, APRIL 5, 2023

(3) \$2,400,000 of the multimodal transportation account—state appropriation is provided solely for the pilot program established under chapter 287, Laws of 2019 (advancing green transportation adoption) to provide clean alternative fuel vehicle use opportunities to underserved communities and low to moderate income members of the workforce not readily served by transit or located in transportation corridors with emissions that exceed federal or state emissions standards. Consistent with the geographical diversity element described in RCW 47.04.355(4), the legislature strongly encourages the department to consider implementing the pilot in both urban and rural communities if possible, to obtain valuable information on the needs of underserved communities located in different geographical locations in Washington.

~~(4) ((\$1,000,000 of the electric vehicle account state appropriation and \$500,000 of the multimodal transportation account state appropriation are provided solely for a colocated DC fast charging and hydrogen fueling station near the Wenatchee or East Wenatchee area near a state route or near or on a publicly owned facility to service passenger, light duty and heavy duty vehicles. The hydrogen fueling station must include a DC fast charging station colocated at the hydrogen fueling station site. Funds may be used for one or more fuel cell electric vehicles that would utilize the fueling stations. The department must contract with a public utility district that produces hydrogen in the area to own and/or manage and provide technical assistance for the design, planning, permitting, construction, maintenance and operation of the hydrogen fueling station. The department and public utility district are encouraged to collaborate with and seek contributions from additional public and private partners for the fueling station.~~

~~(5))~~ \$140,000 of the multimodal transportation account—state appropriation is provided solely for the purpose of conducting an assessment of options for the development, including potential features and costs, for a publicly available mapping and forecasting tool that provides locations and essential information of charging and refueling infrastructure to support forecasted levels of electric vehicle adoption, travel, and usage across Washington state as described in chapter 300, Laws of 2021 (preparedness for a zero emissions transportation future).

~~((6))~~ (5) \$250,000 of the multimodal transportation account—state appropriation is provided solely to fund the design of an electric charging mega-site project at Mount Vernon library commons.

(6) \$500,000 of the multimodal transportation account—federal appropriation and \$10,000 of the electric vehicle account—state appropriation are provided solely to implement the national electric vehicle program, established in the federal infrastructure investment and jobs act (P.L. 117-58), as directed by the interagency electric vehicle coordinating council created in chapter 43.392 RCW. The amounts provided in this subsection include staff support for the council. The funding provided in this subsection may be used to support the publicly available mapping and forecasting tool under RCW 47.01.520, but only to the extent not funded in the omnibus appropriations act.

Sec. 812. 2022 c 186 s 216 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—HIGHWAY MAINTENANCE—PROGRAM M

Motor Vehicle Account—State Appropriation	.....	(\$505,015,000))
	.....	\$508,000,000
Motor Vehicle Account—Federal Appropriation .		\$7,000,000

Motor Vehicle Account—Private/Local Appropriation	.....	\$17,000
State Route Number 520 Corridor Account—State Appropriation	.....	\$4,657,000
Tacoma Narrows Toll Bridge Account—State Appropriation	.....	\$1,560,000
Alaskan Way Viaduct Replacement Project Account—State Appropriation	.....	\$8,611,000
Interstate 405 and State Route Number 167 Express Toll Lanes Account—State Appropriation	.....	\$2,594,000
Waste Tire Removal Account—State Appropriation	.....	\$5,000,000
<u>Move Ahead WA Account—State Appropriation</u>		<u>\$47,000,000</u>
<u>TOTAL APPROPRIATION</u>	.....	<u>(\$534,454,000))</u>
	.....	<u>\$584,439,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$7,529,000 of the motor vehicle account—state appropriation is provided solely for utility fees assessed by local governments as authorized under RCW 90.03.525 for the mitigation of stormwater runoff from state highways. Plan and reporting requirements as required in chapter 435, Laws of 2019 (Local Stormwater Charges) shall be consistent with the January 2012 findings of the Joint Transportation Committee Report for Effective Cost Recovery Structure for WSDOT, Jurisdictions, and Efficiencies in Stormwater Management.

(2) \$5,000,000 of the motor vehicle account—state appropriation is provided solely for a contingency pool for snow and ice removal. The department must notify the office of financial management and the transportation committees of the legislature when they have spent the base budget for snow and ice removal and will begin using the contingency pool funding.

(3) \$1,025,000 of the motor vehicle account—state appropriation is provided solely for the department to implement safety improvements and debris clean up on department-owned rights-of-way in the city of Seattle at levels above that being implemented as of January 1, 2019, to be administered in conjunction with subsection (9) of this section. The department must maintain a crew dedicated solely to collecting and disposing of garbage, clearing debris or hazardous material, and implementing safety improvements where hazards exist to the traveling public, department employees, or people encamped upon department-owned rights-of-way. The department may request assistance from the Washington state patrol as necessary in order for both agencies to provide enhanced safety-related activities regarding the emergency hazards along state highway rights-of-way in the Seattle area.

(4) \$1,015,000 of the motor vehicle account—state appropriation is provided solely for a partnership program between the department and the city of Tacoma, to be administered in conjunction with subsection (9) of this section. The program shall address the safety and public health problems created by homeless encampments on the department's property along state highways within the city limits. \$570,000 is for dedicated department maintenance staff and associated clean-up costs. The department and the city of Tacoma shall enter into a reimbursable agreement to cover up to \$445,000 of the city's expenses for clean-up crews and landfill costs.

(5) The department must continue a pilot program for the 2021-2023 fiscal biennium at the four highest demand safety rest areas to create and maintain an online calendar for volunteer groups to check availability of weekends for the free coffee program. The calendar must be updated at least weekly and show dates and times that are, or are not, available to participate in the free coffee program. The department must submit a report to the

legislature on the ongoing pilot by December 1, 2022, outlining the costs and benefits of the online calendar pilot, and including surveys from the volunteer groups and agency staff to determine its effectiveness.

(6) \$686,000 of the motor vehicle account—state appropriation is provided solely for reimbursing the Oregon department of transportation (ODOT) for the department's share of increased maintenance costs of six highway bridges over the Columbia River that are maintained by ODOT.

(7) \$8,290,000 of the motor vehicle account—state appropriation is provided solely for increased costs of highway maintenance materials.

(8) \$5,816,000 of the motor vehicle account—state appropriation is provided solely for a contingency pool for repairing damages to highways caused by known and unknown third parties. The department must notify the office of financial management and the transportation committees of the legislature when they have spent the base budget for third-party damage repair and will begin using the contingency pool funding.

(9)(a) \$3,000,000 of the motor vehicle account—state appropriation and \$5,000,000 of the waste tire removal account—state appropriation are provided solely for the department to address the risks to safety and public health associated with homeless encampments on department owned rights-of-way. The department must coordinate and work with local government officials and social service organizations who provide services and direct people to housing alternatives that are not in highway rights-of-way to help prevent future encampments from forming on highway rights-of-way, and may reimburse the organizations doing this outreach assistance who transition people into treatment or housing or for debris clean up on highway rights-of-way. A minimum of \$2,000,000 of this appropriation must be used to provide more frequent removal of litter on the highway rights-of-way that is generated by unsheltered people and may be used to hire crews specializing in collecting and disposing of garbage, clearing debris or hazardous material, and implementing safety improvements where hazards exist to the traveling public and department employees. The department may use these funds to either reimburse local law enforcement costs or the Washington state patrol if they are providing enhanced safety to department staff during debris cleanup or during efforts to prevent future encampments from forming on highway rights-of-way.

(b) Beginning November 1, 2022, and semiannually thereafter, the Washington state patrol and the department of transportation must jointly submit a report to the governor and the house and senate transportation committees of the legislature on the status of these efforts, including:

(i) A detailed breakout of the size, location, risk level categorization, and number of encampments on or near department-owned rights-of-way, compared to the levels during the quarter being reported;

(ii) A summary of the activities in that quarter related to addressing these encampments, including information on arrangements with local governments or other entities related to these activities;

(iii) A description of the planned activities in the ensuing quarter to further address the emergency hazards and risks along state highway rights-of-way; and

(iv) Recommendations for executive branch or legislative action to achieve the desired outcome of reduced emergency hazards and risks along state highway rights-of-way.

(10)(a) \$2,000,000 of the motor vehicle account—state appropriation is provided solely for the department to contract with the city of Fife to address the risks to safety and public health

associated with homeless encampments on department-owned rights-of-way along the SR 167/SR 509 Puget Sound Gateway project corridor in and adjacent to the city limits.

(b) The city must coordinate and work with the department and local governments and social service organizations who provide services and direct people to housing alternatives that are not in highway rights-of-way to help prevent future encampments from forming on highway rights-of-way. State funds may be used to reimburse the organizations doing this outreach assistance who transition people into treatment or housing that is not on the rights-of-way or for debris clean up on highway rights-of-way.

(c) The department may hire crews specializing in collecting and disposing of garbage, clearing debris or hazardous material, and implementing safety improvements where hazards exist to the traveling public and department employees.

(d) Funds may also be used to reimburse local law enforcement costs or the Washington state patrol if they are participating as part of a state or local government agreement to provide enhanced safety related activities along state highway rights-of-way.

(e) It is the intent of the legislature that the city and collaborating partners should place particular emphasis on utilizing available funds for addressing large scale and multiple homeless encampments that impact public safety and health. Funding for initiatives associated with such encampments may include targeted assistance to local governments and social service organizations, directing moneys toward not only initial efforts to clear encampments, clean up debris and restore sightlines, but to ongoing work, monitoring, and maintenance of efforts to place individuals in housing, treatment and services, and to better ensure individuals experiencing homelessness receive needed assistance while sites remain safe and secure for the traveling public.

(11) \$12,096,000 of the motor vehicle account—state appropriation is provided solely for contingency funding to address emergent issues related to mitigating negative impacts of the high level of staff vacancies. Potential uses of the funding include, but are not limited to, the following: Increased overtime, travel and other related costs; increased contracting to maintain adequate service levels; and unanticipated facility and equipment needs. By January 1, 2023, the department must submit a report to the governor and the transportation committees of the legislature detailing the specific expenditures made from the contingency funding provided in this subsection.

(12) \$5,400,000 of the motor vehicle account—state appropriation is provided solely for replacement of traffic signs and to increase the visibility of road pavement markings. Investments must replace traffic signs that do not meet the department's standards or that are faded, lacking in reflectivity, cracked, illegible, or damaged. Investments must also increase the visibility of road pavement markings during periods of low light conditions and during precipitation with pavement marking products that contain all-weather optical reflectivity capability. The request for proposals and subsequent competitive procurement for the signs shall be performed following state specifications and standards.

(13) \$17,000 of the motor vehicle account—local appropriation is provided solely to update existing signs along Interstate 5 in the vicinity of Seattle center. The department must install new Seattle center logos with a redesigned logo that recognizes climate pledge arena, but is not responsible for design or fabrication of the logo or new sign.

(14) \$100,000 of the motor vehicle account—state appropriation is provided solely for the department to install fencing to delineate between the privately leased property owned by the department and the public right-of-way property

EIGHTY SEVENTH DAY, APRIL 5, 2023

maintained by the city of Seattle. The parameters of the adjacent properties located under the Interstate 5 corridor, south of milepost 165, are south Jackson street and south King street going north and south, and 8th avenue south and 9th avenue south going west to east in the international district.

(15)(a) \$2,500,000 of the motor vehicle account—state appropriation is provided solely for:

(i) Additional resources for operations, maintenance, facility replacements, security, and upgrades to safety rest areas to ensure that safety rest areas owned and operated by the department are open for use except for seasonal closures or cleaning, maintenance, and repair; and

(ii) Reconfiguration of maintenance operations pursuant to chapter 262, Laws of 2022 (safety rest areas).

(b) The department may use the funds for additional labor, services, materials, or equipment needed to allow commercial vehicle parking stalls to remain open when rest areas might otherwise be closed.

(c) It is the intent of the legislature that these funds are additional resources for the department and not meant to supplant underlying resources for the maintenance and operations of safety rest areas.

(d) The department must make a report to the transportation committees of the legislature regarding the additional operations and maintenance activities made at safety rest areas to ensure that rest areas stayed open by January 15, 2023. The report must include the status per safety rest area of openings and closures that were impacted by the additional activities; the additional activities, including security efforts, that were performed at the rest areas; and an update on the status and a review of the safety rest area strategic plan.

(16)(a) \$50,000 of the motor vehicle account—state appropriation is provided solely for the department to install and inspect monthly human trafficking informational posters in every rest room in every safety rest area owned and operated by the department.

(b) In developing the informational posters, the department shall consult with human trafficking victim advocates to determine content.

(c) The posters must:

(i) Be printed in a variety of languages;

(ii) Include contact information for seeking help, which may include toll-free telephone numbers a person may call for assistance, including the number for the national human trafficking resource center and the number for the Washington state office of crime victims advocacy; and

(iii) Be made of durable material and permanently affixed.

(d) The department shall install the informational posters in every restroom at every safety rest area owned and operated by the department by December 31, 2022.

(e) Beginning January 1, 2023, or one month after installation of informational posters, whichever is sooner, the department shall inspect the informational posters as part of its monthly maintenance activities to ensure that the posters are in fair condition and remain legible.

(f) The department must make a report to the transportation committees of the legislature regarding the installation of informational posters at safety rest areas by January 15, 2023. The report must include the number of informational posters installed, the location of the poster installations, and the completion date of the poster installations.

Sec. 813. 2022 c 186 s 217 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—TRAFFIC OPERATIONS—PROGRAM Q—OPERATING

Motor Vehicle Account—State Appropriation	(\$73,760,000)
.....	<u>\$73,968,000</u>
Motor Vehicle Account—Federal Appropriation	\$2,050,000
Motor Vehicle Account—Private/Local Appropriation	.....
.....	\$295,000
State Route Number 520 Corridor Account—State Appropriation	.....
.....	\$225,000
Tacoma Narrows Toll Bridge Account—State Appropriation	.....
.....	\$40,000
Alaskan Way Viaduct Replacement Project Account—State Appropriation	.....
.....	\$1,112,000
Interstate 405 and State Route Number 167 Express Toll Lanes Account—State Appropriation	.....
.....	\$20,000
Agency Financial Transaction Account—State Appropriation	.....
.....	\$100,000
<u>Move Ahead WA Account—State Appropriation</u>	<u>\$1,850,000</u>
TOTAL APPROPRIATION	(\$77,602,000)
.....	<u>\$79,660,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$6,000,000 of the motor vehicle account—state appropriation is provided solely for low-cost enhancements. The department shall give priority to low-cost enhancement projects that improve safety or provide congestion relief. By December 15th of each odd-numbered year, the department shall provide a report to the legislature listing all low-cost enhancement projects completed in the prior fiscal biennium.

(2)(a) During the 2021-2023 fiscal biennium, the department shall continue a pilot program that expands private transportation providers' access to high occupancy vehicle lanes. Under the pilot program, when the department reserves a portion of a highway based on the number of passengers in a vehicle, the following vehicles must be authorized to use the reserved portion of the highway if the vehicle has the capacity to carry eight or more passengers, regardless of the number of passengers in the vehicle: (i) Auto transportation company vehicles regulated under chapter 81.68 RCW; (ii) passenger charter carrier vehicles regulated under chapter 81.70 RCW, except marked or unmarked stretch limousines and stretch sport utility vehicles as defined under department of licensing rules; (iii) private nonprofit transportation provider vehicles regulated under chapter 81.66 RCW; and (iv) private employer transportation service vehicles. For purposes of this subsection, "private employer transportation service" means regularly scheduled, fixed-route transportation service that is offered by an employer for the benefit of its employees. Nothing in this subsection is intended to authorize the conversion of public infrastructure to private, for-profit purposes or to otherwise create an entitlement or other claim by private users to public infrastructure.

(b) The department shall expand the high occupancy vehicle lane access pilot program to vehicles that deliver or collect blood, tissue, or blood components for a blood-collecting or distributing establishment regulated under chapter 70.335 RCW. Under the pilot program, when the department reserves a portion of a highway based on the number of passengers in a vehicle, blood-collecting or distributing establishment vehicles that are clearly and identifiably marked as such on all sides of the vehicle are considered emergency vehicles and must be authorized to use the reserved portion of the highway.

(c) The department shall expand the high occupancy vehicle lane access pilot program to organ transport vehicles transporting a time urgent organ for an organ procurement organization as

defined in RCW 68.64.010. Under the pilot program, when the department reserves a portion of a highway based on the number of passengers in a vehicle, organ transport vehicles that are clearly and identifiably marked as such on all sides of the vehicle are considered emergency vehicles and must be authorized to use the reserved portion of the highway.

(d) The department shall expand the high occupancy vehicle lane access pilot program to private, for hire vehicles regulated under chapter 81.72 RCW that have been specially manufactured, designed, or modified for the transportation of a person who has a mobility disability and uses a wheelchair or other assistive device. Under the pilot program, when the department reserves a portion of a highway based on the number of passengers in a vehicle, wheelchair-accessible taxicabs that are clearly and identifiably marked as such on all sides of the vehicle are considered public transportation vehicles and must be authorized to use the reserved portion of the highway.

(e) The department shall expand the high occupancy vehicle lane access pilot program to for hire nonemergency medical transportation vehicles, when in use for medical purposes, as described in section 208, chapter 333, Laws of 2021. Under the pilot program, when the department reserves a portion of a highway based on the number of passengers in a vehicle, nonemergency medical transportation vehicles that meet the requirements identified in section 208, chapter 333, Laws of 2021 must be authorized to use the reserved portion of the highway.

(f) Nothing in this subsection (2) is intended to exempt these vehicles from paying tolls when they do not meet the occupancy requirements established by the department for express toll lanes.

(3) \$2,574,000 of the motor vehicle account—state appropriation is provided solely for contingency funding to address emergent issues related to mitigating negative impacts of the high level of staff vacancies. Potential uses of the funding include, but are not limited to, the following: Increased overtime, travel, and other related costs; increased contracting to maintain adequate service levels; and unanticipated facility and equipment needs. By January 1, 2023, the department must submit a report to the governor and the transportation committees of the legislature detailing the specific expenditures made from the contingency funding provided in this subsection.

(4) The appropriations in this section assume implementation of additional cost recovery mechanisms to recoup at least \$100,000 in credit card and other financial transaction costs related to the collection of fees imposed under RCW 46.44.0941 for driver and vehicle fee transactions beginning January 1, 2023. The department may recover transaction fees incurred through credit card transactions. At the direction of the office of financial management, the department shall develop a method of tracking the additional amount of credit card and other financial cost-recovery revenues. In consultation with the office of financial management, the department shall notify the office of the state treasurer of these amounts and the state treasurer must deposit these revenues in the agency financial transaction account created in RCW 46.01.385 on a quarterly basis. The department shall also submit, as part of its 2023-2025 budget submittal, an overview of the credit card cost recovery approach, including fee rates and the amount of revenue expected to be generated in the 2021-2023 and 2023-2025 biennia.

(5) The department shall promote safety messages encouraging drivers to slow down and move over and pay attention when emergency lights are flashing on the side of the road and other suitable safety messages on electronic message boards the department operates across the state. The messages must be promoted multiple times each month through June 30, 2023. The department may coordinate such messaging with any statewide

public awareness campaigns being developed by the department of licensing or the Washington state traffic safety commission or both.

(6) \$1,850,000 of the move ahead WA—state appropriation is provided solely for traffic operations enhancements. It is the intent of the legislature, over the 16-year move ahead WA investment program, to provide \$30,000,000 for this purpose.

Sec. 814. 2022 c 186 s 218 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—TRANSPORTATION MANAGEMENT AND SUPPORT—PROGRAM S

Motor Vehicle Account—State Appropriation((\$37,365,000))	
.....	<u>\$37,371,000</u>
Motor Vehicle Account—Federal Appropriation.....	\$780,000
Motor Vehicle Account—Private/Local Appropriation	
.....	\$500,000
Puget Sound Ferry Operations Account—State Appropriation	
.....	\$266,000
Multimodal Transportation Account—State Appropriation	
.....	\$5,129,000
State Route Number 520 Corridor Account—State	
Appropriation.....	\$186,000
Tacoma Narrows Toll Bridge Account—State Appropriation	
.....	\$150,000
Alaskan Way Viaduct Replacement Project Account—State	
Appropriation.....	\$121,000
Interstate 405 and State Route Number 167 Express Toll Lanes	
Account—State Appropriation.....	\$77,000
<u>Move Ahead WA Flexible Account—State Appropriation</u>	
.....	<u>\$2,000,000</u>
TOTAL APPROPRIATION	(\$44,574,000)
.....	<u>\$46,580,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$4,000,000 of the multimodal transportation account—state appropriation is provided solely for efforts to increase diversity in the transportation construction workforce through: (a) The preapprenticeship support services (PASS) program, which aims to increase diversity in the highway construction workforce and prepare individuals interested in entering the highway construction workforce. In addition to the services allowed by RCW 47.01.435, the PASS program may provide housing assistance for youth aging out of the foster care and juvenile rehabilitation systems in order to support the participation of these youth in a transportation-related preapprenticeship program; (b) assisting minority and women-owned businesses to perform work in the highway construction industry. This assistance shall include technical assistance, business training, counseling, guidance, prime to subcontractor relationship building, and a capacity building mentorship program. At a minimum, \$1,000,000 of the total appropriation in this subsection shall be directed toward the efforts outlined in (b) of this subsection. The provider(s) chosen to complete the work in this subsection shall be selected through a competitive bidding process. The program shall be administered by the Washington state department of transportation's office of equal opportunity.

(2) \$1,446,000 of the motor vehicle account—state appropriation is provided solely for contingency funding to address emergent issues related to mitigating negative impacts of the high level of staff vacancies. Potential uses of the funding include, but are not limited to, the following: Increased overtime, travel, and other related costs; increased contracting to maintain adequate service levels; and unanticipated facility and equipment

EIGHTY SEVENTH DAY, APRIL 5, 2023

needs. By January 1, 2023, the department must submit a report to the governor and the transportation committees of the legislature detailing the specific expenditures made from the contingency funding provided in this subsection.

(3) \$774,000 of the motor vehicle account—state appropriation and \$266,000 of the Puget Sound ferry operations account—state appropriation are provided solely for the department to hire a workforce development consultant to develop, track, and monitor the progress of community workforce agreements, and to hire staff to assist with the development and implementation of internal diversity, equity, and inclusion efforts and serve as subject matter experts on federal and state civil rights provisions. The department shall engage with relevant stakeholders, and provide a progress report on the implementation of efforts under this subsection to the transportation committees of the legislature and the governor by December 1, 2022.

(4) For Washington state department of transportation small works roster projects under RCW 39.04.155, the department may only allow firms certified as small business enterprises, under 49 C.F.R. 26.39, to bid on the contract, unless the department determines there would be insufficient bidders for a particular project. The department shall report on the effectiveness of this policy to the transportation committees of the legislature by January 31, 2023.

(5) \$2,000,000 of the move ahead WA flexible account—state appropriation is provided solely for efforts to increase diversity in the transportation construction and maritime workforce. Of this amount:

(a) \$500,000 of the move ahead WA flexible account—state appropriation is provided solely for: (i) The preapprenticeship support services (PASS) program, which aims to increase diversity in the highway construction workforce and prepare individuals interested in entering the highway construction workforce. In addition to the services allowed by RCW 47.01.435, the PASS program may provide housing assistance for youth aging out of the foster care and juvenile rehabilitation systems in order to support the participation of these youth in a transportation-related preapprenticeship program; and (ii) assisting minority and women-owned businesses to perform work in the highway construction industry. This assistance shall include technical assistance, business training, counseling, guidance, prime to subcontractor relationship building, and a capacity building mentorship program.

(b) \$1,500,000 of the move ahead WA flexible account—state appropriation is provided solely for expansion of the PASS program to support apprenticeships and workforce development in the maritime industry through preapprenticeship training for inland waterways trades and support services to obtain necessary documents and coast guard certification.

Sec. 815. 2022 c 186 s 219 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—TRANSPORTATION PLANNING, DATA, AND RESEARCH—PROGRAM T

Motor Vehicle Account—State Appropriation((\$26,483,000))	.....	\$27,102,000
Motor Vehicle Account—Federal Appropriation		\$34,865,000
Motor Vehicle Account—Private/Local Appropriation	.....	\$400,000
Multimodal Transportation Account—State Appropriation	.....	(\$1,902,000)
	.....	\$1,322,000
Multimodal Transportation Account—Federal Appropriation	.....	\$2,809,000

Multimodal Transportation Account—Private/Local Appropriation	.....	\$100,000
State Route Number 520 Corridor Account—State Appropriation	.....	\$451,000
Interstate 405 and State Route Number 167 Express Toll Lanes Account—State Appropriation	.....	\$2,879,000
<u>Move Ahead WA Flexible Account—State Appropriation</u>	.....	<u>\$1,500,000</u>
<u>Move Ahead WA Flexible Account—Federal Appropriation</u>	.....	<u>\$1,000,000</u>
TOTAL APPROPRIATION	.....	(\$69,889,000)
	.....	<u>\$72,428,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$4,080,000 of the motor vehicle account—federal appropriation is provided solely for the Forward Drive road usage charge research project overseen by the transportation commission using a portion of the amount of the federal grant award. The purpose of the Forward Drive road usage charge research project is to advance research in key policy areas related to road usage charge including assessing impacts of future mobility shifts on road usage charge revenues, conducting an equity analysis, updating and assessing emerging mileage reporting methods, determining opportunities to reduce cost of collection, conducting small-scale pilot tests, and identifying a long-term, detailed phase-in plan.

(2) \$2,879,000 of the Interstate 405 and state route number 167 express toll lanes account—state appropriation is provided solely for completion of updating the state route number 167 master plan.

(3) \$500,000 of the multimodal transportation account—state appropriation is provided solely for the department to partner with the department of commerce in developing vehicle miles traveled targets for the counties in Washington state with (a) a population density of at least 100 people per square mile and a population of at least 200,000; or (b) a population density of at least 75 people per square mile and an annual growth rate of at least 1.75 percent as determined by the office of financial management. Given land use patterns are key factors in travel demand and should be taken into consideration when developing the targets, the department and the department of commerce shall partner with local jurisdictions, regional transportation planning organizations and other stakeholders to inventory existing laws and rules that promote transportation and land use, identify gaps and make recommendations for changes in laws, rules and agency guidance, and establish a framework for considering underserved and rural communities in the evaluation. The department and the department of commerce shall provide an initial technical report by December 31, 2021, an interim report by June 22, 2022, and a final report to the governor and appropriate committees of the legislature by June 30, 2023, that includes a process for establishing vehicle miles traveled reduction targets, a recommended suite of options for local jurisdictions to achieve the targets, and funding requirements for state and local jurisdictions.

(4) \$451,000 of the state route number 520 corridor account—state appropriation is provided solely for the department to contract with the University of Washington department of mechanical engineering, to study measures to reduce noise impacts from the state route number 520 bridge expansion joints. The field testing shall be scheduled during existing construction, maintenance, or other scheduled closures to minimize impacts. The testing must also ensure safety of the traveling public. The study shall examine testing methodologies and project timelines and costs. A draft report must be submitted

to the transportation committees of the legislature and the governor by March 1, 2022. A final report must be submitted to the transportation committees of the legislature and the governor by December 31, 2022.

(5) \$5,900,000 of the motor vehicle account—federal appropriation and \$400,000 of the motor vehicle account—private/local appropriation are provided solely for delivery of the department's state planning and research work program and pooled fund research projects.

(6) \$800,000 of the motor vehicle account—state appropriation is provided solely for WSDOT to do a corridor study of SR 302 (Victor Area) to recommend safety and infrastructure improvements to address current damage and prevent future roadway collapse and landslides that have caused road closures.

(7) \$1,000,000 of the motor vehicle account—state appropriation is provided solely for a study on the need for additional connectivity in the area between SR 161, SR 7, SR 507, and I-5 in South Pierce County.

(8) \$1,654,000 of the motor vehicle account—state appropriation and \$108,000 of the multimodal transportation account—state appropriation are provided solely for contingency funding to address emergent issues related to mitigating negative impacts of the high level of staff vacancies. Potential uses of the funding include, but are not limited to, the following: Increased overtime, travel, and other related costs; increased contracting to maintain adequate service levels; and unanticipated facility and equipment needs. By January 1, 2023, the department must submit a report to the governor and the transportation committees of the legislature detailing the specific expenditures made from the contingency funding provided in this subsection.

(9) \$450,000 of the motor vehicle account—state appropriation is provided solely for the department to complete a performance-based project evaluation model based on the initial work done for section 218(7), chapter 219, Laws of 2020, in a way that operationalizes the six transportation policy goals in RCW 47.04.280. This work should first include clarification of the transportation policy goals through development of objectives and criteria that reflect system priorities based on outcomes of community engagement. After a framework is established by which goals can be more directly related to outcomes, the project evaluation model should leverage the department's existing experts and best practices used for prioritizing programmatic funds to develop procedures by which evaluators could consistently score and rank all types of projects. The department must issue a report by June 30, 2023, summarizing the new project evaluation model, and provide recommendations for how this process could be implemented in coordination with the legislative work cycle.

(10)(a) (~~(\$250,000)~~) \$70,000 of the multimodal transportation account—state appropriation is provided solely for Thurston regional planning council (TRPC) to conduct a study examining options for multimodal high capacity transportation (HCT) to serve travelers on the I-5 corridor between central Thurston county (Olympia area) and Pierce county.

(b) The study will include an assessment of travelsheds and ridership potential and identify and provide an evaluation of options to enhance connectivity and accessibility for the greater south Puget Sound region with an emphasis on linking to planned or existing commuter or regional light rail. The study must account for previous and ongoing efforts by transit agencies and the department. The study will emphasize collaboration with a diverse community of interests, including but not limited to transit, business, public agencies, tribes, and providers and users of transportation who because of age, income, or ability may face barriers and challenges. TRPC will provide to the transportation

committees of the legislature a study outline and recommendations of deliverables by December 1, 2022.

(11) (~~(\$600,000)~~) \$200,000 of the multimodal transportation account—state appropriation is provided solely for the city of Seattle's office of planning and community development to support an equitable development initiative to reconnect the South Park neighborhood, currently divided by State Route 99.

(a) The support work must include:

(i) A public engagement and visioning process led by a neighborhood-based, community organization; and

(ii) A feasibility study of decommissioning SR 99 in the South Park neighborhood to include, but not be limited to, traffic studies, environmental impact analysis, and development of alternatives, including the transfer of the land to a neighborhood-led community land trust.

(b) The support work must be conducted in coordination and partnership with neighborhood residents, neighborhood industrial and commercial representatives, the state department of transportation, and other entities and neighborhoods potentially impacted by changes to the operation of SR 99.

(c) The city must provide a report on the plan that includes recommendations to the Seattle city council, state department of transportation, and the transportation committees of the legislature by January 1, 2025.

(12) \$1,500,000 of the move ahead WA flexible account—state appropriation and \$1,000,000 of the move ahead WA flexible account—federal appropriation are provided solely for an Interstate 5 planning and environmental linkage study. This study will serve as a next step toward a statewide Interstate 5 master plan, building upon existing work underway in the corridor. It is the intent of the legislature to direct \$40,000,000 to complete the planning and environmental linkage study over the course of the 16-year move ahead WA investment program.

(a) The study must meet planning and environmental linkages requirements to assess strategies and actions to address preservation and safety needs; climate change; improve corridor efficiency and person-throughput; and operate managed lanes effectively in the long-term. The study must include a robust public engagement program; and must assess multimodal transportation system impacts as well as economic, revenue and equity considerations. The outcome of this work will provide a basis for preliminary project planning, design, and environmental work.

(b) The department shall conduct initial stakeholder listening sessions and submit an interim report on the Interstate 5 planning and environmental linkage study to the joint transportation committee by June 30, 2023. The interim report will set study limits; outline milestones and deliverables for environmental analysis; define committee structure and equitable engagement approaches; define subsequent phases of the study; and determine final scope, budget, and workforce needs.

(c) As an initial element of the study, the department must identify and prepare recommendations for near-term actions to improve HOV lane system-wide performance. The study should identify steps required to convert HOV lanes to a different managed lane operating concept such as express toll lanes, including detailed analysis and environmental process. The recommendations must include the planning, design, environmental review, equity considerations, community engagement, traffic and revenue analysis, rate setting, and related engineering considerations necessary for a full I-5 HOV system conversion. The department shall submit an interim report on near-term recommendations to the legislative transportation committees by June 30, 2023.

EIGHTY SEVENTH DAY, APRIL 5, 2023

(d) By December 1, 2022, the department must also submit a recommended approach and funding request to:

(i) Assess the seismic risk of the I-5 causeway from Boeing field to Lake City Way; and

(ii) Recommendations for future work to mitigate seismic risk on the causeway, including estimated costs.

Sec. 816. 2022 c 186 s 221 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—PUBLIC TRANSPORTATION—PROGRAM V

State Vehicle Parking Account—State Appropriation	\$784,000
Regional Mobility Grant Program Account—State Appropriation	(\$115,488,000)
	<u>\$83,488,000</u>
Rural Mobility Grant Program Account—State Appropriation	\$33,283,000
Multimodal Transportation Account—State Appropriation	(\$134,754,000)
	<u>\$129,245,000</u>
Multimodal Transportation Account—Federal Appropriation	\$3,574,000
Multimodal Transportation Account—Private/Local Appropriation	\$100,000
<u>Climate Transit Programs Account—State Appropriation</u>	<u>\$53,436,000</u>
TOTAL APPROPRIATION	(\$287,983,000)
	<u>\$303,910,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$67,821,000 of the multimodal transportation account—state appropriation is provided solely for a grant program for special needs transportation provided by transit agencies and nonprofit providers of transportation. Of this amount:

(a) \$15,568,000 of the multimodal transportation account—state appropriation is provided solely for grants to nonprofit providers of special needs transportation. Grants for nonprofit providers must be based on need, including the availability of other providers of service in the area, efforts to coordinate trips among providers and riders, and the cost effectiveness of trips provided. Fuel type may not be a factor in the grant selection process.

(b) \$52,253,000 of the multimodal transportation account—state appropriation is provided solely for grants to transit agencies to transport persons with special transportation needs. To receive a grant, the transit agency must, to the greatest extent practicable, have a maintenance of effort for special needs transportation that is no less than the previous year's maintenance of effort for special needs transportation. Grants for transit agencies must be prorated based on the amount expended for demand response service and route deviated service in calendar year 2019 as reported in the "Summary of Public Transportation - 2019" published by the department of transportation. No transit agency may receive more than thirty percent of these distributions. Fuel type may not be a factor in the grant selection process.

(2) \$33,283,000 of the rural mobility grant program account—state appropriation is provided solely for grants to aid small cities in rural areas as prescribed in RCW 47.66.100. Fuel type may not be a factor in the grant selection process.

(3) \$2,000,000 of the multimodal transportation account—state appropriation is provided solely for a public transit rideshare grant program for: (a) Public transit agencies to

add or replace rideshare vehicles; and (b) incentives and outreach to increase rideshare use. The grant program for public transit agencies may cover capital costs only; operating costs for public transit agencies are not eligible for funding under this grant program. Additional employees may not be hired from the funds provided in this section for the vanpool grant program, and supplanting of transit funds currently funding vanpools is not allowed. The department shall encourage grant applicants and recipients to leverage funds other than state funds. Fuel type may not be a factor in the grant selection process.

(4) \$37,809,000 of the regional mobility grant program account—state appropriation is reappropriated and provided solely for the regional mobility grant projects identified in LEAP Transportation Document (~~(2022-2)~~) 2023-2 ALL PROJECTS as developed March (~~(9, 2022)~~) 29, 2023, Program - Public Transportation Program (V).

(5)(a) (~~\$77,679,000~~) \$45,679,000 of the regional mobility grant program account—state appropriation is provided solely for the regional mobility grant projects identified in LEAP Transportation Document (~~(2022-2)~~) 2023-2 ALL PROJECTS as developed March (~~(9, 2022)~~) 29, 2023, Program - Public Transportation Program (V). The department shall review all projects receiving grant awards under this program at least semiannually to determine whether the projects are making satisfactory progress. Any project that has been awarded funds, but does not report activity on the project within one year of the grant award, must be reviewed by the department to determine whether the grant should be terminated. The department shall promptly close out grants when projects have been completed, and any remaining funds must be used only to fund projects identified in the LEAP transportation document referenced in this subsection. The department shall provide annual status reports on December 15, 2021, and December 15, 2022, to the office of financial management and the transportation committees of the legislature regarding the projects receiving the grants. It is the intent of the legislature to appropriate funds through the regional mobility grant program only for projects that will be completed on schedule. A grantee may not receive more than twenty-five percent of the amount appropriated in this subsection. Additionally, when allocating funding for the 2023-2025 biennium, no more than thirty percent of the total grant program may directly benefit or support one grantee unless all other funding is awarded. The department shall not approve any increases or changes to the scope of a project for the purpose of a grantee expending remaining funds on an awarded grant. Fuel type may not be a factor in the grant selection process.

(b) In order to be eligible to receive a grant under (a) of this subsection during the 2021-2023 fiscal biennium, a transit agency must establish a process for private transportation providers to apply for the use of park and ride facilities. For purposes of this subsection, (i) "private transportation provider" means: An auto transportation company regulated under chapter 81.68 RCW; a passenger charter carrier regulated under chapter 81.70 RCW, except marked or unmarked stretch limousines and stretch sport utility vehicles as defined under department of licensing rules; a private nonprofit transportation provider regulated under chapter 81.66 RCW; or a private employer transportation service provider; and (ii) "private employer transportation service" means regularly scheduled, fixed-route transportation service that is offered by an employer for the benefit of its employees.

(6) Funds provided for the commute trip reduction (CTR) program may also be used for the growth and transportation efficiency center program.

(7) \$6,500,000 of the multimodal transportation account—state appropriation and \$784,000 of the state vehicle

parking account—state appropriation are provided solely for CTR grants and activities. Fuel type may not be a factor in the grant selection process. Of this amount:

(a) \$30,000 of the state vehicle parking account—state appropriation is provided solely for the STAR pass program for state employees residing in Mason and Grays Harbor Counties. Use of the pass is for public transportation between Mason County and Thurston County, and Grays Harbor and Thurston County. The pass may also be used within Grays Harbor County. The STAR pass commute trip reduction program is open to any state employee who expresses intent to commute to his or her assigned state worksite using a public transit system currently participating in the STAR pass program.

(b) \$800,000 of the multimodal transportation account—state appropriation is provided solely for continuation of the first mile/last mile connections grant program. Eligible grant recipients include cities, businesses, nonprofits, and transportation network companies with first mile/last mile solution proposals. Transit agencies are not eligible. The commute trip reduction board shall develop grant parameters, evaluation criteria, and evaluate grant proposals. The commute trip reduction board shall provide the transportation committees of the legislature a report on the effectiveness of this grant program and best practices for continuing the program.

(8)(a) Except as provided otherwise in this subsection, (~~(\$29,030,000)~~) \$25,352,000 of the multimodal transportation account—state appropriation is provided solely for connecting Washington transit projects identified in LEAP Transportation Document (~~(2022-2)~~) 2023-2 ALL PROJECTS as developed March (~~(9, 2022)~~) 29, 2023. It is the intent of the legislature that entities identified to receive funding in the LEAP transportation document referenced in this subsection receive the amounts specified in the time frame specified in that LEAP document. If an entity has already completed a project in the LEAP transportation document referenced in this subsection before the time frame identified, the entity may substitute another transit project or projects that cost a similar or lesser amount.

(b) Within the amount provided in this subsection, (~~(\$900,000)~~) \$150,000 of the multimodal transportation account—state appropriation is provided solely to complete work on Martin Luther King Way, Rainier Ave improvements (G2000040).

(9) The department shall not require more than a ten percent match from nonprofit transportation providers for state grants.

(10) (~~(\$23,349,000)~~) \$20,849,000 of the multimodal transportation account—state appropriation is provided solely for the green transportation capital grant program established in chapter 287, Laws of 2019 (advancing green transportation adoption).

(11) \$555,000 of the multimodal transportation account—state appropriation is provided solely for an interagency transfer to the Washington State University extension energy program to establish and administer a technical assistance and education program for public agencies on the use of alternative fuel vehicles. The Washington State University extension energy program shall prepare a report regarding the utilization of the program and provide this report to the transportation committees of the legislature by November 15, 2021.

(12) The department must provide telework assistance to employers as part of its CTR activities. The objectives of telework assistance include improving transportation system performance, supporting economic vitality, and increasing equity and access to opportunity.

(13) \$150,000 of the multimodal transportation account—state appropriation is provided solely for Intercity Transit for the Dash shuttle program.

(14)(a) \$500,000 of the multimodal transportation account—state appropriation is provided solely for King county metro to develop a pilot program to place teams including human services personnel along routes that are enduring significant public safety issues and various disruptive behavior in south King county. The team would be available to deescalate disruptions, provide immediate access to transit resources, and refer customers to community resources to break cycles of inappropriate behavior. The teams must be individuals trained in deescalation and outreach. The function and duties should be cocreated with community stakeholders.

(b) King county metro must provide a report to the transportation committees of the legislature by June 30, 2023, regarding the effectiveness of the program, any suggestions for improving its efficacy, and any modifications that might be necessary for other transit providers to institute similar programs.

(c) If King county metro does not provide at least \$500,000 to develop the pilot program funded by this subsection, the amount provided in this subsection lapses.

(15)(a) \$250,000 of the multimodal transportation account—state appropriation is provided solely for the department, in consultation with the joint transportation committee, to conduct a study of statewide transit service benchmarks. Elements of the study include:

(i) Development of definitions of frequent fixed route transit and accessible frequent fixed route transit; and

(ii) Identification of, to the extent possible using existing data, current gaps in frequent fixed route transit and accessible walking routes to frequent fixed route transit stops.

(b) An initial report is due by December 15, 2022, that proposes a definition of frequent transit and documents how many people in Washington live within one half mile walk of frequent transit. A final report is due by June 30, 2023, that identifies gaps in accessible frequent transit, analyzed for disparities in race, age, and disability, and develops funding scenarios to address the identified gaps.

(16) Within existing resources, the department shall prepare a report regarding the funding, implementation, and operation of the grant management system or systems utilized by the public transportation division. In preparing this report, the department must survey and report on all grant recipients experience with the operation of this system or systems. The department shall provide this report to the transportation committees of the legislature by November 15, 2022.

(17) \$14,120,000 of the climate transit programs account—state appropriation is provided solely for newly selected special needs grants. Of this amount:

(a) \$3,248,000 of the climate transit programs account—state appropriation is provided solely for grants to nonprofit providers of special needs transportation. Grants for nonprofit providers must be based on need, including the availability of other providers of service in the area, efforts to coordinate trips among providers and riders, and the cost-effectiveness of trips provided.

(b) \$10,872,000 of the climate transit programs account—state appropriation is provided solely for grants to transit agencies to transport persons with special transportation needs. To receive a grant, the transit agency must, to the greatest extent practicable, have a maintenance of effort for special needs transportation that is no less than the previous year's maintenance of effort for special needs transportation. Grants for transit agencies must be prorated based on the amount expended for demand response service and route deviated service in calendar year 2019 as

EIGHTY SEVENTH DAY, APRIL 5, 2023

reported in the "Summary of Public Transportation - 2019" published by the department of transportation. No transit agency may receive more than 30 percent of these distributions.

(18) \$33,606,000 of the climate transit programs account—state appropriation is provided solely for transit support grants. To be eligible for transit support grant distribution, transit agencies must submit documentation of fare-free policy for 18 years and under by October 1, 2022, to be eligible for the 2023-2025 biennium. Transit agencies that submit fare policy documentation following the October 1, 2022, deadline shall become eligible for the next biennial distribution.

(19) \$4,710,000 of the climate transit programs account—state appropriation is provided solely for newly selected green transportation grants.

(20) \$1,000,000 of the climate transit programs account—state appropriation is provided solely for newly selected transit coordination grants. The department shall give priority to grant proposals that promote the formation of joint partnerships between transit agencies or merge service delivery across entities.

(21) It is the intent of the legislature that \$520,000 will be provided for the Sauk-Suiattle Commuter Bus Project (L1000318) in the 2023-2025 fiscal biennium.

(22) It is the intent of the legislature that \$1,760,000 of regional mobility grant program account—state funds be added to the 2023-2025 fiscal biennium for city of Kent: Rapid Ride Facility Passenger Amenities & Access project (20190004), and the LEAP transportation document referenced in subsection (4) of this section be changed accordingly.

Sec. 817. 2022 c 186 s 222 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—MARINE—PROGRAM X

Multimodal Transportation Account—State Appropriation	\$9,000
Puget Sound Ferry Operations Account—State Appropriation	(\$430,388,000)
.....	\$444,949,000
Puget Sound Ferry Operations Account—Federal Appropriation	(\$156,789,000)
.....	\$155,934,000
Puget Sound Ferry Operations Account—Private/Local Appropriation	\$121,000
TOTAL APPROPRIATION	(\$587,298,000)
.....	\$601,013,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The office of financial management budget instructions require agencies to recast enacted budgets into activities. The Washington state ferries shall include a greater level of detail in its 2021-2023 supplemental and 2023-2025 omnibus transportation appropriations act requests, as determined jointly by the office of financial management, the Washington state ferries, and the transportation committees of the legislature. This level of detail must include the administrative functions in the operating as well as capital programs. The data in the tables in the report must be supplied in a digital file format.

(2) For the 2021-2023 fiscal biennium, the department may enter into a distributor controlled fuel hedging program and other methods of hedging approved by the fuel hedging committee, which must include a representative of the department of enterprise services.

(3) \$32,905,000 of the Puget Sound ferry operations account—federal appropriation and ~~(\$53,794,000)~~ \$65,539,000 of the Puget Sound ferry operations account—state appropriation are provided solely for auto ferry vessel operating fuel in the

2021-2023 fiscal biennium, which reflect cost savings from a reduced biodiesel fuel requirement and, therefore, is contingent upon the enactment of section 703 of this act. The amount provided in this subsection represents the fuel budget for the purposes of calculating any ferry fare fuel surcharge. The department shall review future use of alternative fuels and dual fuel configurations, including hydrogen.

(4) \$500,000 of the Puget Sound ferry operations account—state appropriation is ~~((provided solely))~~ for operating costs related to moving vessels for emergency capital repairs. Funds may only be spent after approval by the office of financial management.

(5) \$2,400,000 of the Puget Sound ferry operations account—state appropriation and \$2,000,000 of the Puget Sound ferry operations account—federal appropriation are ~~((provided solely))~~ for staffing and overtime expenses incurred by engine and deck crewmembers. The department must provide updated staffing cost estimates for fiscal years 2022 and 2023 with its annual budget submittal and updated estimates by January 1, 2022.

(6) \$688,000 of the Puget Sound ferry operations account—state appropriation and \$697,000 of the Puget Sound ferry operations account—federal appropriation are ~~((provided solely))~~ for new employee training. The department must work to increase its outreach and recruitment of populations underrepresented in maritime careers and continue working to expand apprenticeship and internship programs, with an emphasis on programs that are shown to improve recruitment for positions with the state ferry system.

(7) The department must request reimbursement from the federal transit administration for the maximum amount of ferry operating expenses eligible for reimbursement under federal law.

(8) \$484,000 of the Puget Sound ferry operations account—federal is ~~((provided solely))~~ for the department to contract for additional traffic control assistance at the Kingston ferry terminal during peak ferry travel times, with a particular focus on Sundays and holiday weekends. Traffic control methods should include, but not be limited to, holding traffic on the shoulder at Lindvog Road until space opens for cars at the tollbooths and dock, and management of traffic on Highway 104 in order to ensure Kingston residents and business owners have access to businesses, roads, and driveways.

(9) \$336,000 of the Puget Sound ferry operations account—state appropriation is ~~((provided solely))~~ for evacuation slide training.

(10) \$336,000 of the Puget Sound ferry operations account—state appropriation is ~~((provided solely))~~ for fall restraint labor and industries inspections.

(11) \$735,000 of the Puget Sound ferry operations account—state appropriation and \$410,000 of the Puget Sound ferry operations account—federal appropriation are ~~((provided solely))~~ for familiarization for new assignments of engine crew and terminal staff.

(12) \$160,000 of the Puget Sound ferry operations account—state appropriation is ~~((provided solely))~~ for electronic navigation training.

(13) ~~(\$250,000)~~ \$75,000 of the Puget Sound ferry operations account—state appropriation is ~~((provided solely))~~ for Washington State Ferries to conduct a study of passenger demographics. The study must include:

(a) Information on age, race, gender, income level of passengers by route in summer and winter seasons;

(b) Composition of passengers by travel purpose, such as commute, tourism, or commerce; and

(c) Frequency of passenger trips by mode and fare products utilized.

The study may be included as part of a larger origin and destination study. The department shall report study results to the transportation committees of the legislature by December 1, 2023.

(14)(a) \$8,419,000 of the Puget Sound ferry operations account—federal appropriation is ~~((provided solely))~~ for Washington state ferries to:

(i) Continuously recruit and hire deck, engine, and terminal staff;

(ii) Contract with an external recruitment firm to increase recruitment efforts both locally and nationally with an emphasis on attracting maritime workers from communities underrepresented in the ferry system;

(iii) Enhance employee retention by standardizing on-call worker schedules;

(iv) Increase training and development opportunities for employees; and

(v) Make improvements to hiring processes by establishing additional positions to support timely hiring of employees.

(b) It is the intent of the legislature to continue funding for the activities outlined in this section as part of the move ahead WA package.

(15) \$248,000 of the Puget Sound ferry operations account—federal appropriation is ~~((provided solely))~~ for labor at the Vashon terminal.

(16) \$194,000 of the Puget Sound ferry operations account—federal appropriation is ~~((provided solely))~~ for operating costs at the Mukilteo terminal.

(17) \$294,000 of the Puget Sound ferry operations account—federal appropriation is ~~((provided solely))~~ for deck and engine internships.

(18) By December 1, 2022, the department must report on the status of efforts to increase training and development opportunities for employees. The report must include a description of the new training and career advancement programs for able-bodied sailors, mates, and engineers; the numbers of employees participating in each program; the number of employees completing each program; the number of open positions that the program is designed to fill; and the anticipated number of employee promotions as a result of program completion. The department must provide the report to the office of financial management and the transportation committees of the legislature.

(19) For the Mukilteo multimodal terminal, the department must submit a report showing for a 12-month period, on a monthly basis, how much electricity is generated by solar power generated on-site, electricity usage, and actual electricity cost savings. The report is due to the transportation committees of the legislature by June 30, 2023.

(20) \$93,000 of the Puget Sound ferry operations account—state appropriation is ~~((provided solely))~~ for Washington state ferries to partner with local community colleges and universities to secure housing for workforce training sessions and to pay in advance for the costs of transportation worker identification credentials for incoming ferry system employees and trainees.

(21)(a) \$300,000 of the Puget Sound ferry operations account—state appropriation is ~~((provided solely))~~ for the department, in consultation with the joint transportation committee, to oversee a consultant study to identify and recommend cost-effective strategies to maximize walk-on passenger ridership of the Anacortes – San Juan ferry routes. The study must also identify available public funding sources to

support these strategies. Reducing the need for passengers to bring their cars on the ferries will increase the capacity of each ferry run to transport more people.

(b) The evaluated options may include, but not be limited to:

(i) Increased public funding or other support for transit or shuttle service between ferry landings on Orcas, Lopez, San Juan, and Anacortes and nearby major town centers or connecting transit hubs;

(ii) Options to increase availability of taxi and rideshare services at each of the landings;

(iii) Short-term electric vehicle rentals at ferry landings, including electric bicycles and scooters;

(iv) Public funding or other support to increase the available locations for additional parking and reduce the cost for short-term parking near each landing;

(v) Marketing of the availability of options through the Washington state ferries reservation system website, on ferries and at ferry landings and ticketing facilities.

(c) Outreach for the study, including on the feasibility and effectiveness of each strategy evaluated, must include outreach to representatives of:

(i) Washington state ferries;

(ii) San Juan county council;

(iii) Anacortes and San Juan Islands ferry advisory committee members;

(iv) San Juan economic development council;

(v) City of Anacortes;

(vi) City of Friday Harbor;

(vii) Skagit transit;

(viii) Skagit RTPO;

(ix) Eastsound;

(x) Lopez Village;

(xi) Transit dependent populations; and

(xii) Others as deemed appropriate by the committee.

(d) A report with recommendations on the most feasible and cost-effective strategies to maximize walk-on passenger ridership of the Anacortes – San Juan and Anacortes - Sidney ferry routes is due to the transportation committees of the legislature by January 6, 2023.

(22)(a) During negotiations of the 2023-2025 collective bargaining agreements, the department must conduct a review and analysis of the collective bargaining agreements governing state ferry employees, to identify provisions that create barriers for, or contribute to creating a disparate impact on, newly hired ferry employees, including those who are women, people of color, veterans, and other employees belonging to communities that have historically been underrepresented in the workforce. The review and analysis must include, but not be limited to, provisions regarding seniority, work assignments, and work shifts. The review and analysis must also include consultation with the governor's office of labor relations, the governor's office of equity, and the attorney general's office.

(b) For future negotiations or modifications of the collective bargaining agreements, it is the intent of the legislature that the collective bargaining representatives for the state and ferry employee organizations may consider the findings of the review and analysis required in (a) of this subsection and negotiate in a manner to remove identified barriers and address identified impacts so as not to perpetuate negative impacts.

(23) To the extent that an activity funded by federal funds in this section is not eligible for federal reimbursement, the department may transfer expenditure authority between state and federal appropriations provided in this section.

Sec. 818. 2022 c 186 s 223 (uncodified) is amended to read as follows:

EIGHTY SEVENTH DAY, APRIL 5, 2023

FOR THE DEPARTMENT OF TRANSPORTATION—RAIL—PROGRAM Y—OPERATING

Multimodal Transportation Account—State Appropriation	(\$68,430,000)
.....	<u>\$68,431,000</u>
Multimodal Transportation Account—Private/Local Appropriation	\$46,000
Multimodal Transportation Account—Federal Appropriation	\$500,000
TOTAL APPROPRIATION.....	(\$68,976,000)
.....	<u>\$68,977,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) The department is directed to continue to pursue efforts to reduce costs, increase ridership, and review Amtrak Cascades fares and fare schedules. Within thirty days of each annual cost/revenue reconciliation under the Amtrak service contract, the department shall report annual credits to the office of financial management and the legislative transportation committees. Annual credits from Amtrak to the department including, but not limited to, credits due to higher ridership, reduced level of service, and fare or fare schedule adjustments, must be used to offset corresponding amounts of the multimodal transportation account—state appropriation, which must be placed in reserve.

(2) Consistent with the ongoing planning and service improvement for the intercity passenger rail program, \$500,000 of the multimodal transportation account—state is provided solely for the Cascades service development plan. This funding is to be used to analyze current and future market conditions and to develop a structured assessment of service options and goals based on anticipated demand and the results of the state and federally required 2019 state rail plan, including identifying implementation alternatives to meet the future service goals for the Amtrak Cascades route. The work must be consistent with federal railroad administration guidance and direction on developing service development plans. It must also leverage the \$500,000 in federal funding appropriated for development of a service development plan and comply with the planning and grant award obligations of the consolidated rail infrastructure and safety improvements (CRISI) program. A status report must be provided to the transportation committees of the legislature by June 30, 2022.

(3) \$4,000,000 of the multimodal transportation account—state appropriation is provided solely for the continued coordination, engagement, and planning for a new ultra high-speed ground transportation corridor with participation from Washington, Oregon, and British Columbia. This funding is contingent on meaningful financial contributions for this effort by Oregon or British Columbia. "Ultra high-speed" means a maximum testing speed of at least 250 miles per hour. These efforts are to support and advance activities and must abide by the memorandum of understanding signed by the governors of Washington and Oregon, and the premier of the province of British Columbia in November 2021. The department shall establish a policy committee with participation from Washington, Oregon, and British Columbia, including representation from the two largest caucuses of each chamber of the Washington state legislature, and coordinate the activities of the policy committee to include:

- (a) Developing an organizational framework that facilitates input in decision-making from all parties;
- (b) Developing a public engagement approach with a focus on equity, inclusion, and meaningful engagement with communities,

businesses, federal, state, provincial, and local governments including indigenous communities;

(c) Developing and leading a collaborative approach to prepare and apply for potential future federal, state, and provincial funding opportunities, including development of strategies for incorporating private sector participation and private sector contributions to funding, including through the possible use of public-private partnerships;

(d) Beginning work on scenario analysis addressing advanced transportation technologies, land use and growth assumptions, and an agreed to and defined corridor vision statement; and

(e) Developing a recommendation on the structure and membership of a formal coordinating entity that will be responsible for advancing the project through the project initiation stage to project development and recommended next steps for establishment of the coordinating entity. Project development processes must include consideration of negative and positive impacts on communities of color, low-income households, indigenous peoples, and other disadvantaged communities.

By June 30, 2023, the department shall provide to the governor and the transportation committees of the legislature a report detailing the work conducted by the policy committee and recommendations for establishing a coordinating entity. The report must also include an assessment of current activities and results relating to stakeholder engagement, planning, and any federal funding application. As applicable, the assessment should also be sent to the executive and legislative branches of government in Oregon and appropriate government bodies in the province of British Columbia.

(4) The department shall consider applying for federal grant opportunities that support the development of the Amtrak Cascades service. Grant submittals must align with the department's federally required service development plan and state rail plans and partnership agreements with Amtrak as the service provider and BNSF Railway as the host railroad.

Sec. 819. 2022 c 186 s 224 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—LOCAL PROGRAMS—PROGRAM Z—OPERATING

Motor Vehicle Account—State Appropriation..	(\$12,451,000)
.....	<u>\$12,454,000</u>
Motor Vehicle Account—Federal Appropriation..	\$2,567,000
Multiuse Roadway Safety Account—State Appropriation	\$900,000
Multimodal Transportation Account—State Appropriation	\$250,000
TOTAL APPROPRIATION	(\$16,168,000)
.....	<u>\$16,171,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) The entire multiuse roadway safety account—state appropriation is provided solely for grants under RCW 46.09.540, subject to the following limitations:

(a) Twenty-five percent of the amounts provided are reserved for counties that each have a population of fifteen thousand persons or less; and

(b)(i) Seventy-five percent of the amounts provided are reserved for counties that each have a population exceeding fifteen thousand persons; and

(ii) No county that receives a grant or grants under (a) of this subsection may receive more than sixty thousand dollars in total grants.

(2) \$1,023,000 of the motor vehicle account—state appropriation is provided solely for the department, from amounts set aside out of statewide fuel taxes distributed to counties according to RCW 46.68.120(3), to contract with the Washington state association of counties to:

(a) In coordination with stakeholders, identify county-owned fish passage barriers, and assess which barriers share the same stream system as state-owned fish passage barriers;

(b) Streamline and update the county road administration board's data dashboard, county reporting systems, and program management software to provide a more detailed, more transparent, and user-friendly platform for data management, reporting, and research by the public and other interested parties; and

(c) Conduct a study of the use of county road right-of-way as a potential source of revenue for county road operating and maintenance needs with recommendations on their feasibility statewide.

TRANSPORTATION AGENCIES—CAPITAL

Sec. 901. 2022 c 186 s 301 (uncodified) is amended to read as follows:

FOR THE FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD

Freight Mobility Investment Account—State Appropriation	((\$17,769,000))
	<u>\$10,206,000</u>
Freight Mobility Multimodal Account—State Appropriation	((\$14,004,000))
	<u>\$6,206,000</u>
TOTAL APPROPRIATION	((\$31,773,000))
	<u>\$16,412,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as otherwise provided in this section, the entire appropriations in this section are provided solely for the projects by amount, as listed in the LEAP Transportation Document ((~~2022-2~~) 2023-2 ALL PROJECTS as developed March ((~~9, 2022~~) 29, 2023, Freight Mobility Strategic Investment Board (FMSIB).

(2) Until directed by the legislature, the board may not initiate a new call for projects.

(3) It is the intent of the legislature to continue to make strategic investments in a statewide freight mobility transportation system with the help of the freight mobility strategic investment board, including projects that mitigate the impact of freight movement on local communities. To that end, and in coordination with WSDOT as it updates its federally-compliant freight plan, the board is directed to identify the highest priority freight investments for the state, across freight modes, state and local jurisdictions, and regions of the state. By December 1, 2021, the board must submit a preliminary report providing a status update on the process and methodology for identifying and prioritizing investments. By December 1, 2022, the board must submit a prioritized list of freight investments that are geographically balanced across the state and can proceed to construction in a timely manner. The prioritized freight project list for the state portion of national highway freight program funds must first address shortfalls in funding for connecting Washington act projects.

(4)(a) For the 2021-2023 project appropriations, unless otherwise provided in this act, the director of the office of financial management may authorize a transfer of appropriation authority between projects managed by the freight mobility strategic investment board in order for the board to manage project spending and support the efficient and timely delivery of

all projects in the program. The office of financial management may authorize a transfer of appropriation authority between projects under the following conditions and limitations:

(i) Transfers from a project may not be made as a result of the reduction of the scope of a project or be made to support increases in the scope of a project;

(ii) Each transfer between projects may only occur if the director of the office of financial management finds that any resulting change will not hinder the completion of the projects on LEAP Transportation Document ((~~2022-2~~) 2023-2 ALL PROJECTS as developed March ((~~9, 2022~~) 29, 2023;

(iii) Transfers between projects may be made by the board without the formal written approval provided under this subsection (3)(a), provided that the transfer amount does not exceed \$250,000 or 10 percent of the total project, whichever is less. These transfers must be reported to the director of the office of financial management and the chairs of the house of representatives and senate transportation committees; and

(iv) Except for transfers made under (a)(iii) of this subsection, transfers may only be made in fiscal year 2023.

(b) At the time the board submits a request to transfer funds under this section, a copy of the request must be submitted to the chairs and ranking members of the transportation committees of the legislature.

(c) Before approval, the office of financial management shall work with legislative staff of the house of representatives and senate transportation committees to review the requested transfers in a timely manner and consider any concerns raised by the chairs and ranking members of the transportation committees.

(d) No fewer than 10 days after the receipt of a project transfer request, the director of the office of financial management must provide written notification to the board of any decision regarding project transfers, with copies submitted to the transportation committees of the legislature.

Sec. 902. 2022 c 186 s 302 (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE PATROL

State Patrol Highway Account—State Appropriation	((\$4,803,000))
	<u>\$4,203,000</u>

The appropriation in this section is subject to the following conditions and limitations:

(1) \$695,000 of the state patrol highway account—state appropriation is provided solely for roof replacement.

(2) ((~~\$3,501,000~~) \$3,508,000) of the state patrol highway account—state appropriation is provided solely for the following projects:

- (a) \$250,000 for emergency repairs;
- (b) \$350,000 for fuel tank decommissioning;
- (c) ((~~\$750,000~~) \$250,000) for generator and electrical replacement;
- (d) \$195,000 for the exterior envelope of the Yakima office;
- (e) \$466,000 for equipment shelters;
- (f) ((~~\$650,000~~) \$550,000) for the weatherization projects;
- (g) \$200,000 for roof replacements reappropriation; and
- (h) \$640,000 for water and fire suppression systems reappropriation and \$607,000 for additional water and fire suppression systems.

(3) The Washington state patrol may transfer funds between projects specified in this subsection to address cash flow requirements. If a project specified in this subsection is completed for less than the amount provided, the remainder may be transferred to another project specified in this subsection not to exceed the total appropriation provided in this subsection.

EIGHTY SEVENTH DAY, APRIL 5, 2023

Sec. 903. 2022 c 186 s 303 (uncodified) is amended to read as follows:

FOR THE COUNTY ROAD ADMINISTRATION BOARD

Rural Arterial Trust Account—State Appropriation	((\$55,028,000))
.....	<u>\$47,908,000</u>
Motor Vehicle Account—State Appropriation	\$1,456,000
County Arterial Preservation Account—State Appropriation	((\$44,653,000))
.....	<u>\$45,666,000</u>
Move Ahead WA Account—State Appropriation	<u>\$10,000,000</u>
TOTAL APPROPRIATION	((\$101,137,000))
.....	<u>\$105,030,000</u>

The appropriation in this section is subject to the following conditions and limitations: The entire move ahead WA account—state appropriation is provided solely for additional preservation funding allocations to counties through the county arterial preservation program.

Sec. 904. 2021 c 333 s 304 (uncodified) is amended to read as follows:

FOR THE TRANSPORTATION IMPROVEMENT BOARD

Small City Pavement and Sidewalk Account—State Appropriation	\$4,100,000
Transportation Improvement Account—State Appropriation	((\$201,000,000))
.....	<u>\$171,000,000</u>
Complete Streets Grant Program Account—State Appropriation	\$14,670,000
Move Ahead WA Account—State Appropriation	<u>\$10,000,000</u>
Climate Active Transportation Account—State Appropriation	<u>\$3,000,000</u>
TOTAL APPROPRIATION	((\$219,770,000))
.....	<u>\$202,770,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$2,500,000 of the transportation improvement account—state appropriation is provided solely for the Relight Washington Program. The transportation improvement board shall conduct a comparative analysis of expanding the Relight Washington Program to all cities that are not currently eligible compared to utilizing the same funding amount for other preservation programs administered by the transportation improvement board. If needed to perform this analysis, the transportation improvement board shall gather additional information on the demand and return on investment from a follow up survey to cities currently ineligible for the Relight Washington Program. The transportation improvement board shall report the results of the analysis to the governor and the transportation committees of the legislature by January 1, 2022.

(2) The entire climate active transportation account—state appropriation is provided solely for newly selected complete streets grants.

(3) The entire move ahead WA account—state appropriation is provided solely for additional preservation funding to cities.

Sec. 905. 2022 c 186 s 304 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—FACILITIES—PROGRAM D—(DEPARTMENT OF TRANSPORTATION-ONLY PROJECTS)—CAPITAL

Motor Vehicle Account—State Appropriation	((\$16,076,000))
.....	<u>\$15,743,000</u>

Connecting Washington Account—State Appropriation	\$3,667,000
TOTAL APPROPRIATION	((\$19,743,000))
.....	<u>\$19,410,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$3,289,000 of the connecting Washington account—state appropriation is provided solely for a new Olympic region maintenance and administration facility to be located on the department-owned site at the intersection of Marvin Road and 32nd Avenue in Lacey, Washington.

(2)(a) \$4,325,000 of the motor vehicle account—state appropriation is provided solely for payments of a financing contract issued pursuant to chapter 39.94 RCW for the department facility located at 15700 Dayton Ave N in Shoreline.

(b) Payments from the department of ecology pursuant to the agreement with the department to pay a share of the financing contract in (a) of this subsection must be deposited into the motor vehicle account.

Sec. 906. 2022 c 186 s 305 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—IMPROVEMENTS—PROGRAM I

Transportation 2003 Account (Nickel Account)—State Appropriation	((\$482,000))
.....	<u>\$486,000</u>
Transportation Partnership Account—State Appropriation	((\$232,566,000))
.....	<u>\$173,980,000</u>
Motor Vehicle Account—State Appropriation	((\$246,948,000))
.....	<u>\$233,944,000</u>
Motor Vehicle Account—Federal Appropriation	((\$251,835,000))
.....	<u>\$263,446,000</u>
Coronavirus State Fiscal Recovery Fund—Federal Appropriation	((\$400,000,000))
.....	<u>\$100,000,000</u>
Motor Vehicle Account—Private/Local Appropriation	((\$56,192,000))
.....	<u>\$88,263,000</u>
Connecting Washington Account—State Appropriation	((\$2,063,783,000))
.....	<u>\$1,705,138,000</u>
Special Category C Account—State Appropriation	((\$86,198,000))
.....	<u>\$71,102,000</u>
Multimodal Transportation Account—State Appropriation	((\$10,792,000))
.....	<u>\$4,779,000</u>
Puget Sound Gateway Facility Account—State Appropriation	\$8,400,000
State Route Number 520 Corridor Account—State Appropriation	\$70,886,000
Interstate 405 and State Route Number 167 Express Toll Lanes Account—State Appropriation	((\$217,282,000))
.....	<u>\$34,028,000</u>
Move Ahead WA Account—State Appropriation	((\$10,771,000))
.....	<u>\$60,793,000</u>
Move Ahead WA Account—Federal Appropriation	((\$7,200,000))
.....	<u>\$52,312,000</u>
TOTAL APPROPRIATION	((\$3,663,335,000))
.....	<u>\$2,867,557,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire connecting Washington account—state appropriation and the entire transportation partnership account—state appropriation are provided solely for the projects and activities as listed by fund, project, and amount in LEAP Transportation Document ~~((2022-1))~~ 2023-1 as developed March ~~((9, 2022))~~ 29, 2023, Program - Highway Improvements Program (I). However, limited transfers of specific line-item project appropriations may occur between projects for those amounts listed subject to the conditions and limitations in section 601 ~~((, chapter 333, Laws of 2021))~~ of this act.

(2) Except as provided otherwise in this section, the entire motor vehicle account—state appropriation and motor vehicle account—federal appropriation are provided solely for the projects and activities listed in LEAP Transportation Document ~~((2022-2))~~ 2023-2 ALL PROJECTS as developed March ~~((9, 2022))~~ 29, 2023, Program - Highway Improvements Program (I). Any federal funds gained through efficiencies, adjustments to the federal funds forecast, or the federal funds redistribution process must then be applied to highway and bridge preservation activities or fish passage barrier corrections (OBI4001) ~~((, as long as the application of the funds is not inconsistent with subsection (26) of this section))~~.

(3) Within the motor vehicle account—state appropriation and motor vehicle account—federal appropriation, the department may transfer ~~((funds))~~ appropriation authority between programs I and P, except for ~~((funds))~~ appropriation authority that ~~((are))~~ is otherwise restricted in this act. Ten days prior to any transfer, the department must submit its request to the office of financial management and the transportation committees of the legislature and consider any concerns raised. The department shall submit a report on fiscal year funds transferred in the prior fiscal year using this subsection as part of the department's annual budget submittal.

(4) ~~((The connecting Washington account—state appropriation includes up to \$326,594,000 in proceeds from the sale of bonds authorized in RCW 47.10.889.~~

~~((5))~~ The special category C account—state appropriation includes up to \$51,460,000 in proceeds from the sale of bonds authorized in RCW 47.10.812.

~~((6))~~ (5) The transportation partnership account—state appropriation includes up to ~~(((\$124,629,000))~~ \$32,000,000 in proceeds from the sale of bonds authorized in RCW 47.10.873.

~~(((\$161,792,000))~~ (6) \$106,947,000 of the transportation partnership account—state appropriation, \$3,882,000 of the motor vehicle account—private/local appropriation, ~~(((\$9,000,000))~~ \$4,880,000 of the motor vehicle account—state appropriation, ~~(((\$1,000 of the transportation 2003 account (nickel account)—state appropriation,))~~ and ~~(((\$985,000))~~ \$987,000 of the multimodal transportation account—state appropriation are provided solely for the SR 99/Alaskan Way Viaduct Replacement project (809936Z). It is the intent of the legislature that any legal damages paid to the state as a result of a lawsuit related to contractual provisions for construction and delivery of the Alaskan Way viaduct replacement project be used to repay project cost increases paid from the transportation partnership account—state funds and motor vehicle account—state funds.

~~(((\$186,820,000))~~ (7) \$168,662,000 of the connecting Washington account—state appropriation, \$1,000 of the Special Category C account—state appropriation, and \$488,000 of the motor vehicle account—local appropriation are provided solely for the US 395 North Spokane Corridor project (M00800R). If the department expects the original scope of this project to be

completed under budget when a final design is approved for the interchange with I-90 and nearby on ramp access, then the scope of work for this project must also include constructing a land bridge in the vicinity of Liberty Park in Spokane, if appropriations are sufficient. It is the intent of the legislature, consistent with the move ahead WA proposal, to advance future funding for this project in order to accelerate delivery by up to two years.

~~((9))~~ (8)(a) ~~(((\$177,982,000))~~ \$20,962,000 of the Interstate 405 and state route number 167 express toll lanes account—state appropriation is provided solely for the I-405/SR 522 to I-5 Capacity Improvements project (L2000234) for activities related to adding capacity on Interstate 405 between state route number 522 and Interstate 5, with the goals of increasing vehicle throughput and aligning project completion with the implementation of bus rapid transit in the vicinity of the project.

(b) The department may advance the I-405/SR 522 to I-5 Capacity Improvements project (L2000234) and construct the project earlier than is scheduled in the LEAP transportation document referenced in subsection (2) of this section if additional funding is identified and submitted through the existing unanticipated receipts process by September 1, 2021. The department and the state treasurer shall pursue alternatives to toll revenue funding including but not limited to federal loan and grant programs. The department shall explore phasing and modifying the project to attempt to align project completion with the anticipated deployment of bus rapid transit on the corridor in the 2023-2025 biennium. The department shall report back to the transportation committees of the legislature on this work by September 15, 2021.

~~((10))~~ (9)(a) ~~(((\$329,681,000))~~ \$309,774,000 of the connecting Washington account—state appropriation, \$70,886,000 of the state route number 520 corridor account—state appropriation, and ~~(((\$1,021,000))~~ \$1,411,000 of the motor vehicle account—private/local appropriation are provided solely for the SR 520 Seattle Corridor Improvements - West End project (M00400R).

(b) Upon completion of the Montlake Phase of the West End project (current anticipated contract completion of 2023), the department shall sell that portion of the property not used for permanent transportation improvements and initiate a process to convey that surplus property to a subsequent owner.

(c) Of the amounts provided in this subsection ~~((10))~~ (9), \$100,000 of the state route number 520 corridor account—state appropriation is provided solely for noise mitigation activities. ~~((It is the intent of the legislature to provide an additional \$1,000,000 for noise mitigation activities over the course of the 16 year move ahead WA funding package.~~

~~((11))~~ ~~(((\$361,296,000))~~ (10) \$296,965,000 of the connecting Washington account—state appropriation, ~~(((\$4,800,000))~~ \$2,145,000 of the multimodal transportation account—state appropriation, ~~(((\$13,725,000))~~ \$4,242,000 of the motor vehicle account—private/local appropriation, \$4,000 of the motor vehicle account—state appropriation, \$7,200,000 of the move ahead WA account—federal appropriation, \$8,400,000 of the Puget Sound Gateway facility account—state appropriation, and ~~(((\$85,015,000))~~ \$84,515,000 of the motor vehicle account—federal appropriation are provided solely for the SR 167/SR 509 Puget Sound Gateway project (M00600R).

(a) Any savings on the project must stay on the Puget Sound Gateway corridor until the project is complete.

(b) In making budget allocations to the Puget Sound Gateway project, the department shall implement the project's construction as a single corridor investment. The department shall continue to collaborate with the affected stakeholders as it implements the

EIGHTY SEVENTH DAY, APRIL 5, 2023

corridor construction and implementation plan for state route number 167 and state route number 509. Specific funding allocations must be based on where and when specific project segments are ready for construction to move forward and investments can be best optimized for timely project completion. Emphasis must be placed on avoiding gaps in fund expenditures for either project.

(c) It is the legislature's intent that the department shall consult with the joint executive committee and joint steering committee to determine the most appropriate interchange at the junction of state route number 161 (Meridian avenue) and state route number 167.

~~((d) Of the amounts provided in this subsection, \$2,300,000 of the multimodal transportation account—state appropriation is provided solely for the design phase of the Puyallup to Tacoma multiuse trail along the SR 167 right of way acquired for the project to connect a network of new and existing trails from Mount Rainier to Point Defiance Park.~~

~~(e) Of the amounts provided in this subsection, \$2,500,000 of the multimodal transportation account—state appropriation is provided solely for segment 2 of the state route number 167 completion project shared use path to provide connections to the interchange of state route number 167 at 54th to the intersection of state route number 509 and Taylor Way in Tacoma.~~

~~((12)) (11)(a) ((\$25,378,000)) \$25,379,000 of the motor vehicle account—state appropriation, \$10,000,000 of the move ahead WA account—state appropriation, and ~~(((\$413,000))~~ \$36,414,000 of the motor vehicle account—private/local appropriation are provided solely to support a project office and the continued work toward the I-5 Interstate Bridge Replacement project ~~((L2000370))~~ (L4000054). The legislature finds that the replacement of the I-5 Columbia river bridge is a project of national significance and is critical for the movement of freight. One span is now 104 years old, at risk for collapse in the event of a major earthquake, and no longer satisfies the needs of commerce and travel. Replacing the aging interstate bridge with a modern, seismically resilient, multimodal structure that provides improved mobility for people, goods, and services is a high priority. Therefore, the legislature intends to support the replacement of the I-5 Columbia river bridge with an investment of \$1,000,000,000 over the 16-year move ahead WA investment program.~~

(b) The project office must also study the possible different governance structures for a bridge authority that would provide for the joint administration of the bridges over the Columbia river between Oregon and Washington. As part of this study, the project office must examine the feasibility and necessity of an interstate compact in conjunction with the national center for interstate compacts.

(c) During the 2021-2023 biennium, the department shall have as a goal to:

- (i) Conduct all work necessary to prepare and publish a draft SEIS;
- (ii) Coordinate with regulatory agencies to begin the process of obtaining environmental approvals and permits;
- (iii) Identify a locally preferred alternative; and
- (iv) Begin preparing a final SEIS.

The department shall aim to provide progress reports on these activities to the governor and the transportation committees of the legislature by December 1, 2021, June 1, 2022, and December 1, 2022.

~~((13))~~ (12)(a) ((\$400,000,000)) \$100,000,000 of the coronavirus state fiscal recovery fund—federal appropriation, ~~(((\$25,327,000))~~ \$167,194,000 of the connecting Washington account—state appropriation, \$35,263,000 of the motor vehicle

account—federal appropriation, \$45,112,000 of the move ahead WA account—federal appropriation, \$5,618,000 of the motor vehicle account—local appropriation, \$9,016,000 of the transportation partnership account—state appropriation, \$38,021,000 of the move ahead WA account—state appropriation, and \$149,776,000 of the motor vehicle account—state appropriation are provided solely for the Fish Passage Barrier Removal project (0BI4001) with the intent of fully complying with the federal *U.S. v. Washington* court injunction by 2030.

(b) The department shall coordinate with the Brian Abbott fish passage barrier removal board to use a watershed approach by replacing both state and local culverts guided by the principle of providing the greatest fish habitat gain at the earliest time. The department shall deliver high habitat value fish passage barrier corrections that it has identified, guided by the following factors: Opportunity to bundle projects, tribal priorities, ability to leverage investments by others, presence of other barriers, project readiness, culvert conditions, other transportation projects in the area, and transportation impacts. The department and Brian Abbott fish barrier removal board must provide updates on the implementation of the statewide culvert remediation plan to the legislature by November 1, 2021, and June 1, 2022.

(c) The department must keep track of, for each barrier removed: (i) The location; (ii) the amount of fish habitat gain; and (iii) the amount spent to comply with the injunction.

(d) Of the amount provided in this subsection, \$142,923,000 of the motor vehicle account—federal appropriation reflects the department's portion of the unrestricted funds from the coronavirus response and relief supplemental appropriations act of 2021. If the final amount from this act changes while the legislature is not in session, the department shall follow the existing unanticipated receipt process and adjust the list referenced in subsection (1) of this section accordingly, supplanting state funds with federal funds if possible as directed in section 601, chapter 333, Laws of 2021.

~~((14) \$14,367,000))~~ (13) \$13,542,000 of the connecting Washington account—state appropriation, ~~((-\$311,000 of the motor vehicle account—state appropriation,))~~ and ~~(((\$3,149,000))~~ \$4,285,000 of the motor vehicle account—private/local appropriation are provided solely for the I-90/Barker to Harvard – Improve Interchanges & Local Roads project (L2000122). The connecting Washington account appropriation for the improvements that fall within the city of Liberty Lake may only be expended if the city of Liberty Lake agrees to cover any project costs within the city of Liberty Lake above the \$20,900,000 of state appropriation provided for the total project on the list referenced in subsection (1) of this section.

~~((15) \$16,984,000))~~ (14) \$17,071,000 of the motor vehicle account—federal appropriation, ~~(((\$269,000))~~ \$177,000 of the motor vehicle account—state appropriation, \$1,700,000 of the transportation partnership account—state appropriation, \$5,000 of the motor vehicle account—private/local appropriation, and ~~(((\$17,900,000))~~ \$13,666,000 of the Interstate 405 and state route number 167 express toll lanes account—state appropriation are provided solely for the SR 167/SR 410 to SR 18 - Congestion Management project (316706C).

~~((16) \$18,915,000))~~ (15) \$17,019,000 of the Special Category C account—state appropriation is provided solely for the SR 18 Widening - Issaquah/Hobart Rd to Raging River project (L1000199) for improving and widening state route number 18 to four lanes from Issaquah-Hobart Road to Raging River.

~~((17) \$2,500,000))~~ (16) \$500,000 of the connecting Washington account—state appropriation is provided solely for the North Lewis County transportation study. The study shall

examine new, alternate routes for vehicular and truck traffic at the Harrison interchange (Exit 82) in North Centralia and shall allow for a site and configuration to be selected and feasibility to be conducted for final design, permitting, and construction of the I-5/North Lewis county Interchange project (L2000204). It is the intent of the legislature to advance future funding for this project to accelerate delivery by up to two years.

~~((18) \$1,237,000)~~ (17) \$148,000 of the motor vehicle account—state appropriation is provided solely for the US 101/East Sequim Corridor Improvements project (L2000343).

~~((19) \$2,197,000)~~ (18) \$873,000 of the motor vehicle account—state appropriation ~~((and \$749,000 of the connecting Washington account—state appropriation are))~~ is provided solely for the SR 522/Paradise Lk Rd Interchange & Widening on SR 522 (Design/Engineering) project (NPARADI).

~~((20) \$1,455,000)~~ (19) \$1,382,000 of the motor vehicle account—federal appropriation ~~((is))~~ and \$73,000 of the motor vehicle account—State appropriation are provided solely for the US 101/Morse Creek Safety Barrier project (L1000247).

~~((21) \$1,000,000)~~ (20) \$780,000 of the motor vehicle account—state appropriation is provided solely for the SR 162/410 Interchange Design and Right of Way project (L1000276).

~~((22) \$7,185,000)~~ (21) \$1,892,000 of the connecting Washington account—state appropriation ~~((is))~~, \$2,000 of the motor vehicle account—private/local appropriation, and \$7,000 of the motor vehicle account—state appropriation are provided solely for the US Hwy 2 Safety project (N00200R).

~~((23))~~ (22) The department shall itemize all future requests for the construction of buildings on a project list and submit them through the transportation executive information system as part of the department's annual budget submittal. It is the intent of the legislature that new facility construction must be transparent and not appropriated within larger highway construction projects.

~~((24))~~ (23) Any advisory group that the department convenes during the 2021-2023 fiscal biennium must consider the interests of the entire state of Washington.

~~((25))~~ (24) The legislature continues to prioritize the replacement of the state's aging infrastructure and recognizes the importance of reusing and recycling construction aggregate and recycled concrete materials in our transportation system. To accomplish Washington state's sustainability goals in transportation and in accordance with RCW 70.95.805, the legislature reaffirms its determination that recycled concrete aggregate and other transportation building materials are natural resource construction materials that are too valuable to be wasted and landfilled, and are a commodity as defined in WAC 173-350-100.

Further, the legislature determines construction aggregate and recycled concrete materials substantially meet widely recognized international, national, and local standards and specifications referenced in American society for testing and materials, American concrete institute, Washington state department of transportation, Seattle department of transportation, American public works association, federal aviation administration, and federal highway administration specifications, and are described as necessary and desirable products for recycling and reuse by state and federal agencies.

As these recyclable materials have well established markets, are substantially a primary or secondary product of necessary construction processes and production, and are managed as an item of commercial value, construction aggregate and recycled concrete materials are exempt from chapter 173-350 WAC.

~~((26))~~ (25) \$2,738,000 of the motor vehicle account—state appropriation is provided solely for the US 97 Wildlife Crossing

Improvements project (L2021117). It is the intent of the legislature that, to the extent possible, the department use this funding as match for competitive federal funding to make additional wildlife crossing improvements on the corridor. The department must report to the transportation committees of the legislature with additional corridors that could benefit from wildlife crossing improvements and that are likely to successfully compete for federal funding.

~~((27) \$12,635,000)~~ (26) \$2,830,000 of the connecting Washington account—state appropriation is provided solely for the SR 3 Freight Corridor (T30400R) project. The legislature intends to provide a total of \$78,910,000 for this project, including an increase of \$12,000,000 in future biennia to safeguard against inflation and supply/labor interruptions and ensure that:

(a) The northern terminus remains at Lake Flora Road and the southern terminus at the intersection of SR 3/SR 302;

(b) Multimodal safety improvements at the southern terminus remain in the project to provide connections to North Mason school district and provide safe routes to schools; and

(c) Intersections on the freight corridor are constructed at Romance Hill and Log Yard road.

~~((28) \$450,000 of the motor vehicle account—state appropriation is provided solely for the SR 900 Safety Improvements project (L2021118). The department must: (a) Work in collaboration with King county and Skyway coalition to align community assets, transportation infrastructure needs, and initial design for safety improvements along SR 900; and (b) work with the Skyway coalition to lead community planning engagement and active transportation activities.~~

~~((29) \$5,694,000)~~ (27) \$3,686,000 of the connecting Washington account—state appropriation is provided solely for the I-5/Chamber Way Interchange Vicinity Improvements project (L2000223).

~~((30) \$500,000)~~ (28) \$166,000 of the motor vehicle account—state appropriation is provided solely for SR 162/SR 161 Additional Connectivity in South Pierce County project (L1000312) to conduct a study on the need for additional connectivity in the area between SR 162, south of Military Road East and north of Orting, and SR 161 in South Pierce county.

(29) Except as otherwise provided in this section, the entire move ahead WA account—state appropriation is provided solely for the state highway projects and activities as listed in LEAP Transportation Document 2023-1 as developed March 29, 2023, Program - Highway Improvements Program (I).

(30)(a) It is the intent of the legislature, over the 16-year move ahead WA investment program, to provide \$2,435,000,000 for fish passage barrier removal with the intent of fully complying with the federal *U.S. v. Washington* court injunction by 2030. Furthermore, it is the intent of the legislature that appropriations for this purpose may be used to jointly leverage state and local funds for match requirements in applying for competitive federal aid grants provided in the infrastructure investment and jobs act for removals of fish passage barriers under the national culvert removal, replacement, and restoration program. State funds used for the purpose described in this subsection must not compromise fully complying with the court injunction by 2030.

(b) The department shall coordinate with the Brian Abbott fish passage barrier removal board and local governments to use a watershed approach by replacing both state and local culverts guided by the principle of providing the greatest fish habitat gain at the earliest time. The department shall deliver high habitat value fish passage barrier corrections that it has identified, guided by the following factors: Opportunity to bundle projects, tribal priorities, ability to leverage investments by others, presence of

EIGHTY SEVENTH DAY, APRIL 5, 2023

other barriers, project readiness, culvert conditions, other transportation projects in the area, and transportation impacts.

(31) \$3,000,000 of the move ahead WA—state appropriation is provided solely for the US 2 Trestle Capacity Improvements & Westbound Trestle Replacement project (L4000056). It is the intent of the legislature, over the 16-year move ahead WA investment program, to provide \$210,541,000 for planning, design, right-of-way acquisition, interim improvements, and initial construction. It is the further intent of the legislature that this project enhance multimodal mobility options on the US 2 Trestle. The planning, design and engineering work must consider options to enhance transit and multimodal mobility, including bus rapid transit. The department must report to the legislature with its preliminary analysis of these options by June 30, 2023.

(32) It is the intent of the legislature, over the 16-year move ahead WA investment program, to provide \$74,298,000 for the SR 3/Gorst Area - Widening project (L4000017). Tribal consultation with the Suquamish Tribe must begin at the earliest stage of planning, including without limitation on all funding decisions and funding programs, to provide a government-to-government mechanism for the tribe to evaluate, identify, and expressly notify governmental entities of any potential impacts to tribal cultural resources, archaeological sites, sacred sites, fisheries, or other rights and interests in tribal lands and lands within which the tribe possesses rights reserved or protected by federal treaty, statute, or executive order. The consultation is independent of, and in addition to, any public participation process required by state law, or by a state agency, including the requirements of Executive Order 21-02 related to archaeological and cultural resources, and regardless of whether the agency receives a request for consultation from the Suquamish Tribe. Regularly scheduled tribal consultation meetings with the Suquamish Tribe must continue throughout the duration of any funding program and proposed project approval.

Sec. 907. 2022 c 186 s 306 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—PRESERVATION—PROGRAM P

Recreational Vehicle Account—State Appropriation	\$1,520,000
Transportation 2003 Account (Nickel Account)—State Appropriation	\$53,911,000
Transportation Partnership Account—State Appropriation	(\$21,441,000)
.....	\$23,038,000
Motor Vehicle Account—State Appropriation	(\$111,174,000)
.....	\$121,099,000
Motor Vehicle Account—Federal Appropriation	(\$545,560,000)
.....	\$583,466,000
Motor Vehicle Account—Private/Local Appropriation	(\$13,735,000)
.....	\$13,734,000
Connecting Washington Account—State Appropriation	(\$224,342,000)
.....	\$112,845,000
State Route Number 520 Corridor Account—State Appropriation	(\$2,143,000)
.....	\$812,000
Tacoma Narrows Toll Bridge Account—State Appropriation	(\$5,676,000)
.....	\$3,578,000

Alaskan Way Viaduct Replacement Project Account—State Appropriation	(\$391,000)
.....	\$251,000
Interstate 405 and State Route Number 167 Express Toll Lanes Account—State Appropriation	(\$12,830,000)
.....	\$9,216,000
TOTAL APPROPRIATION	(\$992,723,000)
.....	\$923,470,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire connecting Washington account—state appropriation and the entire transportation partnership account—state appropriation are provided solely for the projects and activities as listed by fund, project, and amount in LEAP Transportation Document ((2022-4)) 2023-1 as developed March ((9, 2022)) 29, 2023, Program - Highway Preservation Program (P). However, limited transfers of specific line-item project appropriations may occur between projects for those amounts listed subject to the conditions and limitations in section 601(~~chapter 333, Laws of 2021~~) of this act.

(2) Except as provided otherwise in this section, the entire motor vehicle account—state appropriation and motor vehicle account—federal appropriation are provided solely for the projects and activities listed in LEAP Transportation Document ((2022-2)) 2023-2 ALL PROJECTS as developed March ((9, 2022)) 29, 2023, Program - Highway Preservation Program (P). Any federal funds gained through efficiencies, adjustments to the federal funds forecast, or the federal funds redistribution process must then be applied to highway and bridge preservation activities or fish passage barrier corrections (OB14001)(~~as long as the application of the funds is not inconsistent with subsection (10) of this section~~).

(3) Within the motor vehicle account—state appropriation and motor vehicle account—federal appropriation, the department may transfer ((funds)) appropriation authority between programs I and P, except for ((funds)) appropriation authority that ((are)) is otherwise restricted in this act. Ten days prior to any transfer, the department must submit its request to the office of financial management and the transportation committees of the legislature and consider any concerns raised. The department shall submit a report on fiscal year funds transferred in the prior fiscal year using this subsection as part of the department's annual budget submittal.

(4) \$8,531,000 of the connecting Washington account—state appropriation is provided solely for the land mobile radio upgrade (G2000055) and is subject to the conditions, limitations, and review provided in section 701, chapter 333, Laws of 2021. The land mobile radio project is subject to technical oversight by the office of the chief information officer. The department, in collaboration with the office of the chief information officer, shall identify where existing or proposed mobile radio technology investments should be consolidated, identify when existing or proposed mobile radio technology investments can be reused or leveraged to meet multiagency needs, increase mobile radio interoperability between agencies, and identify how redundant investments can be reduced over time. The department shall also provide quarterly reports to the technology services board on project progress.

(5) \$5,000,000 of the motor vehicle account—state appropriation is provided solely for extraordinary costs incurred from litigation awards, settlements, or dispute mitigation activities not eligible for funding from the self-insurance fund (L2000290). The amount provided in this subsection must be held in unallotted status until the department submits a request to the

office of financial management that includes documentation detailing litigation-related expenses. The office of financial management may release the funds only when it determines that all other funds designated for litigation awards, settlements, and dispute mitigation activities have been exhausted. No funds provided in this subsection may be expended on any legal fees related to the SR 99/Alaskan Way viaduct replacement project (809936Z).

(6) \$11,679,000 of the motor vehicle account—federal appropriation is provided solely for preservation projects within project L1100071 that ensure the reliable movement of freight on the national highway freight system. The department shall give priority to those projects that can be advertised by September 30, 2021.

(7) The appropriation in this section includes funding for starting planning, engineering, and construction of the Elwha River bridge replacement. To the greatest extent practicable, the department shall maintain public access on the existing route.

(8) Within the connecting Washington account—state appropriation, the department may transfer funds from Highway System Preservation (L1100071) to other preservation projects listed in the LEAP transportation document identified in subsection (1) of this section, if it is determined necessary for completion of these high priority preservation projects. The department's next budget submittal after using this subsection must appropriately reflect the transfer.

~~((9) \$1,700,000 of the motor vehicle account state appropriation is provided solely for the SR 109/88 Corner Roadway project (G2000106).))~~

Sec. 908. 2022 c 186 s 307 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—TRAFFIC OPERATIONS—PROGRAM Q—CAPITAL

Motor Vehicle Account—State Appropriation ((<u>\$9,618,000</u>))	<u>\$9,473,000</u>
Motor Vehicle Account—Federal Appropriation	\$11,215,000
Motor Vehicle Account—Private/Local Appropriation	\$500,000
Interstate 405 and State Route Number 167 Express Toll Lanes Account—State Appropriation	\$900,000
Move Ahead WA Account—State Appropriation	<u>\$611,000</u>
TOTAL APPROPRIATION ((<u>\$22,233,000</u>))	<u>\$22,699,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) ~~((\$579,000))~~ \$580,000 of the motor vehicle account—state appropriation is provided solely for the SR 99 Aurora Bridge ITS project (L2000338).

(2) \$1,001,000 of the motor vehicle account—state appropriation, \$611,000 of the move ahead WA account—state appropriation, and ~~((\$2,060,000))~~ \$2,018,000 of the motor vehicle account—federal appropriation are provided solely for the Challenge Seattle project (000009Q). The department shall provide a progress report on this project to the transportation committees of the legislature by January 15, 2022.

Sec. 909. 2022 c 186 s 308 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—WASHINGTON STATE FERRIES CONSTRUCTION—PROGRAM W

Puget Sound Capital Construction Account—State Appropriation	((<u>\$167,533,000</u>))
	<u>\$143,776,000</u>

Puget Sound Capital Construction Account—Federal Appropriation	((<u>\$180,571,000</u>))
	<u>\$154,634,000</u>
Puget Sound Capital Construction Account— Private/Local Appropriation	((<u>\$2,181,000</u>))
	<u>\$1,844,000</u>
Transportation Partnership Account—State Appropriation	((<u>\$9,432,000</u>))
	<u>\$3,759,000</u>
Connecting Washington Account—State Appropriation	((<u>\$99,141,000</u>))
	<u>\$97,904,000</u>
Capital Vessel Replacement Account—State Appropriation	((<u>\$45,668,000</u>))
	<u>\$5,769,000</u>
((Motor Vehicle Account—State Appropriation	..... <u>\$1,000</u>))
Transportation 2003 Account (Nickel Account)—State Appropriation	\$987,000
TOTAL APPROPRIATION	((<u>\$505,514,000</u>))
	<u>\$408,673,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed in LEAP Transportation Document ~~((2022-2))~~ 2023-2 ALL PROJECTS as developed March ~~((9-2022))~~ 29, 2023, Program - Washington State Ferries Capital Program (W).

(2) For the 2021-2023 biennium, the marine division shall provide to the office of financial management and the legislative transportation committees the following reports on ferry capital projects:

(a) On a semiannual basis the report must include a status update on projects with funding provided in subsections (4), (5), (6), and (8) of this section including, but not limited to, the following:

- (i) Anticipated cost increases and cost savings;
- (ii) Anticipated cash flow and schedule changes; and
- (iii) Explanations for the changes.

(b) On an annual basis the report must include a status update on vessel and terminal preservation and improvement plans including, but not limited to, the following:

- (i) What work has been done;
- (ii) How have schedules shifted; and
- (iii) Associated changes in funding among projects, accompanied by explanations for the changes.

(c) On an annual basis the report must include an update on the implementation of the maintenance management system with recommendations for using the system to improve the efficiency of project reporting under this subsection.

(3) ~~((\$12,232,000))~~ \$19,940,000 of the Puget Sound capital construction account—state appropriation is provided solely for emergency capital repair costs (999910K). Funds may only be spent after approval by the office of financial management.

(4) ~~((\$2,385,000))~~ \$2,384,000 of the Puget Sound capital construction account—state appropriation is provided solely for the ORCA card next generation project (L2000300). The ferry system shall work with Washington technology solutions and the tolling division on the development of a new, interoperable ticketing system.

(5) ~~((\$28,134,000))~~ \$3,656,000 of the Puget Sound capital construction account—state appropriation is provided solely for the conversion of up to two Jumbo Mark II vessels to electric hybrid propulsion (G2000084). The department shall seek additional funds for the purposes of this subsection. The

EIGHTY SEVENTH DAY, APRIL 5, 2023

department may spend from the Puget Sound capital construction account—state appropriation in this section only as much as the department receives in Volkswagen settlement funds for the purposes of this subsection.

(6) ~~(\$45,668,000)~~ \$5,769,000 of the capital vessel replacement account—state appropriation is provided solely for the acquisition of a 144-car hybrid-electric vessel (L2000329). In 2019 the legislature amended RCW 47.60.810 to direct the department to modify an existing vessel construction contract to provide for an additional five ferries. As such, it is the intent of the legislature that the department award the contract for the hybrid electric Olympic class vessel #5(L2000329) in a timely manner. In addition, the legislature intends to minimize costs and maximize construction efficiency by providing sufficient funding for construction of all five vessels, including funding for long lead time materials procured at the lowest possible prices. The commencement of construction of new vessels for the ferry system is important not only for safety reasons, but also to keep skilled marine construction jobs in the Puget Sound region and to sustain the capacity of the region to meet the ongoing construction and preservation needs of the ferry system fleet of vessels. The legislature has determined that the current vessel procurement process must move forward with all due speed, balancing the interests of both the taxpayers and shipyards. To accomplish construction of vessels in accordance with RCW 47.60.810, the prevailing shipbuilder, for vessels initially funded after July 1, 2020, is encouraged to follow the historical practice of subcontracting the construction of ferry superstructures to a separate nonaffiliated contractor located within the Puget Sound region, that is qualified in accordance with RCW 47.60.690. If the department elects not to execute a new modification to an existing option contract for one or more additional 144-auto ferries under RCW 47.60.810(4), the department shall proceed with development of a new design-build request for proposals in accordance with RCW 47.60.810, 47.60.812, 47.60.814, 47.60.815, 47.60.816, 47.60.818, 47.60.820, 47.60.822, 47.60.824, and 47.60.8241. Of the amounts provided in this section, \$200,000 is provided solely for hiring an independent owner's representative to perform quality oversight, manage the change order process, and ensure contract compliance.

(7) ~~((The capital vessel replacement account—state appropriation includes up to \$45,468,000 in proceeds from the sale of bonds authorized in RCW 47.10.873.~~

(8) ~~\$4,200,000)~~ \$2,838,000 of the connecting Washington account—state appropriation is provided solely for ferry vessel and terminal preservation (L2000110). The funds provided in this subsection must be used for unplanned preservation needs before shifting funding from other preservation projects.

Sec. 910. 2022 c 186 s 309 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—RAIL—PROGRAM Y—CAPITAL	
Essential Rail Assistance Account—State Appropriation	\$1,108,000
Transportation Infrastructure Account—State Appropriation	(\$6,218,000)
.....	<u>\$6,219,000</u>
Multimodal Transportation Account—State Appropriation	(\$118,320,000)
.....	<u>\$57,518,000</u>
Multimodal Transportation Account—Federal Appropriation	(\$6,567,000)
.....	<u>\$7,885,000</u>
Multimodal Transportation Account—Private/Local Appropriation	\$13,000

Motor Vehicle Account—State Appropriation.....	\$1,810,000
TOTAL APPROPRIATION	(\$134,036,000)
.....	<u>\$74,553,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed by project and amount in LEAP Transportation Document (~~(2022-2)~~) 2023-2 ALL PROJECTS as developed March (~~(9, 2022)~~) 29, 2023, Program - Rail Program (Y).

(2) \$5,089,000 of the transportation infrastructure account—state appropriation is provided solely for new low-interest loans approved by the department through the freight rail investment bank (FRIB) program. The department shall issue FRIB program loans with a repayment period of no more than ten years, and charge only so much interest as is necessary to recoup the department's costs to administer the loans. The department shall report annually to the transportation committees of the legislature and the office of financial management on all FRIB loans issued. FRIB program loans may be recommended by the department for 2022 supplemental transportation appropriations up to the amount provided in this appropriation that has not been provided for the projects listed in 2021-2 ALL PROJECTS, as referenced in subsection (1) of this section. The department shall submit a prioritized list for any loans recommended to the office of financial management and the transportation committees of the legislature by November 15, 2021.

(3) \$7,041,000 of the multimodal transportation account—state appropriation is provided solely for new statewide emergent freight rail assistance projects identified in the LEAP transportation document referenced in subsection (1) of this section.

(4) \$367,000 of the transportation infrastructure account—state appropriation and \$1,100,000 of the multimodal transportation account—state appropriation are provided solely to reimburse Highline Grain, LLC for approved work completed on Palouse River and Coulee City (PCC) railroad track in Spokane county between the BNSF Railway Interchange at Cheney and Geiger Junction and must be administered in a manner consistent with freight rail assistance program projects. The value of the public benefit of this project is expected to meet or exceed the cost of this project in: Shipper savings on transportation costs; jobs saved in rail-dependent industries; and/or reduced future costs to repair wear and tear on state and local highways due to fewer annual truck trips (reduced vehicle miles traveled). The amounts provided in this subsection are not a commitment for future legislatures, but it is the legislature's intent that future legislatures will work to approve biennial appropriations until the full \$7,337,000 cost of this project is reimbursed.

(5)(a) \$1,008,000 of the essential rail assistance account—state appropriation is provided solely for the purpose of the rehabilitation and maintenance of the Palouse river and Coulee City railroad line (F01111B).

(b) Expenditures from the essential rail assistance account—state in this subsection may not exceed the combined total of:

(i) Revenues and transfers deposited into the essential rail assistance account from leases and sale of property relating to the Palouse river and Coulee City railroad;

(ii) Revenues from trackage rights agreement fees paid by shippers; and

(iii) Revenues and transfers transferred from the miscellaneous program account to the essential rail assistance account, pursuant

to RCW 47.76.360, for the purpose of sustaining the grain train program by maintaining the Palouse river and Coulee City railroad.

(6) The department shall issue a call for projects for the freight rail assistance program, and shall evaluate the applications in a manner consistent with past practices as specified in section 309, chapter 367, Laws of 2011. By November 15, 2022, the department shall submit a prioritized list of recommended projects to the office of financial management and the transportation committees of the legislature.

(7) (~~(\$32,996,000)~~) \$672,000 of the multimodal transportation account—state appropriation is provided solely for Passenger Rail Equipment Replacement (project 700010C). The appropriation in this subsection include insurance proceeds received by the state. The department must use these funds only to purchase replacement equipment that has been competitively procured and for service recovery needs and corrective actions related to the December 2017 derailment.

(8) It is the intent of the legislature to encourage the department to pursue federal grant opportunities leveraging up to \$6,696,000 in connecting Washington programmed funds to be used as a state match to improve the state-owned Palouse river and Coulee City system. The amount listed in this subsection is not a commitment for future legislatures, but is the legislature's intent that future legislatures will work to approve biennial appropriations up to a state match share not to exceed \$6,696,000 of a grant award.

(9) \$500,000 of the multimodal transportation account—state appropriation is provided solely for the Chelatchie Prairie railroad for track improvement activities on the northern part of the railroad (L1000311).

Sec. 911. 2022 c 186 s 310 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—LOCAL PROGRAMS—PROGRAM Z—CAPITAL

Highway Infrastructure Account—State Appropriation	\$1,744,000
Highway Infrastructure Account—Federal Appropriation	\$2,935,000
Transportation Partnership Account—State Appropriation	(\$1,000,000)
	<u>\$500,000</u>
Motor Vehicle Account—State Appropriation	(\$25,101,000)
	<u>\$21,631,000</u>
Motor Vehicle Account—Federal Appropriation	(\$79,306,000)
	<u>\$44,945,000</u>
Motor Vehicle Account—Private/Local Appropriation	\$6,600,000
Connecting Washington Account—State Appropriation	(\$178,464,000)
	<u>\$140,293,000</u>
Multimodal Transportation Account—State Appropriation	(\$96,975,000)
	<u>\$62,362,000</u>
Move Ahead WA Account—State Appropriation	<u>\$5,000,000</u>
Move Ahead WA Flexible Account—State Appropriation	<u>\$3,000,000</u>
Climate Active Transportation Account—State Appropriation	<u>\$12,182,000</u>
TOTAL APPROPRIATION	(\$392,125,000)
	<u>\$301,192,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed by project and amount in LEAP Transportation Document (~~(2022-2)~~) 2023-2 ALL PROJECTS as developed March (~~(9, 2022)~~) 29, 2023, Program - Local Programs Program (Z).

(2) The amounts identified in the LEAP transportation document referenced under subsection (1) of this section for pedestrian safety/safe routes to school are as follows:

(a)(i) (~~(\$46,163,000)~~) \$29,870,000 of the multimodal transportation account—state appropriation is provided solely for pedestrian and bicycle safety program projects (L2000188).

(ii) The state route 99/Aurora Avenue North Planning Study funded in this subsection (2)(a) must prioritize designs that ensure slow vehicle speeds and systematic improvement to the quality of multimodal access, and must be fully completed by September 30, 2023, in order to ensure construction of improvements begin no later than March 1, 2024.

(b) (~~(\$26,086,000)~~) \$18,349,000 of the motor vehicle account—federal appropriation and (~~(\$21,656,000)~~) \$16,562,000 of the multimodal transportation account—state appropriation are provided solely for safe routes to school projects (L2000189). The department may consider the special situations facing high-need areas, as defined by schools or project areas in which the percentage of the children eligible to receive free and reduced-price meals under the national school lunch program is equal to, or greater than, the state average as determined by the department, when evaluating project proposals against established funding criteria while ensuring continued compliance with federal eligibility requirements.

(3) The department shall submit a report to the transportation committees of the legislature by December 1, 2021, and December 1, 2022, on the status of projects funded as part of the pedestrian safety/safe routes to school grant program. The report must include, but is not limited to, a list of projects selected and a brief description of each project's status. In its December 1, 2021, report the department must also include recommended changes to the pedestrian safety/safe routes to school grant program application and selection processes to increase utilization by a greater diversity of jurisdictions.

(4) (~~(\$11,987,000)~~) \$9,537,000 of the multimodal transportation account—state appropriation is provided solely for bicycle and pedestrian projects listed in the LEAP transportation document referenced in subsection (1) of this section.

(5) It is the expectation of the legislature that the department will be administering a local railroad crossing safety grant program for \$7,000,000 in federal funds during the 2021-2023 fiscal biennium.

(6) (~~(\$17,438,000)~~) \$16,438,000 of the motor vehicle account—federal appropriation is provided solely for national highway freight network projects identified on the project list submitted in accordance with section 218(4)(b), chapter 14, Laws of 2016 on October 31, 2016 (L1000169).

(7) When the department updates its federally-compliant freight plan, it shall consult the freight mobility strategic investment board on the freight plan update and on the investment plan component that describes how the estimated funding allocation for the national highway freight program for federal fiscal years 2022-2025 will be invested and matched. The investment plan component for the state portion of national highway freight program funds must first address shortfalls in funding for connecting Washington act projects. The department shall complete the freight plan update in compliance with federal requirements and deadlines and shall provide an update on the development of the freight plan, including the investment plan

EIGHTY SEVENTH DAY, APRIL 5, 2023

component, when submitting its 2022 supplemental appropriations request.

(8) (~~(\$35,411,000)~~) \$10,137,000 of the motor vehicle account—federal appropriation is provided solely for acceleration of local preservation projects that ensure the reliable movement of freight on the national highway freight system (G2000100). The department will identify projects through its current national highway system asset management call for projects with applications due in February 2021. The department shall give priority to those projects that can be obligated by September 30, 2021.

(9) (~~(\$400,000)~~) \$300,000 of the multimodal transportation account—state appropriation is provided solely for a grant to the Northwest Seaport Alliance (NWSA) to lead the creation and coordination of a multistakeholder zero emissions truck collaborative that will: (a) Facilitate the development and implementation of one or more zero-emissions drayage truck demonstration projects in Washington state; and (b) develop a roadmap for transitioning the entire fleet of approximately 4,500 drayage trucks that serve the NWSA cargo gateway to zero-emissions vehicles by 2050 or sooner.

(10) (~~(\$8,524,000)~~) \$2,900,000 of the connecting Washington account—state appropriation is provided solely for the I-5/Mellen Street Connector project.

(11) (~~(\$500,000)~~) \$100,000 of the motor vehicle account—state appropriation is provided solely for the 166th/SR 410 Interchange.

(12) (~~(\$1,063,000)~~) \$263,000 of the motor vehicle account—state appropriation is provided solely for repairs and rehabilitation of the Pierce county ferry landings at Anderson Island and Steilacoom.

(13) (~~(\$300,000)~~) \$150,000 of the motor vehicle account—state appropriation is provided solely for the city of Spokane for preliminary engineering of the US 195/Inland Empire Way project. Funds may be used for predesign environmental assessment work, community engagement, design, and project cost estimation.

(14) \$6,686,000 of the climate active transportation account—state appropriation is provided solely for newly selected safe routes to school grants.

(15) \$5,496,000 of the climate active transportation account—state appropriation is provided solely for newly selected pedestrian and bicycle grants.

(16) It is the intent of the legislature that up to \$14,000,000 will be provided for the Guemes Ferry Boat Replacement project (L4000124).

(17) \$3,000,000 of the move ahead WA flexible account—state appropriation is provided solely for railroad crossing grant awards which match federal funds for city and county projects which eliminate at-grade highway-rail crossings.

(18) It is the intent of the legislature that \$25,000,000 will be provided as part of the move ahead WA investment package in a future biennium, as indicated on the list identified in subsection (1) of this section, for the Ballard and Magnolia Bridge project (L4000123). As part of the project, the Seattle department of transportation (SDOT) must consult with an independent engineering firm to verify that the costs for the type, size, and location preliminary design report (TS&L), environmental impact statement (EIS), and 60 percent design work are within industry cost range standards in advance of moving forward with construction. SDOT must ensure that funds are maximized by limiting the percentage for TS&L, EIS, and 60 percent design work to 10 percent of the total cost of the project. Of the \$25,000,000, \$12,500,000 must remain in unallotted status, and may be distributed to SDOT only upon determination by the

office of financial management that SDOT's cost estimates have been verified by an independent engineering firm as within industry cost range standards, and SDOT has secured the additional matching funding needed to complete the TS&L, EIS, and 60 percent design work.

(19)(a) It is the intent of the legislature, over the first five years of the move ahead WA program, that \$50,000,000 will be provided to SDOT to implement Aurora Avenue North Safety Improvements (L4000154). Under this program, SDOT will be required to implement strategic transportation investments for the Aurora Ave N Corridor from N 90th St to N 105th St that ensure slow vehicle speeds, walkability, multimodal mobility, safe routes to local schools, and safety for residents, which will demonstrate the benefits of similar transportation investments for other locations along Aurora Avenue and elsewhere. SDOT must convene a neighborhood oversight board consisting of residents of communities of the Aurora Ave N Corridor to prioritize investments and monitor project implementation. The oversight board should be composed of an equitable representation of local communities along the Aurora Ave N Corridor, including residents with disabilities. SDOT will ensure that the oversight board is consulted on a bimonthly basis during the prioritization process.

(b) The legislature intends, upon completion of the State Route 99/Aurora Avenue North Planning Study, that projects recommended in the study will be funded by this program. A specific focus must be on access management to consolidate driveways and improve safety for vulnerable users. This work must also include installation of full curb and sidewalks to improve safety, mobility, transit ridership, equity, and work towards the goals set forth in vision zero, target zero, and the Washington state active transportation plan. SDOT must ensure the design and implementation of an accessible sidewalk network to support users with mobility limitations, convenient and accessible transit stops, all-ages-and-abilities bicycle facilities, and safe pedestrian-activated crosswalks that puts safety over speed, balances the needs of different modes, reduces the level of traffic stress experienced by pedestrians and cyclists, connects to existing bicycle and transit networks, creates safe walking and bicycling routes to local schools including crosswalks, improves human and environmental health, and supports the surrounding neighborhoods. SDOT must coordinate with the Washington state department of transportation and King county metro in implementing the investments. SDOT must ensure that funds are maximized by limiting the percentage for planning, predesign, design, permitting, and environmental review to 10 percent of the total cost of each project.

(c) The legislature intends that all Aurora Avenue North Safety Improvement projects funded in this program be completed by December 31, 2029, and that no funds may be expended for this purpose after this date.

(20) \$800,000 of the motor vehicle account—state appropriation is provided solely for the SR 109/88 Corner Roadway project (G2000106).

(21) The entire move ahead WA account—state appropriation is provided solely for the Move Ahead WA - Road and Highway Projects as listed in LEAP Transportation Document 2023-2 ALL PROJECTS as developed March 29, 2023.

TRANSFERS AND DISTRIBUTIONS

Sec. 1001. 2022 c 186 s 401 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALES DISCOUNTS AND DEBT TO BE PAID BY

MOTOR VEHICLE ACCOUNT AND TRANSPORTATION FUND REVENUE

Transportation Partnership Account—State Appropriation	.....	(\$794,000)
	.....	<u>\$273,000</u>
((Connecting Washington Account—State Appropriation	.....	(\$1,633,000)
Special Category C Account—State Appropriation	.....	(\$257,000)
	.....	<u>\$74,000</u>
Highway Bond Retirement Account—State Appropriation	.....	(\$1,408,622,000)
	.....	<u>\$1,406,513,000</u>
Ferry Bond Retirement Account—State Appropriation	.....	\$17,150,000
Transportation Improvement Board Bond Retirement Account—State Appropriation	.....	(\$18,152,000)
	.....	<u>\$18,055,000</u>
Nondebt-Limit Reimbursable Bond Retirement Account—State Appropriation	.....	(\$26,278,000)
	.....	<u>\$29,238,000</u>
Toll Facility Bond Retirement Account—State Appropriation	.....	\$76,376,000
TOTAL APPROPRIATION	.....	(\$1,542,811,000)
	.....	<u>\$1,547,679,000</u>

The appropriations in this section are subject to the following conditions and limitations: \$6,451,550 of the transportation improvement board bond retirement account—state appropriation is provided solely for the prepayment of certain outstanding bonds and debt service.

Sec. 1002. 2022 c 186 s 402 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES; FOR BOND SALE EXPENSES AND FISCAL AGENT CHARGES

Transportation Partnership Account—State Appropriation	.....	(\$150,000)
	.....	<u>\$51,000</u>
((Connecting Washington Account—State Appropriation	.....	(\$327,000)
Special Category C Account—State Appropriation	.....	(\$51,000)
	.....	<u>\$18,000</u>
Transportation Improvement Account—State Appropriation	.....	\$20,000
TOTAL APPROPRIATION	.....	(\$548,000)
	.....	<u>\$89,000</u>

Sec. 1003. 2022 c 186 s 403 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—STATE REVENUES FOR DISTRIBUTION

Motor Vehicle Account—State Appropriation: For motor vehicle fuel tax statutory distributions to cities and counties	.....	(\$474,003,000)
	.....	<u>\$467,037,000</u>
Multimodal Transportation Account—State Appropriation: For distribution to cities and counties	.....	\$26,786,000
Motor Vehicle Account—State Appropriation: For distribution to cities and counties	.....	\$23,438,000

Sec. 1004. 2022 c 186 s 404 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—TRANSFERS

Motor Vehicle Account—State Appropriation: For motor vehicle fuel tax refunds and statutory transfers	.....	(\$2,000,419,000)
	.....	<u>\$1,971,401,000</u>

Sec. 1005. 2022 c 186 s 405 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LICENSING—TRANSFERS

Motor Vehicle Account—State Appropriation: For motor vehicle fuel tax refunds and transfers	.....	(\$240,330,000)
	.....	<u>\$264,160,000</u>

Sec. 1006. 2023 c 2 s 2 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—ADMINISTRATIVE TRANSFERS

(1) Highway Safety Account—State Appropriation: For transfer to the State Patrol Highway Account—State	.....	(\$47,000,000)
	.....	<u>\$52,000,000</u>

(2)(a) Transportation Partnership Account—State Appropriation: For transfer to the Tacoma Narrows Toll Bridge Account—State	\$30,293,000
---	-------	--------------

(b) It is the intent of the legislature that this transfer is temporary, for the purpose of minimizing the impact of toll increases. An equivalent reimbursing transfer is to occur after the debt service and deferred sales tax on the Tacoma Narrows bridge construction costs are fully repaid in accordance with chapter 195, Laws of 2018.

(3)(a) Motor Vehicle Account—State Appropriation: For transfer to Alaskan Way Viaduct Replacement Project Account—State	\$6,000,000
---	-------	-------------

(b) The funds provided in (a) of this subsection are a loan to the Alaskan Way viaduct replacement project account—state, and the legislature assumes that these funds will be reimbursed to the motor vehicle account—state at a later date when traffic on the toll facility has recovered from the COVID-19 pandemic.

(4) Motor Vehicle Account—State Appropriation: For transfer to the County Arterial Preservation Account—State	\$7,666,000
---	-------	-------------

(5) Motor Vehicle Account—State Appropriation: For transfer to the Freight Mobility Investment Account—State	\$5,511,000
--	-------	-------------

(6) Motor Vehicle Account—State Appropriation: For transfer to the Rural Arterial Trust Account—State	.....	(\$9,331,000)
	.....	<u>\$4,844,000</u>

(7) Motor Vehicle Account—State Appropriation: For transfer to the Transportation Improvement Account—State	\$9,688,000
---	-------	-------------

(8) Rural Mobility Grant Program Account—State Appropriation: For transfer to the Multimodal Transportation Account—State	\$3,000,000
---	-------	-------------

(9)(a) State Route Number 520 Civil Penalties Account—State Appropriation: For transfer to the Motor Vehicle Account—State	\$2,000,000
--	-------	-------------

(b) The transfer in this subsection is to repay moneys loaned to the state route number 520 civil penalties account in the 2019-2021 fiscal biennium.

(10) State Route Number 520 Civil Penalties Account—State Appropriation: For transfer to the State Route Number 520 Corridor Account—State	.....	(\$1,532,000)
	.....	<u>\$1,508,000</u>

(11) Capital Vessel Replacement Account—State Appropriation: For transfer to the Connecting Washington Account—State	\$35,000,000
--	-------	--------------

(12)(a) Capital Vessel Replacement Account—State Appropriation: For transfer to the Transportation Partnership Account—State	\$35,547,000
--	-------	--------------

EIGHTY SEVENTH DAY, APRIL 5, 2023

(b) The amount transferred in this subsection represents proceeds from the sale of bonds authorized in the 2019-2021 biennium in RCW 47.10.873.

(13) Multimodal Transportation Account—State Appropriation: For transfer to the Complete Streets Grant Program Account—State\$14,670,000

(14) Multimodal Transportation Account—State Appropriation: For transfer to the Connecting Washington Account—State.....\$200,000,000

(15) Multimodal Transportation Account—State Appropriation: For transfer to the Freight Mobility Multimodal Account—State..... \$4,011,000

(16) Multimodal Transportation Account—State Appropriation: For transfer to the Ignition Interlock Device Revolving Account—State \$600,000

(17) Multimodal Transportation Account—State Appropriation: For transfer to the Pilotage Account—State \$2,000,000

(18) Multimodal Transportation Account—State Appropriation: For transfer to the Puget Sound Capital Construction Account—State (((\$16,700,000))\$190,000,000

(19) Multimodal Transportation Account—State Appropriation: For transfer to the Regional Mobility Grant Program Account—State\$27,679,000

(20) Multimodal Transportation Account—State Appropriation: For transfer to the Rural Mobility Grant Program Account—State.....\$15,223,000

(21)(a) Alaskan Way Viaduct Replacement Project Partnership Account—State.....\$22,884,000

(b) The amount transferred in this subsection represents repayment of debt service incurred for the construction of the SR 99/Alaskan Way Viaduct Replacement project (809936Z).

(22) Tacoma Narrows Toll Bridge Account—State Appropriation: For transfer to the Motor Vehicle Account—State \$950,000

(23) Puget Sound Ferry Operations Account—State Appropriation: For transfer to the Puget Sound Capital Construction Account—State\$60,000,000

(24)(a) General Fund Account—State Appropriation: For transfer to the State Patrol Highway Account—State.. \$625,000

(b) The state treasurer shall transfer the funds only after receiving notification from the Washington state patrol under section 207(2), chapter 333, Laws of 2021.

(25) ~~(Motor Vehicle Account—State Appropriation: For transfer to the Puget Sound Capital Construction Account—State\$30,000,000~~

~~(26))~~ Multimodal Transportation Account—State Appropriation: For transfer to the I-405 and SR 167 Express Toll Lanes Account—State\$268,433,000

~~((27))~~ (26) Multimodal Transportation Account—State Appropriation: For transfer to the Move Ahead WA Account—State.....\$874,081,000

~~((28))~~ (27) Multimodal Transportation Account—State Appropriation: For transfer to the State Route Number 520 Corridor Account—State\$70,786,000

~~((29) Motor Vehicle Account—State Appropriation: For transfer to the Connecting Washington Account—State\$80,000,000~~

~~(30))~~ (28) Move Ahead WA Account—State Appropriation: For transfer to the Connecting Washington Account—State (((\$600,000,000))\$510,000,000

~~((31))~~ (29) Transportation Improvement Account—State Appropriation: For transfer to the Transportation Improvement Board Bond Retirement Account\$6,451,550

(30) Carbon Emissions Reduction Account—State Appropriation: For transfer to the Puget Sound Ferry Operations Account—State\$600,000

The amount transferred in this subsection represents an estimate of fare replacement revenue to account for the implementation of 18 and under fare-free policies.

(31)(a) Multimodal Transportation Account—State Appropriation: For transfer to the Carbon Emissions Reduction Account—State\$127,000,000

(b) It is the intent of the legislature that this transfer is temporary, for the purpose of ensuring a positive account balance for the remainder of the 2021-2023 fiscal biennium. An equivalent reimbursing transfer is to occur in the 2023-2025 fiscal biennium.

(32) Motor Vehicle Account—State Appropriation: For transfer to the Move Ahead WA Account—State\$3,607,000

(33) Electric Vehicle Account—State Appropriation: For transfer to the Move Ahead WA Flexible Account—State\$16,064,000

(34) Carbon Emissions Reduction Account—State Appropriation: For transfer to the Climate Active Transportation Account—State\$15,182,000

(35) Carbon Emissions Reduction Account—State Appropriation: For transfer to the Climate Transit Programs Account—State\$53,436,000

(36) Multimodal Transportation Account—State Appropriation: For transfer to the Capital Vessel Replacement Account—State\$626,700,000

Sec. 1007. 2021 c 333 s 407 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR DEBT TO BE PAID BY STATUTORILY PRESCRIBED REVENUE

Toll Facility Bond Retirement Account—Federal Appropriation(((\$199,129,000))\$199,040,000

Toll Facility Bond Retirement Account—State Appropriation\$25,372,000

TOTAL APPROPRIATION(((\$224,501,000))\$224,412,000

MISCELLANEOUS 2021-2023 FISCAL BIENNIUM

NEW SECTION. Sec. 1101. A new section is added to 2022 c 186 (uncodified) to read as follows:

The appropriations to the department of transportation in chapter 333, Laws of 2021, chapters 186 and 187, Laws of 2022, and this act must be expended for the programs and in the amounts specified in chapter 333, Laws of 2021, chapters 186 and 187, Laws of 2022, and this act. However, after May 1, 2023, unless specifically prohibited, the department may transfer state appropriations authority for the 2021-2023 fiscal biennium among operating programs upon approval by the director of the office of financial management. However, the department shall not transfer state moneys that are provided solely for a specific purpose. The department shall not transfer appropriations authority, and the director of the office of financial management shall not approve the transfer, unless the transfer is consistent with the objective of conserving, to the maximum extent possible, the expenditure of state funds and not federal funds. The director of the office of financial management shall notify the appropriate

transportation committees of the legislature before approving any allotment modifications or transfers under this section.

NEW SECTION. Sec. 1102. The following acts or parts of acts are each repealed:

- (1) 2022 c 187 s 201 (uncodified);
- (2) 2022 c 187 s 202 (uncodified);
- (3) 2022 c 187 s 203 (uncodified);
- (4) 2022 c 187 s 204 (uncodified);
- (5) 2022 c 187 s 205 (uncodified);
- (6) 2022 c 187 s 206 (uncodified);
- (7) 2022 c 187 s 207 (uncodified);
- (8) 2022 c 187 s 208 (uncodified);
- (9) 2022 c 187 s 209 (uncodified);
- (10) 2022 c 187 s 210 (uncodified);
- (11) 2022 c 187 s 211 (uncodified);
- (12) 2022 c 187 s 301 (uncodified);
- (13) 2022 c 187 s 302 (uncodified);
- (14) 2022 c 187 s 303 (uncodified);
- (15) 2022 c 187 s 304 (uncodified);
- (16) 2022 c 187 s 305 (uncodified);
- (17) 2022 c 187 s 306 (uncodified);
- (18) 2022 c 187 s 307 (uncodified);
- (19) 2022 c 187 s 308 (uncodified); and
- (20) 2022 c 187 s 401 (uncodified).

MISCELLANEOUS

NEW SECTION. Sec. 1201. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 1202. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

On page 1, line 1 of the title, after "appropriations;" strike the remainder of the title and insert "amending RCW 43.19.642, 46.01.385, 46.20.745, 46.63.030, 46.68.063, 46.68.290, 46.68.300, 46.68.370, 46.68.395, 46.68.490, 46.68.500, 47.12.063, 47.56.870, 47.56.876, 47.60.322, 47.66.120, and 82.44.200; amending 2022 c 186 ss 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 221, 222, 223, 224, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 401, 402, 403, 404, and 405 (uncodified); amending 2021 c 333 ss 304 and 407 (uncodified); amending 2023 c 2 s 2 (uncodified); adding a new section to chapter 70A.535 RCW; adding a new section to 2022 c 186 (uncodified); creating new sections; repealing 2022 c 187 ss 201-211, 301-308, and 401 (uncodified); making appropriations and authorizing expenditures for capital improvements; providing an expiration date; and declaring an emergency."

MOTION

Senator Valdez moved that the following amendment no. 0275 by Senator Valdez be adopted:

On page 3, beginning on line 24, after "with" strike all material through "causes" on line 27 and insert ":

(i) Industry motor carriers, including national carriers and regional carriers, that operate triple trailer configurations to gather vehicle miles traveled, collisions, and causes and severity"

On page 3, after line 31, insert the following:

"(ii) A labor organization that represents predominantly commercial truck drivers; and"

On page 4, beginning on line 16, after "legislature" strike all material through "actions" on line 18 and insert "its findings and any recommendations"

Senators Valdez, Hasegawa and King spoke in favor of adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0275 by Senator Valdez on page 3, line 24 to striking amendment no. 0283.

The motion by Senator Valdez carried and amendment no. 0275 was adopted by voice vote.

MOTION

Senator King moved that the following amendment no. 0307 by Senator King be adopted:

On page 36, line 35, after "(b)" insert "(i)"

On page 36, after line 38, insert the following:

"(ii) In addition to the reporting requirement under (a) of this subsection, the department must provide information to the office of financial management in its comparative analysis of office space, leases, and relocation costs required by the omnibus operating appropriations act."

Senators King and Liias spoke in favor of adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0307 by Senator King on page 36, line 35 to striking amendment no. 0283.

The motion by Senator King carried and amendment no. 0307 was adopted by voice vote.

MOTION

Senator Dozier moved that the following amendment no. 0300 by Senator Dozier be adopted:

On page 80, line 4, strike "\$2,011,113,000" and insert "\$2,031,588,000"

On page 80, line 14, strike "\$4,526,036,000" and insert "\$4,546,511,000"

On page 84, beginning on line 24, strike all of subsection (17) and insert the following:

"(17) \$27,184,000 of the connecting Washington account—state appropriation is provided solely for the US-12/Walla Walla Corridor Improvements project (T20900R). It is the intent of the legislature that an additional \$235,000 be provided for this project in the 2025-2027 fiscal biennium and that the lists referenced in this section be updated accordingly."

Senator Dozier spoke in favor of adoption of the amendment to the striking amendment.

WITHDRAWAL OF AMENDMENT

On motion of Senator Dozier and without objection, amendment no. 0300 by Senator Dozier on page 80, line 4 to striking amendment no. 0283 was withdrawn.

MOTION

Senator Wilson, L. moved that the following amendment no. 0295 by Senator Wilson, L. be adopted:

On page 93, line 33, strike "\$33,313,000" and insert "\$33,463,000"

EIGHTY SEVENTH DAY, APRIL 5, 2023

On page 93, line 38, strike "\$617,142,000" and insert "\$617,292,000"

On page 223, line 21, strike "\$21,631,000" and insert "\$21,481,000"

On page 223, line 35, strike "\$301,192,000" and insert "\$301,042,000"

On page 228, after line 17, insert the following:

"(22) It is the intent of the legislature that \$150,000 of the motor vehicle account—state appropriation be reduced in the 2021-2023 fiscal biennium for the Washougal 32nd Underpass Design & Permitting process (L1000285) and reappropriated to the 2023-2025 fiscal biennium, and the LEAP transportation list referenced in subsection (1) of this section be updated accordingly."

Senators Wilson, L. and Liias spoke in favor of adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0295 by Senator Wilson, L. on page 93, line 33 to striking amendment no. 0283.

The motion by Senator Wilson, L. carried, and amendment no. 0295 was adopted by voice vote.

The President declared the question before the Senate to be the adoption of striking amendment no. 0283 by Senators Liias and King as amended to Engrossed Substitute House Bill No. 1125.

The motion by Senator Liias carried and striking amendment no. 0283 as amended was adopted by voice vote.

MOTION

On motion of Senator Liias, the rules were suspended, Engrossed Substitute House Bill No. 1125 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Liias, King, Lovick and Shewmake spoke in favor of passage of the bill.

Senators Boehnke and Dozier spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 1125 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 1125 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 42; Nays, 6; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Trudeau, Valdez, Warnick, Wellman, Wilson, C. and Wilson, L.

Voting nay: Senators Boehnke, Dozier, McCune, Torres, Wagoner and Wilson, J.

Excused: Senator Van De Wege

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1125 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5763, by Senators Liias, King, Shewmake and Holy

Increasing existing bond authority for 2015 connecting Washington projects and improvements.

The measure was read the second time.

MOTION

On motion of Senator Liias, the rules were suspended, Senate Bill No. 5763 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Liias and King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5763.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5763 and the bill passed the Senate by the following vote: Yeas, 41; Nays, 7; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Warnick, Wellman, Wilson, C. and Wilson, L.

Voting nay: Senators Boehnke, Dozier, McCune, Padden, Schoesler, Wagoner and Wilson, J.

Excused: Senator Van De Wege

SENATE BILL NO. 5763, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5742, by Senators Kauffman, Liias and Lovick

Codifying certain existing grant programs at the department of transportation.

MOTIONS

On motion of Senator Kauffman, Substitute Senate Bill No. 5742 was substituted for Senate Bill No. 5742 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Kauffman, the rules were suspended, Substitute Senate Bill No. 5742 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Kauffman spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5742.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5742 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Van De Wege

SUBSTITUTE SENATE BILL NO. 5742, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5765, by Senators Lias, King, Cleveland and Holy

Addressing tolling authorization for the Interstate 5 bridge replacement project.

The measure was read the second time.

MOTION

On motion of Senator Lias, the rules were suspended, Senate Bill No. 5765 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Lias and King spoke in favor of passage of the bill.

Senators Rivers, Fortunato and Wilson, L. spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5765.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5765 and the bill passed the Senate by the following vote: Yeas, 32; Nays, 16; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, Mullet, Nguyen, Nobles, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, McCune, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

Excused: Senator Van De Wege

SENATE BILL NO. 5765, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1155, by House Committee on Civil Rights & Judiciary (originally sponsored by Slatter, Street, Reed, Ryu, Berg, Alvarado, Taylor, Bateman, Ramel, Senn, Goodman, Fitzgibbon, Macri, Simmons,

Reeves, Lekanoff, Orwall, Duerr, Thai, Gregerson, Wylie, Ortiz-Self, Stonier, Pollet, Riccelli, Donaghy, Fosse and Ormsby)

Addressing the collection, sharing, and selling of consumer health data.

The measure was read the second time.

MOTION

Senator Dhingra moved that the following committee striking amendment by the Committee on Law & Justice be not adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. This act may be known and cited as the Washington my health my data act.

NEW SECTION. Sec. 2. (1) The legislature finds that the people of Washington regard their privacy as a fundamental right and an essential element of their individual freedom. Washington's Constitution explicitly provides the right to privacy. Fundamental privacy rights have long been and continue to be integral to protecting Washingtonians and to safeguarding our democratic republic.

(2) Information related to an individual's health conditions or attempts to obtain health care services is among the most personal and sensitive categories of data collected. Washingtonians expect that their health data is protected under laws like the health information portability and accountability act (HIPAA). However, HIPAA only covers health data collected by specific health care entities, including most health care providers. Health data collected by noncovered entities, including certain apps and websites, are not afforded the same protections. This act works to close the gap between consumer knowledge and industry practice by providing stronger privacy protections for all Washington consumers' health data.

(3) With this act, the legislature intends to provide heightened protections for Washingtonian's health data by: Requiring additional disclosures and consumer consent regarding the collection, sharing, and use of such information; empowering consumers with the right to have their health data deleted; prohibiting the selling of consumer health data without valid authorization signed by the consumer; and making it unlawful to utilize a geofence around a facility that provides health care services.

NEW SECTION. Sec. 3. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Abortion" means the termination of a pregnancy for purposes other than producing a live birth.

(2) "Affiliate" means a legal entity that shares common branding with another legal entity and controls, is controlled by, or is under common control with another legal entity. For the purposes of this definition, "control" or "controlled" means:

(a) Ownership of, or the power to vote, more than 50 percent of the outstanding shares of any class of voting security of a company;

(b) Control in any manner over the election of a majority of the directors or of individuals exercising similar functions; or

(c) The power to exercise controlling influence over the management of a company.

(3) "Authenticate" means to use reasonable means to determine that a request to exercise any of the rights afforded in this chapter is being made by, or on behalf of, the consumer who is entitled to exercise such consumer rights with respect to the consumer health data at issue.

EIGHTY SEVENTH DAY, APRIL 5, 2023

(4) "Biometric data" means data that is generated from the measurement or technological processing of an individual's physiological, biological, or behavioral characteristics and that identifies a consumer, whether individually or in combination with other data. Biometric data includes, but is not limited to:

(a) Imagery of the iris, retina, fingerprint, face, hand, palm, vein patterns, and voice recordings, from which an identifier template can be extracted; or

(b) Keystroke patterns or rhythms and gait patterns or rhythms that contain identifying information.

(5) "Collect" means to buy, rent, access, retain, receive, acquire, infer, derive, or otherwise process consumer health data in any manner.

(6)(a) "Consent" means a clear affirmative act that signifies a consumer's freely given, specific, informed, opt-in, voluntary, and unambiguous agreement, which may include written consent provided by electronic means.

(b) "Consent" may not be obtained by:

(i) A consumer's acceptance of a general or broad terms of use agreement or a similar document that contains descriptions of personal data processing along with other unrelated information;

(ii) A consumer hovering over, muting, pausing, or closing a given piece of content; or

(iii) A consumer's agreement obtained through the use of deceptive designs.

(7) "Consumer" means (a) a natural person who is a Washington resident; or (b) a natural person whose consumer health data is collected in Washington. "Consumer" means a natural person who acts only in an individual or household context, however identified, including by any unique identifier. "Consumer" does not include an individual acting in an employment context.

(8)(a) "Consumer health data" means personal information that is linked or reasonably linkable to a consumer and that identifies a consumer's past, present, or future physical or mental health including, but not limited to:

(i) Individual health conditions, treatment, status, diseases, or diagnoses;

(ii) Social, psychological, behavioral, and medical interventions;

(iii) Health-related surgeries or procedures;

(iv) Use or purchase of medication;

(v) Bodily functions, vital signs, symptoms, or measurements of the information described in this subsection (8)(a);

(vi) Diagnoses or diagnostic testing, treatment, or medication;

(vii) Gender-affirming care information;

(viii) Reproductive or sexual health information;

(ix) Biometric data related to information described in this subsection (8)(a);

(x) Genetic data related to information described in this subsection (8)(a);

(xi) Precise location information that could reasonably indicate a consumer's attempt to acquire or receive health services or supplies;

(xii) Data that identifies a consumer seeking health care services; or

(xiii) Any information described in (a)(i) through (xii) of this subsection that is derived or extrapolated from nonhealth information (such as proxy, derivative, inferred, or emergent data by any means, including algorithms or machine learning).

(b) "Consumer health data" does not include personal information that is used to engage in public or peer-reviewed scientific, historical, or statistical research in the public interest that adheres to all other applicable ethics and privacy laws and is approved, monitored, and governed by an institutional review

board, human subjects research ethics review board, or a similar independent oversight entity that determines that the regulated entity has implemented reasonable safeguards to mitigate privacy risks associated with research, including any risks associated with reidentification.

(9) "Deceptive design" means a user interface designed or manipulated with the effect of subverting or impairing user autonomy, decision making, or choice.

(10) "Deidentified data" means data that cannot reasonably be used to infer information about, or otherwise be linked to, an identified or identifiable consumer, or a device linked to such consumer, if the regulated entity that possesses such data (a) takes reasonable measures to ensure that such data cannot be associated with a consumer; (b) publicly commits to process such data only in a deidentified fashion and not attempt to reidentify such data; and (c) contractually obligates any recipients of such data to satisfy the criteria set forth in this subsection (10).

(11) "Gender-affirming care information" means personal information relating to seeking or obtaining past, present, or future gender-affirming care services. "Gender-affirming care information" includes, but is not limited to:

(a) Precise location information that could reasonably indicate a consumer's attempt to acquire or receive gender-affirming care services;

(b) Efforts to research or obtain gender-affirming care services; or

(c) Any gender-affirming care information that is derived, extrapolated, or inferred, including from nonhealth information, such as proxy, derivative, inferred, emergent, or algorithmic data.

(12) "Gender-affirming care services" means health services or products that support and affirm an individual's gender identity including, but not limited to, social, psychological, behavioral, cosmetic, medical, or surgical interventions. "Gender-affirming care services" includes, but is not limited to, treatments for gender dysphoria, gender-affirming hormone therapy, and gender-affirming surgical procedures.

(13) "Genetic data" means any data, regardless of its format, that concerns a consumer's genetic characteristics. "Genetic data" includes, but is not limited to:

(a) Raw sequence data that result from the sequencing of a consumer's complete extracted deoxyribonucleic acid (DNA) or a portion of the extracted DNA;

(b) Genotypic and phenotypic information that results from analyzing the raw sequence data; and

(c) Self-reported health data that a consumer submits to a regulated entity and that is analyzed in connection with consumer's raw sequence data.

(14) "Geofence" means technology that uses global positioning coordinates, cell tower connectivity, cellular data, radio frequency identification, Wifi data, and/or any other form of spatial or location detection to establish a virtual boundary around a specific physical location, or to locate a consumer within a virtual boundary. For purposes of this definition, "geofence" means a virtual boundary that is 2,000 feet or less from the perimeter of the physical location.

(15) "Health care services" means any service provided to a person to assess, measure, improve, or learn about a person's mental or physical health, including but not limited to:

(a) Individual health conditions, status, diseases, or diagnoses;

(b) Social, psychological, behavioral, and medical interventions;

(c) Health-related surgeries or procedures;

(d) Use or purchase of medication;

(e) Bodily functions, vital signs, symptoms, or measurements of the information described in this subsection;

- (f) Diagnoses or diagnostic testing, treatment, or medication;
- (g) Reproductive health care services; or
- (h) Gender-affirming care services.

(16) "Homepage" means the introductory page of an internet website and any internet webpage where personal information is collected. In the case of an online service, such as a mobile application, homepage means the application's platform page or download page, and a link within the application, such as from the application configuration, "about," "information," or settings page.

(17) "Person" means, where applicable, natural persons, corporations, trusts, unincorporated associations, and partnerships. "Person" does not include government agencies, tribal nations, or contracted service providers when processing consumer health data on behalf of a government agency.

(18)(a) "Personal information" means information that identifies or is reasonably capable of being associated or linked, directly or indirectly, with a particular consumer. "Personal information" includes, but is not limited to, data associated with a persistent unique identifier, such as a cookie ID, an IP address, a device identifier, or any other form of persistent unique identifier.

(b) "Personal information" does not include publicly available information. Any biometric data collected about a consumer by a business without the consumer's consent is not publicly available information.

(c) "Personal information" does not include deidentified data.

(19) "Precise location information" means information derived from technology including, but not limited to, global positioning system level latitude and longitude coordinates or other mechanisms, that directly identifies the specific location of an individual with precision and accuracy within a radius of 1,750 feet. "Precise location information" does not include the content of communications, or any data generated by or connected to advanced utility metering infrastructure systems or equipment for use by a utility.

(20) "Process" or "processing" means any operation or set of operations performed on consumer health data.

(21) "Processor" means a person that processes consumer health data on behalf of a regulated entity.

(22) "Publicly available information" means information that (a) is lawfully made available through federal, state, or municipal government records or widely distributed media, and (b) a regulated entity has a reasonable basis to believe a consumer has lawfully made available to the general public.

(23) "Regulated entity" means any legal entity that: (a) Conducts business in Washington, or produces or provides products or services that are targeted to consumers in Washington; and (b) alone or jointly with others, determines the purpose and means of collecting, processing, sharing, or selling of consumer health data. "Regulated entity" does not mean government agencies, tribal nations, or contracted service providers when processing consumer health data on behalf of the government agency.

(24) "Reproductive or sexual health information" means personal information relating to seeking or obtaining past, present, or future reproductive or sexual health services. "Reproductive or sexual health information" includes, but is not limited to:

(a) Precise location information that could reasonably indicate a consumer's attempt to acquire or receive reproductive or sexual health services;

(b) Efforts to research or obtain reproductive or sexual health services; or

(c) Any reproductive or sexual health information that is derived, extrapolated, or inferred, including from nonhealth

information (such as proxy, derivative, inferred, emergent, or algorithmic data).

(25) "Reproductive or sexual health services" means health services or products that support or relate to a consumer's reproductive system or sexual well-being, including but not limited to:

(a) Individual health conditions, status, diseases, or diagnoses;

(b) Social, psychological, behavioral, and medical interventions;

(c) Health-related surgeries or procedures including, but not limited to, abortions;

(d) Use or purchase of medication including, but not limited to, medications for the purposes of abortion;

(e) Bodily functions, vital signs, symptoms, or measurements of the information described in this subsection;

(f) Diagnoses or diagnostic testing, treatment, or medication; and

(g) Medical or nonmedical services related to and provided in conjunction with an abortion, including but not limited to associated diagnostics, counseling, supplies, and follow-up services.

(26)(a) "Sell" or "sale" means the exchange of consumer health data for monetary or other valuable consideration.

(b) "Sell" or "sale" does not include the exchange of consumer health data for monetary or other valuable consideration:

(i) To a third party as an asset that is part of a merger, acquisition, bankruptcy, or other transaction in which the third party assumes control of all or part of the regulated entity's assets that complies with the requirements and obligations in this chapter; or

(ii) By a regulated entity to a processor when such exchange is consistent with the purpose for which the consumer health data was collected and disclosed to the consumer.

(27)(a) "Share" or "sharing" means to release, disclose, disseminate, divulge, make available, provide access to, license, or otherwise communicate orally, in writing, or by electronic or other means, consumer health data by a regulated entity to a third party or affiliate.

(b) The term "share" or "sharing" does not include:

(i) The disclosure of consumer health data by a regulated entity to a processor when such sharing is to provide goods or services in a manner consistent with the purpose for which the consumer health data was collected and disclosed to the consumer;

(ii) The disclosure of consumer health data to a third party with whom the consumer has a direct relationship when: (A) The disclosure is for purposes of providing a product or service requested by the consumer; (B) the regulated entity maintains control and ownership of the data; and (C) the third party uses the consumer health data only at direction from the regulated entity and consistent with the purpose for which it was collected and consented to by the consumer; or

(iii) The disclosure or transfer of personal data to a third party as an asset that is part of a merger, acquisition, bankruptcy, or other transaction in which the third party assumes control of all or part of the regulated entity's assets and complies with the requirements and obligations in this chapter.

(28) "Third party" means an entity other than a consumer, regulated entity, processor, or affiliate of the regulated entity.

NEW SECTION. Sec. 4. (1) A regulated entity shall maintain a consumer health data privacy policy that clearly and conspicuously discloses:

(a) The categories of consumer health data collected and the purpose for which the data is collected, including how the data will be used;

EIGHTY SEVENTH DAY, APRIL 5, 2023

(b) The categories of sources from which the consumer health data is collected;

(c) The categories of consumer health data that is shared;

(d) A list of the categories of third parties and specific affiliates with whom the regulated entity shares the consumer health data; and

(e) How a consumer can exercise the rights provided in section 6 of this act.

(2) A regulated entity shall prominently publish a link to its consumer health data privacy policy on its homepage.

(3) A regulated entity may not collect, use, or share additional categories of consumer health data not disclosed in the consumer health data privacy policy without first disclosing the additional categories and obtaining the consumer's affirmative consent prior to the collection, use, or sharing of such consumer health data.

(4) A regulated entity may not collect, use, or share consumer health data for additional purposes not disclosed in the consumer health data privacy policy without first disclosing the additional purposes and obtaining the consumer's affirmative consent prior to the collection, use, or sharing of such consumer health data.

(5) It is a violation of this chapter for a regulated entity to contract with a processor to process consumer health data in a manner that is inconsistent with the regulated entity's consumer health data privacy policy.

NEW SECTION. Sec. 5. (1) A regulated entity may not collect any consumer health data except:

(a) With consent from the consumer for such collection for a specified purpose; or

(b) To the extent necessary to provide a product or service that the consumer to whom such consumer health data relates has requested from such regulated entity.

(2) A regulated entity may not share any consumer health data except:

(a) With consent from the consumer for such sharing that is separate and distinct from the consent obtained to collect consumer health data; or

(b) To the extent necessary to provide a product or service that the consumer to whom such consumer health data relates has requested from such regulated entity.

(3) Consent required under this section must be obtained prior to the collection or sharing, as applicable, of any consumer health data, and the request for consent must clearly and conspicuously disclose: (a) The categories of consumer health data collected or shared; (b) the purpose of the collection or sharing of the consumer health data, including the specific ways in which it will be used; (c) the categories of entities with whom the consumer health data is shared; and (d) how the consumer can withdraw consent from future collection or sharing of the consumer's health data.

(4) A regulated entity may not unlawfully discriminate against a consumer for exercising any rights included in this chapter.

NEW SECTION. Sec. 6. (1) A consumer has the right to confirm whether a regulated entity is collecting, sharing, or selling consumer health data concerning the consumer and to access such data, including a list of all third parties and affiliates with whom the regulated entity has shared or sold the consumer health data and an active email address or other online mechanism that the consumer may use to contact these third parties.

(2) A consumer has the right to withdraw consent from the regulated entity's collection and sharing of consumer health data concerning the consumer.

(3) A consumer has the right to have consumer health data concerning the consumer deleted and may exercise that right by

informing the regulated entity of the consumer's request for deletion.

(a) A regulated entity that receives a consumer's request to delete any consumer health data concerning the consumer shall:

(i) Delete the consumer health data from its records, including from all parts of the regulated entity's network, including archived or backup systems pursuant to (c) of this subsection; and

(ii) Notify all affiliates, processors, contractors, and other third parties with whom the regulated entity has shared consumer health data of the deletion request.

(b) All affiliates, processors, contractors, and other third parties that receive notice of a consumer's deletion request shall honor the consumer's deletion request and delete the consumer health data from its records, subject to the same requirements of this chapter.

(c) If consumer health data that a consumer requests to be deleted is stored on archived or backup systems, then the request for deletion may be delayed to enable restoration of the archived or backup systems and such delay may not exceed six months from authenticating the deletion request.

(4) A consumer may exercise the rights set forth in this chapter by submitting a request, at any time, to a regulated entity. Such a request may be made by a secure and reliable means established by the regulated entity and described in its consumer health data privacy policy. The method must take into account the ways in which consumers normally interact with the regulated entity, the need for secure and reliable communication of such requests, and the ability of the regulated entity to authenticate the identity of the consumer making the request. A regulated entity may not require a consumer to create a new account in order to exercise consumer rights pursuant to this chapter but may require a consumer to use an existing account.

(5) If a regulated entity is unable to authenticate the request using commercially reasonable efforts, the regulated entity is not required to comply with a request to initiate an action under this section and may request that the consumer provide additional information reasonably necessary to authenticate the consumer and the consumer's request.

(6) Information provided in response to a consumer request must be provided by a regulated entity free of charge, up to twice annually per consumer. If requests from a consumer are manifestly unfounded, excessive, or repetitive, the regulated entity may charge the consumer a reasonable fee to cover the administrative costs of complying with the request or decline to act on the request. The regulated entity bears the burden of demonstrating the manifestly unfounded, excessive, or repetitive nature of the request.

(7) A regulated entity shall comply with the consumer's requests under subsections (1) through (3) of this section without undue delay, but in all cases within 45 days of receipt of the request submitted pursuant to the methods described in this section. A regulated entity must promptly take steps to authenticate a consumer request but this does not extend the regulated entity's duty to comply with the consumer's request within 45 days of receipt of the consumer's request. The response period may be extended once by 45 additional days when reasonably necessary, taking into account the complexity and number of the consumer's requests, so long as the regulated entity informs the consumer of any such extension within the initial 45-day response period, together with the reason for the extension.

(8) A regulated entity shall establish a process for a consumer to appeal the regulated entity's refusal to take action on a request within a reasonable period of time after the consumer's receipt of the decision. The appeal process must be conspicuously available

and similar to the process for submitting requests to initiate action pursuant to this section. Within 45 days of receipt of an appeal, a regulated entity shall inform the consumer in writing of any action taken or not taken in response to the appeal, including a written explanation of the reasons for the decisions. If the appeal is denied, the regulated entity shall also provide the consumer with an online mechanism, if available, or other method through which the consumer may contact the attorney general to submit a complaint.

NEW SECTION. Sec. 7. (1) A regulated entity shall restrict access to consumer health data by the employees, processors, and contractors of such regulated entity to only those employees, processors, and contractors for which access is necessary to further the purposes for which the consumer provided consent or where necessary to provide a product or service that the consumer to whom such consumer health data relates has requested from such regulated entity.

(2) A regulated entity shall establish, implement, and maintain administrative, technical, and physical data security practices that, at a minimum, satisfy reasonable standard of care within the regulated entity's industry to protect the confidentiality, integrity, and accessibility of consumer health data appropriate to the volume and nature of the consumer health data at issue.

NEW SECTION. Sec. 8. (1)(a) A processor may process consumer health data only pursuant to a binding contract between the processor and the regulated entity that sets forth the processing instructions and limit the actions the processor may take with respect to the consumer health data it processes on behalf of the regulated entity.

(b) A processor may process consumer health data only in a manner that is consistent with the binding instructions set forth in the contract with the regulated entity.

(2) A processor shall assist the regulated entity by appropriate technical and organizational measures, insofar as this is possible, in fulfilling the regulated entity's obligations under this chapter.

(3) If a processor fails to adhere to the regulated entity's instructions or processes consumer health data in a manner that is outside the scope of the processor's contract with the regulated entity, the processor is considered a regulated entity with regard to such data and is subject to all the requirements of this chapter with regard to such data.

NEW SECTION. Sec. 9. (1) It is unlawful for any person to sell or offer to sell consumer health data concerning a consumer without first obtaining valid authorization from the consumer. The sale of consumer health data must be consistent with the valid authorization signed by the consumer. This authorization must be separate and distinct from the consent obtained to collect or share consumer health data, as required under section 5 of this act.

(2) A valid authorization to sell consumer health data is a document consistent with this section and must be written in plain language. The valid authorization to sell consumer health data must contain the following:

(a) The specific consumer health data concerning the consumer that the person intends to sell;

(b) The name and contact information of the person collecting and selling the consumer health data;

(c) The name and contact information of the person purchasing the consumer health data from the seller identified in (b) of this subsection;

(d) A description of the purpose for the sale, including how the consumer health data will be gathered and how it will be used by the purchaser identified in (c) of this subsection when sold;

(e) A statement that the provision of goods or services may not be conditioned on the consumer signing the valid authorization;

(f) A statement that the consumer has a right to revoke the valid authorization at any time and a description on how to submit a revocation of the valid authorization;

(g) A statement that the consumer health data sold pursuant to the valid authorization may be subject to redisclosure by the purchaser and may no longer be protected by this section;

(h) An expiration date for the valid authorization that expires one year from when the consumer signs the valid authorization; and

(i) The signature of the consumer and date.

(3) An authorization is not valid if the document has any of the following defects:

(a) The expiration date has passed;

(b) The authorization does not contain all the information required under this section;

(c) The authorization has been revoked by the consumer;

(d) The authorization has been combined with other documents to create a compound authorization; or

(e) The provision of goods or services is conditioned on the consumer signing the authorization.

(4) A copy of the signed valid authorization must be provided to the consumer.

(5) The seller and purchaser of consumer health data must retain a copy of all valid authorizations for sale of consumer health data for six years from the date of its signature or the date when it was last in effect, whichever is later.

NEW SECTION. Sec. 10. It is unlawful for any person to implement a geofence around an entity that provides in-person health care services where such geofence is used to: (1) Identify or track consumers seeking health care services; (2) collect consumer health data from consumers; or (3) send notifications, messages, or advertisements to consumers related to their consumer health data or health care services.

NEW SECTION. Sec. 11. The legislature finds that the practices covered by this chapter are matters vitally affecting the public interest for the purpose of applying the consumer protection act, chapter 19.86 RCW. A violation of this chapter is not reasonable in relation to the development and preservation of business, and is an unfair or deceptive act in trade or commerce and an unfair method of competition for the purpose of applying the consumer protection act, chapter 19.86 RCW.

NEW SECTION. Sec. 12. (1) This chapter does not apply to:

(a) Information that meets the definition of:

(i) Protected health information for purposes of the federal health insurance portability and accountability act of 1996 and related regulations;

(ii) Health care information collected, used, or disclosed in accordance with chapter 70.02 RCW;

(iii) Patient identifying information collected, used, or disclosed in accordance with 42 C.F.R. Part 2, established pursuant to 42 U.S.C. Sec. 290dd-2;

(iv) Identifiable private information for purposes of the federal policy for the protection of human subjects, 45 C.F.R. Part 46; identifiable private information that is otherwise information collected as part of human subjects research pursuant to the good clinical practice guidelines issued by the international council for harmonization; the protection of human subjects under 21 C.F.R. Parts 50 and 56; or personal data used or shared in research conducted in accordance with one or more of the requirements set forth in this subsection;

(v) Information and documents created specifically for, and collected and maintained by:

(A) A quality improvement committee for purposes of RCW 43.70.510, 70.230.080, or 70.41.200;

EIGHTY SEVENTH DAY, APRIL 5, 2023

(B) A peer review committee for purposes of RCW 4.24.250;

(C) A quality assurance committee for purposes of RCW 74.42.640 or 18.20.390;

(D) A hospital, as defined in RCW 43.70.056, for reporting of health care-associated infections for purposes of RCW 43.70.056, a notification of an incident for purposes of RCW 70.56.040(5), or reports regarding adverse events for purposes of RCW 70.56.020(2)(b); or

(E) A manufacturer, as defined in 21 C.F.R. Sec. 820.3(o), when collected, used, or disclosed for purposes specified in chapter 70.02 RCW;

(vi) Information and documents created for purposes of the federal health care quality improvement act of 1986, and related regulations;

(vii) Patient safety work product for purposes of 42 C.F.R. Part 3, established pursuant to 42 U.S.C. Sec. 299b-21 through 299b-26;

(viii) Information that is (A) deidentified in accordance with the requirements for deidentification set forth in 45 C.F.R. Part 164, and (B) derived from any of the health care-related information listed in this subsection (1)(a)(viii);

(b) Information originating from, and intermingled to be indistinguishable with, information under (a) of this subsection that is maintained by:

(i) A covered entity or business associate as defined by the health insurance portability and accountability act of 1996 and related regulations;

(ii) A health care facility or health care provider as defined in RCW 70.02.010; or

(iii) A program or a qualified service organization as defined by 42 C.F.R. Part 2, established pursuant to 42 U.S.C. Sec. 290dd-2;

(c) Information used only for public health activities and purposes as described in 45 C.F.R. Sec. 164.512 or that is part of a limited data set, as defined, and is used, disclosed, and maintained in the manner required, by 45 C.F.R. Sec. 164.514; or

(d) Identifiable data collected, used, or disclosed in accordance with chapter 43.371 RCW or RCW 69.43.165.

(2) Personal information that is governed by and collected, used, or disclosed pursuant to the following regulations, parts, titles, or acts, is exempt from this chapter: (a) The Gramm-Leach-Bliley act (15 U.S.C. 6801 et seq.) and implementing regulations; (b) part C of Title XI of the social security act (42 U.S.C. 1320d et seq.); (c) the fair credit reporting act (15 U.S.C. 1681 et seq.); (d) the family educational rights and privacy act (20 U.S.C. 1232g; Part 99 of Title 34, C.F.R.); (e) the Washington health benefit exchange and applicable statutes and regulations, including 45 C.F.R. Sec. 155.260 and chapter 43.71 RCW; or (f) privacy rules adopted by the office of the insurance commissioner pursuant to chapter 48.02 or 48.43 RCW.

(3) The obligations imposed on regulated entities and processors under this chapter does not restrict a regulated entity's or processor's ability for collection, use, or disclosure of consumer health data to prevent, detect, protect against, or respond to security incidents, identity theft, fraud, harassment, malicious or deceptive activities, or any activity that is illegal under Washington state law or federal law; preserve the integrity or security of systems; or investigate, report, or prosecute those responsible for any such action that is illegal under Washington state law or federal law.

(4) If a regulated entity or processor processes consumer health data pursuant to subsection (3) of this section, such entity bears the burden of demonstrating that such processing qualifies for the exemption and complies with the requirements of this section.

NEW SECTION. **Sec. 13.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. **Sec. 14.** Sections 1 through 12 of this act constitute a new chapter in Title 19 RCW.

NEW SECTION. **Sec. 15.** Sections 4 through 9 of this act take effect March 31, 2024."

On page 1, line 2 of the title, after "data;" strike the remainder of the title and insert "adding a new chapter to Title 19 RCW; and providing an effective date."

Senator Dhingra spoke in favor of the motion to not adopt the committee striking amendment.

The President declared the question before the Senate to be the motion to not adopt the committee striking amendment by the Committee on Law & Justice to Engrossed Substitute House Bill No. 1155.

The motion by Senator Dhingra carried and the committee striking amendment was not adopted by voice vote.

MOTION

Senator Dhingra moved that the following striking amendment no. 0270 by Senator Dhingra be adopted:

Strike everything after the enacting clause and insert the following:

NEW SECTION. **Sec. 1.** This act may be known and cited as the Washington my health my data act.

NEW SECTION. **Sec. 2.** (1) The legislature finds that the people of Washington regard their privacy as a fundamental right and an essential element of their individual freedom. Washington's Constitution explicitly provides the right to privacy. Fundamental privacy rights have long been and continue to be integral to protecting Washingtonians and to safeguarding our democratic republic.

(2) Information related to an individual's health conditions or attempts to obtain health care services is among the most personal and sensitive categories of data collected. Washingtonians expect that their health data is protected under laws like the health information portability and accountability act (HIPAA). However, HIPAA only covers health data collected by specific health care entities, including most health care providers. Health data collected by noncovered entities, including certain apps and websites, are not afforded the same protections. This act works to close the gap between consumer knowledge and industry practice by providing stronger privacy protections for all Washington consumers' health data.

(3) With this act, the legislature intends to provide heightened protections for Washingtonian's health data by: Requiring additional disclosures and consumer consent regarding the collection, sharing, and use of such information; empowering consumers with the right to have their health data deleted; prohibiting the selling of consumer health data without valid authorization signed by the consumer; and making it unlawful to utilize a geofence around a facility that provides health care services.

NEW SECTION. **Sec. 3.** The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Abortion" means the termination of a pregnancy for purposes other than producing a live birth.

(2) "Affiliate" means a legal entity that shares common branding with another legal entity and controls, is controlled by,

or is under common control with another legal entity. For the purposes of this definition, "control" or "controlled" means:

(a) Ownership of, or the power to vote, more than 50 percent of the outstanding shares of any class of voting security of a company;

(b) Control in any manner over the election of a majority of the directors or of individuals exercising similar functions; or

(c) The power to exercise controlling influence over the management of a company.

(3) "Authenticate" means to use reasonable means to determine that a request to exercise any of the rights afforded in this chapter is being made by, or on behalf of, the consumer who is entitled to exercise such consumer rights with respect to the consumer health data at issue.

(4) "Biometric data" means data that is generated from the measurement or technological processing of an individual's physiological, biological, or behavioral characteristics and that identifies a consumer, whether individually or in combination with other data. Biometric data includes, but is not limited to:

(a) Imagery of the iris, retina, fingerprint, face, hand, palm, vein patterns, and voice recordings, from which an identifier template can be extracted; or

(b) Keystroke patterns or rhythms and gait patterns or rhythms that contain identifying information.

(5) "Collect" means to buy, rent, access, retain, receive, acquire, infer, derive, or otherwise process consumer health data in any manner.

(6)(a) "Consent" means a clear affirmative act that signifies a consumer's freely given, specific, informed, opt-in, voluntary, and unambiguous agreement, which may include written consent provided by electronic means.

(b) "Consent" may not be obtained by:

(i) A consumer's acceptance of a general or broad terms of use agreement or a similar document that contains descriptions of personal data processing along with other unrelated information;

(ii) A consumer hovering over, muting, pausing, or closing a given piece of content; or

(iii) A consumer's agreement obtained through the use of deceptive designs.

(7) "Consumer" means (a) a natural person who is a Washington resident; or (b) a natural person whose consumer health data is collected in Washington. "Consumer" means a natural person who acts only in an individual or household context, however identified, including by any unique identifier. "Consumer" does not include an individual acting in an employment context.

(8)(a) "Consumer health data" means personal information that is linked or reasonably linkable to a consumer and that identifies the consumer's past, present, or future physical or mental health status.

(b) For the purposes of this definition, physical or mental health status includes, but is not limited to:

(i) Individual health conditions, treatment, diseases, or diagnosis;

(ii) Social, psychological, behavioral, and medical interventions;

(iii) Health-related surgeries or procedures;

(iv) Use or purchase of prescribed medication;

(v) Bodily functions, vital signs, symptoms, or measurements of the information described in this subsection (8)(b);

(vi) Diagnoses or diagnostic testing, treatment, or medication;

(vii) Gender-affirming care information;

(viii) Reproductive or sexual health information;

(ix) Biometric data;

(x) Genetic data;

(xi) Precise location information that could reasonably indicate a consumer's attempt to acquire or receive health services or supplies;

(xii) Data that identifies a consumer seeking health care services; or

(xiii) Any information that a regulated entity or a small business, or their respective processor, processes to associate or identify a consumer with the data described in (b)(i) through (xii) of this subsection that is derived or extrapolated from nonhealth information (such as proxy, derivative, inferred, or emergent data by any means, including algorithms or machine learning).

(c) "Consumer health data" does not include personal information that is used to engage in public or peer-reviewed scientific, historical, or statistical research in the public interest that adheres to all other applicable ethics and privacy laws and is approved, monitored, and governed by an institutional review board, human subjects research ethics review board, or a similar independent oversight entity that determines that the regulated entity or the small business has implemented reasonable safeguards to mitigate privacy risks associated with research, including any risks associated with reidentification.

(9) "Deceptive design" means a user interface designed or manipulated with the effect of subverting or impairing user autonomy, decision making, or choice.

(10) "Deidentified data" means data that cannot reasonably be used to infer information about, or otherwise be linked to, an identified or identifiable consumer, or a device linked to such consumer, if the regulated entity or the small business that possesses such data (a) takes reasonable measures to ensure that such data cannot be associated with a consumer; (b) publicly commits to process such data only in a deidentified fashion and not attempt to reidentify such data; and (c) contractually obligates any recipients of such data to satisfy the criteria set forth in this subsection (10).

(11) "Gender-affirming care information" means personal information relating to seeking or obtaining past, present, or future gender-affirming care services. "Gender-affirming care information" includes, but is not limited to:

(a) Precise location information that could reasonably indicate a consumer's attempt to acquire or receive gender-affirming care services;

(b) Efforts to research or obtain gender-affirming care services; or

(c) Any gender-affirming care information that is derived, extrapolated, or inferred, including from nonhealth information, such as proxy, derivative, inferred, emergent, or algorithmic data.

(12) "Gender-affirming care services" means health services or products that support and affirm an individual's gender identity including, but not limited to, social, psychological, behavioral, cosmetic, medical, or surgical interventions. "Gender-affirming care services" includes, but is not limited to, treatments for gender dysphoria, gender-affirming hormone therapy, and gender-affirming surgical procedures.

(13) "Genetic data" means any data, regardless of its format, that concerns a consumer's genetic characteristics. "Genetic data" includes, but is not limited to:

(a) Raw sequence data that result from the sequencing of a consumer's complete extracted deoxyribonucleic acid (DNA) or a portion of the extracted DNA;

(b) Genotypic and phenotypic information that results from analyzing the raw sequence data; and

(c) Self-reported health data that a consumer submits to a regulated entity or a small business and that is analyzed in connection with consumer's raw sequence data.

EIGHTY SEVENTH DAY, APRIL 5, 2023

(14) "Geofence" means technology that uses global positioning coordinates, cell tower connectivity, cellular data, radio frequency identification, Wifi data, and/or any other form of spatial or location detection to establish a virtual boundary around a specific physical location, or to locate a consumer within a virtual boundary. For purposes of this definition, "geofence" means a virtual boundary that is 2,000 feet or less from the perimeter of the physical location.

(15) "Health care services" means any service provided to a person to assess, measure, improve, or learn about a person's mental or physical health, including but not limited to:

- (a) Individual health conditions, status, diseases, or diagnoses;
- (b) Social, psychological, behavioral, and medical interventions;
- (c) Health-related surgeries or procedures;
- (d) Use or purchase of medication;
- (e) Bodily functions, vital signs, symptoms, or measurements of the information described in this subsection;
- (f) Diagnoses or diagnostic testing, treatment, or medication;
- (g) Reproductive health care services; or
- (h) Gender-affirming care services.

(16) "Homepage" means the introductory page of an internet website and any internet webpage where personal information is collected. In the case of an online service, such as a mobile application, homepage means the application's platform page or download page, and a link within the application, such as from the application configuration, "about," "information," or settings page.

(17) "Person" means, where applicable, natural persons, corporations, trusts, unincorporated associations, and partnerships. "Person" does not include government agencies, tribal nations, or contracted service providers when processing consumer health data on behalf of a government agency.

(18)(a) "Personal information" means information that identifies or is reasonably capable of being associated or linked, directly or indirectly, with a particular consumer. "Personal information" includes, but is not limited to, data associated with a persistent unique identifier, such as a cookie ID, an IP address, a device identifier, or any other form of persistent unique identifier.

(b) "Personal information" does not include publicly available information.

(c) "Personal information" does not include deidentified data.

(19) "Precise location information" means information derived from technology including, but not limited to, global positioning system level latitude and longitude coordinates or other mechanisms, that directly identifies the specific location of an individual with precision and accuracy within a radius of 1,750 feet. "Precise location information" does not include the content of communications, or any data generated by or connected to advanced utility metering infrastructure systems or equipment for use by a utility.

(20) "Process" or "processing" means any operation or set of operations performed on consumer health data.

(21) "Processor" means a person that processes consumer health data on behalf of a regulated entity or a small business.

(22) "Publicly available information" means information that (a) is lawfully made available through federal, state, or municipal government records or widely distributed media, and (b) a regulated entity or a small business has a reasonable basis to believe a consumer has lawfully made available to the general public. "Publicly available information" does not include any biometric data collected about a consumer by a business without the consumer's consent.

(23) "Regulated entity" means any legal entity that: (a) Conducts business in Washington, or produces or provides

products or services that are targeted to consumers in Washington; and (b) alone or jointly with others, determines the purpose and means of collecting, processing, sharing, or selling of consumer health data. "Regulated entity" does not mean government agencies, tribal nations, or contracted service providers when processing consumer health data on behalf of the government agency.

(24) "Reproductive or sexual health information" means personal information relating to seeking or obtaining past, present, or future reproductive or sexual health services. "Reproductive or sexual health information" includes, but is not limited to:

(a) Precise location information that could reasonably indicate a consumer's attempt to acquire or receive reproductive or sexual health services;

(b) Efforts to research or obtain reproductive or sexual health services; or

(c) Any reproductive or sexual health information that is derived, extrapolated, or inferred, including from nonhealth information (such as proxy, derivative, inferred, emergent, or algorithmic data).

(25) "Reproductive or sexual health services" means health services or products that support or relate to a consumer's reproductive system or sexual well-being, including but not limited to:

(a) Individual health conditions, status, diseases, or diagnoses;

(b) Social, psychological, behavioral, and medical interventions;

(c) Health-related surgeries or procedures including, but not limited to, abortions;

(d) Use or purchase of medication including, but not limited to, medications for the purposes of abortion;

(e) Bodily functions, vital signs, symptoms, or measurements of the information described in this subsection;

(f) Diagnoses or diagnostic testing, treatment, or medication; and

(g) Medical or nonmedical services related to and provided in conjunction with an abortion, including but not limited to associated diagnostics, counseling, supplies, and follow-up services.

(26)(a) "Sell" or "sale" means the exchange of consumer health data for monetary or other valuable consideration.

(b) "Sell" or "sale" does not include the exchange of consumer health data for monetary or other valuable consideration:

(i) To a third party as an asset that is part of a merger, acquisition, bankruptcy, or other transaction in which the third party assumes control of all or part of the regulated entity's or the small business's assets that complies with the requirements and obligations in this chapter; or

(ii) By a regulated entity or a small business to a processor when such exchange is consistent with the purpose for which the consumer health data was collected and disclosed to the consumer.

(27)(a) "Share" or "sharing" means to release, disclose, disseminate, divulge, make available, provide access to, license, or otherwise communicate orally, in writing, or by electronic or other means, consumer health data by a regulated entity or a small business to a third party or affiliate.

(b) The term "share" or "sharing" does not include:

(i) The disclosure of consumer health data by a regulated entity or a small business to a processor when such sharing is to provide goods or services in a manner consistent with the purpose for which the consumer health data was collected and disclosed to the consumer;

(ii) The disclosure of consumer health data to a third party with whom the consumer has a direct relationship when: (A) The disclosure is for purposes of providing a product or service requested by the consumer; (B) the regulated entity or the small business maintains control and ownership of the data; and (C) the third party uses the consumer health data only at direction from the regulated entity or the small business and consistent with the purpose for which it was collected and consented to by the consumer; or

(iii) The disclosure or transfer of personal data to a third party as an asset that is part of a merger, acquisition, bankruptcy, or other transaction in which the third party assumes control of all or part of the regulated entity's or the small business's assets and complies with the requirements and obligations in this chapter.

(28) "Small business" means a regulated entity that satisfies one or both of the following thresholds:

(a) Collects, processes, sells, or shares consumer health data of fewer than 100,000 consumers during a calendar year; or

(b) Derives less than 50 percent of gross revenue from the collection, processing, selling, or sharing of consumer health data, and controls, processes, sells, or shares consumer health data of fewer than 25,000 consumers.

(29) "Third party" means an entity other than a consumer, regulated entity, processor, small business, or affiliate of the regulated entity or the small business.

NEW SECTION. Sec. 4. (1)(a) Except as provided in subsection (2) of this section, beginning March 31, 2024, a regulated entity and a small business shall maintain a consumer health data privacy policy that clearly and conspicuously discloses:

(i) The categories of consumer health data collected and the purpose for which the data is collected, including how the data will be used;

(ii) The categories of sources from which the consumer health data is collected;

(iii) The categories of consumer health data that is shared;

(iv) A list of the categories of third parties and specific affiliates with whom the regulated entity or the small business shares the consumer health data; and

(v) How a consumer can exercise the rights provided in section 6 of this act.

(b) A regulated entity and a small business shall prominently publish a link to its consumer health data privacy policy on its homepage.

(c) A regulated entity or a small business may not collect, use, or share additional categories of consumer health data not disclosed in the consumer health data privacy policy without first disclosing the additional categories and obtaining the consumer's affirmative consent prior to the collection, use, or sharing of such consumer health data.

(d) A regulated entity or a small business may not collect, use, or share consumer health data for additional purposes not disclosed in the consumer health data privacy policy without first disclosing the additional purposes and obtaining the consumer's affirmative consent prior to the collection, use, or sharing of such consumer health data.

(e) It is a violation of this chapter for a regulated entity or a small business to contract with a processor to process consumer health data in a manner that is inconsistent with the regulated entity's or the small business's consumer health data privacy policy.

(2) A small business must comply with this section beginning June 30, 2024.

NEW SECTION. Sec. 5. (1)(a) Except as provided in subsection (2) of this section, beginning March 31, 2024, a

regulated entity or a small business may not collect any consumer health data except:

(i) With consent from the consumer for such collection for a specified purpose; or

(ii) To the extent necessary to provide a product or service that the consumer to whom such consumer health data relates has requested from such regulated entity or small business.

(b) A regulated entity or a small business may not share any consumer health data except:

(i) With consent from the consumer for such sharing that is separate and distinct from the consent obtained to collect consumer health data; or

(ii) To the extent necessary to provide a product or service that the consumer to whom such consumer health data relates has requested from such regulated entity or small business.

(c) Consent required under this section must be obtained prior to the collection or sharing, as applicable, of any consumer health data, and the request for consent must clearly and conspicuously disclose: (i) The categories of consumer health data collected or shared; (ii) the purpose of the collection or sharing of the consumer health data, including the specific ways in which it will be used; (iii) the categories of entities with whom the consumer health data is shared; and (iv) how the consumer can withdraw consent from future collection or sharing of the consumer's health data.

(d) A regulated entity or a small business may not unlawfully discriminate against a consumer for exercising any rights included in this chapter.

(2) A small business must comply with this section beginning June 30, 2024.

NEW SECTION. Sec. 6. (1)(a) Except as provided in subsection (2) of this section, beginning March 31, 2024, a consumer has the right to confirm whether a regulated entity or a small business is collecting, sharing, or selling consumer health data concerning the consumer and to access such data, including a list of all third parties and affiliates with whom the regulated entity or the small business has shared or sold the consumer health data and an active email address or other online mechanism that the consumer may use to contact these third parties.

(b) A consumer has the right to withdraw consent from the regulated entity's or the small business's collection and sharing of consumer health data concerning the consumer.

(c) A consumer has the right to have consumer health data concerning the consumer deleted and may exercise that right by informing the regulated entity or the small business of the consumer's request for deletion.

(i) A regulated entity or a small business that receives a consumer's request to delete any consumer health data concerning the consumer shall:

(A) Delete the consumer health data from its records, including from all parts of the regulated entity's or the small business's network, including archived or backup systems pursuant to (c)(iii) of this subsection; and

(B) Notify all affiliates, processors, contractors, and other third parties with whom the regulated entity or the small business has shared consumer health data of the deletion request.

(ii) All affiliates, processors, contractors, and other third parties that receive notice of a consumer's deletion request shall honor the consumer's deletion request and delete the consumer health data from its records, subject to the same requirements of this chapter.

(iii) If consumer health data that a consumer requests to be deleted is stored on archived or backup systems, then the request for deletion may be delayed to enable restoration of the archived

EIGHTY SEVENTH DAY, APRIL 5, 2023

or backup systems and such delay may not exceed six months from authenticating the deletion request.

(d) A consumer may exercise the rights set forth in this chapter by submitting a request, at any time, to a regulated entity or a small business. Such a request may be made by a secure and reliable means established by the regulated entity or the small business and described in its consumer health data privacy policy. The method must take into account the ways in which consumers normally interact with the regulated entity or the small business, the need for secure and reliable communication of such requests, and the ability of the regulated entity or the small business to authenticate the identity of the consumer making the request. A regulated entity or a small business may not require a consumer to create a new account in order to exercise consumer rights pursuant to this chapter but may require a consumer to use an existing account.

(e) If a regulated entity or a small business is unable to authenticate the request using commercially reasonable efforts, the regulated entity or the small business is not required to comply with a request to initiate an action under this section and may request that the consumer provide additional information reasonably necessary to authenticate the consumer and the consumer's request.

(f) Information provided in response to a consumer request must be provided by a regulated entity and a small business free of charge, up to twice annually per consumer. If requests from a consumer are manifestly unfounded, excessive, or repetitive, the regulated entity or the small business may charge the consumer a reasonable fee to cover the administrative costs of complying with the request or decline to act on the request. The regulated entity and the small business bear the burden of demonstrating the manifestly unfounded, excessive, or repetitive nature of the request.

(g) A regulated entity and a small business shall comply with the consumer's requests under subsection (1)(a) through (c) of this section without undue delay, but in all cases within 45 days of receipt of the request submitted pursuant to the methods described in this section. A regulated entity and a small business must promptly take steps to authenticate a consumer request but this does not extend the regulated entity's and the small business's duty to comply with the consumer's request within 45 days of receipt of the consumer's request. The response period may be extended once by 45 additional days when reasonably necessary, taking into account the complexity and number of the consumer's requests, so long as the regulated entity or the small business informs the consumer of any such extension within the initial 45-day response period, together with the reason for the extension.

(h) A regulated entity and a small business shall establish a process for a consumer to appeal the regulated entity's or the small business's refusal to take action on a request within a reasonable period of time after the consumer's receipt of the decision. The appeal process must be conspicuously available and similar to the process for submitting requests to initiate action pursuant to this section. Within 45 days of receipt of an appeal, a regulated entity or a small business shall inform the consumer in writing of any action taken or not taken in response to the appeal, including a written explanation of the reasons for the decisions. If the appeal is denied, the regulated entity or the small business shall also provide the consumer with an online mechanism, if available, or other method through which the consumer may contact the attorney general to submit a complaint.

(2) A small business must comply with this section beginning June 30, 2024.

NEW SECTION. Sec. 7. (1) Except as provided in subsection (2) of this section, beginning March 31, 2024, a regulated entity and a small business shall:

(a) Restrict access to consumer health data by the employees, processors, and contractors of such regulated entity or small business to only those employees, processors, and contractors for which access is necessary to further the purposes for which the consumer provided consent or where necessary to provide a product or service that the consumer to whom such consumer health data relates has requested from such regulated entity or small business; and

(b) Establish, implement, and maintain administrative, technical, and physical data security practices that, at a minimum, satisfy reasonable standard of care within the regulated entity's or the small business's industry to protect the confidentiality, integrity, and accessibility of consumer health data appropriate to the volume and nature of the consumer health data at issue.

(2) A small business must comply with this section beginning June 30, 2024.

NEW SECTION. Sec. 8. (1)(a)(i) Except as provided in subsection (2) of this section, beginning March 31, 2024, a processor may process consumer health data only pursuant to a binding contract between the processor and the regulated entity or the small business that sets forth the processing instructions and limit the actions the processor may take with respect to the consumer health data it processes on behalf of the regulated entity or the small business.

(ii) A processor may process consumer health data only in a manner that is consistent with the binding instructions set forth in the contract with the regulated entity or the small business.

(b) A processor shall assist the regulated entity or the small business by appropriate technical and organizational measures, insofar as this is possible, in fulfilling the regulated entity's and the small business's obligations under this chapter.

(c) If a processor fails to adhere to the regulated entity's or the small business's instructions or processes consumer health data in a manner that is outside the scope of the processor's contract with the regulated entity or the small business, the processor is considered a regulated entity or a small business with regard to such data and is subject to all the requirements of this chapter with regard to such data.

(2) A small business must comply with this section beginning June 30, 2024.

NEW SECTION. Sec. 9. (1) Except as provided in subsection (6) of this section, beginning March 31, 2024, it is unlawful for any person to sell or offer to sell consumer health data concerning a consumer without first obtaining valid authorization from the consumer. The sale of consumer health data must be consistent with the valid authorization signed by the consumer. This authorization must be separate and distinct from the consent obtained to collect or share consumer health data, as required under section 5 of this act.

(2) A valid authorization to sell consumer health data is a document consistent with this section and must be written in plain language. The valid authorization to sell consumer health data must contain the following:

(a) The specific consumer health data concerning the consumer that the person intends to sell;

(b) The name and contact information of the person collecting and selling the consumer health data;

(c) The name and contact information of the person purchasing the consumer health data from the seller identified in (b) of this subsection;

(d) A description of the purpose for the sale, including how the consumer health data will be gathered and how it will be used by the purchaser identified in (c) of this subsection when sold;

(e) A statement that the provision of goods or services may not be conditioned on the consumer signing the valid authorization;

(f) A statement that the consumer has a right to revoke the valid authorization at any time and a description on how to submit a revocation of the valid authorization;

(g) A statement that the consumer health data sold pursuant to the valid authorization may be subject to redisclosure by the purchaser and may no longer be protected by this section;

(h) An expiration date for the valid authorization that expires one year from when the consumer signs the valid authorization; and

(i) The signature of the consumer and date.

(3) An authorization is not valid if the document has any of the following defects:

(a) The expiration date has passed;

(b) The authorization does not contain all the information required under this section;

(c) The authorization has been revoked by the consumer;

(d) The authorization has been combined with other documents to create a compound authorization; or

(e) The provision of goods or services is conditioned on the consumer signing the authorization.

(4) A copy of the signed valid authorization must be provided to the consumer.

(5) The seller and purchaser of consumer health data must retain a copy of all valid authorizations for sale of consumer health data for six years from the date of its signature or the date when it was last in effect, whichever is later.

(6) A small business must comply with this section beginning June 30, 2024.

NEW SECTION. Sec. 10. It is unlawful for any person to implement a geofence around an entity that provides in-person health care services where such geofence is used to: (1) identify or track consumers seeking health care services; (2) collect consumer health data from consumers; or (3) send notifications, messages, or advertisements to consumers related to their consumer health data or health care services.

NEW SECTION. Sec. 11. The legislature finds that the practices covered by this chapter are matters vitally affecting the public interest for the purpose of applying the consumer protection act, chapter 19.86 RCW. A violation of this chapter is not reasonable in relation to the development and preservation of business, and is an unfair or deceptive act in trade or commerce and an unfair method of competition for the purpose of applying the consumer protection act, chapter 19.86 RCW.

NEW SECTION. Sec. 12. (1) This chapter does not apply to:

(a) Information that meets the definition of:

(i) Protected health information for purposes of the federal health insurance portability and accountability act of 1996 and related regulations;

(ii) Health care information collected, used, or disclosed in accordance with chapter 70.02 RCW;

(iii) Patient identifying information collected, used, or disclosed in accordance with 42 C.F.R. Part 2, established pursuant to 42 U.S.C. Sec. 290dd-2;

(iv) Identifiable private information for purposes of the federal policy for the protection of human subjects, 45 C.F.R. Part 46; identifiable private information that is otherwise information collected as part of human subjects research pursuant to the good clinical practice guidelines issued by the international council for harmonization; the protection of human subjects under 21 C.F.R.

Parts 50 and 56; or personal data used or shared in research conducted in accordance with one or more of the requirements set forth in this subsection;

(v) Information and documents created specifically for, and collected and maintained by:

(A) A quality improvement committee for purposes of RCW 43.70.510, 70.230.080, or 70.41.200;

(B) A peer review committee for purposes of RCW 4.24.250;

(C) A quality assurance committee for purposes of RCW 74.42.640 or 18.20.390;

(D) A hospital, as defined in RCW 43.70.056, for reporting of health care-associated infections for purposes of RCW 43.70.056, a notification of an incident for purposes of RCW 70.56.040(5), or reports regarding adverse events for purposes of RCW 70.56.020(2)(b); or

(E) A manufacturer, as defined in 21 C.F.R. Sec. 820.3(o), when collected, used, or disclosed for purposes specified in chapter 70.02 RCW;

(vi) Information and documents created for purposes of the federal health care quality improvement act of 1986, and related regulations;

(vii) Patient safety work product for purposes of 42 C.F.R. Part 3, established pursuant to 42 U.S.C. Sec. 299b-21 through 299b-26;

(viii) Information that is (A) deidentified in accordance with the requirements for deidentification set forth in 45 C.F.R. Part 164, and (B) derived from any of the health care-related information listed in this subsection (1)(a)(viii);

(b) Information originating from, and intermingled to be indistinguishable with, information under (a) of this subsection that is maintained by:

(i) A covered entity or business associate as defined by the health insurance portability and accountability act of 1996 and related regulations;

(ii) A health care facility or health care provider as defined in RCW 70.02.010; or

(iii) A program or a qualified service organization as defined by 42 C.F.R. Part 2, established pursuant to 42 U.S.C. Sec. 290dd-2;

(c) Information used only for public health activities and purposes as described in 45 C.F.R. Sec. 164.512 or that is part of a limited data set, as defined, and is used, disclosed, and maintained in the manner required, by 45 C.F.R. Sec. 164.514; or

(d) Identifiable data collected, used, or disclosed in accordance with chapter 43.371 RCW or RCW 69.43.165.

(2) Personal information that is governed by and collected, used, or disclosed pursuant to the following regulations, parts, titles, or acts, is exempt from this chapter: (a) The Gramm-Leach-Bliley act (15 U.S.C. 6801 et seq.) and implementing regulations; (b) part C of Title XI of the social security act (42 U.S.C. 1320d et seq.); (c) the fair credit reporting act (15 U.S.C. 1681 et seq.); (d) the family educational rights and privacy act (20 U.S.C. 1232g; Part 99 of Title 34, C.F.R.); (e) the Washington health benefit exchange and applicable statutes and regulations, including 45 C.F.R. Sec. 155.260 and chapter 43.71 RCW; or (f) privacy rules adopted by the office of the insurance commissioner pursuant to chapter 48.02 or 48.43 RCW.

(3) The obligations imposed on regulated entities, small businesses, and processors under this chapter does not restrict a regulated entity's, small business's, or processor's ability for collection, use, or disclosure of consumer health data to prevent, detect, protect against, or respond to security incidents, identity theft, fraud, harassment, malicious or deceptive activities, or any activity that is illegal under Washington state law or federal law; preserve the integrity or security of systems; or investigate,

EIGHTY SEVENTH DAY, APRIL 5, 2023

report, or prosecute those responsible for any such action that is illegal under Washington state law or federal law.

(4) If a regulated entity, small business, or processor processes consumer health data pursuant to subsection (3) of this section, such entity bears the burden of demonstrating that such processing qualifies for the exemption and complies with the requirements of this section.

NEW SECTION. Sec. 13. A new section is added to chapter 44.28 RCW to read as follows:

(1) The joint committee must review enforcement actions, as authorized in section 6 of this act, brought by the attorney general and consumers to enforce violations of this act.

(2) The report must include, at a minimum:

(a) The number of enforcement actions reported by the attorney general, a consumer, a regulated entity, or a small business that resulted in a settlement, including the average settlement amount;

(b) The number of complaints reported, including categories of complaints and the number of complaints for each category, reported by the attorney general, a consumer, a regulated entity, or a small business;

(c) The number of enforcement actions brought by the attorney general and consumers, including the categories of violations and the number of violations per category;

(e) The number of civil actions where a judge determined the position of the nonprevailing party was frivolous, if any;

(f) The types of resources, including associated costs, expended by the attorney general, a consumer, a regulated entity, or a small business for enforcement actions; and

(g) Recommendations for potential changes to enforcement provisions of this act.

(3) The office of the attorney general shall provide the joint committee any data within their purview that the joint committee considers necessary to conduct the review.

(4) The joint committee shall submit a report of its findings and recommendations to the governor and the appropriate committees of the legislature by September 30, 2030.

(5) This section expires June 30, 2031.

NEW SECTION. Sec. 14. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 15. Sections 1 through 12 of this act constitute a new chapter in Title 19 RCW."

On page 1, line 2 of the title, after "data;" strike the remainder of the title and insert "adding a new section to chapter 44.28 RCW; adding a new chapter to Title 19 RCW; providing an effective date; and providing an expiration date."

MOTION

Senator Mullet moved that the following amendment no. 0298 by Senator Mullet be adopted:

On page 3, line 15, after "that" strike "identifies" and insert "a regulated entity or a small business processes to identify"

Senators Mullet and Padden spoke in favor of adoption of the amendment to the striking amendment.

Senators Dhingra and Short spoke against adoption of the amendment to the striking amendment.

MOTION

Senator Padden demanded a roll call.

The President declared that one-sixth of the members supported the demand, and the demand was sustained.

The President declared the question before the Senate to be the adoption of the amendment by Senator Mullet on page 3, line 15 to striking amendment no. 0270.

ROLL CALL

The Secretary called the roll on the adoption of the amendment by Senator Mullet and the amendment was not adopted by the following vote: Yeas, 22; Nays, 26; Absent, 0; Excused, 1.

Voting yea: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, Liias, MacEwen, McCune, Mullet, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

Voting nay: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Lovelett, Lovick, Nguyen, Nobles, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Wellman and Wilson, C.

Excused: Senator Van De Wege.

MOTION

Senator Mullet moved that the following amendment no. 0299 by Senator Mullet be adopted:

On page 3, line 15, after "that" strike "identifies" and insert "a regulated entity or a small business processes to identify"

On page 15, line 26, after "**Sec. 11.**" strike "The" and insert "(1) For actions brought by the attorney general to enforce this chapter, the"

On page 15, after line 33, insert the following:

"(2) Any consumer injured by a violation of this chapter may bring an action under chapter 19.86 RCW, but must establish all required elements of an action under chapter 19.86 RCW before relief may be granted."

Senator Mullet spoke in favor of adoption of the amendment to the striking amendment.

Senator Dhingra spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0299 by Senator Mullet on page 3, line 15 to striking amendment no. 0270.

The motion by Senator Mullet did not carry and amendment no. 0299 was not adopted by voice vote.

MOTION

Senator Mullet moved that the following amendment no. 0305 by Senator Mullet be adopted:

On page 3, line 15, after "that" strike "identifies" and insert "a regulated entity or a small business processes to identify"

On page 15, beginning on line 26, strike all of section 11 and insert the following:

NEW SECTION. Sec. 11. (1) For actions brought by the attorney general to enforce this chapter, the legislature finds that the practices covered by this chapter are matters vitally affecting the public interest for the purpose of applying the consumer protection act, chapter 19.86 RCW. A violation of this chapter is not reasonable in relation to the development and preservation of business, and is an unfair or deceptive act in trade or commerce

and an unfair method of competition for the purpose of applying the consumer protection act, chapter 19.86 RCW.

(2) The attorney general shall, prior to initiating any action for a violation of any provisions of this chapter, issue a notice of violation to the regulated entity, small business, or processor if the attorney general determines that a cure is possible. If the regulated entity, small business, or processor fails to cure such violation within 30 days of receipt of the notice of violation, the attorney general may bring an action pursuant to this section. Notwithstanding the foregoing, the attorney general shall not be required to provide a 30-day opportunity to cure if the alleged violation is the same as a previously addressed matter involving the same parties, and the decision has been resolved by an agreement between the parties or was adjudicated and a decision issued is final.

(3) Any consumer injured by a violation of this chapter may bring an action under chapter 19.86 RCW, but must establish all required elements of an action under chapter 19.86 RCW before relief may be granted."

Senator Mullet spoke in favor of adoption of the amendment to the striking amendment.

Senator Dhingra spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0305 by Senator Mullet on page 3, line 15 to striking amendment no. 0270.

The motion by Senator Mullet did not carry and amendment no. 0305 was not adopted by voice vote.

MOTION

Senator Padden moved that the following amendment no. 0292 by Senator Padden be adopted:

On page 4, after line 12, insert the following:

"(d) "Consumer health data" does not include information about a consumer's purchase or use of items that does not reveal a consumer's past, present, or future physical or mental health condition or diagnosis including, but not limited to: Athletic or sports equipment; footwear and apparel; over-the-counter skin care or hair products; perfumes and fragrances; beauty devices, jewelry, personal accessories, consumer electronics and smart devices, entertainment equipment, games, and toys; groceries, food, and beverages, including beer, wine, and spirits; cleaning and other household supplies; recreational cannabis; pets, pet food, and pet supplies; first aid supplies; and over-the-counter dietary supplements, pain relievers, and cold remedies."

Senators Padden and Boehnke spoke in favor of adoption of the amendment to the striking amendment.

Senator Kuderer spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0292 by Senator Padden on page 4, after line 12 to striking amendment no. 0270.

The motion by Senator Padden did not carry and amendment no. 0292 was not adopted by voice vote.

MOTION

Senator Wagoner moved that the following amendment no. 0291 by Senator Wagoner be adopted:

On page 6, beginning on line 5, after "include" strike all material through "agency" on line 7 and insert "tribal nations"

On page 7, beginning on line 1, after "mean" strike all material through "agency" on line 3 and insert "tribal nations"

Senators Wagoner, Short and Padden spoke in favor of adoption of the amendment to the striking amendment.

Senator Dhingra spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0291 by Senator Wagoner on page 6, line 5 to striking amendment no. 0270.

MOTION

Senator Wagoner demanded a roll call.

The President declared that one-sixth of the members supported the demand, and the demand was sustained.

The President declared the question before the Senate to be the adoption of the amendment by Senator Wagoner on page 6, line 5 to striking amendment no. 0270.

ROLL CALL

The Secretary called the roll on the adoption of the amendment by Senator Wagoner and the amendment was not adopted by the following vote: Yeas, 21; Nays, 27; Absent, 0; Excused, 1.

Voting yea: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Mullet, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

Voting nay: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Lias, Lovelett, Lovick, Nguyen, Nobles, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Wellman and Wilson, C.

Excused: Senator Van De Wege.

MOTION

Senator Short moved that the following amendment no. 0303 by Senator Short be adopted:

Beginning on page 9, line 1, strike all of sections 4 through 9 and insert the following:

NEW SECTION. Sec. 4. (1) A regulated entity and a small business shall maintain a consumer health data privacy policy that clearly and conspicuously discloses:

(a) The categories of consumer health data collected and the purpose for which the data is collected, including how the data will be used;

(b) The categories of sources from which the consumer health data is collected;

(c) The categories of consumer health data that is shared;

(d) A list of the categories of third parties and specific affiliates with whom the regulated entity or the small business shares the consumer health data; and

(e) How a consumer can exercise the rights provided in section 6 of this act.

(2) A regulated entity and a small business shall prominently publish a link to its consumer health data privacy policy on its home page.

(3) A regulated entity or a small business may not collect, use, or share additional categories of consumer health data not

EIGHTY SEVENTH DAY, APRIL 5, 2023

disclosed in the consumer health data privacy policy without first disclosing the additional categories and obtaining the consumer's affirmative consent prior to the collection, use, or sharing of such consumer health data.

(4) A regulated entity or a small business may not collect, use, or share consumer health data for additional purposes not disclosed in the consumer health data privacy policy without first disclosing the additional purposes and obtaining the consumer's affirmative consent prior to the collection, use, or sharing of such consumer health data.

(5) It is a violation of this chapter for a regulated entity or a small business to contract with a processor to process consumer health data in a manner that is inconsistent with the regulated entity's or the small business's consumer health data privacy policy.

NEW SECTION. Sec. 5. (1) A regulated entity or a small business may not collect any consumer health data except:

(a) With consent from the consumer for such collection for a specified purpose; or

(b) To the extent necessary to provide a product or service that the consumer to whom such consumer health data relates has requested from such regulated entity or small business.

(2) A regulated entity or a small business may not share any consumer health data except:

(a) With consent from the consumer for such sharing that is separate and distinct from the consent obtained to collect consumer health data; or

(b) To the extent necessary to provide a product or service that the consumer to whom such consumer health data relates has requested from such regulated entity or small business.

(3) Consent required under this section must be obtained prior to the collection or sharing, as applicable, of any consumer health data, and the request for consent must clearly and conspicuously disclose: (a) The categories of consumer health data collected or shared; (b) the purpose of the collection or sharing of the consumer health data, including the specific ways in which it will be used; (c) the categories of entities with whom the consumer health data is shared; and (d) how the consumer can withdraw consent from future collection or sharing of the consumer's health data.

(4) A regulated entity or a small business may not unlawfully discriminate against a consumer for exercising any rights included in this chapter.

NEW SECTION. Sec. 6. (1) A consumer has the right to confirm whether a regulated entity or a small business is collecting, sharing, or selling consumer health data concerning the consumer and to access such data, including a list of all third parties and affiliates with whom the regulated entity or the small business has shared or sold the consumer health data and an active email address or other online mechanism that the consumer may use to contact these third parties.

(2) A consumer has the right to withdraw consent from the regulated entity's or the small business's collection and sharing of consumer health data concerning the consumer.

(3) A consumer has the right to have consumer health data concerning the consumer deleted and may exercise that right by informing the regulated entity or the small business of the consumer's request for deletion.

(a) A regulated entity or a small business that receives a consumer's request to delete any consumer health data concerning the consumer shall:

(i) Delete the consumer health data from its records, including from all parts of the regulated entity's or the small business's network, including archived or backup systems pursuant to (c) of this subsection; and

(ii) Notify all affiliates, processors, contractors, and other third parties with whom the regulated entity or the small business has shared consumer health data of the deletion request.

(b) All affiliates, processors, contractors, and other third parties that receive notice of a consumer's deletion request shall honor the consumer's deletion request and delete the consumer health data from its records, subject to the same requirements of this chapter.

(c) If consumer health data that a consumer requests to be deleted is stored on archived or backup systems, then the request for deletion may be delayed to enable restoration of the archived or backup systems and such delay may not exceed six months from authenticating the deletion request.

(4) A consumer may exercise the rights set forth in this chapter by submitting a request, at any time, to a regulated entity or a small business. Such a request may be made by a secure and reliable means established by the regulated entity or the small business and described in its consumer health data privacy policy. The method must take into account the ways in which consumers normally interact with the regulated entity or the small business, the need for secure and reliable communication of such requests, and the ability of the regulated entity or the small business to authenticate the identity of the consumer making the request. A regulated entity or a small business may not require a consumer to create a new account in order to exercise consumer rights pursuant to this chapter but may require a consumer to use an existing account.

(5) If a regulated entity or a small business is unable to authenticate the request using commercially reasonable efforts, the regulated entity or the small business is not required to comply with a request to initiate an action under this section and may request that the consumer provide additional information reasonably necessary to authenticate the consumer and the consumer's request.

(6) Information provided in response to a consumer request must be provided by a regulated entity and a small business free of charge, up to twice annually per consumer. If requests from a consumer are manifestly unfounded, excessive, or repetitive, the regulated entity or the small business may charge the consumer a reasonable fee to cover the administrative costs of complying with the request or decline to act on the request. The regulated entity and the small business bear the burden of demonstrating the manifestly unfounded, excessive, or repetitive nature of the request.

(7) A regulated entity and a small business shall comply with the consumer's requests under subsections (1) through (3) of this section without undue delay, but in all cases within 45 days of receipt of the request submitted pursuant to the methods described in this section. A regulated entity and a small business must promptly take steps to authenticate a consumer request but this does not extend the regulated entity's and the small business's duty to comply with the consumer's request within 45 days of receipt of the consumer's request. The response period may be extended once by 45 additional days when reasonably necessary, taking into account the complexity and number of the consumer's requests, so long as the regulated entity or the small business informs the consumer of any such extension within the initial 45-day response period, together with the reason for the extension.

(8) A regulated entity and a small business shall establish a process for a consumer to appeal the regulated entity's or the small business's refusal to take action on a request within a reasonable period of time after the consumer's receipt of the decision. The appeal process must be conspicuously available and similar to the process for submitting requests to initiate action

pursuant to this section. Within 45 days of receipt of an appeal, a regulated entity or a small business shall inform the consumer in writing of any action taken or not taken in response to the appeal, including a written explanation of the reasons for the decisions. If the appeal is denied, the regulated entity or the small business shall also provide the consumer with an online mechanism, if available, or other method through which the consumer may contact the attorney general to submit a complaint.

NEW SECTION. Sec. 7. A regulated entity and a small business shall:

(1) Restrict access to consumer health data by the employees, processors, and contractors of such regulated entity or small business to only those employees, processors, and contractors for which access is necessary to further the purposes for which the consumer provided consent or where necessary to provide a product or service that the consumer to whom such consumer health data relates has requested from such regulated entity or small business; and

(2) Establish, implement, and maintain administrative, technical, and physical data security practices that, at a minimum, satisfy reasonable standard of care within the regulated entity's or the small business's industry to protect the confidentiality, integrity, and accessibility of consumer health data appropriate to the volume and nature of the consumer health data at issue.

NEW SECTION. Sec. 8. (1)(a) A processor may process consumer health data only pursuant to a binding contract between the processor and the regulated entity or the small business that sets forth the processing instructions and limits the actions the processor may take with respect to the consumer health data it processes on behalf of the regulated entity or the small business.

(b) A processor may process consumer health data only in a manner that is consistent with the binding instructions set forth in the contract with the regulated entity or the small business.

(2) A processor shall assist the regulated entity or the small business by appropriate technical and organizational measures, insofar as this is possible, in fulfilling the regulated entity's and the small business's obligations under this chapter.

(3) If a processor fails to adhere to the regulated entity's or the small business's instructions or processes consumer health data in a manner that is outside the scope of the processor's contract with the regulated entity or the small business, the processor is considered a regulated entity or a small business with regard to such data and is subject to all the requirements of this chapter with regard to such data.

NEW SECTION. Sec. 9. (1) It is unlawful for any person to sell or offer to sell consumer health data concerning a consumer without first obtaining valid authorization from the consumer. The sale of consumer health data must be consistent with the valid authorization signed by the consumer. This authorization must be separate and distinct from the consent obtained to collect or share consumer health data, as required under section 5 of this act.

(2) A valid authorization to sell consumer health data is a document consistent with this section and must be written in plain language. The valid authorization to sell consumer health data must contain the following:

(a) The specific consumer health data concerning the consumer that the person intends to sell;

(b) The name and contact information of the person collecting and selling the consumer health data;

(c) The name and contact information of the person purchasing the consumer health data from the seller identified in (b) of this subsection;

(d) A description of the purpose for the sale, including how the consumer health data will be gathered and how it will be used by the purchaser identified in (c) of this subsection when sold;

(e) A statement that the provision of goods or services may not be conditioned on the consumer signing the valid authorization;

(f) A statement that the consumer has a right to revoke the valid authorization at any time and a description on how to submit a revocation of the valid authorization;

(g) A statement that the consumer health data sold pursuant to the valid authorization may be subject to redisclosure by the purchaser and may no longer be protected by this section;

(h) An expiration date for the valid authorization that expires one year from when the consumer signs the valid authorization; and

(i) The signature of the consumer and date.

(3) An authorization is not valid if the document has any of the following defects:

(a) The expiration date has passed;

(b) The authorization does not contain all the information required under this section;

(c) The authorization has been revoked by the consumer;

(d) The authorization has been combined with other documents to create a compound authorization; or

(e) The provision of goods or services is conditioned on the consumer signing the authorization.

(4) A copy of the signed valid authorization must be provided to the consumer.

(5) The seller and purchaser of consumer health data must retain a copy of all valid authorizations for sale of consumer health data for six years from the date of its signature or the date when it was last in effect, whichever is later."

On page 19, after line 4, insert the following:

NEW SECTION. Sec. 16. Sections 4 through 9 of this act take effect July 31, 2025."

Senator Short spoke in favor of adoption of the amendment to the striking amendment.

Senator Dhingra spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0303 by Senator Short on page 9, line 1 to striking amendment no. 0270.

The motion by Senator Short did not carry and amendment no. 0303 was not adopted by voice vote.

MOTION

Senator Padden moved that the following amendment no. 0294 by Senator Padden be adopted:

On page 14, beginning on line 22, after "(c)" strike all material through "subsection" on line 24 and insert "The categories of third parties to whom the person sells consumer health data, described with enough particularity to provide consumers with a meaningful understanding of the type of third party"

Senator Padden spoke in favor of adoption of the amendment to the striking amendment.

Senator Kuderer spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0294 by Senator Padden on page 14, line 22 to striking amendment no. 0270.

The motion by Senator Padden did not carry and amendment no. 0294 was not adopted by voice vote.

WITHDRAWAL OF AMENDMENT

On motion of Senator Mullet and without objection, amendment no. 0285 by Senator Mullet on page 15, line 26 to striking amendment no. 0270 was withdrawn.

MOTION

Senator Padden moved that the following amendment no. 0293 by Senator Padden be adopted:

On page 15, beginning on line 26, strike all of section 11 and insert the following:

"NEW SECTION. **Sec. 11.** The attorney general shall, prior to initiating any action for a violation of any provisions of this chapter, issue a notice of violation to the regulated entity, small business, or processor if the attorney general determines that a cure is possible. If the regulated entity, small business, or processor fails to cure such violation within 30 days of receipt of the notice of violation, the attorney general may bring an action pursuant to this section. Notwithstanding the foregoing, the attorney general shall not be required to provide a 30-day opportunity to cure if the alleged violation is the same as a previously addressed matter involving the same parties, and the decision has been resolved by an agreement between the parties or was adjudicated and a decision issued is final."

Senators Padden and Short spoke in favor of adoption of the amendment to the striking amendment.

Senator Dhingra spoke against adoption of the amendment to the striking amendment.

MOTION

Senator Short demanded a roll call.

The President declared that one-sixth of the members supported the demand, and the demand was sustained.

The President declared the question before the Senate to be the adoption of the amendment by Senator Padden on page 15, line 26 to striking amendment no. 0270.

ROLL CALL

The Secretary called the roll on the adoption of the amendment by Senator Padden and the amendment was not adopted by the following vote: Yeas, 21; Nays, 27; Absent, 0; Excused, 1.

Voting yea: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Mullet, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

Voting nay: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Liias, Lovelett, Lovick, Nguyen, Nobles, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Wellman and Wilson, C.

Excused: Senator Van De Wege.

WITHDRAWAL OF AMENDMENT

On motion of Senator Short and without objection, amendment no. 302 by Senator Short on page 15, line 26 to striking amendment no. 0270 was withdrawn.

WITHDRAWAL OF AMENDMENT

On motion of Senator Mullet and without objection, amendment no. 286 by Senator Mullet on page 15, line 26 to striking amendment no. 0270 was withdrawn.

MOTION

Senator Short moved that the following amendment no. 0296 by Senator Short be adopted:

On page 18, after line 5, insert the following:

"(5) The obligations imposed on regulated entities, small businesses, and processors under this chapter do not restrict a regulated entity's, small business's, or processor's ability to do any of the following:

(a) Investigate, respond to, exercise, prepare for, or defend legal claims;

(b) Provide a product or service specifically requested by a consumer;

(c) Take immediate steps to protect an interest that is essential for the life or physical safety of a consumer or another individual;

(d) Assist another regulated entity, small business, processor, or third party with any of the obligations under this chapter;

(e) Conduct internal research to develop, improve, or repair products, services, or technology;

(f) Effectuate a product recall;

(g) Identify and repair technical errors that impair existing or intended functionality; or

(h) Perform internal operations that are reasonably aligned with the expectations of the consumer or reasonably anticipated based on the consumer's existing relationship with the regulated entity or the small business, or are otherwise compatible with processing consumer health data in furtherance of the provision of a product or service specifically requested by a consumer or the performance of a contract to which the consumer is a party."

Senator Short spoke in favor of adoption of the amendment to the striking amendment.

Senator Dhingra spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0296 by Senator Short on page 18, after line 5 to striking amendment no. 0270.

The motion by Senator Short did not carry and amendment no. 0296 was not adopted by voice vote.

MOTION

Senator Dhingra moved that the following amendment no. 0272 by Senator Dhingra be adopted:

On page 18, line 9, after "section" strike "6" and insert "11"

Senator Dhingra spoke in favor of adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0272 by Senator Dhingra on page 18, line 9 to striking amendment no. 0270.

The motion by Senator Dhingra carried and amendment no. 0272 was adopted by voice vote.

Senator Dhingra spoke in favor of adoption of the striking amendment as amended.

The President declared the question before the Senate to be the adoption of striking amendment no. 0270 by Senator Dhingra as amended to Engrossed Substitute House Bill No. 1155.

The motion by Senator Dhingra carried and striking amendment no. 0270 as amended was adopted by voice vote.

MOTION

On motion of Senator Dhingra, the rules were suspended, Engrossed Substitute House Bill No. 1155 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Dhingra, Trudeau and Kuderer spoke in favor of passage of the bill.

Senators Padden and Braun spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 1155 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 1155 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 27; Nays, 21; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Lias, Lovelett, Lovick, Nguyen, Nobles, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Mullet, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

Excused: Senator Van De Wege

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1155 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1259, by Representatives Abbarno, Stearns and Reeves

Updating the executive team of the office of the secretary of state by adding signing authority to the chief of staff position.

The measure was read the second time.

MOTION

On motion of Senator Hunt, the rules were suspended, House Bill No. 1259 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hunt and Wilson, J. spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1259.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1259 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Van De Wege

HOUSE BILL NO. 1259, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1051, by House Committee on Consumer Protection & Business (originally sponsored by Leavitt, Walen, Simmons, Ryu, Goodman, Fitzgibbon, Pollet, Doglio, Orwall, Macri, Timmons, Wylie, Bronoske, Ramos, Thai and Kloba)

Concerning robocalling and telephone scams.

The measure was read the second time.

MOTION

On motion of Senator Stanford, the rules were suspended, Engrossed Substitute House Bill No. 1051 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Stanford and Dozier spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 1051.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 1051 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Van De Wege

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1051, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1002, by Representatives Leavitt, Thai, Ryu, Berry, Reed, Lekanoff, Senn, Doglio, Reeves, Bronoske, Kloba and Riccelli

Increasing the penalty for hazing.

The measure was read the second time.

MOTION

Senator Dhingra moved that the following committee striking amendment by the Committee on Law & Justice be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 28B.10.901 and 1993 c 514 s 2 are each amended to read as follows:

(1) No student, or other person in attendance at any public or private institution of higher education, or any other postsecondary educational institution, may ~~((conspire to engage in hazing or participate in hazing of))~~ intentionally haze another.

(2) ~~((A))~~ (a) Except as provided in (b) of this subsection, a violation of subsection (1) of this section is a gross misdemeanor, punishable as provided under RCW 9A.20.021.

(b) A violation of subsection (1) of this section that causes substantial bodily harm, as defined in RCW 9A.04.110, to another person is a class C felony.

(3) Any student organization, association, or student living group that ~~((knowingly))~~ permits hazing is strictly liable for ~~((harm))~~ damages caused to persons or property resulting from hazing. If the student organization, association, or student living group is a corporation whether for profit or nonprofit, the individual directors of the corporation may be held individually liable for damages.

Sec. 2. RCW 9.94A.411 and 2021 c 215 s 98 are each amended to read as follows:

(1) Decision not to prosecute.

STANDARD: A prosecuting attorney may decline to prosecute, even though technically sufficient evidence to prosecute exists, in situations where prosecution would serve no public purpose, would defeat the underlying purpose of the law in question or would result in decreased respect for the law.

GUIDELINE/COMMENTARY:

Examples

The following are examples of reasons not to prosecute which could satisfy the standard.

(a) Contrary to Legislative Intent - It may be proper to decline to charge where the application of criminal sanctions would be clearly contrary to the intent of the legislature in enacting the particular statute.

(b) Antiquated Statute - It may be proper to decline to charge where the statute in question is antiquated in that:

(i) It has not been enforced for many years; and

(ii) Most members of society act as if it were no longer in existence; and

(iii) It serves no deterrent or protective purpose in today's society; and

(iv) The statute has not been recently reconsidered by the legislature.

This reason is not to be construed as the basis for declining cases because the law in question is unpopular or because it is difficult to enforce.

(c) De Minimis Violation - It may be proper to decline to charge where the violation of law is only technical or insubstantial and where no public interest or deterrent purpose would be served by prosecution.

(d) Confinement on Other Charges - It may be proper to decline to charge because the accused has been sentenced on another charge to a lengthy period of confinement; and

(i) Conviction of the new offense would not merit any additional direct or collateral punishment;

(ii) The new offense is either a misdemeanor or a felony which is not particularly aggravated; and

(iii) Conviction of the new offense would not serve any significant deterrent purpose.

(e) Pending Conviction on Another Charge - It may be proper to decline to charge because the accused is facing a pending prosecution in the same or another county; and

(i) Conviction of the new offense would not merit any additional direct or collateral punishment;

(ii) Conviction in the pending prosecution is imminent;

(iii) The new offense is either a misdemeanor or a felony which is not particularly aggravated; and

(iv) Conviction of the new offense would not serve any significant deterrent purpose.

(f) High Disproportionate Cost of Prosecution - It may be proper to decline to charge where the cost of locating or transporting, or the burden on, prosecution witnesses is highly disproportionate to the importance of prosecuting the offense in question. This reason should be limited to minor cases and should not be relied upon in serious cases.

(g) Improper Motives of Complainant - It may be proper to decline charges because the motives of the complainant are improper and prosecution would serve no public purpose, would defeat the underlying purpose of the law in question or would result in decreased respect for the law.

(h) Immunity - It may be proper to decline to charge where immunity is to be given to an accused in order to prosecute another where the accused's information or testimony will reasonably lead to the conviction of others who are responsible for more serious criminal conduct or who represent a greater danger to the public interest.

(i) Victim Request - It may be proper to decline to charge because the victim requests that no criminal charges be filed and the case involves the following crimes or situations:

(i) Assault cases where the victim has suffered little or no injury;

(ii) Crimes against property, not involving violence, where no major loss was suffered;

(iii) Where doing so would not jeopardize the safety of society.

Care should be taken to insure that the victim's request is freely made and is not the product of threats or pressure by the accused.

The presence of these factors may also justify the decision to dismiss a prosecution which has been commenced.

Notification

The prosecutor is encouraged to notify the victim, when practical, and the law enforcement personnel, of the decision not to prosecute.

(2) Decision to prosecute.

(a) STANDARD:

Crimes against persons will be filed if sufficient admissible evidence exists, which, when considered with the most plausible, reasonably foreseeable defense that could be raised under the evidence, would justify conviction by a reasonable and objective fact finder. With regard to offenses prohibited by RCW 9A.44.040, 9A.44.050, 9A.44.073, 9A.44.076, 9A.44.079, 9A.44.083, 9A.44.086, 9A.44.089, and 9A.64.020 the prosecutor should avoid prefilng agreements or diversions intended to place the accused in a program of treatment or counseling, so that treatment, if determined to be beneficial, can be provided pursuant to RCW 9.94A.670.

Crimes against property/other crimes will be filed if the admissible evidence is of such convincing force as to make it probable that a reasonable and objective fact finder would convict after hearing all the admissible evidence and the most plausible defense that could be raised.

See table below for the crimes within these categories.

CATEGORIZATION OF CRIMES FOR PROSECUTING STANDARDS

CRIMES AGAINST PERSONS

Aggravated Murder (RCW 10.95.020)
 1st Degree Murder (RCW 9A.32.030)
 2nd Degree Murder (RCW 9A.32.050)
 1st Degree Manslaughter (RCW 9A.32.060)
 2nd Degree Manslaughter (RCW 9A.32.070)
 1st Degree Kidnapping (RCW 9A.40.020)
 2nd Degree Kidnapping (RCW 9A.40.030)
 1st Degree Assault (RCW 9A.36.011)
 2nd Degree Assault (RCW 9A.36.021)
 3rd Degree Assault (RCW 9A.36.031)
 4th Degree Assault (if a violation of RCW 9A.36.041(3))
 1st Degree Assault of a Child (RCW 9A.36.120)
 2nd Degree Assault of a Child (RCW 9A.36.130)
 3rd Degree Assault of a Child (RCW 9A.36.140)
 1st Degree Rape (RCW 9A.44.040)
 2nd Degree Rape (RCW 9A.44.050)
 3rd Degree Rape (RCW 9A.44.060)
 1st Degree Rape of a Child (RCW 9A.44.073)
 2nd Degree Rape of a Child (RCW 9A.44.076)
 3rd Degree Rape of a Child (RCW 9A.44.079)
 1st Degree Robbery (RCW 9A.56.200)
 2nd Degree Robbery (RCW 9A.56.210)
 1st Degree Arson (RCW 9A.48.020)
 1st Degree Burglary (RCW 9A.52.020)
 1st Degree Identity Theft (RCW 9.35.020(2))
 2nd Degree Identity Theft (RCW 9.35.020(3))
 1st Degree Extortion (RCW 9A.56.120)
 2nd Degree Extortion (RCW 9A.56.130)
 1st Degree Criminal Mistreatment (RCW 9A.42.020)
 2nd Degree Criminal Mistreatment (RCW 9A.42.030)
 1st Degree Theft from a Vulnerable Adult (RCW 9A.56.400(1))
 2nd Degree Theft from a Vulnerable Adult (RCW 9A.56.400(2))
 Indecent Liberties (RCW 9A.44.100)
 Incest (RCW 9A.64.020)
 Vehicular Homicide (RCW 46.61.520)
 Vehicular Assault (RCW 46.61.522)
 1st Degree Child Molestation (RCW 9A.44.083)
 2nd Degree Child Molestation (RCW 9A.44.086)
 3rd Degree Child Molestation (RCW 9A.44.089)
 1st Degree Promoting Prostitution (RCW 9A.88.070)
 Intimidating a Juror (RCW 9A.72.130)
 Communication with a Minor (RCW 9.68A.090)
 Intimidating a Witness (RCW 9A.72.110)
 Intimidating a Public Servant (RCW 9A.76.180)
 Bomb Threat (if against person) (RCW 9.61.160)
 Unlawful Imprisonment (RCW 9A.40.040)
 Promoting a Suicide Attempt (RCW 9A.36.060)
 Criminal Mischief (if against person) (RCW 9A.84.010)
 Stalking (RCW 9A.46.110)
 Custodial Assault (RCW 9A.36.100)
 Domestic Violence Court Order Violation (RCW 7.105.450, 10.99.040, 10.99.050, 26.09.300, ((~~26.10.220~~), 26.26B.050, or 26.52.070, or any of the former RCW 26.50.110 and 74.34.145)
 Counterfeiting (if a violation of RCW 9.16.035(4))

Felony Driving a Motor Vehicle While Under the Influence of Intoxicating Liquor or Any Drug (RCW 46.61.502(6))

Felony Physical Control of a Motor Vehicle While Under the Influence of Intoxicating Liquor or Any Drug (RCW 46.61.504(6))

Felony Hazing (RCW 28B.10.901(2)(b))

CRIMES AGAINST PROPERTY/OTHER CRIMES

2nd Degree Arson (RCW 9A.48.030)
 1st Degree Escape (RCW 9A.76.110)
 2nd Degree Escape (RCW 9A.76.120)
 2nd Degree Burglary (RCW 9A.52.030)
 1st Degree Theft (RCW 9A.56.030)
 2nd Degree Theft (RCW 9A.56.040)
 1st Degree Perjury (RCW 9A.72.020)
 2nd Degree Perjury (RCW 9A.72.030)
 1st Degree Introducing Contraband (RCW 9A.76.140)
 2nd Degree Introducing Contraband (RCW 9A.76.150)
 1st Degree Possession of Stolen Property (RCW 9A.56.150)
 2nd Degree Possession of Stolen Property (RCW 9A.56.160)
 Bribery (RCW 9A.68.010)
 Bribing a Witness (RCW 9A.72.090)
 Bribe received by a Witness (RCW 9A.72.100)
 Bomb Threat (if against property) (RCW 9.61.160)
 1st Degree Malicious Mischief (RCW 9A.48.070)
 2nd Degree Malicious Mischief (RCW 9A.48.080)
 1st Degree Reckless Burning (RCW 9A.48.040)
 Taking a Motor Vehicle without Authorization (RCW 9A.56.070 and 9A.56.075)
 Forgery (RCW 9A.60.020)
 2nd Degree Promoting Prostitution (RCW 9A.88.080)
 Tampering with a Witness (RCW 9A.72.120)
 Trading in Public Office (RCW 9A.68.040)
 Trading in Special Influence (RCW 9A.68.050)
 Receiving/Granting Unlawful Compensation (RCW 9A.68.030)
 Bigamy (RCW 9A.64.010)
 Eluding a Pursuing Police Vehicle (RCW 46.61.024)
 Willful Failure to Return from Furlough
 Escape from Community Custody
 Criminal Mischief (if against property) (RCW 9A.84.010)
 1st Degree Theft of Livestock (RCW 9A.56.080)
 2nd Degree Theft of Livestock (RCW 9A.56.083)
 ALL OTHER UNCLASSIFIED FELONIES
 Selection of Charges/Degree of Charge
 (i) The prosecutor should file charges which adequately describe the nature of defendant's conduct. Other offenses may be charged only if they are necessary to ensure that the charges:
 (A) Will significantly enhance the strength of the state's case at trial; or
 (B) Will result in restitution to all victims.
 (ii) The prosecutor should not overcharge to obtain a guilty plea. Overcharging includes:
 (A) Charging a higher degree;
 (B) Charging additional counts.
 This standard is intended to direct prosecutors to charge those crimes which demonstrate the nature and seriousness of a defendant's criminal conduct, but to decline to charge crimes which are not necessary to such an indication. Crimes which do not merge as a matter of law, but which arise from the same course of conduct, do not all have to be charged.
 (b) GUIDELINES/COMMENTARY:
 (i) Police Investigation
 A prosecuting attorney is dependent upon law enforcement agencies to conduct the necessary factual investigation which must precede the decision to prosecute. The prosecuting attorney

EIGHTY SEVENTH DAY, APRIL 5, 2023

shall ensure that a thorough factual investigation has been conducted before a decision to prosecute is made. In ordinary circumstances the investigation should include the following:

(A) The interviewing of all material witnesses, together with the obtaining of written statements whenever possible;

(B) The completion of necessary laboratory tests; and

(C) The obtaining, in accordance with constitutional requirements, of the suspect's version of the events.

If the initial investigation is incomplete, a prosecuting attorney should insist upon further investigation before a decision to prosecute is made, and specify what the investigation needs to include.

(ii) Exceptions

In certain situations, a prosecuting attorney may authorize filing of a criminal complaint before the investigation is complete if:

(A) Probable cause exists to believe the suspect is guilty; and

(B) The suspect presents a danger to the community or is likely to flee if not apprehended; or

(C) The arrest of the suspect is necessary to complete the investigation of the crime.

In the event that the exception to the standard is applied, the prosecuting attorney shall obtain a commitment from the law enforcement agency involved to complete the investigation in a timely manner. If the subsequent investigation does not produce sufficient evidence to meet the normal charging standard, the complaint should be dismissed.

(iii) Investigation Techniques

The prosecutor should be fully advised of the investigatory techniques that were used in the case investigation including:

(A) Polygraph testing;

(B) Hypnosis;

(C) Electronic surveillance;

(D) Use of informants.

(iv) Prefiling Discussions with Defendant

Discussions with the defendant or his/her representative regarding the selection or disposition of charges may occur prior to the filing of charges, and potential agreements can be reached.

(v) Prefiling Discussions with Victim(s)

Discussions with the victim(s) or victims' representatives regarding the selection or disposition of charges may occur before the filing of charges. The discussions may be considered by the prosecutor in charging and disposition decisions, and should be considered before reaching any agreement with the defendant regarding these decisions.

Sec. 3. RCW 9.94A.515 and 2022 c 231 s 13 are each amended to read as follows:

TABLE 2

CRIMES INCLUDED WITHIN EACH
SERIOUSNESS LEVEL

XVI Aggravated Murder 1 (RCW 10.95.020)	Malicious placement of an imitation device 1 (RCW 70.74.272(1)(a))
XV Homicide by abuse (RCW 9A.32.055)	Promoting Commercial Sexual Abuse of a Minor (RCW 9.68A.101)
Malicious explosion 1 (RCW 70.74.280(1))	Rape 1 (RCW 9A.44.040)
Murder 1 (RCW 9A.32.030)	Rape of a Child 1 (RCW 9A.44.073)
XIV Murder 2 (RCW 9A.32.050)	Trafficking 2 (RCW 9A.40.100(3))
Trafficking 1 (RCW 9A.40.100(1))	XI Manslaughter 1 (RCW 9A.32.060)
XIII Malicious explosion 2 (RCW 70.74.280(2))	Rape 2 (RCW 9A.44.050)
Malicious placement of an explosive 1 (RCW 70.74.270(1))	Rape of a Child 2 (RCW 9A.44.076)
XII Assault 1 (RCW 9A.36.011)	Vehicular Homicide, by being under the influence of intoxicating liquor or any drug (RCW 46.61.520)
Assault of a Child 1 (RCW 9A.36.120)	Vehicular Homicide, by the operation of any vehicle in a reckless manner (RCW 46.61.520)
	X Child Molestation 1 (RCW 9A.44.083)
	Criminal Mistreatment 1 (RCW 9A.42.020)
	Indecent Liberties (with forcible compulsion) (RCW 9A.44.100(1)(a))
	Kidnapping 1 (RCW 9A.40.020)
	Leading Organized Crime (RCW 9A.82.060(1)(a))
	Malicious explosion 3 (RCW 70.74.280(3))
	Sexually Violent Predator Escape (RCW 9A.76.115)
	IX Abandonment of Dependent Person 1 (RCW 9A.42.060)
	Assault of a Child 2 (RCW 9A.36.130)
	Explosive devices prohibited (RCW 70.74.180)
	Hit and Run—Death (RCW 46.52.020(4)(a))
	Homicide by Watercraft, by being under the influence of intoxicating liquor or any drug (RCW 79A.60.050)
	Inciting Criminal Profiteering (RCW 9A.82.060(1)(b))
	Malicious placement of an explosive 2 (RCW 70.74.270(2))
	Robbery 1 (RCW 9A.56.200)
	Sexual Exploitation (RCW 9.68A.040)
	VIII Arson 1 (RCW 9A.48.020)
	Commercial Sexual Abuse of a Minor (RCW 9.68A.100)
	Homicide by Watercraft, by the operation of any vessel in a reckless manner (RCW 79A.60.050)
	Manslaughter 2 (RCW 9A.32.070)
	Promoting Prostitution 1 (RCW 9A.88.070)
	Theft of Ammonia (RCW 69.55.010)
	VII Air bag diagnostic systems (causing bodily injury or death) (RCW 46.37.660(2)(b))
	Air bag replacement requirements (causing bodily injury or death) (RCW 46.37.660(1)(b))
	Burglary 1 (RCW 9A.52.020)
	Child Molestation 2 (RCW 9A.44.086)
	Civil Disorder Training (RCW 9A.48.120)
	Dealing in depictions of minor engaged in sexually explicit conduct 1 (RCW 9.68A.050(1))
	Drive-by Shooting (RCW 9A.36.045)

False Reporting 1 (RCW 9A.84.040(2)(a))	((26.10.220,)) 26.26B.050, ((26.50.110,)) <u>or</u> 26.52.070((-or 74.34.145)))
Homicide by Watercraft, by disregard for the safety of others (RCW 79A.60.050)	Extortion 1 (RCW 9A.56.120)
Indecent Liberties (without forcible compulsion) (RCW 9A.44.100(1) (b) and (c))	Extortionate Extension of Credit (RCW 9A.82.020)
Introducing Contraband 1 (RCW 9A.76.140)	Extortionate Means to Collect Extensions of Credit (RCW 9A.82.040)
Malicious placement of an explosive 3 (RCW 70.74.270(3))	Incest 2 (RCW 9A.64.020(2))
Manufacture or import counterfeit, nonfunctional, damaged, or previously deployed air bag (causing bodily injury or death) (RCW 46.37.650(1)(b))	Kidnapping 2 (RCW 9A.40.030)
Negligently Causing Death By Use of a Signal Preemption Device (RCW 46.37.675)	Manufacture or import counterfeit, nonfunctional, damaged, or previously deployed air bag (RCW 46.37.650(1)(c))
Sell, install, or reinstall counterfeit, nonfunctional, damaged, or previously deployed airbag (RCW 46.37.650(2)(b))	Perjury 1 (RCW 9A.72.020)
Sending, bringing into state depictions of minor engaged in sexually explicit conduct 1 (RCW 9.68A.060(1))	Persistent prison misbehavior (RCW 9.94.070)
Unlawful Possession of a Firearm in the first degree (RCW 9.41.040(1))	Possession of a Stolen Firearm (RCW 9A.56.310)
Use of a Machine Gun or Bump-fire Stock in Commission of a Felony (RCW 9.41.225)	Rape 3 (RCW 9A.44.060)
Vehicular Homicide, by disregard for the safety of others (RCW 46.61.520)	Rendering Criminal Assistance 1 (RCW 9A.76.070)
VI Bail Jumping with Murder 1 (RCW 9A.76.170(3)(a))	Sell, install, or reinstall counterfeit, nonfunctional, damaged, or previously deployed airbag (RCW 46.37.650(2)(c))
Bribery (RCW 9A.68.010)	Sending, Bringing into State Depictions of Minor Engaged in Sexually Explicit Conduct 2 (RCW 9.68A.060(2))
Incest 1 (RCW 9A.64.020(1))	Sexual Misconduct with a Minor 1 (RCW 9A.44.093)
Intimidating a Judge (RCW 9A.72.160)	Sexually Violating Human Remains (RCW 9A.44.105)
Intimidating a Juror/Witness (RCW 9A.72.110, 9A.72.130)	Stalking (RCW 9A.46.110)
Malicious placement of an imitation device 2 (RCW 70.74.272(1)(b))	Taking Motor Vehicle Without Permission 1 (RCW 9A.56.070)
Possession of Depictions of a Minor Engaged in Sexually Explicit Conduct 1 (RCW 9.68A.070(1))	IV Arson 2 (RCW 9A.48.030)
Rape of a Child 3 (RCW 9A.44.079)	Assault 2 (RCW 9A.36.021)
Theft of a Firearm (RCW 9A.56.300)	Assault 3 (of a Peace Officer with a Projectile Stun Gun) (RCW 9A.36.031(1)(h))
Theft from a Vulnerable Adult 1 (RCW 9A.56.400(1))	Assault 4 (third domestic violence offense) (RCW 9A.36.041(3))
Unlawful Storage of Ammonia (RCW 69.55.020)	Assault by Watercraft (RCW 79A.60.060)
V Abandonment of Dependent Person 2 (RCW 9A.42.070)	Bribing a Witness/Bribe Received by Witness (RCW 9A.72.090, 9A.72.100)
Advancing money or property for extortionate extension of credit (RCW 9A.82.030)	Cheating 1 (RCW 9.46.1961)
Air bag diagnostic systems (RCW 46.37.660(2)(c))	Commercial Bribery (RCW 9A.68.060)
Air bag replacement requirements (RCW 46.37.660(1)(c))	Counterfeiting (RCW 9.16.035(4))
Bail Jumping with class A Felony (RCW 9A.76.170(3)(b))	Driving While Under the Influence (RCW 46.61.502(6))
Child Molestation 3 (RCW 9A.44.089)	Endangerment with a Controlled Substance (RCW 9A.42.100)
Criminal Mistreatment 2 (RCW 9A.42.030)	Escape 1 (RCW 9A.76.110)
Custodial Sexual Misconduct 1 (RCW 9A.44.160)	Hate Crime (RCW 9A.36.080)
Dealing in Depictions of Minor Engaged in Sexually Explicit Conduct 2 (RCW 9.68A.050(2))	Hit and Run—Injury (RCW 46.52.020(4)(b))
Domestic Violence Court Order Violation (RCW 7.105.450, 10.99.040, 10.99.050, 26.09.300,	Hit and Run with Vessel—Injury Accident (RCW 79A.60.200(3))
	Identity Theft 1 (RCW 9.35.020(2))
	Indecent Exposure to Person Under Age 14 (subsequent sex offense) (RCW 9A.88.010)
	Influencing Outcome of Sporting Event (RCW

EIGHTY SEVENTH DAY, APRIL 5, 2023

- 9A.82.070)
 Physical Control of a Vehicle While Under the Influence (RCW 46.61.504(6))
 Possession of Depictions of a Minor Engaged in Sexually Explicit Conduct 2 (RCW 9.68A.070(2))
 Residential Burglary (RCW 9A.52.025)
 Robbery 2 (RCW 9A.56.210)
 Theft of Livestock 1 (RCW 9A.56.080)
 Threats to Bomb (RCW 9.61.160)
 Trafficking in Stolen Property 1 (RCW 9A.82.050)
 Unlawful factoring of a credit card or payment card transaction (RCW 9A.56.290(4)(b))
 Unlawful transaction of health coverage as a health care service contractor (RCW 48.44.016(3))
 Unlawful transaction of health coverage as a health maintenance organization (RCW 48.46.033(3))
 Unlawful transaction of insurance business (RCW 48.15.023(3))
 Unlicensed practice as an insurance professional (RCW 48.17.063(2))
 Use of Proceeds of Criminal Profiteering (RCW 9A.82.080 (1) and (2))
 Vehicle Prowling 2 (third or subsequent offense) (RCW 9A.52.100(3))
 Vehicular Assault, by being under the influence of intoxicating liquor or any drug, or by the operation or driving of a vehicle in a reckless manner (RCW 46.61.522)
 Viewing of Depictions of a Minor Engaged in Sexually Explicit Conduct 1 (RCW 9.68A.075(1))
 (~~Willful Failure to Return from Furlough (RCW 72.66.060))~~)
 III Animal Cruelty 1 (Sexual Conduct or Contact) (RCW 16.52.205(3))
 Assault 3 (Except Assault 3 of a Peace Officer With a Projectile Stun Gun) (RCW 9A.36.031 except subsection (1)(h))
 Assault of a Child 3 (RCW 9A.36.140)
 Bail Jumping with class B or C Felony (RCW 9A.76.170(3)(c))
 Burglary 2 (RCW 9A.52.030)
 Communication with a Minor for Immoral Purposes (RCW 9.68A.090)
 Criminal Gang Intimidation (RCW 9A.46.120)
 Custodial Assault (RCW 9A.36.100)
 Cyber Harassment (RCW 9A.90.120(2)(b))
 Escape 2 (RCW 9A.76.120)
 Extortion 2 (RCW 9A.56.130)
 False Reporting 2 (RCW 9A.84.040(2)(b))
 Harassment (RCW 9A.46.020)
Hazing (RCW 28B.10.901(2)(b))
 Intimidating a Public Servant (RCW 9A.76.180)
 Introducing Contraband 2 (RCW 9A.76.150)
 Malicious Injury to Railroad Property (RCW 81.60.070)
 Manufacture of Untraceable Firearm with Intent to Sell (RCW 9.41.190)
 Manufacture or Assembly of an Undetectable Firearm or Untraceable Firearm (RCW 9.41.325)
 Mortgage Fraud (RCW 19.144.080)
 Negligently Causing Substantial Bodily Harm By Use of a Signal Preemption Device (RCW 46.37.674)
 Organized Retail Theft 1 (RCW 9A.56.350(2))
 Perjury 2 (RCW 9A.72.030)
 Possession of Incendiary Device (RCW 9.40.120)
 Possession of Machine Gun, Bump-Fire Stock, Undetectable Firearm, or Short-Barreled Shotgun or Rifle (RCW 9.41.190)
 Promoting Prostitution 2 (RCW 9A.88.080)
 Retail Theft with Special Circumstances 1 (RCW 9A.56.360(2))
 Securities Act violation (RCW 21.20.400)
 Tampering with a Witness (RCW 9A.72.120)
 Telephone Harassment (subsequent conviction or threat of death) (RCW 9.61.230(2))
 Theft of Livestock 2 (RCW 9A.56.083)
 Theft with the Intent to Resell 1 (RCW 9A.56.340(2))
 Trafficking in Stolen Property 2 (RCW 9A.82.055)
 Unlawful Hunting of Big Game 1 (RCW 77.15.410(3)(b))
 Unlawful Imprisonment (RCW 9A.40.040)
 Unlawful Misbranding of Fish or Shellfish 1 (RCW 77.140.060(3))
 Unlawful possession of firearm in the second degree (RCW 9.41.040(2))
 Unlawful Taking of Endangered Fish or Wildlife 1 (RCW 77.15.120(3)(b))
 Unlawful Trafficking in Fish, Shellfish, or Wildlife 1 (RCW 77.15.260(3)(b))
 Unlawful Use of a Nondesignated Vessel (RCW 77.15.530(4))
 Vehicular Assault, by the operation or driving of a vehicle with disregard for the safety of others (RCW 46.61.522)
 (~~Willful Failure to Return from Work Release (RCW 72.65.070))~~)
 II Commercial Fishing Without a License 1 (RCW 77.15.500(3)(b))
 Computer Trespass 1 (RCW 9A.90.040)
 Counterfeiting (RCW 9.16.035(3))
 Electronic Data Service Interference (RCW 9A.90.060)
 Electronic Data Tampering 1 (RCW 9A.90.080)
 Electronic Data Theft (RCW 9A.90.100)
 Engaging in Fish Dealing Activity Unlicensed 1 (RCW 77.15.620(3))
 Escape from Community Custody (RCW 72.09.310)

- Failure to Register as a Sex Offender (second or subsequent offense) (RCW 9A.44.130 prior to June 10, 2010, and RCW 9A.44.132)
 - Health Care False Claims (RCW 48.80.030)
 - Identity Theft 2 (RCW 9.35.020(3))
 - Improperly Obtaining Financial Information (RCW 9.35.010)
 - Malicious Mischief 1 (RCW 9A.48.070)
 - Organized Retail Theft 2 (RCW 9A.56.350(3))
 - Possession of Stolen Property 1 (RCW 9A.56.150)
 - Possession of a Stolen Vehicle (RCW 9A.56.068)
 - Retail Theft with Special Circumstances 2 (RCW 9A.56.360(3))
 - Scrap Processing, Recycling, or Supplying Without a License (second or subsequent offense) (RCW 19.290.100)
 - Theft 1 (RCW 9A.56.030)
 - Theft of a Motor Vehicle (RCW 9A.56.065)
 - Theft of Rental, Leased, Lease-purchased, or Loaned Property (valued at \$5,000 or more) (RCW 9A.56.096(5)(a))
 - Theft with the Intent to Resell 2 (RCW 9A.56.340(3))
 - Trafficking in Insurance Claims (RCW 48.30A.015)
 - Unlawful factoring of a credit card or payment card transaction (RCW 9A.56.290(4)(a))
 - Unlawful Participation of Non-Indians in Indian Fishery (RCW 77.15.570(2))
 - Unlawful Practice of Law (RCW 2.48.180)
 - Unlawful Purchase or Use of a License (RCW 77.15.650(3)(b))
 - Unlawful Trafficking in Fish, Shellfish, or Wildlife 2 (RCW 77.15.260(3)(a))
 - Unlicensed Practice of a Profession or Business (RCW 18.130.190(7))
 - Voyeurism 1 (RCW 9A.44.115)
 - I Attempting to Elude a Pursuing Police Vehicle (RCW 46.61.024)
 - False Verification for Welfare (RCW 74.08.055)
 - Forgery (RCW 9A.60.020)
 - Fraudulent Creation or Revocation of a Mental Health Advance Directive (RCW 9A.60.060)
 - Malicious Mischief 2 (RCW 9A.48.080)
 - Mineral Trespass (RCW 78.44.330)
 - Possession of Stolen Property 2 (RCW 9A.56.160)
 - Reckless Burning 1 (RCW 9A.48.040)
 - Spotlighting Big Game 1 (RCW 77.15.450(3)(b))
 - Suspension of Department Privileges 1 (RCW 77.15.670(3)(b))
 - Taking Motor Vehicle Without Permission 2 (RCW 9A.56.075)
 - Theft 2 (RCW 9A.56.040)
 - Theft from a Vulnerable Adult 2 (RCW 9A.56.400(2))
 - Theft of Rental, Leased, Lease-purchased, or Loaned Property (valued at \$750 or more but less than \$5,000) (RCW 9A.56.096(5)(b))
 - Transaction of insurance business beyond the scope of licensure (RCW 48.17.063)
 - Unlawful Fish and Shellfish Catch Accounting (RCW 77.15.630(3)(b))
 - Unlawful Issuance of Checks or Drafts (RCW 9A.56.060)
 - Unlawful Possession of Fictitious Identification (RCW 9A.56.320)
 - Unlawful Possession of Instruments of Financial Fraud (RCW 9A.56.320)
 - Unlawful Possession of Payment Instruments (RCW 9A.56.320)
 - Unlawful Possession of a Personal Identification Device (RCW 9A.56.320)
 - Unlawful Production of Payment Instruments (RCW 9A.56.320)
 - Unlawful Releasing, Planting, Possessing, or Placing Deleterious Exotic Wildlife (RCW 77.15.250(2)(b))
 - Unlawful Trafficking in Food Stamps (RCW 9.91.142)
 - Unlawful Use of Food Stamps (RCW 9.91.144)
 - Unlawful Use of Net to Take Fish 1 (RCW 77.15.580(3)(b))
 - ~~(Unlawful Use of Prohibited Aquatic Animal Species (RCW 77.15.253(3)))~~
 - Vehicle Prowl 1 (RCW 9A.52.095)
 - Violating Commercial Fishing Area or Time 1 (RCW 77.15.550(3)(b))
- Sec. 4.** RCW 9A.46.060 and 2022 c 231 s 15 are each amended to read as follows:
- As used in this chapter, "harassment" may include but is not limited to any of the following crimes:
- (1) Harassment (RCW 9A.46.020);
 - (2) Hate crime (RCW 9A.36.080);
 - (3) Telephone harassment (RCW 9.61.230);
 - (4) Assault in the first degree (RCW 9A.36.011);
 - (5) Assault of a child in the first degree (RCW 9A.36.120);
 - (6) Assault in the second degree (RCW 9A.36.021);
 - (7) Assault of a child in the second degree (RCW 9A.36.130);
 - (8) Assault in the fourth degree (RCW 9A.36.041);
 - (9) Reckless endangerment (RCW 9A.36.050);
 - (10) Extortion in the first degree (RCW 9A.56.120);
 - (11) Extortion in the second degree (RCW 9A.56.130);
 - (12) Coercion (RCW 9A.36.070);
 - (13) Burglary in the first degree (RCW 9A.52.020);
 - (14) Burglary in the second degree (RCW 9A.52.030);
 - (15) Criminal trespass in the first degree (RCW 9A.52.070);
 - (16) Criminal trespass in the second degree (RCW 9A.52.080);
 - (17) Malicious mischief in the first degree (RCW 9A.48.070);
 - (18) Malicious mischief in the second degree (RCW 9A.48.080);
 - (19) Malicious mischief in the third degree (RCW 9A.48.090);
 - (20) Kidnapping in the first degree (RCW 9A.40.020);
 - (21) Kidnapping in the second degree (RCW 9A.40.030);
 - (22) Unlawful imprisonment (RCW 9A.40.040);
 - (23) Rape in the first degree (RCW 9A.44.040);
 - (24) Rape in the second degree (RCW 9A.44.050);
 - (25) Rape in the third degree (RCW 9A.44.060);

EIGHTY SEVENTH DAY, APRIL 5, 2023

- (26) Indecent liberties (RCW 9A.44.100);
- (27) Rape of a child in the first degree (RCW 9A.44.073);
- (28) Rape of a child in the second degree (RCW 9A.44.076);
- (29) Rape of a child in the third degree (RCW 9A.44.079);
- (30) Child molestation in the first degree (RCW 9A.44.083);
- (31) Child molestation in the second degree (RCW 9A.44.086);
- (32) Child molestation in the third degree (RCW 9A.44.089);
- (33) Stalking (RCW 9A.46.110);
- (34) Cyber harassment (RCW 9A.90.120);
- (35) Residential burglary (RCW 9A.52.025);
- (36) Violation of a temporary, permanent, or final protective order issued pursuant to chapter 9A.44, 9A.46, 10.99, or 26.09 RCW or any of the former chapters 7.90, 10.14, and 26.50 RCW, or violation of a domestic violence protection order, sexual assault protection order, or antiharassment protection order issued under chapter 7.105 RCW;
- (37) Unlawful discharge of a laser in the first degree (RCW 9A.49.020); ~~((and))~~
- (38) Unlawful discharge of a laser in the second degree (RCW 9A.49.030); and
- (39) Felony hazing (RCW 28B.10.901(2)(b)).

NEW SECTION. Sec. 5. This act may be known and cited as the Sam Martinez stop hazing law."

On page 1, line 1 of the title, after "hazing;" strike the remainder of the title and insert "amending RCW 28B.10.901, 9.94A.411, 9.94A.515, and 9A.46.060; creating a new section; and prescribing penalties."

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Law & Justice to House Bill No. 1002.

The motion by Senator Dhingra carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Dhingra, the rules were suspended, House Bill No. 1002 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Dhingra and Padden spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1002 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1002 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Van De Wege

HOUSE BILL NO. 1002 as amended by the Senate, having received the constitutional majority, was declared passed. There

being no objection, the title of the bill was ordered to stand as the title of the act.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced the parents of Mr. Sam Martinez: Ms. JoLayne Houtz and Mr. Hector Martinez who were seated in the gallery.

SECOND READING

HOUSE BILL NO. 1023, by Representatives Walen, Goodman, Reeves, Thai and Ormsby

Eliminating wire tap authorization reporting to the administrative office of the courts.

The measure was read the second time.

MOTION

On motion of Senator Dhingra, the rules were suspended, House Bill No. 1023 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Dhingra and Padden spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1023.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1023 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Van De Wege

HOUSE BILL NO. 1023, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED HOUSE BILL NO. 1797, by Representatives Cheney, Goodman, Hutchins and Graham

Concerning residential real estate appraisers being allowed to complete real property evaluations.

The measure was read the second time.

MOTION

Senator Stanford moved that the following committee striking amendment by the Committee on Business, Financial Services, Gaming & Trade be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 18.140 RCW to read as follows:

(1) A state-licensed appraiser or state-certified appraiser may perform evaluations for financial institutions. An appraiser performing evaluations is not engaged in real estate appraisal activity, requiring compliance with the uniform standards of professional appraisal practice, when the appraiser includes a disclaimer as described in subsection (3) of this section.

(2) A state-licensed appraiser or state-certified appraiser engaged to perform an evaluation is still engaged in real estate appraisal activity and remains under the regulatory authority of the state of Washington.

(3) When completing an evaluation, the appraiser must include a disclaimer that: (a) Is located immediately above the appraiser's signature; and (b) includes the following language in at least 10-point boldface type: "I am a state-licensed appraiser or a state-certified appraiser. This evaluation was not prepared in my capacity as a real estate appraiser and might not comply with the uniform standards of professional appraisal practice."

(4) As used in this section, "evaluation" means an estimate of the market value of real property or real estate provided to a financial institution in conformance with the interagency appraisal and evaluation guidelines adopted jointly by the federal financial institution's regulatory agencies for use in real estate-related financial transactions that do not require an appraisal. Nothing in this subsection may be construed to excuse a financial institution or affiliate from complying with the provisions of Title XI of the federal financial institutions reform, recovery, and enforcement act of 1989 (12 U.S.C. Sec. 3310 et seq.).

Sec. 2. RCW 18.140.030 and 2005 c 339 s 4 are each amended to read as follows:

The director shall have the following powers and duties:

(1) To adopt rules in accordance with chapter 34.05 RCW necessary to implement this chapter and chapter 18.235 RCW, with the advice and approval of the commission;

(2) To receive and approve or deny applications for certification or licensure as a state-certified or state-licensed real estate appraiser and for registration as a state-registered appraiser trainee under this chapter; to establish appropriate administrative procedures for the processing of such applications; to issue certificates, licenses, or registrations to qualified applicants pursuant to the provisions of this chapter; and to maintain a roster of the names and addresses of individuals who are currently certified, licensed, or registered under this chapter;

(3) To provide administrative assistance to the members of and to keep records for the real estate appraiser commission;

(4) To solicit bids and enter into contracts with educational testing services or organizations for the preparation of questions and answers for certification or licensure examinations;

(5) To administer or contract for administration of certification or licensure examinations at locations and times as may be required to carry out the responsibilities under this chapter;

(6) To enter into contracts for professional services determined to be necessary for adequate enforcement of this chapter;

(7) To consider recommendations by the real estate appraiser commission relating to the experience, education, and examination requirements for each classification of state-certified appraiser and for licensure;

(8) To consider recommendations by the real estate appraiser commission relating to the educational requirements for the state-registered appraiser trainee classification;

(9) To consider recommendations by the real estate appraiser commission relating to the maximum number of state-registered appraiser trainees that each supervisory appraiser will be permitted to supervise;

(10) To consider recommendations by the real estate appraiser commission relating to continuing education requirements as a prerequisite to renewal of certification or licensure;

(11) To consider recommendations by the real estate appraiser commission relating to standards of professional appraisal conduct or practice in the enforcement of this chapter;

(12) To employ such professional, clerical, and technical assistance as may be necessary to properly administer the work of the director;

(13) To establish forms necessary to administer this chapter;

(14) To establish an expert review appraiser roster comprised of state-certified or licensed real estate appraisers whose purpose is to assist the director by applying their individual expertise by reviewing real estate appraisals for compliance with this chapter. Qualifications to act as an expert review appraiser shall be established by the director with the advice of the commission. An application to serve as an expert review appraiser shall be submitted to the real estate appraiser program, and the roster of accepted expert review appraisers shall be maintained by the department. An expert review appraiser may be added to or deleted from that roster by the director. The expert review appraiser shall be reimbursed for expenses in the same manner as the department reimburses the commission; and

(15) To do all other things necessary to carry out the provisions of this chapter and minimally meet the requirements of federal guidelines regarding state certification or licensure of appraisers and registration of state-registered appraiser trainees that the director determines are appropriate for state-certified and state-licensed appraisers and state-registered appraiser trainees in this state, except as provided for in section 1 of this act.

NEW SECTION. Sec. 3. A new section is added to chapter 18.140 RCW to read as follows:

The department shall adopt administrative rule amendments to chapter 308-125 WAC that require:

(1) Appraisers and appraiser trainees to adhere to the nondiscrimination and fair housing provisions as provided in the ethics rule in accordance with the appraisal standards board and the uniform standards of professional appraisal practice;

(2) Appraiser and appraiser trainees to adhere to all education criteria in accordance with the appraiser qualifications board as provided in the real property appraiser qualifications criteria.

NEW SECTION. Sec. 4. (1) This act takes effect upon the adoption of the administrative rules required in section 3 of this act.

(2) The department must provide notice of the effective date of this section to affected parties, the chief clerk of the house of representatives, the secretary of the senate, the office of the code reviser, and others as deemed appropriate by the department."

On page 1, line 1 of the title, after "to" strike the remainder of the title and insert "real estate appraisers; amending RCW 18.140.030; adding new sections to chapter 18.140 RCW; and providing a contingent effective date."

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Business, Financial Services, Gaming & Trade to Engrossed House Bill No. 1797.

The motion by Senator Stanford carried and the committee striking amendment was adopted by voice vote.

On motion of Senator Stanford, the rules were suspended, Engrossed House Bill No. 1797 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Stanford and Dozier spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed House Bill No. 1797 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 1797 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Van De Wege

ENGROSSED HOUSE BILL NO. 1797, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 5:13 p.m., on motion of Senator Pedersen, the Senate adjourned until 9 o'clock a.m. Thursday, April 6, 2023.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

EIGHTY EIGHTH DAY

MORNING SESSION

Senate Chamber, Olympia
Thursday, April 6, 2023

The Senate was called to order at 9 o'clock a.m. by the President of the Senate, Lt. Governor Heck presiding. The Secretary called the roll and announced to the President that all Senators were present with the exception of Senator Van De Wege.

The Sergeant at Arms Color Guard consisting of Pages Miss Talena Spates and Miss Stefania Anderco, presented the Colors. Page Miss Fiona Li led the Senate in the Pledge of Allegiance.

The prayer was offered by Father Peter Tynan, O.S.B., University Chaplain, Saint Martin's University, Lacey.

MOTIONS

On motion of Senator Pedersen, the reading of the Journal of the previous day was dispensed with and it was approved.

On motion of Senator Pedersen, the Senate advanced to the fourth order of business.

MESSAGES FROM THE HOUSE

April 5, 2023

MR. PRESIDENT:

The House has adopted:

SENATE CONCURRENT RESOLUTION NO. 8407,
and the same is herewith transmitted.

BERNARD DEAN, Chief Clerk

April 5, 2023

MR. PRESIDENT:

The House has passed:

SENATE BILL NO. 5088,
SENATE BILL NO. 5113,
SENATE BILL NO. 5163,
SUBSTITUTE SENATE BILL NO. 5170,
SUBSTITUTE SENATE BILL NO. 5176,
SUBSTITUTE SENATE BILL NO. 5229,
SUBSTITUTE SENATE BILL NO. 5304,
ENGROSSED SUBSTITUTE SENATE BILL NO. 5320,
ENGROSSED SENATE BILL NO. 5336,
SENATE BILL NO. 5385,
ENGROSSED SUBSTITUTE SENATE BILL NO. 5512,
SUBSTITUTE SENATE BILL NO. 5538,
SUBSTITUTE SENATE BILL NO. 5547,
SUBSTITUTE SENATE BILL NO. 5604,
and the same are herewith transmitted.

BERNARD DEAN, Chief Clerk

MOTION

On motion of Senator Pedersen, the Senate advanced to the eighth order of business.

MOTION

Senator Braun moved adoption of the following resolution:

SENATE RESOLUTION
8635

By Senators Braun, Holy, C. Wilson, Mullet, Warnick, L. Wilson, Rivers, Boehnke, Lovick, Salomon, Valdez, Fortunato, Wellman, Muzzall, Keiser, Hunt, Wagoner, Dozier, Schoesler, Torres, Padden, King, Hawkins, Gildon, Short, Conway, Hasegawa, and Kuderer

WHEREAS, Bill Russell was one of the greatest basketball players of all time and was a trailblazer for the National Basketball Association and basketball as a sport; and

WHEREAS, At the peak of his Hall of Fame athletic career, Bill Russell was also a leading advocate for civil rights who inspired future generations of NBA players to promote social justice; and

WHEREAS, Bill Russell was born February 12, 1934, in Monroe, Louisiana, where his family faced the racism common in the segregated South, and when Bill was eight years old his family moved to Oakland, California; and

WHEREAS, Bill Russell accepted a scholarship to play basketball at the University of San Francisco, where he had two other Black players as teammates, and while they were often targets of racial jabs, Russell said he never permitted himself to be a victim; and

WHEREAS, While Bill Russell played at USF the team, called the Dons, went to two NCAA championships, 1955 and 1956, and he also starred on the gold medal-winning United States basketball team at the 1956 Olympic Games in Melbourne, Australia; and

WHEREAS, In one of the most important sports transactions in American history, Bill Russell was the second overall pick in the 1956 NBA Draft, being drafted to the St. Louis Hawks then traded to the Boston Celtics; and

WHEREAS, From 1956 to 1969, Bill Russell led the Celtics to eight consecutive NBA championships from 1959 to 1966, with his court savvy and defensive skills changing how the game was played; and

WHEREAS, The 6-foot-10-inch center earned the nickname "Secretary of Defense," winning the title of NBA's most valuable player five times and being named an All-Star 12 times; and

WHEREAS, In 1966 he became the first Black head coach in the NBA, both coaching and playing for the Celtics until 1969; and

WHEREAS, Former U.S. Senator Bill Bradley, who as a member of the New York Knicks played against Bill Russell in the 1960s, viewed him as "the smartest player ever to play the game and the epitome of a team leader"; and

WHEREAS, In 1972 the NBA retired his number 6 jersey, and it remains the only number to become retired league-wide; and

WHEREAS, Bill Russell was hailed in 1996 as one of the NBA's 50 greatest players, and in 2009, the trophy for the Most Valuable Player of the NBA Finals was named in his honor; and

WHEREAS, Standing alongside his many achievements on the hardwood are his efforts as a civil rights activist; and

WHEREAS, In 1963 he took part in the March on Washington for Jobs and Freedom and was front row at Dr. Martin Luther King Jr.'s famous "I Have a Dream" speech; and

WHEREAS, Bill Russell also spent time in Mississippi after civil rights activist Medgar Evers was murdered, and would later create an integrated basketball camp with Evers' brother, Charles, in Jackson, Mississippi; and

WHEREAS, Bill Russell was awarded the Presidential Medal of Freedom in 2011 by President Barack Obama, for standing up for the rights and dignity of all; and

EIGHTY EIGHTH DAY, APRIL 6, 2023

WHEREAS, Bill Russell's ties to the state of Washington date to 1973, when he became the general manager and coach for the Seattle SuperSonics; and

WHEREAS, Bill Russell called Mercer Island home from 1973 until his passing on July 31, 2022, having chosen the community because of the quality of its school system;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate honor the life and accomplishments of longtime Washington resident Bill Russell both inside and outside the arena, and extend its condolences to his widow Jeannine and his three children, William Russell Jr., Jacob Russell, and Karen Kenyatta Russell.

Senators Braun and Wellman spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8635.

The motion by Senator Braun carried and the resolution was adopted by voice vote.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced members of the family and friends of Mr. Bill Russell including Ms. Jeannine Russell, his widow; Mr. Steve Rosen; Mr. Tod Leiweke, President and part-owner of the Seattle Kraken; and Mr. Eric Pettigrew, former state representative. who were seated in the gallery.

MOTION

At 9:23 a.m., on motion of Senator Pedersen, the Senate was declared to be at ease subject to the call of the President.

Senator Hasegawa announced a meeting of the Democratic Caucus.

Senator Warnick announced a meeting of the Republican Caucus.

The Senate was called to order at 11:23 a.m. by the President of the Senate, Lt. Governor Heck presiding.

SIGNED BY THE PRESIDENT

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

SENATE CONCURRENT RESOLUTION NO. 8407.

MOTION

On motion of Senator Pedersen, the Senate reverted to the seventh order of business.

THIRD READING CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Lovick moved that Marcus J. Glasper, Senate Gubernatorial Appointment No. 9339, be confirmed as Director of the Department of Licensing - Agency Head.

Senators Lovick and Padden spoke in favor of the motion.

MOTION

On motion of Senator Nobles, Senators Billig, Mullet, Nguyen, Rolfes, Saldaña and Van De Wege were excused.

APPOINTMENT OF MARCUS J. GLASPER

The President declared the question before the Senate to be the confirmation of Marcus J. Glasper, Senate Gubernatorial Appointment No. 9339, as Director of the Department of Licensing - Agency Head.

The Secretary called the roll on the confirmation of Marcus J. Glasper, Senate Gubernatorial Appointment No. 9339, as Director of the Department of Licensing - Agency Head and the appointment was confirmed by the following vote: Yeas, 42; Nays, 0; Absent, 1; Excused, 6.

Voting yea: Senators Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lovelett, Lovick, MacEwen, McCune, Muzzall, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Absent: Senator Liias

Excused: Senators Billig, Mullet, Nguyen, Rolfes, Saldaña and Van De Wege

Marcus J. Glasper, Senate Gubernatorial Appointment No. 9339, having received the constitutional majority was declared confirmed as Director of the Department of Licensing - Agency Head.

THIRD READING CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Wellman moved that William S. Kallappa II, Senate Gubernatorial Appointment No. 9331, be confirmed as a member of the State Board of Education.

Senator Wellman spoke in favor of the motion.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced students from Purdy Elementary School who were seated in the gallery, guests of Senator Randall.

MOTION

On motion of Senator Nobles, Senator Liias was excused.

APPOINTMENT OF WILLIAM S. KALLAPPA II

The President declared the question before the Senate to be the confirmation of William S. Kallappa II, Senate Gubernatorial Appointment No. 9331, as a member of the State Board of Education.

The Secretary called the roll on the confirmation of William S. Kallappa II, Senate Gubernatorial Appointment No. 9331, as a member of the State Board of Education and the appointment was confirmed by the following vote: Yeas, 44; Nays, 0; Absent, 0; Excused, 5.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa,

Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lovelett, Lovick, MacEwen, McCune, Muzzall, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Liias, Mullet, Nguyen, Saldaña and Van De Wege

William S. Kallappa II, Senate gubernatorial appointment No. 9331, having received the constitutional majority was declared confirmed as a member of the State Board of Education.

THIRD READING CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Randall moved that Louise Chernin, Senate gubernatorial appointment No. 9027, be confirmed as a member of the Seattle College District Board of Trustees.

Senators Randall and Holy spoke in favor of the motion.

APPOINTMENT OF LOUISE CHERNIN

The President declared the question before the Senate to be the confirmation of Louise Chernin, Senate gubernatorial appointment No. 9027, as a member of the Seattle College District Board of Trustees.

The Secretary called the roll on the confirmation of Louise Chernin, Senate gubernatorial appointment No. 9027, as a member of the Seattle College District Board of Trustees and the appointment was confirmed by the following vote: Yeas, 44; Nays, 0; Absent, 0; Excused, 5.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lovelett, Lovick, MacEwen, McCune, Muzzall, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Liias, Mullet, Nguyen, Saldaña and Van De Wege

Louise Chernin, Senate gubernatorial appointment No. 9027, having received the constitutional majority was declared confirmed as a member of the Seattle College District Board of Trustees.

MOTION

On motion of Senator Pedersen, the Senate reverted to the sixth order of business.

SECOND READING

HOUSE BILL NO. 1199, by Representatives Senn, Eslick, Leavitt, Berry, Bateman, Kloba, Reed, Simmons, Tharinger, Ramel, Doglio, Goodman, Macri, Callan, Fosse and Pollet

Addressing licensed child care in common interest communities.

The measure was read the second time.

MOTION

Senator Trudeau moved that the following committee striking amendment by the Committee on Law & Justice be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 64.32 RCW to read as follows:

(1) An association of apartment owners may not adopt or enforce a restriction, covenant, condition, bylaw, rule, regulation, provision of a governing document, or master deed provision that effectively prohibits, unreasonably restricts, or limits, directly or indirectly, the use of an apartment as a licensed family home child care operated by a family day care provider or as a licensed child day care center, except as provided in subsection (2) of this section.

(2)(a) Nothing in this section prohibits an association of apartment owners from imposing reasonable regulations on a family home child care or a child day care center including, but not limited to, architectural standards, as long as those regulations are identical to those applied to all other apartments within the same association as the family home child care or the child day care center.

(b) An association may require that only an apartment with direct access may be used as a family home child care or child day care center. Direct access must be either from the outside of the building or through publicly accessible common areas and facilities.

(c) An association may adopt or enforce a restriction, covenant, condition, bylaw, rule, regulation, provision of a governing document, or master deed provision that requires a family home child care or a child day care center operating out of an apartment within the association to:

(i) Be licensed under chapter 43.216 RCW;

(ii) Indemnify and hold harmless the association against all claims, whether brought by judicial or administrative action, relating to the operation of the family home child care or the child day care center, excluding claims arising in common areas and facilities that the association is solely responsible for maintaining under the governing documents;

(iii) Obtain a signed waiver of liability releasing the association from legal claims directly related to the operation of the family home child care or the child day care center from the parent, guardian, or caretaker of each child being cared for by the family home child care or the child day care center. However, an association may not require that a waiver of liability under this subsection be notarized; and

(iv) Obtain day care insurance as defined in RCW 48.88.020 or provide self-insurance pursuant to chapter 48.90 RCW, consistent with the requirements in RCW 43.216.700.

(3) An association of apartment owners that willfully violates this section is liable to the family day care provider or the child day care center for actual damages, and shall pay a civil penalty to the family day care provider or the child day care center in an amount not to exceed \$1,000.

(4) For the purposes of this section, the terms "family day care provider" and "child day care center" have the same meanings as in RCW 43.216.010.

NEW SECTION. Sec. 2. A new section is added to chapter 64.34 RCW to read as follows:

(1) A unit owners' association may not adopt or enforce a restriction, covenant, condition, bylaw, rule, regulation, provision of a governing document, or master deed provision that

EIGHTY EIGHTH DAY, APRIL 6, 2023

effectively prohibits, unreasonably restricts, or limits, directly or indirectly, the use of a unit as a licensed family home child care operated by a family day care provider or as a licensed child day care center, except as provided in subsection (2) of this section.

(2)(a) Nothing in this section prohibits a unit owners' association from imposing reasonable regulations on a family home child care or a child day care center including, but not limited to, architectural standards, as long as those regulations are identical to those applied to all other units within the same association as the family home child care or the child day care center.

(b) An association may require that only a unit with direct access may be used as a family home child care or child day care center. Direct access must be either from the outside of the building or through publicly accessible common elements.

(c) An association may adopt or enforce a restriction, covenant, condition, bylaw, rule, regulation, provision of a governing document, or master deed provision that requires a family home child care or a child day care center operating out of a unit within the association to:

(i) Be licensed under chapter 43.216 RCW;

(ii) Indemnify and hold harmless the association against all claims, whether brought by judicial or administrative action, relating to the operation of the family home child care or the child day care center, excluding claims arising in common elements that the association is solely responsible for maintaining under the governing documents;

(iii) Obtain a signed waiver of liability releasing the association from legal claims directly related to the operation of the family home child care or the child day care center from the parent, guardian, or caretaker of each child being cared for by the family home child care or the child day care center. However, an association may not require that a waiver of liability under this subsection be notarized; and

(iv) Obtain day care insurance as defined in RCW 48.88.020 or provide self-insurance pursuant to chapter 48.90 RCW, consistent with the requirements in RCW 43.216.700.

(3) A unit owners' association that willfully violates this section is liable to the family day care provider or the child day care center for actual damages, and shall pay a civil penalty to the family day care provider or the child day care center in an amount not to exceed \$1,000.

(4) For the purposes of this section, the terms "family day care provider" and "child day care center" have the same meanings as in RCW 43.216.010.

NEW SECTION. Sec. 3. A new section is added to chapter 64.38 RCW to read as follows:

(1) A homeowners' association may not adopt or enforce a restriction, covenant, condition, bylaw, rule, regulation, provision of a governing document, or master deed provision that effectively prohibits, unreasonably restricts, or limits, directly or indirectly, the use of a lot as a licensed family home child care operated by a family day care provider or as a licensed child day care center, except as provided in subsection (2) of this section.

(2)(a) Nothing in this section prohibits a homeowners' association from imposing reasonable regulations on a family home child care or a child day care center including, but not limited to, architectural standards, as long as those regulations are identical to those applied to all other lots within the same association as the family home child care or the child day care center.

(b) An association may require that only a lot with direct access may be used as a family home child care or child day care center. Direct access must be through publicly accessible common areas.

(c) An association may adopt or enforce a restriction, covenant, condition, bylaw, rule, regulation, provision of a governing document, or master deed provision that requires a family home child care or a child day care center operating out of a lot within the association to:

(i) Be licensed under chapter 43.216 RCW;

(ii) Indemnify and hold harmless the association against all claims, whether brought by judicial or administrative action, relating to the operation of the family home child care or the child day care center, excluding claims arising in common areas that the association is solely responsible for maintaining under the governing documents;

(iii) Obtain a signed waiver of liability releasing the association from legal claims directly related to the operation of the family home child care or the child day care center from the parent, guardian, or caretaker of each child being cared for by the family home child care or the child day care center. However, an association may not require that a waiver of liability under this subsection be notarized; and

(iv) Obtain day care insurance as defined in RCW 48.88.020 or provide self-insurance pursuant to chapter 48.90 RCW, consistent with the requirements in RCW 43.216.700.

(3) A homeowners' association that willfully violates this section is liable to the family day care provider or the child day care center for actual damages, and shall pay a civil penalty to the family day care provider or the child day care center in an amount not to exceed \$1,000.

(4) For the purposes of this section, the terms "family day care provider" and "child day care center" have the same meanings as in RCW 43.216.010.

NEW SECTION. Sec. 4. A new section is added to chapter 64.90 RCW to read as follows:

(1) A unit owners' association may not adopt or enforce a restriction, covenant, condition, bylaw, rule, regulation, provision of a governing document, or master deed provision that effectively prohibits, unreasonably restricts, or limits, directly or indirectly, the use of a unit as a licensed family home child care operated by a family day care provider or as a licensed child day care center, except as provided in subsection (2) of this section.

(2)(a) Nothing in this section prohibits a unit owners' association from imposing reasonable regulations on a family home child care or a child day care center including, but not limited to, architectural standards, as long as those regulations are identical to those applied to all other units within the same association as the family home child care or the child day care center.

(b) An association may require that only a unit with direct access may be used as a family home child care or child day care center. Direct access must be either from the outside of the building if the common interest community is in a building, or through publicly accessible common elements.

(c) An association may adopt or enforce a restriction, covenant, condition, bylaw, rule, regulation, provision of a governing document, or master deed provision that requires a family home child care or a child day care center operating out of a unit within the association to:

(i) Be licensed under chapter 43.216 RCW;

(ii) Indemnify and hold harmless the association against all claims, whether brought by judicial or administrative action, relating to the operation of the family home child care or the child day care center, excluding claims arising in common elements that the association is solely responsible for maintaining under the governing documents;

(iii) Obtain a signed waiver of liability releasing the association from legal claims directly related to the operation of

the family home child care or the child day care center from the parent, guardian, or caretaker of each child being cared for by the family home child care or the child day care center. However, an association may not require that a waiver of liability under this subsection be notarized; and

(iv) Obtain day care insurance as defined in RCW 48.88.020 or provide self-insurance pursuant to chapter 48.90 RCW, consistent with the requirements in RCW 43.216.700.

(3) A unit owners association that willfully violates this section is liable to the family day care provider or the child day care center for actual damages, and shall pay a civil penalty to the family day care provider or the child day care center in an amount not to exceed \$1,000.

(4) For the purposes of this section, the terms "family day care provider" and "child day care center" have the same meanings as in RCW 43.216.010.

NEW SECTION. Sec. 5. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

On page 1, line 2 of the title, after "communities;" strike the remainder of the title and insert "adding a new section to chapter 64.32 RCW; adding a new section to chapter 64.34 RCW; adding a new section to chapter 64.38 RCW; adding a new section to chapter 64.90 RCW; prescribing penalties; and declaring an emergency."

MOTION

Senator Wagoner moved that the following amendment no. 0304 by Senator Wagoner be adopted:

On page 1, line 5, after "An" insert "association of apartment owners may permit the use of an apartment as a licensed family home child care or as a licensed child day care center by amending the declaration.

(2) If an association of apartment owners permits the use of an apartment as a licensed family home child care or as a licensed child day care center under subsection (1) of this section, then the"

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

On page 2, line 24, after "A" insert "unit owners' association may permit the use of a unit as a licensed family home child care or as a licensed child day care center by amending the declaration.

(2) If a unit owners' association permits the use of a unit as a licensed family home child care or as a licensed child day care center under subsection (1) of this section, then the"

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

On page 3, line 35, after "A" insert "homeowners' association may permit the use of a lot as a licensed family home child care or as a licensed child day care center by amending the declaration.

(2) If a homeowners' association permits the use of a lot as a licensed family home child care or as a licensed child day care center under subsection (1) of this section, then the"

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

On page 5, line 6, after "A" insert "unit owners association may permit the use of a unit as a licensed family home child care or as a licensed child day care center by amending the declaration.

(2) If a unit owners association permits the use of a unit as a licensed family home child care or as a licensed child day care center under subsection (1) of this section, then the"

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

Senator Wagoner spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Trudeau spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0304 by Senator Wagoner on page 1, line 5 to the committee striking amendment.

The motion by Senator Wagoner did not carry and amendment no. 0304 was not adopted by voice vote.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Law & Justice to House Bill No. 1199.

The motion by Senator Trudeau carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Trudeau, the rules were suspended, House Bill No. 1199 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Trudeau spoke in favor of passage of the bill.

Senator Padden spoke on passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1199 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1199 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 37; Nays, 11; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, Mullet, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Wellman and Wilson, C.

Voting nay: Senators Dozier, Fortunato, MacEwen, McCune, Muzzall, Padden, Schoesler, Wagoner, Warnick, Wilson, J. and Wilson, L.

Excused: Senator Van De Wege

HOUSE BILL NO. 1199 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1030, by Representatives Leavitt, Jacobsen, Pollet, Reeves and Bronoske

Concerning applied doctorate degree-granting authority.

The measure was read the second time.

MOTION

On motion of Senator Pedersen, the rules were suspended, House Bill No. 1030 was advanced to third reading, the second

EIGHTY EIGHTH DAY, APRIL 6, 2023

reading considered the third and the bill was placed on final passage.

Senators Randall and Holy spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1030.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1030 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senator Stanford

Excused: Senator Van De Wege

HOUSE BILL NO. 1030, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced students from Purdy Elementary School who were seated in the gallery. The students were guests of Senator Randall.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1590, by House Committee on Human Services, Youth, & Early Learning (originally sponsored by Dent, Eslick and Caldier)

Concerning the membership and subcommittees of the oversight board for children, youth, and families.

The measure was read the second time.

MOTION

On motion of Senator Boehnke, the rules were suspended, Substitute House Bill No. 1590 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Boehnke and Wilson, C. spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1590.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1590 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen,

Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Van De Wege

SUBSTITUTE HOUSE BILL NO. 1590, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1503, by House Committee on Postsecondary Education & Workforce (originally sponsored by Riccelli, Santos, Reeves, Macri and Reed)

Collecting health care professionals' information at the time of license application and license renewal.

The measure was read the second time.

MOTION

Senator Cleveland moved that the following committee striking amendment by the Committee on Health & Long-Term Care be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** A new section is added to chapter 18.130 RCW to read as follows:

(1) All applicants who submit applications for licensure on or after January 1, 2025, shall provide the following information with their application:

- (a) Race;
- (b) Ethnicity;
- (c) Gender;
- (d) Languages spoken;
- (e) Provider specialty, where applicable;
- (f) Primary practice location, if known at the time of application; and
- (g) Secondary practice location, if applicable and if known at the time of application.

(2) All license holders shall provide the following information when they renew their licenses on or after January 1, 2025, in addition to any other information required by the relevant disciplining authority:

- (a) The information in subsection (1)(a) through (e) of this section, except, after license holders provide this information one time, they shall be required to provide only changes to this information with subsequent renewals;
- (b) Whether the licensee is currently practicing;
- (c) Primary practice location at the time of renewal; and
- (d) Secondary practice location at the time of renewal, if applicable.

(3) The form used to collect information under this section must include the same race and ethnicity categories and subgroups required for the collection of student-level data in RCW 28A.300.042 (1) and (3).

(4) The department shall not sell the information collected pursuant to subsection (1) or (2) of this section to any third party.

(5) Applicants and licensees subject to demographic and practice information provision requirements under chapters

18.71, 18.71A, and 18.71B RCW are exempt from the requirements of this section."

On page 1, line 2 of the title, after "renewal;" strike the remainder of the title and insert "and adding a new section to chapter 18.130 RCW."

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Health & Long-Term Care to Engrossed Substitute House Bill No. 1503.

The motion by Senator Cleveland carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Cleveland, the rules were suspended, Engrossed Substitute House Bill No. 1503 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Cleveland and Padden spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 1503 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 1503 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 47; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senator Wagoner
Excused: Senator Van De Wege

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1503 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1275, by House Committee on Health Care & Wellness (originally sponsored by Thai, Harris and Riccelli)

Concerning athletic trainers.

The measure was read the second time.

MOTION

On motion of Senator Cleveland, the rules were suspended, Substitute House Bill No. 1275 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Cleveland and Rivers spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1275.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1275 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Van De Wege

SUBSTITUTE HOUSE BILL NO. 1275, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SECOND SUBSTITUTE HOUSE BILL NO. 1039, by House Committee on Appropriations (originally sponsored by Macri, Harris, Corry, Duerr, Riccelli, Chambers, Goodman, Reed, Fitzgibbon, Pollet, Ryu, Paul, Thai, Springer, Stonier, Kloba, Santos and Ormsby)

Concerning physical therapists performing intramuscular needling.

The measure was read the second time.

MOTION

Senator Cleveland moved that the following committee striking amendment by the Committee on Health & Long-Term Care be adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 18.74.010 and 2018 c 222 s 1 are each amended to read as follows:

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

(1) "Authorized health care practitioner" means and includes licensed physicians, osteopathic physicians, chiropractors, naturopaths, podiatric physicians and surgeons, dentists, and advanced registered nurse practitioners: PROVIDED, HOWEVER, That nothing herein shall be construed as altering the scope of practice of such practitioners as defined in their respective licensure laws.

(2) "Board" means the board of physical therapy created by RCW 18.74.020.

(3) "Close supervision" means that the supervisor has personally diagnosed the condition to be treated and has personally authorized the procedures to be performed. The supervisor is continuously on-site and physically present in the operatory while the procedures are performed and capable of responding immediately in the event of an emergency.

(4) "Department" means the department of health.

EIGHTY EIGHTH DAY, APRIL 6, 2023

(5) "Direct supervision" means the supervisor must (a) be continuously on-site and present in the department or facility where the person being supervised is performing services; (b) be immediately available to assist the person being supervised in the services being performed; and (c) maintain continued involvement in appropriate aspects of each treatment session in which a component of treatment is delegated to assistive personnel or is required to be directly supervised under RCW 18.74.190.

(6) "Indirect supervision" means the supervisor is not on the premises, but has given either written or oral instructions for treatment of the patient and the patient has been examined by the physical therapist at such time as acceptable health care practice requires and consistent with the particular delegated health care task.

(7) "Physical therapist" means a person who meets all the requirements of this chapter and is licensed in this state to practice physical therapy.

(8)(a) "Physical therapist assistant" means a person who meets all the requirements of this chapter and is licensed as a physical therapist assistant and who performs physical therapy procedures and related tasks that have been selected and delegated only by the supervising physical therapist. However, a physical therapist may not delegate sharp debridement to a physical therapist assistant.

(b) "Physical therapy aide" means an unlicensed person who receives ongoing on-the-job training and assists a physical therapist or physical therapist assistant in providing physical therapy patient care and who does not meet the definition of a physical therapist, physical therapist assistant, or other assistive personnel. A physical therapy aide may directly assist in the implementation of therapeutic interventions, but may not alter or modify the plan of therapeutic interventions and may not perform any procedure or task which only a physical therapist may perform under this chapter.

(c) "Other assistive personnel" means other trained or educated health care personnel, not defined in (a) or (b) of this subsection, who perform specific designated tasks that are related to physical therapy and within their license, scope of practice, or formal education, under the supervision of a physical therapist, including but not limited to licensed massage therapists, athletic trainers, and exercise physiologists. At the direction of the supervising physical therapist, and if properly credentialed and not prohibited by any other law, other assistive personnel may be identified by the title specific to their license, training, or education.

(9) "Physical therapy" means the care and services provided by or under the direction and supervision of a physical therapist licensed by the state. Except as provided in RCW 18.74.190, the use of Roentgen rays and radium for diagnostic and therapeutic purposes, the use of electricity for surgical purposes, including cauterization, and the use of spinal manipulation, or manipulative mobilization of the spine and its immediate articulations, are not included under the term "physical therapy" as used in this chapter.

(10) "Practice of physical therapy" is based on movement science and means:

(a) Examining, evaluating, and testing individuals with mechanical, physiological, and developmental impairments, functional limitations in movement, and disability or other health and movement-related conditions in order to determine a diagnosis, prognosis, plan of therapeutic intervention, and to assess and document the ongoing effects of intervention;

(b) Alleviating impairments and functional limitations in movement by designing, implementing, and modifying therapeutic interventions that include therapeutic exercise;

functional training related to balance, posture, and movement to facilitate self-care and reintegration into home, community, or work; manual therapy including soft tissue and joint mobilization and manipulation; therapeutic massage; assistive, adaptive, protective, and devices related to postural control and mobility except as restricted by (c) of this subsection; airway clearance techniques; physical agents or modalities; mechanical and electrotherapeutic modalities; and patient-related instruction;

(c) Training for, and the evaluation of, the function of a patient wearing an orthosis or prosthesis as defined in RCW 18.200.010. Physical therapists may provide those direct-formed and prefabricated upper limb, knee, and ankle-foot orthoses, but not fracture orthoses except those for hand, wrist, ankle, and foot fractures, and assistive technology devices specified in RCW 18.200.010 as exemptions from the defined scope of licensed orthotic and prosthetic services. It is the intent of the legislature that the unregulated devices specified in RCW 18.200.010 are in the public domain to the extent that they may be provided in common with individuals or other health providers, whether unregulated or regulated under this title, without regard to any scope of practice;

(d) Performing wound care services that are limited to sharp debridement, debridement with other agents, dry dressings, wet dressings, topical agents including enzymes, hydrotherapy, electrical stimulation, ultrasound, and other similar treatments. Physical therapists may not delegate sharp debridement. A physical therapist may perform wound care services only by referral from or after consultation with an authorized health care practitioner;

(e) Performing intramuscular needling;

(f) Reducing the risk of injury, impairment, functional limitation, and disability related to movement, including the promotion and maintenance of fitness, health, and quality of life in all age populations; and

~~((f))~~ (g) Engaging in administration, consultation, education, and research.

(11) "Secretary" means the secretary of health.

(12) "Sharp debridement" means the removal of devitalized tissue from a wound with scissors, scalpel, and tweezers without anesthesia. "Sharp debridement" does not mean surgical debridement. A physical therapist may perform sharp debridement, to include the use of a scalpel, only upon showing evidence of adequate education and training as established by rule. Until the rules are established, but no later than July 1, 2006, physical therapists licensed under this chapter who perform sharp debridement as of July 24, 2005, shall submit to the secretary an affidavit that includes evidence of adequate education and training in sharp debridement, including the use of a scalpel.

(13) "Spinal manipulation" includes spinal manipulation, spinal manipulative therapy, high velocity thrust maneuvers, and grade five mobilization of the spine and its immediate articulations.

(14) "Intramuscular needling," also known as "dry needling," means a skilled intervention that uses a single use, sterile filiform needle to penetrate the skin and stimulate underlying myofascial trigger points and connective and muscular tissues for the evaluation and management of neuromusculoskeletal pain and movement impairments. Intramuscular needling requires an examination and diagnosis. Intramuscular needling does not include needle retention without stimulation or the stimulation of auricular and distal points.

(15) Words importing the masculine gender may be applied to females.

NEW SECTION. Sec. 2. A new section is added to chapter 18.74 RCW to read as follows:

(1) Subject to the limitations of this section, a physical therapist may perform intramuscular needling only after being issued an intramuscular needling endorsement by the secretary. The secretary, upon approval by the board, shall issue an endorsement to a physical therapist who has at least one year of postgraduate practice experience that averages at least 36 hours a week and consists of direct patient care and who provides evidence in a manner acceptable to the board of a total of 325 hours of instruction and clinical experience that meet or exceed the following criteria:

(a) A total of 100 hours of didactic instruction in the following areas:

(i) Anatomy and physiology of the musculoskeletal and neuromuscular systems;

(ii) Anatomical basis of pain mechanisms, chronic pain, and referred pain;

(iii) Trigger point evaluation and management;

(iv) Universal precautions in avoiding contact with a patient's bodily fluids; and

(v) Preparedness and response to unexpected events including but not limited to injury to blood vessels, nerves, and organs, and psychological effects or complications.

(b) A total of 75 hours of in-person intramuscular needling instruction in the following areas:

(i) Intramuscular needling technique;

(ii) Intramuscular needling indications and contraindications;

(iii) Documentation and informed consent for intramuscular needling;

(iv) Management of adverse effects;

(v) Practical psychomotor competency; and

(vi) Occupational safety and health administration's bloodborne pathogens protocol.

(c) A successful clinical review of a minimum of 150 hours of at least 150 individual intramuscular needling treatment sessions by a qualified provider. A physical therapist seeking endorsement must submit an affidavit to the department demonstrating successful completion of this clinical review.

(2) A qualified provider must be one of the following:

(a) A physician licensed under chapter 18.71 RCW; an osteopathic physician licensed under chapter 18.57 RCW; a licensed naturopath under chapter 18.36A RCW; a licensed acupuncturist and Eastern medicine practitioner under chapter 18.06 RCW; or a licensed advanced registered nurse practitioner under chapter 18.79 RCW;

(b) A physical therapist credentialed to perform intramuscular needling in any branch of the United States armed forces;

(c) A licensed physical therapist who currently holds an intramuscular needling endorsement; or

(d) A licensed physical therapist who meets the requirements of the intramuscular needling endorsement.

(3) After receiving 100 hours of didactic instruction and 75 hours of in-person intramuscular needling instruction, a physical therapist seeking endorsement has up to 18 months to complete a minimum of 150 treatment sessions for review.

(4) A physical therapist may not delegate intramuscular needling and must remain in constant attendance of the patient for the entirety of the procedure.

(5) A physical therapist can apply for endorsement before they have one year of clinical practice experience if they can meet the requirement of 100 hours of didactic instruction and 75 hours of in-person intramuscular needling instruction in subsection (1)(a)(i) and (ii) of this section through their prelicensure coursework and has completed all other requirements set forth in this chapter.

(6) If a physical therapist is intending to perform intramuscular needling on a patient who the physical therapist knows is being treated by an acupuncturist or acupuncturist and Eastern medicine practitioner for the same diagnosis, the physical therapist shall make reasonable efforts to coordinate patient care with the acupuncturist or acupuncturist and Eastern medicine practitioner to prevent conflict or duplication of services.

(7) All patients receiving intramuscular needling from a physical therapist must sign an informed consent form that includes:

(a) The definition of intramuscular needling;

(b) A description of the risks of intramuscular needling;

(c) A description of the benefits of intramuscular needling;

(d) A description of the potential side effects of intramuscular needling; and

(e) A statement clearly differentiating the procedure from the practice of acupuncture.

(8) Intramuscular needling may not be administered as a stand-alone treatment within a physical therapy care plan."

On page 1, line 2 of the title, after "needling;" strike the remainder of the title and insert "amending RCW 18.74.010; and adding a new section to chapter 18.74 RCW."

Senator Cleveland spoke in favor of adoption of the committee striking amendment.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Health & Long-Term Care to Second Substitute House Bill No. 1039.

The motion by Senator Cleveland carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Cleveland, the rules were suspended, Second Substitute House Bill No. 1039 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Cleveland, Rivers and King spoke in favor of passage of the bill.

MOTION

On motion of Senator Wagoner, Senator MacEwen was excused.

The President declared the question before the Senate to be the final passage of Second Substitute House Bill No. 1039 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute House Bill No. 1039 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators MacEwen and Van De Wege

EIGHTY EIGHTH DAY, APRIL 6, 2023

SECOND SUBSTITUTE HOUSE BILL NO. 1039, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1255, by House Committee on Health Care & Wellness (originally sponsored by Simmons, Harris, Peterson, Reed, Riccelli, Macri, Bateman and Doglio)

Reducing stigma and incentivizing health care professionals to participate in a substance use disorder monitoring and treatment program.

The measure was read the second time.

MOTION

On motion of Senator Cleveland, the rules were suspended, Substitute House Bill No. 1255 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Cleveland and Rivers spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1255.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1255 and the bill passed the Senate by the following vote: Yeas, 40; Nays, 7; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Dozier, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Stanford, Torres, Trudeau, Valdez, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senators Boehnke, Fortunato, McCune, Padden, Short, Wagoner and Warnick

Excused: Senators MacEwen and Van De Wege

SUBSTITUTE HOUSE BILL NO. 1255, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1694, by House Committee on Appropriations (originally sponsored by Alvarado, Tharinger, Berry, Lekanoff, Reed, Leavitt, Fitzgibbon, Callan, Santos, Chopp, Ortiz-Self, Senn, Taylor, Pollet, Macri, Riccelli and Simmons)

Addressing home care workforce shortages.

The measure was read the second time.

MOTION

Senator Cleveland moved that the following committee striking amendment by the Committee on Health & Long-Term Care be adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 18.88B.010 and 2012 c 164 s 201 are each reenacted and amended to read as follows:

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

(1) "Community residential service business" has the same meaning as defined in RCW 74.39A.009.

(2) "Date of hire" means the first day the long-term care worker is employed by any employer.

(3) "Department" means the department of health.

~~((3))~~ (4) "Home care aide" means a person certified under this chapter.

~~((4))~~ (5) "Individual provider" has the same meaning as defined in RCW 74.39A.009.

~~((5))~~ (6) "Long-term care worker" has the same meaning as defined in RCW 74.39A.009.

~~((6))~~ (7) "Personal care services" has the same meaning as defined in RCW 74.39A.009.

~~((7))~~ (8) "Secretary" means the secretary of the department of health.

Sec. 2. RCW 18.88B.021 and 2021 c 203 s 10 are each amended to read as follows:

(1) Beginning January 7, 2012, except as provided in RCW 18.88B.041, any person hired as a long-term care worker must be certified as a home care aide as provided in this chapter within ~~((two hundred))~~ 200 calendar days after the date of hire ~~((as defined by the department. The department may adopt rules determining under which circumstances a long-term care worker may have more than one date of hire, restarting the person's 200 day period to obtain certification as a home care aide)).~~ A long-term care worker who is not currently certified or eligible to reactivate an expired credential shall receive a new date of hire when beginning work with either a new employer or returning to a former employer after prior employment has ended.

(2)(a) No person may practice or, by use of any title or description, represent himself or herself as a certified home care aide without being certified as provided in this chapter.

(b) This section does not prohibit a person: (i) From practicing a profession for which the person has been issued a license or which is specifically authorized under this state's laws; or (ii) who is exempt from certification under RCW 18.88B.041 from providing services as a long-term care worker.

(c) In consultation with consumer and worker representatives, the department shall, by January 1, 2013, establish by rule a single scope of practice that encompasses both long-term care workers who are certified home care aides and long-term care workers who are exempted from certification under RCW 18.88B.041.

(3) If a pandemic, natural disaster, or other declared state of emergency impacts the ability of long-term care workers to complete certification as required by this section, the department may adopt rules to allow long-term care workers additional time to become certified.

(a) Rules adopted under this subsection (3) are effective until the termination of the pandemic, natural disaster, or other declared state of emergency or until the department determines that additional time for long-term care workers to become certified is no longer necessary, whichever is later. Once the department determines a rule adopted under this subsection (3) is

no longer necessary, it must repeal the rule under RCW 34.05.353.

(b) Within 12 months of the termination of the pandemic, natural disaster, or other declared state of emergency, the department shall conduct a review of certification compliance with subsection (1) of this section and rules adopted under this subsection (3) and provide the legislature with a report.

(4) The department shall adopt rules to implement this section.
NEW SECTION. Sec. 3. A new section is added to chapter 18.88B RCW to read as follows:

(1) A certificate that has been expired for five years or less may be reinstated if the person holding the expired certificate:

- (a) Completes an abbreviated application form;
- (b) Pays any necessary fees, including the current certification fee, late renewal fees, and expired credential reissuance fees, unless exempt pursuant to section 4 of this act;
- (c) Provides a written declaration that no action has been taken by a state or federal jurisdiction or hospital which would prevent or restrict the person holding the expired certificate from practicing as a home care aide;

(d) Provides a written declaration that the person holding the expired certificate has not voluntarily given up any credential or privilege or has not been restricted from practicing as a home care aide in lieu of or to avoid formal action; and

(e) Submits to a state and federal background check as required by RCW 74.39A.056, if the certificate has been expired for more than one year.

(2) In addition to meeting the requirements of subsection (1) of this section, a certificate that has been expired for more than five years may be reinstated if the person holding the expired certificate demonstrates competence to the standards established by the secretary and meets other requirements established by the secretary.

NEW SECTION. Sec. 4. A new section is added to chapter 18.88B RCW to read as follows:

(1) Beginning September 1, 2023, a person whose home care aide certificate has been expired for more than six months and less than two years who seeks to restore the certificate to active status is exempt from the payment of any late renewal fee or current renewal fee if the person complies with all other certification requirements determined necessary by the department to return to active status.

(2) The department shall send a notification to the last known address of each person who held a certificate under this chapter and, since January 1, 2020, failed to renew the certificate to inform the person that a certificate may be restored without a financial penalty or payment of a renewal fee under subsection (1) of this section. For persons who have allowed their certificates to expire since January 1, 2023, the department must allow six months to pass since the expiration prior to contacting them to inform them that a certificate may be restored without a financial penalty or payment of a renewal fee under subsection (1) of this section.

(3) The department and the department of social and health services, as applicable, shall adopt rules to assure that continuing education requirements are not a barrier for persons seeking to reactivate their certificates under this chapter.

(4) This section expires July 1, 2025.

NEW SECTION. Sec. 5. A new section is added to chapter 18.88A RCW to read as follows:

(1) Beginning September 1, 2023, a person whose nursing assistant certificate has been expired for more than six months and less than two years who seeks to restore the certificate to active status is exempt from the payment of any late renewal fee or current renewal fee if the person complies with all other

certification requirements determined necessary by the department to return to active status.

(2) The department shall send a notification to the last known address of each person who held a certificate under this chapter and, since January 1, 2020, failed to renew the certificate to inform the person that a certificate may be restored without a financial penalty or payment of a renewal fee under subsection (1) of this section. For persons who have allowed their certificates to expire since January 1, 2023, the department must allow six months to pass since the expiration prior to contacting them to inform them that a certificate may be restored without a financial penalty or payment of a renewal fee under subsection (1) of this section.

(3) The department shall adopt rules to assure that continuing education requirements are not a barrier for persons seeking to reactivate their certificates under this chapter.

(4) This section expires July 1, 2025.

Sec. 6. RCW 74.39A.341 and 2021 c 203 s 9 are each amended to read as follows:

(1) All long-term care workers shall complete twelve hours of continuing education training in advanced training topics each year. This requirement applies beginning July 1, 2012.

(2) Completion of continuing education as required in this section is a prerequisite to maintaining home care aide certification under chapter 18.88B RCW.

(3) Unless voluntarily certified as a home care aide under chapter 18.88B RCW, subsection (1) of this section does not apply to:

(a) An individual provider caring only for his or her biological, step, or adoptive child;

(b) An individual provider caring only for the individual provider's sibling, aunt, uncle, cousin, niece, nephew, grandparent, or grandchild, including when related by marriage or domestic partnership;

(c) Registered nurses and licensed practical nurses licensed under chapter 18.79 RCW;

~~((e))~~ (d) Before January 1, 2016, a long-term care worker employed by a community residential service business;

~~((d))~~ (e) A person working as an individual provider who provides twenty hours or less of care for one person in any calendar month; ~~((e))~~

~~((e))~~ (f) A person working as an individual provider who only provides respite services and works less than three hundred hours in any calendar year; or

(g) A person whose certificate has been expired for less than five years who seeks to restore the certificate to active status. The person does not need to complete continuing education requirements in order for their certificate to be restored to active status. Subsection (1) of this section applies to persons once the certificate has been restored to active status, beginning on the date the certificate is restored to active status.

(4) Only training curriculum approved by the department may be used to fulfill the training requirements specified in this section. The department shall only approve training curriculum that:

(a) Has been developed with input from consumer and worker representatives; and

(b) Requires comprehensive instruction by qualified instructors.

(5) Individual providers under RCW 74.39A.270 shall be compensated for training time required by this section.

(6) If a pandemic, natural disaster, or other declared state of emergency impacts the ability of long-term care workers to complete training as required by this section, the department may

EIGHTY EIGHTH DAY, APRIL 6, 2023

adopt rules to allow long-term care workers additional time to complete the training requirements.

(a) Rules adopted under this subsection (6) are effective until the termination of the pandemic, natural disaster, or other declared state of emergency or until the department determines that all long-term care workers who were unable to complete the training required in this section have had adequate access to complete the required training, whichever is later. Once the department determines a rule adopted under this subsection (6) is no longer necessary, it must repeal the rule under RCW 34.05.353.

(b) Within 12 months of the termination of the pandemic, natural disaster, or other declared state of emergency, the department shall conduct a review of training compliance with subsection (1) of this section and provide the legislature with a report.

(7) The department of health shall adopt rules to implement subsection (1) of this section.

(8) The department shall adopt rules to implement subsection (2) of this section.

Sec. 7. RCW 18.88B.041 and 2019 c 363 s 20 are each amended to read as follows:

(1) The following long-term care workers are not required to become a certified home care aide pursuant to this chapter:

(a)(i)(A) Registered nurses, licensed practical nurses, certified nursing assistants or persons who are in an approved training program for certified nursing assistants under chapter 18.88A RCW, medicare-certified home health aides, or other persons who hold a similar health credential, as determined by the secretary, or persons with special education training and an endorsement granted by the superintendent of public instruction, as described in RCW 28A.300.010, if the secretary determines that the circumstances do not require certification.

(B) A person who was initially hired as a long-term care worker prior to January 7, 2012, and who completes all of the training requirements in effect as of the date the person was hired.

(ii) Individuals exempted by (a)(i) of this subsection may obtain certification as a home care aide without fulfilling the training requirements in RCW 74.39A.074(1)(d)(ii) but must successfully complete a certification examination pursuant to RCW 18.88B.031.

(b) All long-term care workers employed by community residential service businesses.

(c)(i) An individual provider caring only for the individual provider's biological, step, or adoptive child or parent; and

(ii) An individual provider caring only for the individual provider's sibling, aunt, uncle, cousin, niece, nephew, grandparent, or grandchild, including when related by marriage or domestic partnership.

(d) A person working as an individual provider who provides twenty hours or less of care for one person in any calendar month.

(e) A person working as an individual provider who only provides respite services and works less than three hundred hours in any calendar year.

(f) A long-term care worker providing approved services only for a spouse or registered domestic partner, pursuant to the long-term services and supports trust program established in chapter 50B.04 RCW.

(g) A long-term care worker providing approved services only for a spouse or registered domestic partner and funded through the United States department of veterans affairs home and community-based programs.

(2) A long-term care worker exempted by this section from the training requirements contained in RCW 74.39A.074 may not be prohibited from enrolling in training pursuant to that section.

(3) The department shall adopt rules to implement this section.

Sec. 8. RCW 74.39A.076 and 2021 c 203 s 8 are each amended to read as follows:

(1) Beginning January 7, 2012, except for long-term care workers exempt from certification under RCW 18.88B.041(1)(a):

(a) A biological, step, or adoptive parent who is the individual provider only for the person's developmentally disabled son or daughter must receive twelve hours of training relevant to the needs of ~~((adults))~~ individuals with developmental disabilities within the first one hundred twenty days after becoming an individual provider.

(b) A spouse or registered domestic partner who is a long-term care worker only for a spouse or domestic partner, pursuant to the long-term services and supports trust program established in chapter 50B.04 RCW, must receive fifteen hours of basic training, and at least six hours of additional focused training based on the care-receiving spouse's or partner's needs, within the first one hundred twenty days after becoming a long-term care worker.

(c) A person working as an individual provider who (i) provides respite care services only for individuals with developmental disabilities receiving services under Title 71A RCW or only for individuals who receive services under this chapter, and (ii) works three hundred hours or less in any calendar year, must complete fourteen hours of training within the first one hundred twenty days after becoming an individual provider. Five of the fourteen hours must be completed before becoming eligible to provide care, including two hours of orientation training regarding the caregiving role and terms of employment and three hours of safety training. The training partnership identified in RCW 74.39A.360 must offer at least twelve of the fourteen hours online, and five of those online hours must be individually selected from elective courses.

(d) Individual providers identified in (d)(i) or (ii) of this subsection must complete thirty-five hours of training within the first one hundred twenty days after becoming an individual provider. Five of the thirty-five hours must be completed before becoming eligible to provide care. Two of these five hours shall be devoted to an orientation training regarding an individual provider's role as caregiver and the applicable terms of employment, and three hours shall be devoted to safety training, including basic safety precautions, emergency procedures, and infection control. Individual providers subject to this requirement include:

(i)(A) An individual provider caring only for the individual provider's biological, step, or adoptive child or parent unless covered by (a) of this subsection; and

(B) An individual provider caring only for the individual provider's sibling, aunt, uncle, cousin, niece, nephew, grandparent, or grandchild, including when related by marriage or domestic partnership; ~~((and))~~

(ii) A person working as an individual provider who provides twenty hours or less of care for one person in any calendar month; and

(iii) A long-term care worker providing approved services only for a spouse or registered domestic partner and funded through the United States department of veterans affairs home and community-based programs.

(2) In computing the time periods in this section, the first day is the date of hire.

(3) Only training curriculum approved by the department may be used to fulfill the training requirements specified in this section. The department shall only approve training curriculum that:

(a) Has been developed with input from consumer and worker representatives; and

(b) Requires comprehensive instruction by qualified instructors.

(4) If a pandemic, natural disaster, or other declared state of emergency impacts the ability of long-term care workers to complete training as required by this section, the department may adopt rules to allow long-term care workers additional time to complete the training requirements.

(a) Rules adopted under this subsection (4) are effective until the termination of the pandemic, natural disaster, or other declared state of emergency or until the department determines that all long-term care workers who were unable to complete the training required in subsection (1) of this section have had adequate access to complete the required training, whichever is later. Once the department determines a rule adopted under this subsection (4) is no longer necessary, it must repeal the rule under RCW 34.05.353.

(b) Within 12 months of the termination of the pandemic, natural disaster, or other declared state of emergency, the department shall conduct a review of training compliance with subsection (1) of this section and provide the legislature with a report.

(5) The department shall adopt rules to implement this section.

NEW SECTION. Sec. 9. A new section is added to chapter 74.39A RCW to read as follows:

Subject to the availability of amounts appropriated for this specific purpose, beginning June 1, 2025, the department shall annually report on the status of:

- (1) The long-term care worker supply;
- (2) The average wages of long-term care workers compared to entry-level positions in other industries;
- (3) Projections of service demands;
- (4) Geographic disparities in the supply of long-term care workers; and

(5) Any race, gender, or other worker demographic data available through preexisting administrative data sources.

NEW SECTION. Sec. 10. The department of social and health services shall design a pilot project to allow the spouse or domestic partner of a person with complex medical needs who is eligible for long-term services and supports through the department of social and health services to receive payment for providing home care services to the spouse or domestic partner. The design shall consider the appropriate acuity level of the care-receiving spouse or domestic partner, the training needs of the care-providing spouse or domestic partner, payment parameters, fiscal considerations and use of medicaid matching funds, geographic locations for implementing the pilot project, ways to design the project to aid in future statewide implementation, cost estimates for implementing the pilot project, cost estimates for implementing a pilot project expansion, projected number of individuals to be served, a proposed timeline for implementation of the pilot project, and a proposed timeline for implementation of an expanded pilot project. The department of social and health services shall submit the pilot project design to the office of financial management and the appropriate fiscal committees of the legislature by December 31, 2023.

NEW SECTION. Sec. 11. The department of social and health services shall study the feasibility and cost of paying the parents of children under 18 years old who are medically complex or have complex support needs related to their behaviors. The department of social and health services must submit a report to the office of financial management and the appropriate fiscal committees of the legislature by December 31, 2023. The report

shall address any statutory or regulatory changes needed to authorize the payments, necessary information technology changes for the agency and associated costs, elements needed to prepare a federal waiver or state plan amendments to allow for the use of federal matching funds for the payments to parents, estimates of the number of children expected to be served, the anticipated annual cost to the state both if federal matching funds are available and if they are not available, recommendations on the types of training needed for parents to support their children's care needs, and a proposed timeline for implementation which may be phased, if necessary.

NEW SECTION. Sec. 12. If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2023, in the omnibus appropriations act, this act is null and void."

On page 1, at the beginning of line 2 of the title, strike the remainder of the title and insert "amending RCW 18.88B.021, 74.39A.341, 18.88B.041, and 74.39A.076; reenacting and amending RCW 18.88B.010; adding new sections to chapter 18.88B RCW; adding a new section to chapter 18.88A RCW; adding a new section to chapter 74.39A RCW; creating new sections; and providing expiration dates."

Senator Cleveland spoke in favor of adoption of the committee striking amendment.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Health & Long-Term Care to Engrossed Second Substitute House Bill No. 1694.

The motion by Senator Cleveland carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Cleveland, the rules were suspended, Engrossed Second Substitute House Bill No. 1694 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Cleveland and Rivers spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute House Bill No. 1694 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute House Bill No. 1694 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators MacEwen and Van De Wege

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1694, as amended by the Senate, having received the constitutional majority, was declared passed. There being no

EIGHTY EIGHTH DAY, APRIL 6, 2023

objection, the title of the bill was ordered to stand as the title of the act.

MOTIONS

On motion of Senator Pedersen, Rule 15 was suspended for the remainder of the day for the purpose of allowing continued floor action.

EDITOR'S NOTE: Senate Rule 15 establishes the floor schedule and calls for a lunch and dinner break of 90 minutes each per day during regular daily sessions.

At 12:24 p.m., on motion of Senator Pedersen, the Senate was declared to be at ease subject to the call of the President.

AFTERNOON SESSION

The Senate was called to order at 1:30 p.m. by the President of the Senate, Lt. Governor Heck presiding.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1340, by House Committee on Health Care & Wellness (originally sponsored by Riccelli, Thai, Berry, Ormsby, Chopp, Macri, Bergquist, Bateman, Simmons, Stonier, Berg, Duerr, Wylie, Senn, Taylor, Fitzgibbon, Cortes, Goodman, Reed, Lekanoff, Alvarado, Ramel, Kloba, Tharinger and Pollet)

Concerning actions by health professions disciplining authorities against license applicants and license holders.

The measure was read the second time.

MOTION

Senator Lovelett moved that the following amendment no. 0284 by Senator Lovelett be adopted:

On page 6, after line 10, insert the following:

"(a) The provision of, authorization of, recommendation of, aiding in, assistance in, referral for, or other participation in any reproductive health care services or gender affirming treatment consistent with the standard of care in Washington by a license holder;"

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

Senator Lovelett spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0284 by Senator Lovelett on page 6, after line 10 to Engrossed Substitute House Bill No. 1340.

The motion by Senator Lovelett carried and amendment no. 0284 was adopted by voice vote.

MOTION

Senator King moved that the following amendment no. 0312 by Senator McCune be adopted:

On page 7, line 18, after "individual" insert "at least 18 years old"

Senators McCune, Padden, Fortunato and Rivers spoke in favor of adoption of the amendment.

Senators Cleveland and Randall spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0312 by Senator McCune on page 7, line 18 to Engrossed Substitute House Bill No. 1340.

The motion by Senator King did not carry and amendment no. 0312 was not adopted by voice vote.

MOTION

Senator Cleveland moved that the following amendment no. 0309 by Senator Cleveland be adopted:

On page 7, after line 26, insert the following:

"NEW SECTION. **Sec. 4.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

On page 1, line 5 of the title, after "18.130.055;" strike "and adding a new section to chapter 18.130 RCW" and insert "adding a new section to chapter 18.130 RCW; and declaring an emergency"

Senator Cleveland spoke in favor of adoption of the amendment.

Senator Padden spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0309 by Senator Cleveland on page 7, after line 26 to Engrossed Substitute House Bill No. 1340.

The motion by Senator Cleveland carried and amendment no. 0309 was adopted by rising vote.

MOTION

On motion of Senator Pedersen, the rules were suspended, Engrossed Substitute House Bill No. 1340 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Cleveland spoke in favor of passage of the bill.

Senators Fortunato and McCune spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 1340 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 1340 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 28; Nays, 19; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Lias, Lovelett, Lovick, Mullet, Nguyen, Nobles, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, McCune, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

Excused: Senators MacEwen and Van De Wege

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1340, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1073, by House Committee on Health Care & Wellness (originally sponsored by Harris, Tharinger, Ryu, Leavitt, Macri, Calder, Santos and Ormsby)

Concerning medical assistants.

The measure was read the second time.

MOTION

On motion of Senator Cleveland, the rules were suspended, Engrossed Substitute House Bill No. 1073 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Cleveland and Rivers spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 1073.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 1073 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators MacEwen and Van De Wege

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1073, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Pedersen, the Senate reverted to the fourth order of business.

MESSAGES FROM THE HOUSE

April 6, 2023

MR. PRESIDENT:

The Speaker has signed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1048,
SUBSTITUTE HOUSE BILL NO. 1069,
ENGROSSED HOUSE BILL NO. 1210,
SUBSTITUTE HOUSE BILL NO. 1254,
ENGROSSED HOUSE BILL NO. 1274,
SECOND SUBSTITUTE HOUSE BILL NO. 1522,
HOUSE BILL NO. 1624,

and the same are herewith transmitted.

MR. PRESIDENT:

The Speaker has signed:

SUBSTITUTE SENATE BILL NO. 5338,
and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

MOTION

On motion of Senator Pedersen, the Senate advanced to the sixth order of business.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1326, by House Committee on Local Government (originally sponsored by Cortes, Chopp, Berry, Duerr, Farivar, Morgan, Peterson, Ramel, Ryu, Senn, Simmons, Walen, Mena, Reed, Doglio, Pollet, Springer and Macri)

Waiving municipal utility connection charges for certain properties.

The measure was read the second time.

MOTION

Senator Lovelett moved that the following committee striking amendment by the Committee on Local Government, Land Use & Tribal Affairs be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 35.92 RCW to read as follows:

(1) Municipal utilities formed under this chapter may waive connection charges for properties owned or developed by, or on the behalf of, a nonprofit organization, public development authority, housing authority, or local agency that provides emergency shelter, transitional housing, permanent supportive housing, or affordable housing, including a limited partnership as described in RCW 84.36.560(7)(f)(ii) and a limited liability company as described in RCW 84.36.560(7)(f)(iii).

(2) Connection charges waived under this chapter shall be funded using general funds, grant dollars, or other identified revenue stream.

(3) At such time as a property receiving a waiver under subsection (1) of this section is no longer operating under the eligibility requirements under subsection (1) of this section:

(a) The waiver of connection charges required under subsection (1) of this section is no longer required; and

(b) Any connection charges waived under subsection (1) of this section are immediately due and payable to the utility as a condition of continued service.

(4) For the purposes of this section:

(a) "Affordable housing" has the same meaning as in RCW 36.70A.030.

(b) "Connection charges" means the one-time capital and administrative charges, as authorized in RCW 35.92.025, that are imposed by a utility on a building or facility owner for a new utility service and costs borne or assessed by a utility for the labor, materials, and services necessary to physically connect a designated facility to the respective utility service.

EIGHTY EIGHTH DAY, APRIL 6, 2023

(c) "Emergency shelter" means any facility that has, as its sole purpose, the provision of a temporary shelter for the homeless and that does not require occupants to sign a lease or occupancy agreement.

(d) "Permanent supportive housing" has the same meaning as in RCW 36.70A.030.

(e) "Transitional housing" has the same meaning as in RCW 84.36.043.

Sec. 2. RCW 35.92.380 and 1980 c 150 s 1 are each amended to read as follows:

Whenever a city or town waives or delays collection of tap-in charges, connection fees, or hookup fees for ~~((low income))~~ low-income persons, ~~((or))~~ a class of ((low income)) low-income persons, or a nonprofit organization, public development authority, housing authority, or local agency that provides emergency shelter, transitional housing, permanent supportive housing, or affordable housing as defined in section 1 of this act to connect to lines or pipes used by the city or town to provide utility service, the waiver or delay shall be pursuant to a program established by ordinance. As used in this section, the provision of "utility service" includes, but is not limited to, water, sanitary or storm sewer service, electricity, gas, other means of power, and heat."

On page 1, line 2 of the title, after "properties;" strike the remainder of the title and insert "amending RCW 35.92.380; and adding a new section to chapter 35.92 RCW."

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Local Government, Land Use & Tribal Affairs to Substitute House Bill No. 1326.

The motion by Senator Lovelett carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Lovelett, the rules were suspended, Substitute House Bill No. 1326 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Lovelett and Torres spoke in favor of passage of the bill.

MOTION

On motion of Senator Wagoner, Senator Braun was excused.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1326 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1326 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 45; Nays, 1; Absent, 0; Excused, 3.

Voting yea: Senators Billig, Boehnke, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, McCune, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senator Padden

Excused: Senators Braun, MacEwen and Van De Wege

SUBSTITUTE HOUSE BILL NO. 1326, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED HOUSE BILL NO. 1337, by Representatives Gregerson, Barkis, Berry, Christian, Duerr, Fitzgibbon, Taylor, Ramel, Reeves, Simmons, Walen, Graham, Bateman, Reed, Lekanoff, Doglio, Tharinger, Cortes, Macri and Stonier

Expanding housing options by easing barriers to the construction and use of accessory dwelling units.

The measure was read the second time.

MOTION

Senator Lovelett moved that the following committee striking amendment by the Committee on Local Government, Land Use & Tribal Affairs be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) The legislature makes the following findings:

(a) Washington state is experiencing a housing affordability crisis. Many communities across the state are in need of more housing for renters across the income spectrum.

(b) Many cities dedicate the majority of residentially zoned land to single detached houses that are increasingly financially out of reach for many households. Due to their smaller size, accessory dwelling units can provide a more affordable housing option in those single-family zones.

(c) Localities can start to correct for historic economic and racial exclusion in single-family zones by opening up these neighborhoods to more diverse housing types, including accessory dwelling units, that provide lower cost homes. Increasing housing options in expensive, high-opportunity neighborhoods will give more families access to schools, parks, and other public amenities otherwise accessible to only the wealthy.

(d) Accessory dwelling units are frequently rented below market rate, providing additional affordable housing options for renters.

(e) Accessory dwelling units can also help to provide housing for very low-income households. More than 10 percent of accessory dwelling units in some areas are occupied by tenants who pay no rent at all; among these tenants are grandparents, adult children, family members with disabilities, friends going through life transitions, and community members in need. Accessory dwelling units meet the needs of these people who might otherwise require subsidized housing space and resources.

(f) Accessory dwelling units can meet the needs of Washington's growing senior population, making it possible for this population to age in their communities by offering senior-friendly housing, which prioritizes physical accessibility, in walkable communities near amenities essential to successful aging in place, including transit and grocery stores, without requiring costly renovations of existing housing stock.

(g) Homeowners who add an accessory dwelling unit may benefit from added income and an increased sense of security.

(h) Accessory dwelling units provide environmental benefits. On average they are more energy efficient than single detached houses, and they incentivize adaptive reuse of existing homes and materials.

(i) Siting accessory dwelling units near transit hubs, employment centers, and public amenities can help to reduce greenhouse gas emissions by increasing walkability, shortening household commutes, and curtailing sprawl.

(2) The legislature intends to promote and encourage the creation of accessory dwelling units as a means to address the need for additional affordable housing options.

Sec. 2. RCW 36.70A.696 and 2021 c 306 s 2 are each amended to read as follows:

The definitions in this section apply throughout RCW 36.70A.697 ~~((and))~~, 36.70A.698, and sections 3 and 4 of this act unless the context clearly requires otherwise.

(1) "Accessory dwelling unit" means a dwelling unit located on the same lot as a single-family housing unit, duplex, triplex, townhome, or other housing unit.

(2) "Attached accessory dwelling unit" means an accessory dwelling unit located within or attached to a single-family housing unit, duplex, triplex, townhome, or other housing unit.

(3) "City" means any city, code city, and town located in a county planning under RCW 36.70A.040.

(4) "County" means any county planning under RCW 36.70A.040.

(5) "Detached accessory dwelling unit" means an accessory dwelling unit that consists partly or entirely of a building that is separate and detached from a single-family housing unit, duplex, triplex, townhome, or other housing unit and is on the same property.

(6) "Dwelling unit" means a residential living unit that provides complete independent living facilities for one or more persons and that includes permanent provisions for living, sleeping, eating, cooking, and sanitation.

(7) "Gross floor area" means the interior habitable area of a dwelling unit including basements and attics but not including a garage or accessory structure.

~~(8)~~ "Major transit stop" means:

(a) A stop on a high capacity transportation system funded or expanded under the provisions of chapter 81.104 RCW;

(b) Commuter rail stops;

(c) Stops on rail or fixed guideway systems, including transitways;

(d) Stops on bus rapid transit routes or routes that run on high occupancy vehicle lanes; or

(e) Stops for a bus or other transit mode providing actual fixed route service at intervals of at least fifteen minutes for at least five hours during the peak hours of operation on weekdays.

~~((8))~~ (9) "Owner" means any person who has at least 50 percent ownership in a property on which an accessory dwelling unit is located.

~~((9))~~ (10) "Principal unit" means the single-family housing unit, duplex, triplex, townhome, or other housing unit located on the same lot as an accessory dwelling unit.

(11) "Short-term rental" means a lodging use, that is not a hotel or motel or bed and breakfast, in which a dwelling unit, or portion thereof, is offered or provided to a guest by a short-term rental operator for a fee for fewer than 30 consecutive nights.

NEW SECTION. Sec. 3. A new section is added to chapter 36.70A RCW to read as follows:

(1)(a) Cities and counties planning under this chapter must adopt or amend by ordinance, and incorporate into their development regulations, zoning regulations, and other official controls the requirements of this section and of section 4 of this

act, to take effect six months after the jurisdiction's next periodic comprehensive plan update required under RCW 36.70A.130.

(b) In any city or county that has not adopted or amended ordinances, regulations, or other official controls as required under this section, the requirements of this section and section 4 of this act supersede, preempt, and invalidate any conflicting local development regulations.

(2) Ordinances, development regulations, and other official controls adopted or amended pursuant to this section and section 4 of this act must only apply in the portions of towns, cities, and counties that are within urban growth areas designated under this chapter.

(3) Any action taken by a city or county to comply with the requirements of this section or section 4 of this act is not subject to legal challenge under this chapter or chapter 43.21C RCW.

(4) Nothing in this section or section 4 of this act requires or authorizes a city or county to authorize the construction of an accessory dwelling unit in a location where development is restricted under other laws, rules, or ordinances as a result of physical proximity to on-site sewage system infrastructure, critical areas, or other unsuitable physical characteristics of a property.

(5) Nothing in this section or in section 4 of this act prohibits a city or county from:

(a) Restricting the use of accessory dwelling units for short-term rentals;

(b) Applying public health, safety, building code, and environmental permitting requirements to an accessory dwelling unit that would be applicable to the principal unit, including regulations to protect ground and surface waters from on-site wastewater;

(c) Applying generally applicable development regulations to the construction of an accessory unit, except when the application of such regulations would be contrary to this section or to section 4 of this act;

(d) Prohibiting the construction of accessory dwelling units on lots that are not connected to or served by public sewers; or

(e) Prohibiting or restricting the construction of accessory dwelling units in residential zones with a density of one dwelling unit per acre or less that are within areas designated as wetlands, fish and wildlife habitats, flood plains, or geologically hazardous areas.

NEW SECTION. Sec. 4. A new section is added to chapter 36.70A RCW to read as follows:

(1) In addition to ordinances, development regulations, and other official controls adopted or amended to comply with this section and section 3 of this act, a city or county must comply with all of the following policies:

(a) The city or county may not assess impact fees on the construction of accessory dwelling units that are greater than 50 percent of the impact fees that would be imposed on the principal unit;

(b) The city or county may not require the owner of a lot on which there is an accessory dwelling unit to reside in or occupy the accessory dwelling unit or another housing unit on the same lot;

(c) The city or county must allow at least two accessory dwelling units on all lots that are located in all zoning districts within an urban growth area that allow for single-family homes in the following configurations:

(i) One attached accessory dwelling unit and one detached accessory dwelling unit;

(ii) Two attached accessory dwelling units; or

(iii) Two detached accessory dwelling units, which may be comprised of either one or two detached structures;

EIGHTY EIGHTH DAY, APRIL 6, 2023

(d) The city or county must permit accessory dwelling units in structures detached from the principal unit;

(e) The city or county must allow an accessory dwelling unit on any lot that meets the minimum lot size required for the principal unit;

(f) The city or county may not establish a maximum gross floor area requirement for accessory dwelling units that is less than 1,000 square feet;

(g) The city or county may not establish roof height limits on an accessory dwelling unit of less than 24 feet, unless the height limitation that applies to the principal unit is less than 24 feet, in which case a city or county may not impose roof height limitation on accessory dwelling units that is less than the height limitation that applies to the principal unit;

(h) A city or county may not impose setback requirements, yard coverage limits, tree retention mandates, restrictions on entry door locations, aesthetic requirements, or requirements for design review for accessory dwelling units that are more restrictive than those for principal units;

(i) A city or county must allow detached accessory dwelling units to be sited at a lot line if the lot line abuts a public alley, unless the city or county routinely plows snow on the public alley;

(j) A city or county must allow accessory dwelling units to be converted from existing structures, including but not limited to detached garages, even if they violate current code requirements for setbacks or lot coverage;

(k) A city or county may not prohibit the sale or other conveyance of a condominium unit independently of a principal unit solely on the grounds that the condominium unit was originally built as an accessory dwelling unit; and

(l) A city or county may not require public street improvements as a condition of permitting accessory dwelling units.

(2) When regulating accessory dwelling units, cities and counties may impose a limit of two accessory dwelling units, in addition to the principal unit, on a residential lot of 2,000 square feet or less.

(3) The provisions of this section do not apply to lots designated with critical areas or their buffers as designated in RCW 36.70A.060, or to a watershed serving a reservoir for potable water if that watershed is or was listed, as of the effective date of this section, as impaired or threatened under section 303(d) of the federal clean water act (33 U.S.C. Sec. 1313(d)).

NEW SECTION. Sec. 5. A new section is added to chapter 36.70A RCW to read as follows:

To encourage the use of accessory dwelling units for long-term housing, cities and counties may adopt ordinances, development regulations, and other official controls which waive or defer fees, including impact fees, defer the payment of taxes, or waive specific regulations. Cities and counties may only offer such reduced or deferred fees, deferred taxes, waivers, or other incentives for the development or construction of accessory dwelling units if:

(1) The units are located within an urban growth area; and

(2) The units are subject to a program adopted by the city or county with effective binding commitments or covenants that the units will be primarily utilized for long-term housing consistent with the public purpose for this authorization.

Sec. 6. RCW 43.21C.495 and 2022 c 246 s 3 are each amended to read as follows:

(1) Adoption of ordinances, development regulations and amendments to such regulations, and other nonproject actions taken by a city to implement: The actions specified in section 2, chapter 246, Laws of 2022 unless the adoption of such ordinances, development regulations and amendments to such

regulations, or other nonproject actions has a probable significant adverse impact on fish habitat; and the increased residential building capacity actions identified in RCW 36.70A.600(1), with the exception of the action specified in RCW 36.70A.600(1)(f), are not subject to administrative or judicial appeals under this chapter.

(2) Adoption of ordinances, development regulations and amendments to such regulations, and other nonproject actions taken by a city or county consistent with the requirements of sections 3 and 4 of this act are not subject to administrative or judicial appeals under this chapter.

Sec. 7. RCW 36.70A.280 and 2011 c 360 s 17 are each amended to read as follows:

(1) The growth management hearings board shall hear and determine only those petitions alleging either:

(a) That, except as provided otherwise by this subsection, a state agency, county, or city planning under this chapter is not in compliance with the requirements of this chapter, chapter 90.58 RCW as it relates to the adoption of shoreline master programs or amendments thereto, or chapter 43.21C RCW as it relates to plans, development regulations, or amendments, adopted under RCW 36.70A.040 or chapter 90.58 RCW. Nothing in this subsection authorizes the board to hear petitions alleging noncompliance ~~((with RCW 36.70A.5801))~~ based on a city or county's actions taken to implement the requirements of sections 3 and 4 of this act within an urban growth area;

(b) That the ~~((twenty-))~~ 20-year growth management planning population projections adopted by the office of financial management pursuant to RCW 43.62.035 should be adjusted;

(c) That the approval of a work plan adopted under RCW 36.70A.735(1)(a) is not in compliance with the requirements of the program established under RCW 36.70A.710;

(d) That regulations adopted under RCW 36.70A.735(1)(b) are not regionally applicable and cannot be adopted, wholly or partially, by another jurisdiction; or

(e) That a department certification under RCW 36.70A.735(1)(c) is erroneous.

(2) A petition may be filed only by: (a) The state, or a county or city that plans under this chapter; (b) a person who has participated orally or in writing before the county or city regarding the matter on which a review is being requested; (c) a person who is certified by the governor within ~~((sixty))~~ 60 days of filing the request with the board; or (d) a person qualified pursuant to RCW 34.05.530.

(3) For purposes of this section "person" means any individual, partnership, corporation, association, state agency, governmental subdivision or unit thereof, or public or private organization or entity of any character.

(4) To establish participation standing under subsection (2)(b) of this section, a person must show that his or her participation before the county or city was reasonably related to the person's issue as presented to the board.

(5) When considering a possible adjustment to a growth management planning population projection prepared by the office of financial management, the board shall consider the implications of any such adjustment to the population forecast for the entire state.

The rationale for any adjustment that is adopted by the board must be documented and filed with the office of financial management within ten working days after adoption.

If adjusted by the board, a county growth management planning population projection shall only be used for the planning purposes set forth in this chapter and shall be known as the "board adjusted population projection." None of these changes shall affect the official state and county population forecasts prepared

by the office of financial management, which shall continue to be used for state budget and planning purposes.

NEW SECTION. Sec. 8. A new section is added to chapter 36.70A RCW to read as follows:

(1) By December 31, 2023, the department must revise its recommendations for encouraging accessory dwelling units to include the provisions of sections 3 and 4 of this act.

(2) During each comprehensive plan review required by RCW 36.70A.130, the department must review local government comprehensive plans and development regulations for compliance with sections 3 and 4 of this act and the department's recommendations under subsection (1) of this section.

NEW SECTION. Sec. 9. A new section is added to chapter 64.34 RCW to read as follows:

(1) Except a declaration created to protect public health and safety, and ground and surface waters from on-site wastewater, a declaration created after the effective date of this section and applicable to a property located within an urban growth area may not impose any restriction or prohibition on the construction, development, or use on a lot of an accessory dwelling unit that the city or county in which the urban growth area is located would be prohibited from imposing under section 4 of this act.

(2) For the purposes of this section, "urban growth area" has the same meaning as in RCW 36.70A.030.

(3) A city or county issuing a permit for the construction of an accessory dwelling unit may not be held civilly liable on the basis that the construction of the accessory dwelling unit would violate a restrictive covenant or deed restriction.

NEW SECTION. Sec. 10. A new section is added to chapter 64.32 RCW to read as follows:

(1) Except a declaration created to protect public health and safety, and ground and surface waters from on-site wastewater, a declaration created after the effective date of this section and applicable to a property located within an urban growth area may not impose any restriction or prohibition on the construction, development, or use on a lot of an accessory dwelling unit that the city or county in which the urban growth area is located would be prohibited from imposing under section 4 of this act.

(2) For the purposes of this section, "urban growth area" has the same meaning as in RCW 36.70A.030.

(3) A city or county issuing a permit for the construction of an accessory dwelling unit may not be held civilly liable on the basis that the construction of the accessory dwelling unit would violate a restrictive covenant or deed restriction.

NEW SECTION. Sec. 11. A new section is added to chapter 64.38 RCW to read as follows:

(1) Except governing documents of associations created to protect public health and safety, and ground and surface waters from on-site wastewater, governing documents of associations created after the effective date of this section and applicable to a property located within an urban growth area may not impose any restriction or prohibition on the construction, development, or use on a lot of an accessory dwelling unit that the city or county in which the urban growth area is located would be prohibited from imposing under section 4 of this act.

(2) For the purposes of this section, "urban growth area" has the same meaning as in RCW 36.70A.030.

(3) A city or county issuing a permit for the construction of an accessory dwelling unit may not be held civilly liable on the basis that the construction of the accessory dwelling unit would violate a restrictive covenant or deed restriction.

NEW SECTION. Sec. 12. A new section is added to chapter 64.90 RCW to read as follows:

(1) Except declarations and governing documents of common interest communities created to protect public health and safety,

and ground and surface waters from on-site wastewater, declarations and governing documents of common interest communities created after the effective date of this section and applicable to a property located within an urban growth area may not impose any restriction or prohibition on the construction, development, or use on a lot of an accessory dwelling unit that the city or county in which the urban growth area is located would be prohibited from imposing under section 4 of this act.

(2) For the purposes of this section, "urban growth area" has the same meaning as in RCW 36.70A.030.

(3) A city or county issuing a permit for the construction of an accessory dwelling unit may not be held civilly liable on the basis that the construction of the accessory dwelling unit would violate a restrictive covenant or deed restriction.

NEW SECTION. Sec. 13. The following acts or parts of acts are each repealed:

(1) RCW 35.63.210 (Accessory apartments) and 1993 c 478 s 8;

(2) RCW 35A.63.230 (Accessory apartments) and 1993 c 478 s 9;

(3) RCW 36.70A.400 (Accessory apartments) and 1993 c 478 s 11;

(4) RCW 36.70.677 (Accessory apartments) and 1993 c 478 s 10; and

(5) RCW 43.63A.215 (Accessory apartments—Development and placement—Local governments) and 1993 c 478 s 7."

On page 1, line 2 of the title, after "units;" strike the remainder of the title and insert "amending RCW 36.70A.696, 43.21C.495, and 36.70A.280; adding new sections to chapter 36.70A RCW; adding a new section to chapter 64.34 RCW; adding a new section to chapter 64.32 RCW; adding a new section to chapter 64.38 RCW; adding a new section to chapter 64.90 RCW; creating a new section; and repealing RCW 35.63.210, 35A.63.230, 36.70A.400, 36.70.677, and 43.63A.215."

MOTION

Senator Lovelett moved that the following amendment no. 0311 by Senator Lovelett be adopted:

On page 6, line 7, after "(2)" insert "(a) A city or county subject to the requirements of this section may not:

(i) Require off-street parking as a condition of permitting development of accessory dwelling units within one-half mile walking distance of a major transit stop;

(ii) Require more than one off-street parking space per unit as a condition of permitting development of accessory dwelling units on lots smaller than 6,000 square feet before any zero lot line subdivisions or lot splits; and

(iii) Require more than two off-street parking spaces per unit as a condition of permitting development of accessory dwelling units on lots greater than 6,000 square feet before any zero lot line subdivisions or lot splits.

(b) The provisions of (a) of this subsection do not apply:

(i) If a local government submits to the department an empirical study prepared by a credentialed transportation or land use planning expert that clearly demonstrates, and the department finds and certifies, that the application of the parking limitations of (a) of this subsection for accessory dwelling units will be significantly less safe for vehicle drivers or passengers, pedestrians, or bicyclists than if the jurisdiction's parking requirements were applied to the same location for the same number of detached houses. The department must develop guidance to assist cities and counties on items to include in the study; or

EIGHTY EIGHTH DAY, APRIL 6, 2023

(ii) To portions of cities within a one mile radius of a commercial airport in Washington with at least 9,000,000 annual enplanements.

(3)"

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

Senator Lovelett spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Wagoner spoke against adoption of the amendment to the committee striking amendment.

MOTION

On motion of Senator Wilson, C., Senator Kauffman was excused.

The President declared the question before the Senate to be the adoption of amendment no. 0311 by Senator Lovelett on page 6, line 7 to the committee striking amendment.

The motion by Senator Lovelett carried and amendment no. 0311 was adopted by voice vote.

WITHDRAWAL OF AMENDMENT

On motion of Senator Shewmake and without objection, amendment no. 0315 by Senator Shewmake on page 8, line 26 to the committee striking amendment was withdrawn.

Senator Lovelett spoke in favor of adoption of the committee striking amendment as amended.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Local Government, Land Use & Tribal Affairs as amended to Engrossed House Bill No. 1337.

The motion by Senator Lovelett carried and the committee striking amendment as amended was adopted by voice vote.

MOTION

On motion of Senator Lovelett, the rules were suspended, Engrossed House Bill No. 1337 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Lovelett and Torres spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed House Bill No. 1337 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 1337 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 39; Nays, 7; Absent, 0; Excused, 3.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Keiser, King, Kuderer, Liias, Lovelett, Lovick, McCune, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Wellman, Wilson, C. and Wilson, J.

Voting nay: Senators Boehnke, Dozier, Padden, Rivers, Wagoner, Warnick and Wilson, L.

Excused: Senators Kauffman, MacEwen and Van De Wege

ENGROSSED HOUSE BILL NO. 1337, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SIGNED BY THE PRESIDENT

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1048,
SUBSTITUTE HOUSE BILL NO. 1069,
ENGROSSED HOUSE BILL NO. 1210,
SUBSTITUTE HOUSE BILL NO. 1254,
ENGROSSED HOUSE BILL NO. 1274,
SECOND SUBSTITUTE HOUSE BILL NO. 1522,
and HOUSE BILL NO. 1624.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1106, by House Committee on Labor & Workplace Standards (originally sponsored by Fosse, Reeves, Reed, Berry, Doglio, Wylie, Kloba, Santos and Ormsby)

Concerning qualifications for unemployment insurance when an individual voluntarily leaves work.

The measure was read the second time.

MOTION

Senator King moved that the following amendment no. 0319 by Senator King be adopted:

On page 1, beginning on line 6, strike all of section 1
Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 4, line 6, after "2023;" insert "or"

On page 4, line 7, after "a" insert "claimant's"

On page 4, beginning on line 8, after "2023" strike all material through "2024" on line 10

On page 4, line 16, after "illness," insert "or"

On page 4, line 16, after "disability," strike "or caregiving inaccessibility,"

On page 1, line 3 of the title, after "50.29.021;" strike "adding a new section to chapter 50.04 RCW;"

Senators King and Muzzall spoke in favor of adoption of the amendment.

Senator Keiser spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0319 by Senator King on page 1, line 6 to Engrossed Substitute House Bill No. 1106.

The motion by Senator King did not carry and amendment no. 0319 was not adopted by voice vote.

MOTION

Senator Saldaña moved that the following amendment no. 0318 by Senator Saldaña be adopted:

On page 4, line 10, after "2024" insert ", and before July 8, 2029"

On page 11, after line 12, insert the following:

"NEW SECTION. Sec. 4. By November 1, 2028, and in compliance with RCW 43.01.036, the employment security department must submit a report to the legislature that details the number of unemployment insurance benefit claims, the impact on the trust fund and employer experience ratings, and any trends for utilization by industries for claims allowed for separations on or after July 7, 2024, and before July 2, 2028, which were necessary because care for a child or a vulnerable adult in the claimant's care was inaccessible as provided in RCW 50.02.050."

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

On page 1, beginning on line 3 of the title, after "creating" strike all material through "section." and insert "new sections."

Senators Saldaña and Keiser spoke in favor of adoption of the amendment.

Senator King spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0318 by Senator Saldaña on page 4, line 10 to Engrossed Substitute House Bill No. 1106.

The motion by Senator Saldaña carried and amendment no. 0318 was adopted by rising vote.

MOTION

Senator King moved that the following amendment no. 0323 by Senators King and Keiser be adopted:

On page 8, line 11, after "(2)(b)" insert "(ii), only for separation that was necessary because the care for a child or a vulnerable adult in the claimant's care is inaccessible."

Senators King and Keiser spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0323 by Senators King and Keiser on page 8, line 11 to Engrossed Substitute House Bill No. 1106.

The motion by Senator King carried and amendment no. 0323 was adopted by voice vote.

MOTION

Senator Fortunato moved that the following amendment no. 0321 by Senator Fortunato be adopted:

On page 11, after line 12, insert the following:

"NEW SECTION. Sec. 4. A new section is added to chapter 50.16 RCW to read as follows:

The unemployment insurance socialized benefits account is created in the custody of the state treasurer. Revenues to the account consist of appropriations and transfers by the legislature and all other funding directed for deposit into the account. Only the commissioner of the employment security department or the commissioner's designee may authorize expenditures from the account. Expenditures from the account may be used only for reimbursing the unemployment compensation fund created in RCW 50.16.010 for socialized benefits and relief of benefits paid to individuals who qualify for benefits under RCW 50.20.050(2)(b) (ii) and (xiii). The account is subject to the allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures.

NEW SECTION. Sec. 5. The sum of \$15,000,000 is appropriated for the fiscal year ending June 30, 2024, from the general fund to the unemployment insurance socialized benefits account for the purposes of this act."

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

On page 1, line 3 of the title, after "50.04 RCW;" strike the remainder of the title and insert "adding a new section to chapter 50.16 RCW; creating a new section; and making an appropriation."

Senator Fortunato spoke in favor of adoption of the amendment.

Senator Keiser spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0321 by Senator Fortunato on page 11, after line 12 to Engrossed Substitute House Bill No. 1106.

The motion by Senator Fortunato did not carry and amendment no. 0321 was not adopted by voice vote.

MOTION

On motion of Senator Saldaña, the rules were suspended, Engrossed Substitute House Bill No. 1106 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Saldaña, Keiser and Hasegawa spoke in favor of passage of the bill.

Senators King, Mullet, Warnick, Schoesler, Wilson, J., Fortunato and Muzzall spoke against passage of the bill.

MOTION

On motion of Senator Wagoner, Senators Braun and Hawkins were excused.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 1106 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 1106 and the bill passed the Senate by the following vote: Yeas, 26; Nays, 20; Absent, 0; Excused, 3.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Lias, Lovelett, Lovick, Nguyen, Nobles, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Stanford, Trudeau, Valdez, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Holy, King, McCune, Mullet, Muzzall, Padden, Rivers, Schoesler, Shewmake, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

Excused: Senators Hawkins, MacEwen and Van De Wege

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1106, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SIGNED BY THE PRESIDENT

EIGHTY EIGHTH DAY, APRIL 6, 2023

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

SENATE BILL NO. 5088,
 SENATE BILL NO. 5113,
 SENATE BILL NO. 5163,
 SUBSTITUTE SENATE BILL NO. 5170,
 SUBSTITUTE SENATE BILL NO. 5176,
 SUBSTITUTE SENATE BILL NO. 5229,
 SUBSTITUTE SENATE BILL NO. 5304,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5320,
 ENGROSSED SENATE BILL NO. 5336,
 SENATE BILL NO. 5385,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5512,
 SUBSTITUTE SENATE BILL NO. 5538,
 SUBSTITUTE SENATE BILL NO. 5547,
 and SUBSTITUTE SENATE BILL NO. 5604.

SECOND READING

HOUSE BILL NO. 1031, by Representatives Low, Ryu, Schmidt, Christian, Reeves and Ramos

Modifying medal of valor award presentation requirements.

The measure was read the second time.

MOTION

On motion of Senator Valdez, the rules were suspended, House Bill No. 1031 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Valdez and Wilson, J. spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1031.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1031 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Hawkins, MacEwen and Van De Wege

HOUSE BILL NO. 1031, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1792, by Representatives Timmons, Dent, Lekanoff, Fitzgibbon, Rule, Ramel, Springer and Eslick

Modifying timelines and other initial procedural actions in a water rights adjudication.

The measure was read the second time.

MOTION

On motion of Senator Shewmake, the rules were suspended, House Bill No. 1792 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Shewmake and Muzzall spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1792.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1792 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Hawkins, MacEwen and Van De Wege

HOUSE BILL NO. 1792, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1311, by House Committee on Consumer Protection & Business (originally sponsored by Reeves, Corry, Chapman, Reed and Cheney)

Addressing credit repair services performed by a credit services organization.

The measure was read the second time.

MOTION

On motion of Senator Stanford, the rules were suspended, Engrossed Substitute House Bill No. 1311 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Stanford and Dozier spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 1311.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 1311 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez,

Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Hawkins, MacEwen and Van De Wege

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1311, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1335, by House Committee on Civil Rights & Judiciary (originally sponsored by Hansen, Berry, Farivar, Taylor, Ramel, Simmons, Kloba, Bateman, Reed and Lekanoff)

Concerning the unauthorized publication of personal identifying information.

The measure was read the second time.

MOTION

Senator Valdez moved that the following committee striking amendment by the Committee on Law & Justice be adopted:

Strike everything after the enacting clause and insert the following:

"**NEW SECTION. Sec. 1.** A new section is added to chapter 4.24 RCW to read as follows:

(1) No person may publish an individual's personal identifying information when:

(a) The publication is made without the express consent of the individual whose information is published;

(b) The publication is made with: (i) Intent or knowledge that the personal identifying information will be used to harm the individual whose information is published; or (ii) reckless disregard for the risk the personal identifying information will be used to harm the individual whose information is published; and

(c) The publication causes the individual whose information is published to suffer: (i) Physical injury; (ii) significant economic injury; (iii) mental anguish; (iv) fear of serious bodily injury or death for themselves or a close relation to themselves; or (v) a substantial life disruption.

(2) A person does not violate this section by:

(a) Providing personal identifying information with the reporting of criminal activity, which the person making the report reasonably believes occurred, to an employee of a law enforcement agency, intelligence agency, or other government agency in the United States; or in connection with any existing investigative, protective, or intelligence activity of any law enforcement agency, intelligence agency, or other government agency in the United States. This subsection (2)(a) only applies if the person providing the personal identifying information reasonably believes it to be accurate and provides the information in good faith and not for a malicious, fraudulent, or unlawful purpose;

(b) Providing personal identifying information in connection with an exercise of the right of freedom of speech or of the press, the right to assemble or petition, or the right of association, guaranteed by the United States Constitution or Washington state Constitution;

(c) Providing personal identifying information to, or in the course of acting as or on behalf of, "news media" as defined in RCW 5.68.010(5);

(d) Providing personal identifying information to a requestor in response to a request under the public records act, chapter 42.56 RCW;

(e) Providing personal identifying information when required to do so by any federal, state, or local law or regulation, or court rule or court order. This subsection (2)(e) only applies if the person providing the personal identifying information reasonably believes it to be accurate and provides the information in good faith and not for a malicious, fraudulent, or unlawful purpose;

(f) Providing personal identifying information in connection with a lawful requirement for a court filing or recording, including but not limited to recording judgments or filing claims of liens;

(g) Providing personal identifying information as permitted under the federal Gramm-Leach-Bliley act and consumer financial protection bureau Regulation P, 12 C.F.R. Part 1016, consistent with privacy policy disclosures provided pursuant to such regulation;

(h) Providing personal identifying information in compliance with the fair credit reporting act (84 Stat. 1127; 15 U.S.C. Sec. 1681 et seq.) or fair debt collection practices act (91 Stat. 874; 15 U.S.C. Sec. 1692 et seq.);

(i) Providing personal identifying information in a consumer alert or public notice arising from a regulatory, civil, or criminal investigation, complaint, or enforcement action. This subsection (2)(i) only applies to publications made by government agencies;

(j) Providing personal identifying information within or to a government agency, corporation, company, partnership, labor union, or another legal entity, or to any employees or agents thereof, but only if the following requirements are satisfied:

(i) The personal identifying information is provided for a legitimate and lawful purpose, including without limitation the reporting of criminal or fraudulent activity, facilitating a lawful commercial transaction, or furthering an existing business relationship;

(ii) The personal identifying information is provided through a private channel of communication, and is not provided to the public;

(iii) The person providing the personal identifying information:

(A) Reasonably believes it to be accurate; or

(B) Has reasonable suspicion to believe it is being used fraudulently; and

(iv) The person providing the personal identifying information provides it in good faith, and not for a malicious or fraudulent purpose; or

(k) Providing personal identifying information on behalf of a state agency, the health benefit exchange, a tribal nation, a contracted service provider of a state agency or the health benefit exchange, or the lead organization or a data vendor of the all-payer health care claims database under chapter 43.371 RCW, if the information was provided in a manner legally permitted under federal or state law or regulation.

(3) It is not a defense to a violation of this section that the personal identifying information at issue was voluntarily given to the publisher, has been previously publicly disclosed, or is readily discoverable through research or investigation.

(4) Nothing in this section shall be construed in any manner to:

(a) Conflict with 47 U.S.C. Sec. 230;

(b) Conflict with 42 U.S.C. Sec. 1983; or

(c) Prohibit any activity protected under the Constitution of the United States or the Washington state Constitution.

(5)(a) An individual whose personal identifying information is published in violation of this section may bring a civil action against: (i) The person or persons who published the personal

EIGHTY EIGHTH DAY, APRIL 6, 2023

identifying information; and (ii) any person who knowingly benefits, financially or by receiving anything of value, from participation in a venture that the person knew or should have known has engaged in an act in violation of this section.

(b) A prevailing claimant who brings a civil action pursuant to this section is entitled to recover any or all of the following remedies upon request: (i) Compensatory damages; (ii) punitive damages; (iii) statutory damages of \$5,000 per violation; (iv) costs and reasonable attorneys' fees; (v) injunctive relief; and (vi) any other relief deemed appropriate by the court.

(c) When an action is brought under this section, a court may, on its own motion or upon the motion of any party, issue a temporary restraining order, or a temporary or permanent injunction, to restrain and prevent the disclosure or continued disclosure of a party's personal identifying information.

(d) A civil action may be brought in any county in which an element of any violation of this section occurred, or in which an individual resides who is the subject of the personal identifying information published in violation of this section.

(6) The definitions in this subsection apply throughout this section and section 2 of this act unless the context clearly requires otherwise.

(a) "Close relation" means a current or former spouse or domestic partner, parent, child, sibling, stepchild, stepparent, grandparent, any person who regularly resides in the household or who within the prior six months regularly resided in the household, or any person with a significant personal or professional relationship.

(b) "Course of conduct" means a pattern of conduct composed of two or more acts, evidencing a continuity of purpose.

(c) "Doxing" means unauthorized publication of personal identifying information with intent or knowledge that the information will be used to harm the individual whose information is published, or with reckless disregard for the risk the information will be used to harm the individual whose information is published.

(d) "Electronic communication" means the transmission of information by wire, radio, optical cable, electromagnetic, or other similar means. "Electronic communication" includes, but is not limited to, email, internet-based communications, pager service, and electronic text messaging.

(e) "Harassment" has the same meaning as in RCW 9A.46.020, 9A.90.120, and 9.61.230.

(f) "Harm" means bodily injury, death, harassment, or stalking.

(g) "Mental anguish" means emotional distress or emotional suffering as evidenced by anxiety, fear, torment, or apprehension that may or may not result in a physical manifestation of mental anguish or a mental health diagnosis. The mental anguish must be protracted and not merely trivial or transitory.

(h) "Personal identifying information" means any information that can be used to distinguish or trace an individual's identity, including without limitation name, prior legal name, alias, mother's maiden name, or date or place of birth, in combination with any other information that is linked or linkable to an individual such as:

(i) Social security number, home address, mailing address, phone number, email address, social media accounts, or biometric data;

(ii) Medical, financial, education, consumer, or employment information, data, or records;

(iii) Any other sensitive private information that is linked or linkable to a specific identifiable individual, such as gender identity, sexual orientation, or any sexually intimate visual depiction; or

(iv) Any information, including without limitation usernames and passwords, that enables access to a person's email accounts, social media accounts, electronic forum accounts, chat or instant message accounts, cloud storage accounts, banking or financial accounts, computer networks, computers or phones, teleconferencing services, video-teleconferencing services, or other digital meeting rooms.

(i) "Publish" means to circulate, deliver, distribute, disseminate, post, transmit, or otherwise make available to another person, through any oral, written, visual, or electronic communication.

(j) "Regularly resides" means residing in the household with some permanency or regular frequency in the resident's living arrangement.

(k) "Stalking" has the same meaning as in RCW 9A.46.110.

(l) "Substantial life disruption" means that a person significantly modifies their actions, routines, employment, residence, appearance, name, or contact information to avoid or protect against an actor who has obtained or is using the person's personal identifying information, or because of the course of conduct of an actor who has obtained or is using the person's personal identifying information. Examples include, without limitation, changing a phone number, changing an electronic mail address, deleting personal electronic accounts, significantly decreasing use of the internet, moving from an established residence, changing daily routines, changing routes to and from work, changing employment or work schedule, or losing time from work or a job.

(7) The legislature does not intend this section to allow, and this section shall not allow, actions to be brought for constitutionally protected activity.

NEW SECTION. Sec. 2. This act shall be liberally construed and applied to promote its underlying purpose to deter doxing, protect persons from doxing, and provide adequate remedies to victims of doxing.

NEW SECTION. Sec. 3. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

On page 1, line 2 of the title, after "information;" strike the remainder of the title and insert "adding a new section to chapter 4.24 RCW; creating a new section; and prescribing penalties."

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Law & Justice to Engrossed Substitute House Bill No. 1335.

The motion by Senator Valdez carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Valdez, the rules were suspended, Engrossed Substitute House Bill No. 1335 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Valdez spoke in favor of passage of the bill.

Senator Padden spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 1335 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 1335 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 40; Nays, 7; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Stanford, Torres, Trudeau, Valdez, Wagoner, Wellman, Wilson, C. and Wilson, L.

Voting nay: Senators Boehnke, Dozier, McCune, Padden, Short, Warnick and Wilson, J.

Excused: Senators MacEwen and Van De Wege

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1335, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1600, by House Committee on Civil Rights & Judiciary (originally sponsored by Goodman, Berry, Ramel and Pollet)

Providing access to sealed juvenile records for firearm purposes.

The measure was read the second time.

MOTION

Senator Dhingra moved that the following committee striking amendment by the Committee on Law & Justice be adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 13.50.260 and 2020 c 184 s 1 are each amended to read as follows:

(1)(a) The court shall hold regular sealing hearings. During these regular sealing hearings, the court shall administratively seal an individual's juvenile record pursuant to the requirements of this subsection. Although the juvenile record shall be sealed, the social file may be available to any juvenile justice or care agency when an investigation or case involving the juvenile subject of the records is being prosecuted by the juvenile justice or care agency or when the juvenile justice or care agency is assigned the responsibility of supervising the juvenile. The juvenile respondent's presence is not required at any administrative sealing hearing.

(b) At the disposition hearing of a juvenile offender, the court shall schedule an administrative sealing hearing to take place during the first regularly scheduled sealing hearing after the latest of the following events that apply:

- (i) The respondent's eighteenth birthday;
- (ii) Anticipated end date of a respondent's probation, if ordered;
- (iii) Anticipated release from confinement at the juvenile rehabilitation administration, or the completion of parole, if the respondent is transferred to the juvenile rehabilitation administration.

(c) The court shall not schedule an administrative sealing hearing at the disposition and no administrative sealing hearing shall occur if one of the offenses for which the court has entered a disposition is at the time of commission of the offense:

- (i) A most serious offense, as defined in RCW 9.94A.030;
 - (ii) A sex offense under chapter 9A.44 RCW; or
 - (iii) A drug offense, as defined in RCW 9.94A.030.
- (d) At the time of the scheduled administrative sealing hearing, the court shall enter a written order sealing the respondent's juvenile court record pursuant to this subsection if the court finds by a preponderance of the evidence that the respondent is no longer on supervision for the case being considered for sealing and has paid the full amount of restitution owing to the individual victim named in the restitution order, excluding restitution owed to any public or private entity providing insurance coverage or health care coverage. In determining whether the respondent is on supervision or owes restitution, the court shall take judicial notice of court records, including records of the county clerk, and, if necessary, sworn testimony from a representative of the juvenile department.

(e) At the time of the administrative sealing hearing, if the court finds the respondent remains on supervision for the case being considered for sealing, then the court shall continue the administrative sealing hearing to a date within thirty days following the anticipated end date of the respondent's supervision. At the next administrative sealing hearing, the court shall again determine the respondent's eligibility for sealing his or her juvenile court record pursuant to (d) of this subsection, and, if necessary, continue the hearing again as provided in this subsection.

(f)(i) During the administrative sealing hearing, if the court finds the respondent is no longer on supervision for the case being considered for sealing, but the respondent has not paid the full amount of restitution owing to the individual victim named in the restitution order, excluding any public or private entity providing insurance coverage or health care coverage, the court shall deny sealing the juvenile court record in a written order that: (A) Specifies the amount of restitution that remains unpaid to the original victim, excluding any public or private entity providing insurance coverage or health care coverage; and (B) provides direction to the respondent on how to pursue the sealing of records associated with this cause of action.

(ii) Within five business days of the entry of the written order denying the request to seal a juvenile court record, the juvenile court department staff shall notify the respondent of the denial by providing a copy of the order of denial to the respondent in person or in writing mailed to the respondent's last known address in the department of licensing database or the respondent's address provided to the court, whichever is more recent.

(iii) At any time following entry of the written order denying the request to seal a juvenile court record, the respondent may contact the juvenile court department, provide proof of payment of the remaining unpaid restitution to the original victim, excluding any public or private entity providing insurance coverage or health care coverage, and request an administrative sealing hearing. Upon verification of the satisfaction of the restitution payment, the juvenile court department staff shall circulate for signature an order sealing the file, and file the signed order with the clerk's office, who shall seal the record.

(iv) The administrative office of the courts must ensure that sealed juvenile records remain private in case of an appeal and are either not posted or redacted from any clerks papers that are posted online with the appellate record, as well as taking any other prudent steps necessary to avoid exposing sealed juvenile records to the public.

(2) Except for dismissal of a deferred disposition under RCW 13.40.127, the court shall enter a written order immediately sealing the official juvenile court record upon the acquittal after a

EIGHTY EIGHTH DAY, APRIL 6, 2023

fact finding or upon the dismissal of charges with prejudice, subject to the state's right, if any, to appeal the dismissal.

(3) If a juvenile court record has not already been sealed pursuant to this section, in any case in which information has been filed pursuant to RCW 13.40.100 or a complaint has been filed with the prosecutor and referred for diversion pursuant to RCW 13.40.070, the person who is the subject of the information or complaint may file a motion with the court to have the court vacate its order and findings, if any; resolve the status of any debts owing; and, subject to RCW 13.50.050(13), order the sealing of the official juvenile court record, the social file, and records of the court and of any other agency in the case, with the exception of identifying information under RCW 13.50.050(13).

(4)(a) The court shall grant any motion to seal records for class A offenses made pursuant to subsection (3) of this section if:

(i) Since the last date of release from confinement, including full-time residential treatment, if any, or entry of disposition, the person has spent five consecutive years in the community without committing any offense or crime that subsequently results in an adjudication or conviction;

(ii) No proceeding is pending against the moving party seeking the conviction of a juvenile offense or a criminal offense;

(iii) No proceeding is pending seeking the formation of a diversion agreement with that person;

(iv) The person is no longer required to register as a sex offender under RCW 9A.44.130 or has been relieved of the duty to register under RCW 9A.44.143 if the person was convicted of a sex offense;

(v) The person has not been convicted of rape in the first degree, rape in the second degree, or indecent liberties that was actually committed with forcible compulsion; and

(vi) The person has paid the full amount of restitution owing to the individual victim named in the restitution order, excluding restitution owed to any public or private entity providing insurance coverage or health care coverage.

(b) The court shall grant any motion to seal records for class B, class C, gross misdemeanor, and misdemeanor offenses and diversions made under subsection (3) of this section if:

(i) Since the date of last release from confinement, including full-time residential treatment, if any, entry of disposition, or completion of the diversion agreement, the person has spent two consecutive years in the community without being convicted of any offense or crime;

(ii) No proceeding is pending against the moving party seeking the conviction of a juvenile offense or a criminal offense;

(iii) No proceeding is pending seeking the formation of a diversion agreement with that person;

(iv) The person is no longer required to register as a sex offender under RCW 9A.44.130 or has been relieved of the duty to register under RCW 9A.44.143 if the person was convicted of a sex offense; and

(v) The person has paid the full amount of restitution owing to the individual victim named in the restitution order, excluding restitution owed to any insurance provider authorized under Title 48 RCW.

(c) Notwithstanding the requirements in (a) or (b) of this subsection, the court shall grant any motion to seal records of any deferred disposition vacated under RCW 13.40.127(9) prior to June 7, 2012, if restitution has been paid and the person is eighteen years of age or older at the time of the motion.

(5) The person making a motion pursuant to subsection (3) of this section shall give reasonable notice of the motion to the prosecution and to any person or agency whose records are sought to be sealed.

(6)(a) If the court enters a written order sealing the juvenile court record pursuant to this section, it shall, subject to RCW 13.50.050(13), order sealed the official juvenile court record, the social file, and other records relating to the case as are named in the order. Thereafter, the proceedings in the case shall be treated as if they never occurred, and the subject of the records may reply accordingly to any inquiry about the events, records of which are sealed. Any agency shall reply to any inquiry concerning confidential or sealed records that records are confidential, and no information can be given about the existence or nonexistence of records concerning an individual.

(b) In the event the subject of the juvenile records receives a full and unconditional pardon, the proceedings in the matter upon which the pardon has been granted shall be treated as if they never occurred, and the subject of the records may reply accordingly to any inquiry about the events upon which the pardon was received. Any agency shall reply to any inquiry concerning the records pertaining to the events for which the subject received a pardon that records are confidential, and no information can be given about the existence or nonexistence of records concerning an individual.

(c) Effective July 1, 2019, the department of licensing may release information related to records the court has ordered sealed only to the extent necessary to comply with federal law and regulation.

(7) Inspection of the files and records included in the order to seal may thereafter be permitted only by order of the court upon motion made by the person who is the subject of the information or complaint, except as otherwise provided in RCW 13.50.010(8) and 13.50.050(13).

(8)(a) Any adjudication of a juvenile offense or a crime subsequent to sealing has the effect of nullifying a sealing order; however, the court may order the juvenile court record resealed upon disposition of the subsequent matter if the case meets the sealing criteria under this section and the court record has not previously been resealed.

(b) Any charging of an adult felony subsequent to the sealing has the effect of nullifying the sealing order.

(c) The administrative office of the courts shall ensure that the superior court judicial information system provides prosecutors access to information on the existence of sealed juvenile records.

(d) The Washington state patrol shall ensure that the Washington state identification system provides Washington state criminal justice agencies access to sealed juvenile records information.

(e) The Washington state patrol shall ensure that the Washington state identification system provides non-Washington criminal justice agencies access to sealed juvenile records only for the purposes of processing and purchasing firearms, concealed pistol licenses, or alien firearms licenses, or releasing of firearms from evidence.

(f) Non-Washington criminal justice agencies that access sealed juvenile records pursuant to this subsection shall not knowingly disseminate the accessed records or any information derived therefrom to any third party. Dissemination of such records or such information shall subject the disseminating agency to the jurisdiction of the courts of Washington and a civil penalty of not more than \$1,000 per violation.

(9) If the juvenile court record has been sealed pursuant to this section, the record of an employee is not admissible in an action for liability against the employer based on the former juvenile offender's conduct to show that the employer knew or should have known of the juvenile record of the employee. The record may be admissible, however, if a background check conducted or

authorized by the employer contained the information in the sealed record.

(10) County clerks may interact or correspond with the respondent, his or her parents, restitution recipients, and any holders of potential assets or wages of the respondent for the purposes of collecting an outstanding legal financial obligation after juvenile court records have been sealed pursuant to this section.

(11) Persons and agencies that obtain sealed juvenile records information pursuant to this section may communicate about this information with the respondent, but may not disseminate or be compelled to release the information to any person or agency not specifically granted access to sealed juvenile records in this section.

(12) All criminal justice agencies must not disclose confidential information or sealed records accessed through the Washington state identification system or other means, and no information can be given to third parties, other than ((Washington state)) criminal justice agencies, about the existence or nonexistence of confidential or sealed records concerning an individual."

On page 1, line 2 of the title, after "purposes;" strike the remainder of the title and insert "amending RCW 13.50.260; and prescribing penalties."

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Law & Justice to Engrossed Substitute House Bill No. 1600.

The motion by Senator Dhingra carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Dhingra, the rules were suspended, Engrossed Substitute House Bill No. 1600 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Dhingra and Padden spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 1600 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 1600 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators MacEwen and Van De Wege

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1600, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1576, by House Committee on Postsecondary Education & Workforce (originally sponsored by Caldier, Schmidt, Leavitt and Volz)

Concerning the dentist and dental hygienist compact.

The measure was read the second time.

MOTION

Senator Cleveland moved that the following committee striking amendment by the Committee on Health & Long-Term Care be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. This act shall be known and cited as the dentist and dental hygienist compact. The purposes of this compact are to facilitate the interstate practice of dentistry and dental hygiene and improve public access to dentistry and dental hygiene services by providing dentists and dental hygienists licensed in a participating state the ability to practice in participating states in which they are not licensed. The compact does this by establishing a pathway for dentists and dental hygienists licensed in a participating state to obtain a compact privilege that authorizes them to practice in another participating state in which they are not licensed. The compact enables participating states to protect the public health and safety with respect to the practice of such dentists and dental hygienists, through the state's authority to regulate the practice of dentistry and dental hygiene in the state. The compact:

(1) Enables dentists and dental hygienists who qualify for a compact privilege to practice in other participating states without satisfying burdensome and duplicative requirements associated with securing a license to practice in those states;

(2) Promotes mobility and addresses workforce shortages through each participating state's acceptance of a compact privilege to practice in that state;

(3) Increases public access to qualified, licensed dentists and dental hygienists by creating a responsible, streamlined pathway for licensees to practice in participating states;

(4) Enhances the ability of participating states to protect the public's health and safety;

(5) Does not interfere with licensure requirements established by a participating state;

(6) Facilitates the sharing of licensure and disciplinary information among participating states;

(7) Requires dentists and dental hygienists who practice in a participating state pursuant to a compact privilege to practice within the scope of practice authorized in that state;

(8) Extends the authority of a participating state to regulate the practice of dentistry and dental hygiene within its borders to dentists and dental hygienists who practice in the state through a compact privilege;

(9) Promotes the cooperation of participating states in regulating the practice of dentistry and dental hygiene within those states; and

(10) Facilitates the relocation of military members and their spouses who are licensed to practice dentistry or dental hygiene.

NEW SECTION. Sec. 2. As used in this compact, unless the context requires otherwise, the following definitions shall apply:

EIGHTY EIGHTH DAY, APRIL 6, 2023

(1) "Active military member" means any individual in full-time duty status in the armed forces of the United States including members of the national guard and reserve.

(2) "Adverse action" means disciplinary action or encumbrance imposed on a license or compact privilege by a state licensing authority.

(3) "Alternative program" means a nondisciplinary monitoring or practice remediation process applicable to a dentist or dental hygienist approved by a state licensing authority of a participating state in which the dentist or dental hygienist is licensed. This includes, but is not limited to, programs to which licensees with substance abuse or addiction issues are referred in lieu of adverse action.

(4) "Clinical assessment" means an examination or process, required for licensure as a dentist or dental hygienist as applicable, that provides evidence of clinical competence in dentistry or dental hygiene.

(5) "Commissioner" means the individual appointed by a participating state to serve as the member of the commission for that participating state.

(6) "Compact" means this dentist and dental hygienist compact.

(7) "Compact privilege" means the authorization granted by a remote state to allow a licensee from a participating state to practice as a dentist or dental hygienist in a remote state.

(8) "Continuing professional development" means a requirement, as a condition of license renewal, to provide evidence of successful participation in educational or professional activities relevant to practice or area of work.

(9) "Criminal background check" means the submission of fingerprints or other biometric-based information for a license applicant for the purpose of obtaining that applicant's criminal history record information, as defined in 28 C.F.R. Sec. 20.3(d) from the federal bureau of investigation and the state's criminal history record repository as defined in 28 C.F.R. Sec. 20.3(f).

(10) "Data system" means the commission's repository of information about licensees, including but not limited to examination, licensure, investigative, compact privilege, adverse action, and alternative program information.

(11) "Dental hygienist" means an individual who is licensed by a state licensing authority to practice dental hygiene.

(12) "Dentist" means an individual who is licensed by a state licensing authority to practice dentistry.

(13) "Dentist and dental hygienist compact commission" or "commission" means a joint government agency established by this compact comprised of each state that has enacted the compact and a national administrative body comprised of a commissioner from each state that has enacted the compact.

(14) "Encumbered license" means a license that a state licensing authority has limited in any way other than through an alternative program.

(15) "Executive board" means the chair, vice chair, secretary, treasurer, and any other commissioners as may be determined by commission rule or bylaw.

(16) "Jurisprudence requirement" means the assessment of an individual's knowledge of the laws and rules governing the practice of dentistry or dental hygiene, as applicable, in a state.

(17) "License" means current authorization by a state, other than authorization pursuant to a compact privilege or other privilege, for an individual to practice as a dentist or dental hygienist in that state.

(18) "Licensee" means an individual who holds an unrestricted license from a participating state to practice as a dentist or dental hygienist in that state.

(19) "Model compact" means the model for the dentist and dental hygienist compact on file with the council of state governments or other entity as designated by the commission.

(20) "Participating state" means a state that has enacted the compact and been admitted to the commission in accordance with the provisions herein and commission rules.

(21) "Qualifying license" means a license that is not an encumbered license issued by a participating state to practice dentistry or dental hygiene.

(22) "Remote state" means a participating state where a licensee who is not licensed as a dentist or dental hygienist is exercising or seeking to exercise the compact privilege.

(23) "Rule" means a regulation promulgated by an entity that has the force of law.

(24) "Scope of practice" means the procedures, actions, and processes a dentist or dental hygienist licensed in a state is permitted to undertake in that state and the circumstances under which the licensee is permitted to undertake those procedures, actions, and processes. Such procedures, actions, and processes and the circumstances under which they may be undertaken may be established through means including, but not limited to, statutes, regulations, case law, and other processes available to the state licensing authority or other government agency.

(25) "Significant investigative information" means information, records, and documents received or generated by a state licensing authority pursuant to an investigation for which a determination has been made that there is probable cause to believe that the licensee has violated a statute or regulation that is considered more than a minor infraction for which the state licensing authority could pursue adverse action against the licensee.

(26) "State" means any state, commonwealth, district, or territory of the United States of America that regulates the practices of dentistry and dental hygiene.

(27) "State licensing authority" means an agency or other entity of a state that is responsible for the licensing and regulation of dentists or dental hygienists.

NEW SECTION. Sec. 3. (1) In order to join the compact and thereafter continue as a participating state, a state must:

(a) Enact a compact that is not materially different from the model compact as determined in accordance with commission rules;

(b) Participate fully in the commission's data system;

(c) Have a mechanism in place for receiving and investigating complaints about its licensees and license applicants;

(d) Notify the commission, in compliance with the terms of the compact and commission rules, of any adverse action or the availability of significant investigative information regarding a licensee and license applicant;

(e) Fully implement a criminal background check requirement, within a time frame established by commission rule, by receiving the results of a qualifying criminal background check;

(f) Comply with the commission rules applicable to a participating state;

(g) Accept the national board examinations of the joint commission on national dental examinations or another examination accepted by commission rule as a licensure examination;

(h) Accept for licensure that applicants for a dentist license graduate from a predoctoral dental education program accredited by the commission on dental accreditation or another accrediting agency recognized by the United States department of education for the accreditation of dentistry and dental hygiene education programs, leading to the doctor of dental surgery or doctor of dental medicine degree;

(i) Accept for licensure that applicants for a dental hygienist license graduate from a dental hygiene education program accredited by the commission on dental accreditation or another accrediting agency recognized by the United States department of education for the accreditation of dentistry and dental hygiene education programs;

(j) Require for licensure that applicants successfully complete a clinical assessment;

(k) Have continuing professional development requirements as a condition for license renewal; and

(l) Pay a participation fee to the commission as established by commission rule.

(2) Providing alternative pathways for an individual to obtain an unrestricted license does not disqualify a state from participating in the compact.

(3) When conducting a criminal background check the state licensing authority shall:

(a) Consider that information in making a licensure decision;

(b) Maintain documentation of completion of the criminal background check and background check information to the extent allowed by state and federal law; and

(c) Report to the commission whether it has completed the criminal background check and whether the individual was granted or denied a license.

(4) A licensee of a participating state who has a qualifying license in that state and does not hold an encumbered license in any other participating state shall be issued a compact privilege in a remote state in accordance with the terms of the compact and commission rules. If a remote state has a jurisprudence requirement a compact privilege will not be issued to the licensee unless the licensee has satisfied the jurisprudence requirement.

NEW SECTION. Sec. 4. (1) To obtain and exercise the compact privilege under the terms and provisions of the compact, the licensee shall:

(a) Have a qualifying license as a dentist or dental hygienist in a participating state;

(b) Be eligible for a compact privilege in any remote state in accordance with subsections (4), (7), and (8) of this section;

(c) Submit to an application process whenever the licensee is seeking a compact privilege;

(d) Pay any applicable commission and remote state fees for a compact privilege in the remote state;

(e) Meet any jurisprudence requirement established by a remote state in which the licensee is seeking a compact privilege;

(f) Have passed a national board examination of the joint commission on national dental examinations or another examination accepted by commission rule;

(g) For a dentist, have graduated from a predoctoral dental education program accredited by the commission on dental accreditation or another accrediting agency recognized by the United States department of education for the accreditation of dentistry and dental hygiene education programs, leading to the doctor of dental surgery or doctor of dental medicine degree;

(h) For a dental hygienist, have graduated from a dental hygiene education program accredited by the commission on dental accreditation or another accrediting agency recognized by the United States department of education for the accreditation of dentistry and dental hygiene education programs;

(i) Have successfully completed a clinical assessment for licensure;

(j) Report to the commission adverse action taken by any nonparticipating state when applying for a compact privilege and, otherwise, within 30 days from the date the adverse action is taken;

(k) Report to the commission when applying for a compact privilege the address of the licensee's primary residence and thereafter immediately report to the commission any change in the address of the licensee's primary residence; and

(l) Consent to accept service of process by mail at the licensee's primary residence on record with the commission with respect to any action brought against the licensee by the commission or a participating state, and consent to accept service of a subpoena by mail at the licensee's primary residence on record with the commission with respect to any action brought or investigation conducted by the commission or a participating state.

(2) The licensee must comply with the requirements of subsection (1) of this section to maintain the compact privilege in the remote state. If those requirements are met, the compact privilege will continue as long as the licensee maintains a qualifying license in the state through which the licensee applied for the compact privilege and pays any applicable compact privilege renewal fees.

(3) A licensee providing dentistry or dental hygiene in a remote state under the compact privilege shall function within the scope of practice authorized by the remote state for a dentist or dental hygienist licensed in that state.

(4) A licensee providing dentistry or dental hygiene pursuant to a compact privilege in a remote state is subject to that state's regulatory authority. A remote state may, in accordance with due process and that state's laws, by adverse action revoke or remove a licensee's compact privilege in the remote state for a specific period of time and impose fines or take any other necessary actions to protect the health and safety of its citizens. If a remote state imposes an adverse action against a compact privilege that limits the compact privilege, that adverse action applies to all compact privileges in all remote states. A licensee whose compact privilege in a remote state is removed for a specified period of time is not eligible for a compact privilege in any other remote state until the specific time for removal of the compact privilege has passed and all encumbrance requirements are satisfied.

(5) If a license in a participating state is an encumbered license, the licensee shall lose the compact privilege in a remote state and shall not be eligible for a compact privilege in any remote state until the license is no longer encumbered.

(6) Once an encumbered license in a participating state is restored to good standing, the licensee must meet the requirements of subsection (1) of this section to obtain a compact privilege in a remote state.

(7) If a licensee's compact privilege in a remote state is removed by the remote state, the individual shall lose or be ineligible for the compact privilege in any remote state until the following occur:

(a) The specific period of time for which the compact privilege was removed has ended; and

(b) All conditions for removal of the compact privilege have been satisfied.

(8) Once the requirements of subsection (7) of this section have been met, the licensee must meet the requirements in subsection (1) of this section to obtain a compact privilege in a remote state.

NEW SECTION. Sec. 5. An active military member and their spouse shall not be required to pay to the commission for a compact privilege the fee otherwise charged by the commission. If a remote state chooses to charge a fee for a compact privilege, it may choose to charge a reduced fee or no fee to an active military member and their spouse for a compact privilege.

NEW SECTION. Sec. 6. (1) A participating state in which a licensee is licensed shall have exclusive authority to impose

EIGHTY EIGHTH DAY, APRIL 6, 2023

adverse action against the qualifying license issued by that participating state.

(2) A participating state may take adverse action based on the significant investigative information of a remote state, so long as the participating state follows its own procedures for imposing adverse action.

(3) Nothing in this compact shall override a participating state's decision that participation in an alternative program may be used in lieu of adverse action and that such participation shall remain nonpublic if required by the participating state's laws. Participating states must require licensees who enter any alternative program in lieu of discipline to agree not to practice pursuant to a compact privilege in any other participating state during the term of the alternative program without prior authorization from such other participating state.

(4) Any participating state in which a licensee is applying to practice or is practicing pursuant to a compact privilege may investigate actual or alleged violations of the statutes and regulations authorizing the practice of dentistry or dental hygiene in any other participating state in which the dentist or dental hygienist holds a license or compact privilege.

(5) A remote state shall have the authority to:

(a) Take adverse actions as set forth in section 4(4) of this act against a licensee's compact privilege in the state;

(b) In furtherance of its rights and responsibilities under the compact and the commission's rules, issue subpoenas for both hearings and investigations that require the attendance and testimony of witnesses and the production of evidence. Subpoenas issued by a state licensing authority in a participating state for the attendance and testimony of witnesses or the production of evidence from another participating state shall be enforced in the latter state by any court of competent jurisdiction, according to the practice and procedure of that court applicable to subpoenas issued in proceedings pending before it. The issuing authority shall pay any witness fees, travel expenses, mileage, and other fees required by the service statutes of the state where the witnesses or evidence is located; and

(c) If otherwise permitted by state law, recover from the licensee the costs of investigations and disposition of cases resulting from any adverse action taken against that licensee.

(6)(a) In addition to the authority granted to a participating state by its dentist or dental hygienist licensure act or other applicable state law, a participating state may jointly investigate licensees with other participating states.

(b) Participating states shall share any significant investigative information, litigation, or compliance materials in furtherance of any joint or individual investigation initiated under the compact.

(7)(a) After a licensee's compact privilege in a remote state is terminated, the remote state may continue an investigation of the licensee that began when the licensee had a compact privilege in that remote state.

(b) If the investigation yields what would be significant investigative information had the licensee continued to have a compact privilege in that remote state, the remote state shall report the presence of such information to the data system as required by section 8(2)(f) of this act as if it was significant investigative information.

NEW SECTION. Sec. 7. (1) The compact participating states hereby create and establish a joint government agency whose membership consists of all participating states that have enacted the compact. The commission is an instrumentality of the participating states acting jointly and not an instrumentality of any one state. The commission shall come into existence on or after the effective date of the compact as set forth in section 11(1) of this act.

(2)(a) Each participating state shall have and be limited to one commissioner selected by that participating state's state licensing authority or, if the state has more than one state licensing authority, selected collectively by the state licensing authorities.

(b) The commissioner shall be a member or designee of such authority or authorities.

(c) The commission may by rule or bylaw establish a term of office for commissioners and may by rule or bylaw establish term limits.

(d) The commission may recommend to a state licensing authority or authorities, as applicable, removal or suspension of an individual as the state's commissioner.

(e) A participating state's state licensing authority or authorities, as applicable, shall fill any vacancy of its commissioner on the commission within 60 days of the vacancy.

(f) Each commissioner shall be entitled to one vote on all matters that are voted upon by the commission.

(g) The commission shall meet at least once during each calendar year. Additional meetings may be held as set forth in the bylaws. The commission may meet by telecommunication, videoconference, or other similar electronic means.

(3) The commission shall have the following powers:

(a) Establish the fiscal year of the commission;

(b) Establish a code of conduct and conflict of interest policies;

(c) Adopt rules and bylaws;

(d) Maintain its financial records in accordance with the bylaws;

(e) Meet and take such actions as are consistent with the provisions of this compact, the commission's rules, and the bylaws;

(f) Initiate and conclude legal proceedings or actions in the name of the commission, provided that the standing of any state licensing authority to sue or be sued under applicable law shall not be affected;

(g) Maintain and certify records and information provided to a participating state as the authenticated business records of the commission, and designate a person to do so on the commission's behalf;

(h) Purchase and maintain insurance and bonds;

(i) Borrow, accept, or contract for services of personnel including, but not limited to, employees of a participating state;

(j) Conduct an annual financial review;

(k) Hire employees, elect or appoint officers, fix compensation, define duties, grant such individuals appropriate authority to carry out the purposes of the compact, and establish the commission's personnel policies and programs relating to conflicts of interest, qualifications of personnel, and other related personnel matters;

(l) As set forth in the commission rules, charge a fee to a licensee for the grant of a compact privilege in a remote state and thereafter, as may be established by commission rule, charge the licensee a compact privilege renewal fee for each renewal period in which that licensee exercises or intends to exercise the compact privilege in that remote state. Nothing herein shall be construed to prevent a remote state from charging a licensee a fee for a compact privilege or renewals of a compact privilege, or a fee for the jurisprudence requirement if the remote state imposes such a requirement for the grant of a compact privilege;

(m) Accept any and all appropriate gifts, donations, grants of money, other sources of revenue, equipment, supplies, materials, and services, and receive, utilize, and dispose of the same; provided that at all times the commission shall avoid any appearance of impropriety and/or conflict of interest;

(n) Lease, purchase, retain, own, hold, improve, or use any property, real, personal, or mixed, or any undivided interest therein;

(o) Sell, convey, mortgage, pledge, lease, exchange, abandon, or otherwise dispose of any property, real, personal, or mixed;

(p) Establish a budget and make expenditures;

(q) Borrow money;

(r) Appoint committees, including standing committees, which may be composed of members, state regulators, state legislators or their representatives, consumer representatives, and such other interested persons as may be designated in this compact and the bylaws;

(s) Provide and receive information from, and cooperate with, law enforcement agencies;

(t) Elect a chair, vice chair, secretary, treasurer, and such other officers of the commission as provided in the commission's bylaws;

(u) Establish and elect an executive board;

(v) Adopt and provide to the participating states an annual report;

(w) Determine whether a state's enacted compact is materially different from the model compact language such that the state would not qualify for participation in the compact; and

(x) Perform such other functions as may be necessary or appropriate to achieve the purposes of this compact.

(4)(a) All meetings of the commission that are not closed pursuant to this subsection shall be open to the public. Notice of public meetings shall be posted on the commission's website at least 30 days prior to the public meeting.

(b) Notwithstanding (a) of this subsection, the commission may convene an emergency public meeting by providing at least 24 hours prior notice on the commission's website, and any other means as provided in the commission's rules, for any of the reasons it may dispense with notice of proposed rule making under section 9(12) of this act. The commission's legal counsel shall certify that one of the reasons justifying an emergency public meeting has been met.

(c) Notice of all commission meetings shall provide the time, date, and location of the meeting, and if the meeting is to be held or accessible via telecommunication, videoconference, or other electronic means, the notice shall include the mechanism for access to the meeting through such means.

(d) The commission may convene in a closed, nonpublic meeting for the commission to receive legal advice or to discuss:

(i) Noncompliance of a participating state with its obligations under the compact;

(ii) The employment, compensation, discipline, or other matters, practices, or procedures related to specific employees or other matters related to the commission's internal personnel practices and procedures;

(iii) Current or threatened discipline of a licensee or compact privilege holder by the commission or by a participating state's licensing authority;

(iv) Current, threatened, or reasonably anticipated litigation;

(v) Negotiation of contracts for the purchase, lease, or sale of goods, services, or real estate;

(vi) Accusing any person of a crime or formally censuring any person;

(vii) Trade secrets or commercial or financial information that is privileged or confidential;

(viii) Information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy;

(ix) Investigative records compiled for law enforcement purposes;

(x) Information related to any investigative reports prepared by, on behalf of, or for use of the commission or other committee charged with responsibility of investigation or determination of compliance issues pursuant to the compact;

(xi) Legal advice;

(xii) Matters specifically exempted from disclosure to the public by federal or participating state law; and

(xiii) Other matters as promulgated by the commission by rule.

(e) If a meeting, or portion of a meeting, is closed, the presiding officer shall state that the meeting will be closed and reference each relevant exempting provision, and such reference shall be recorded in the minutes.

(f) The commission shall keep minutes that fully and clearly describe all matters discussed in a meeting and shall provide a full and accurate summary of actions taken and the reasons therefore, including a description of the views expressed. All documents considered in connection with an action shall be identified in such minutes. All minutes and documents of a closed meeting shall remain under seal, subject to release only by a majority vote of the commission or order of a court of competent jurisdiction.

(5)(a) The commission shall pay, or provide for the payment of, the reasonable expenses of its establishment, organization, and ongoing activities.

(b) The commission may accept any and all appropriate sources of revenue, donations, and grants of money, equipment, supplies, materials, and services.

(c) The commission may levy on and collect an annual assessment from each participating state and impose fees on licensees of participating states when a compact privilege is granted to cover the cost of the operations and activities of the commission and its staff, which must be in a total amount sufficient to cover its annual budget as approved each fiscal year for which sufficient revenue is not provided by other sources. The aggregate annual assessment amount for participating states shall be allocated based upon a formula that the commission shall promulgate by rule.

(d) The commission shall not incur obligations of any kind prior to securing the funds adequate to meet the same; nor shall the commission pledge the credit of any participating state, except by and with the authority of the participating state.

(e) The commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the commission shall be subject to the financial review and accounting procedures established under its bylaws. All receipts and disbursements of funds handled by the commission shall be subject to an annual financial review by a certified or licensed public accountant, and the report of the financial review shall be included in and become part of the annual report of the commission.

(6)(a) The executive board shall have the power to act on behalf of the commission according to the terms of this compact. The powers, duties, and responsibilities of the executive board shall include:

(i) Overseeing the day-to-day activities of the administration of the compact including compliance with the provisions of the compact and the commission's rules and bylaws;

(ii) Recommending to the commission changes to the rules or bylaws, changes to this compact legislation, fees charged to compact participating states, fees charged to licensees, and other fees;

(iii) Ensuring compact administration services are appropriately provided, including by contract;

(iv) Preparing and recommending the budget;

(v) Maintaining financial records on behalf of the commission;

EIGHTY EIGHTH DAY, APRIL 6, 2023

(vi) Monitoring compact compliance of participating states and providing compliance reports to the commission;

(vii) Establishing additional committees as necessary;

(viii) Exercising the powers and duties of the commission during the interim between commission meetings, except for adopting or amending rules, adopting or amending bylaws, and exercising any other powers and duties expressly reserved to the commission by rule or bylaw; and

(ix) Other duties as provided in the rules or bylaws of the commission.

(b) The executive board shall be composed of up to seven members:

(i) The chair, vice chair, secretary, and treasurer of the commission, and any other members of the commission who serve on the executive board, shall be voting members of the executive board; and

(ii) Other than the chair, vice chair, secretary, and treasurer, the commission may elect up to three voting members from the current membership of the commission.

(c) The commission may remove any member of the executive board as provided in the commission's bylaws.

(d) The executive board shall meet at least annually.

(i) An executive board meeting at which it takes or intends to take formal action on a matter shall be open to the public, except that the executive board may meet in a closed, nonpublic session of a public meeting when dealing with any of the matters covered under subsection (4)(d) of this section.

(ii) The executive board shall give five business days' notice of its public meetings, posted on its website and as it may otherwise determine to provide notice to persons with an interest in the public matters the executive board intends to address at those meetings.

(e) The executive board may hold an emergency meeting when acting for the commission to:

- (i) Meet an imminent threat to public health, safety, or welfare;
- (ii) Prevent a loss of commission or participating state funds; or
- (iii) Protect public health and safety.

(7)(a) The members, officers, executive director, employees, and representatives of the commission shall be immune from suit and liability, both personally and in their official capacity, for any claim for damage to or loss of property or personal injury or other civil liability caused by or arising out of any actual or alleged act, error, or omission that occurred, or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of commission employment, duties, or responsibilities; provided that nothing in this subsection (7)(a) shall be construed to protect any such person from suit or liability for any damage, loss, injury, or liability caused by the intentional or willful or wanton misconduct of that person. The procurement of insurance of any type by the commission shall not in any way compromise or limit the immunity granted hereunder.

(b) The commission shall defend any member, officer, executive director, employee, and representative of the commission in any civil action seeking to impose liability arising out of any actual or alleged act, error, or omission that occurred within the scope of commission employment, duties, or responsibilities, or as determined by the commission that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of commission employment, duties, or responsibilities; provided that nothing herein shall be construed to prohibit that person from retaining their own counsel at their own expense; and provided further, that the actual or alleged act, error, or omission did not result from that person's intentional or willful or wanton misconduct.

(c) Notwithstanding (a) of this subsection, should any member, officer, executive director, employee, or representative of the commission be held liable for the amount of any settlement or judgment arising out of any actual or alleged act, error, or omission that occurred within the scope of that individual's employment, duties, or responsibilities for the commission, or that the person to whom that individual is liable had a reasonable basis for believing occurred within the scope of the individual's employment, duties, or responsibilities for the commission, the commission shall indemnify and hold harmless such individual, provided that the actual or alleged act, error, or omission did not result from the intentional or willful or wanton misconduct of the individual.

(d) Nothing herein shall be construed as a limitation on the liability of any licensee for professional malpractice or misconduct, which shall be governed solely by any other applicable state laws.

(e) Nothing in this compact shall be interpreted to waive or otherwise abrogate a participating state's state action immunity or state action affirmative defense with respect to antitrust claims under the Sherman act, Clayton act, or any other state or federal antitrust or anticompetitive law or regulation.

(f) Nothing in this compact shall be construed to be a waiver of sovereign immunity by the participating states or by the commission.

NEW SECTION. Sec. 8. (1) The commission shall provide for the development, maintenance, operation, and utilization of a coordinated database and reporting system containing licensure, adverse action, and the presence of significant investigative information on all licensees and applicants for a license in participating states.

(2) Notwithstanding any other provision of state law to the contrary, a participating state shall submit a uniform data set to the data system on all individuals to whom this compact is applicable as required by the rules of the commission, including:

(a) Identifying information;

(b) Licensure data;

(c) Adverse actions against a licensee, license applicant, or compact privilege and information related thereto;

(d) Nonconfidential information related to alternative program participation, the beginning and ending dates of such participation, and other information related to such participation;

(e) Any denial of an application for licensure, and the reason or reasons for such denial, excluding the reporting of any criminal history record information where prohibited by law;

(f) The presence of significant investigative information; and

(g) Other information that may facilitate the administration of this compact or the protection of the public, as determined by the rules of the commission.

(3) The records and information provided to a participating state pursuant to this compact or through the data system, when certified by the commission or an agent thereof, shall constitute the authenticated business records of the commission, and shall be entitled to any associated hearsay exception in any relevant judicial, quasi-judicial, or administrative proceedings in a participating state.

(4) Significant investigative information pertaining to a licensee in any participating state will only be available to other participating states.

(5) It is the responsibility of the participating states to monitor the database to determine whether adverse action has been taken against a licensee or license applicant. Adverse action information pertaining to a licensee or license applicant in any participating state will be available to any other participating state.

(6) Participating states contributing information to the data system may designate information that may not be shared with the public without the express permission of the participating state.

(7) Any information submitted to the data system that is subsequently expunged pursuant to federal law or the laws of the participating state contributing the information shall be removed from the data system.

NEW SECTION. Sec. 9. (1) The commission shall promulgate reasonable rules in order to effectively and efficiently implement and administer the purposes and provisions of the compact. A commission rule shall be invalid and have no force or effect only if a court of competent jurisdiction holds that the rule is invalid because the commission exercised its rule-making authority in a manner that is beyond the scope and purposes of the compact, or the powers granted hereunder, or based upon another applicable standard of review.

(2) The rules of the commission shall have the force of law in each participating state, provided however that where the rules of the commission conflict with the laws of the participating state that establish the participating state's scope of practice as held by a court of competent jurisdiction, the rules of the commission shall be ineffective in that state to the extent of the conflict.

(3) The commission shall exercise its rule-making powers pursuant to the criteria set forth in this section and the rules adopted thereunder. Rules shall become binding as of the date specified by the commission for each rule.

(4) If a majority of the legislatures of the participating states rejects a commission rule or portion of a commission rule, by enactment of a statute or resolution in the same manner used to adopt the compact, within four years of the date of adoption of the rule, then such rule shall have no further force and effect in any participating state or to any state applying to participate in the compact.

(5) Rules shall be adopted at a regular or special meeting of the commission.

(6) Prior to adoption of a proposed rule, the commission shall hold a public hearing and allow persons to provide oral and written comments, data, facts, opinions, and arguments.

(7) Prior to adoption of a proposed rule by the commission, and at least 30 days in advance of the meeting at which the commission will hold a public hearing on the proposed rule, the commission shall provide a notice of proposed rule making:

(a) On the website of the commission or other publicly accessible platform;

(b) To persons who have requested notice of the commission's notices of proposed rule making; and

(c) In such other way or ways as the commission may by rule specify.

(8) The notice of proposed rule making shall include:

(a) The time, date, and location of the public hearing at which the commission will hear public comments on the proposed rule and, if different, the time, date, and location of the meeting where the commission will consider and vote on the proposed rule;

(b) If the hearing is held via telecommunication, videoconference, or other electronic means, the commission shall include the mechanism for access to the hearing in the notice of proposed rule making;

(c) The text of the proposed rule and the reason therefor;

(d) A request for comments on the proposed rule from any interested person; and

(e) The manner in which interested persons may submit written comments.

(9) All hearings will be recorded. A copy of the recording and all written comments and documents received by the commission in response to the proposed rule shall be available to the public.

(10) Nothing in this section shall be construed as requiring a separate hearing on each commission rule. Rules may be grouped for the convenience of the commission at hearings required by this section.

(11) The commission shall, by majority vote of all commissioners, take final action on the proposed rule based on the rule-making record.

(a) The commission may adopt changes to the proposed rule provided the changes do not enlarge the original purpose of the proposed rule.

(b) The commission shall provide an explanation of the reasons for substantive changes made to the proposed rule as well as reasons for substantive changes not made that were recommended by commenters.

(c) The commission shall determine a reasonable effective date for the rule. Except for an emergency as provided in subsection (12) of this section, the effective date of the rule shall be no sooner than 30 days after the commission issuing the notice that it adopted or amended the rule.

(12) Upon determination that an emergency exists, the commission may consider and adopt an emergency rule with 24 hours' notice, with opportunity to comment, provided that the usual rule-making procedures provided in the compact and in this section shall be retroactively applied to the rule as soon as reasonably possible, in no event later than 90 days after the effective date of the rule. For the purposes of this provision, an emergency rule is one that must be adopted immediately in order to:

(a) Meet an imminent threat to public health, safety, or welfare;

(b) Prevent a loss of commission or participating state funds;

(c) Meet a deadline for the promulgation of a rule that is established by federal law or rule; or

(d) Protect public health and safety.

(13) The commission or an authorized committee of the commission may direct revisions to a previously adopted rule for purposes of correcting typographical errors, errors in format, errors in consistency, or grammatical errors. Public notice of any revisions shall be posted on the website of the commission. The revision shall be subject to challenge by any person for a period of 30 days after posting. The revision may be challenged only on grounds that the revision results in a material change to a rule. A challenge shall be made in writing and delivered to the commission prior to the end of the notice period. If no challenge is made, the revision will take effect without further action. If the revision is challenged, the revision may not take effect without the approval of the commission.

(14) No participating state's rule-making requirements shall apply under this compact.

NEW SECTION. Sec. 10. (1)(a) The executive and judicial branches of state government in each participating state shall enforce this compact and take all actions necessary and appropriate to implement the compact.

(b) Venue is proper and judicial proceedings by or against the commission shall be brought solely and exclusively in a court of competent jurisdiction where the principal office of the commission is located. The commission may waive venue and jurisdictional defenses to the extent it adopts or consents to participate in alternative dispute resolution proceedings. Nothing herein shall affect or limit the selection or propriety of venue in any action against a licensee for professional malpractice, misconduct, or any such similar matter.

EIGHTY EIGHTH DAY, APRIL 6, 2023

(c) The commission shall be entitled to receive service of process in any proceeding regarding the enforcement or interpretation of the compact or commission rule and shall have standing to intervene in such a proceeding for all purposes. Failure to provide the commission service of process shall render a judgment or order void as to the commission, this compact, or promulgated rules.

(2)(a) If the commission determines that a participating state has defaulted in the performance of its obligations or responsibilities under this compact or the promulgated rules, the commission shall provide written notice to the defaulting state. The notice of default shall describe the default, the proposed means of curing the default, and any other action that the commission may take, and shall offer training and specific technical assistance regarding the default.

(b) The commission shall provide a copy of the notice of default to the other participating states.

(3) If a state in default fails to cure the default, the defaulting state may be terminated from the compact upon an affirmative vote of a majority of the commissioners, and all rights, privileges, and benefits conferred on that state by this compact may be terminated on the effective date of termination. A cure of the default does not relieve the offending state of obligations or liabilities incurred during the period of default.

(4) Termination of participation in the compact shall be imposed only after all other means of securing compliance have been exhausted. Notice of intent to suspend or terminate shall be given by the commission to the governor, the majority and minority leaders of the defaulting state's legislature, the defaulting state's state licensing authority or authorities, as applicable, and each of the participating states' state licensing authority or authorities, as applicable.

(5) A state that has been terminated is responsible for all assessments, obligations, and liabilities incurred through the effective date of termination, including obligations that extend beyond the effective date of termination.

(6) Upon the termination of a state's participation in this compact, that state shall immediately provide notice to all licensees of the state, including licensees of other participating states issued a compact privilege to practice within that state, of such termination. The terminated state shall continue to recognize all compact privileges then in effect in that state for a minimum of 180 days after the date of said notice of termination.

(7) The commission shall not bear any costs related to a state that is found to be in default or that has been terminated from the compact, unless agreed upon in writing between the commission and the defaulting state.

(8) The defaulting state may appeal the action of the commission by petitioning the United States district court for the District of Columbia or the federal district where the commission has its principal offices. The prevailing party shall be awarded all costs of such litigation, including reasonable attorneys' fees.

(9)(a) Upon request by a participating state, the commission shall attempt to resolve disputes related to the compact that arise among participating states and between participating states and nonparticipating states.

(b) The commission shall promulgate a rule providing for both mediation and binding dispute resolution for disputes as appropriate.

(10)(a) The commission, in the reasonable exercise of its discretion, shall enforce the provisions of this compact and the commission's rules.

(b) By majority vote, the commission may initiate legal action against a participating state in default in the United States district court for the District of Columbia or the federal district where the

commission has its principal offices to enforce compliance with the provisions of the compact and its promulgated rules. The relief sought may include both injunctive relief and damages. In the event judicial enforcement is necessary, the prevailing party shall be awarded all costs of such litigation, including reasonable attorneys' fees. The remedies herein shall not be the exclusive remedies of the commission. The commission may pursue any other remedies available under federal or the defaulting participating state's law.

(c) A participating state may initiate legal action against the commission in the United States district court for the District of Columbia or the federal district where the commission has its principal offices to enforce compliance with the provisions of the compact and its promulgated rules. The relief sought may include both injunctive relief and damages. In the event judicial enforcement is necessary, the prevailing party shall be awarded all costs of such litigation, including reasonable attorneys' fees.

(d) No individual or entity other than a participating state may enforce this compact against the commission.

NEW SECTION. Sec. 11. (1) The compact shall come into effect on the date on which the compact statute is enacted into law in the seventh participating state.

(a) On or after the effective date of the compact, the commission shall convene and review the enactment of each of the states that enacted the compact prior to the commission convening ("charter participating states") to determine if the statute enacted by each such charter participating state is materially different than the model compact.

(i) A charter participating state whose enactment is found to be materially different from the model compact shall be entitled to the default process set forth in section 10 of this act.

(ii) If any participating state is later found to be in default, or is terminated or withdraws from the compact, the commission shall remain in existence and the compact shall remain in effect even if the number of participating states should be less than seven.

(b) Participating states enacting the compact subsequent to the charter participating states shall be subject to the process set forth in section 7(3)(w) of this act to determine if their enactments are materially different from the model compact and whether they qualify for participation in the compact.

(c) All actions taken for the benefit of the commission or in furtherance of the purposes of the administration of the compact prior to the effective date of the compact or the commission coming into existence shall be considered to be actions of the commission unless specifically repudiated by the commission.

(d) Any state that joins the compact subsequent to the commission's initial adoption of the rules and bylaws shall be subject to the commission's rules and bylaws as they exist on the date on which the compact becomes law in that state. Any rule that has been previously adopted by the commission shall have the full force and effect of law on the day the compact becomes law in that state.

(2) Any participating state may withdraw from this compact by enacting a statute repealing that state's enactment of the compact.

(a) A participating state's withdrawal shall not take effect until 180 days after enactment of the repealing statute.

(b) Withdrawal shall not affect the continuing requirement of the withdrawing state's licensing authority or authorities to comply with the investigative and adverse action reporting requirements of this compact prior to the effective date of withdrawal.

(c) Upon the enactment of a statute withdrawing from this compact, the state shall immediately provide notice of such withdrawal to all licensees within that state. Notwithstanding any subsequent statutory enactment to the contrary, such withdrawing

state shall continue to recognize all compact privileges to practice within that state granted pursuant to this compact for a minimum of 180 days after the date of such notice of withdrawal.

(3) Nothing contained in this compact shall be construed to invalidate or prevent any licensure agreement or other cooperative arrangement between a participating state and a nonparticipating state that does not conflict with the provisions of this compact.

(4) This compact may be amended by the participating states. No amendment to this compact shall become effective and binding upon any participating state until it is enacted into the laws of all participating states.

NEW SECTION. Sec. 12. (1) This compact and the commission's rule-making authority shall be liberally construed so as to effectuate the purposes, and the implementation and administration, of the compact. Provisions of the compact expressly authorizing or requiring the promulgation of rules shall not be construed to limit the commission's rule-making authority solely for those purposes.

(2) The provisions of this compact shall be severable and if any phrase, clause, sentence, or provision of this compact is held by a court of competent jurisdiction to be contrary to the constitution of any participating state, a state seeking participation in the compact, or of the United States, or the applicability thereof to any government, agency, person, or circumstance is held to be unconstitutional by a court of competent jurisdiction, the validity of the remainder of this compact and the applicability thereof to any other government, agency, person, or circumstance shall not be affected thereby.

(3) Notwithstanding subsection (2) of this section, the commission may deny a state's participation in the compact or, in accordance with the requirements of section 10(2) of this act, terminate a participating state's participation in the compact, if it determines that a constitutional requirement of a participating state is a material departure from the compact. Otherwise, if this compact shall be held to be contrary to the constitution of any participating state, the compact shall remain in full force and effect as to the remaining participating states and in full force and effect as to the participating state affected as to all severable matters.

NEW SECTION. Sec. 13. (1) Nothing in this chapter shall prevent or inhibit the enforcement of any other law of a participating state that is not inconsistent with the compact.

(2) Any laws, statutes, regulations, or other legal requirements in a participating state in conflict with the compact are superseded to the extent of the conflict.

(3) All permissible agreements between the commission and the participating states are binding in accordance with their terms.

NEW SECTION. Sec. 14. Sections 1 through 13 of this act constitute a new chapter in Title 18 RCW."

On page 1, line 1 of the title, after "compact;" strike the remainder of the title and insert "adding a new chapter to Title 18 RCW; and providing a contingent effective date."

Senator Cleveland spoke in favor of adoption of the committee striking amendment.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Health & Long-Term Care to Engrossed Substitute House Bill No. 1576.

The motion by Senator Cleveland carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Cleveland, the rules were suspended, Engrossed Substitute House Bill No. 1576 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Cleveland and Padden spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 1576 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 1576 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators MacEwen and Van De Wege

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1576, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1731, by House Committee on Regulated Substances & Gaming (originally sponsored by Waters, Stonier, Klicker, Low, Couture, Chambers, Ybarra, Barnard, Schmidt, McClintock, Santos and Hutchins)

Concerning complimentary liquor by short-term rental operators.

The measure was read the second time.

MOTION

Senator Stanford moved that the following amendment no. 0322 by Senator Stanford be adopted:

On page 7, beginning on line 4, after "64.37.010" strike all material through "43.384.040" on line 6

On page 7, after line 16, strike all of sections 3 and 4

Correct any internal references accordingly.

On page 1, line 2 of the title, after "66.20.010" strike all material through "66.08.170." and insert "and 66.24.200."

Senators Stanford and King spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0322 by Senator Stanford on page 7, line 4 to Engrossed Substitute House Bill No. 1731.

The motion by Senator Stanford carried and amendment no. 0322 was adopted by voice vote.

MOTION

EIGHTY EIGHTH DAY, APRIL 6, 2023

On motion of Senator Keiser, the rules were suspended, Engrossed Substitute House Bill No. 1731 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Keiser and King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 1731 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 1731 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 46; Nays, 1; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lovelett, Lovick, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senator Liias

Excused: Senators MacEwen and Van De Wege

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1731, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1349, by Representatives Orwall, Leavitt, Ramel, Kloba, Reed, Lekanoff, Pollet and Fosse

Concerning foreclosure protections.

The measure was read the second time.

MOTION

Senator Kuderer moved that the following committee striking amendment by the Committee on Housing be not adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 61.24.008 and 2012 c 185 s 11 are each amended to read as follows:

(1) A borrower who has been referred to mediation before June 7, 2012, may continue through the mediation process and does not lose his or her right to mediation.

(2) A borrower who has not been referred to mediation as of June 7, 2012, may only be referred to mediation after a notice of default has been issued but no later than ((twenty days from the date a notice of sale is recorded)) 90 days prior to the date of sale listed in the notice of trustee's sale. If an amended notice of trustee's sale is recorded after the trustee sale has been stayed pursuant to RCW 61.24.130, the borrower may be referred to mediation no later than 25 days prior to the date of sale listed in the amended notice of trustee's sale.

(3) A borrower who has not been referred to mediation as of June 7, 2012, and who has had a notice of sale recorded may only be referred to mediation if the referral is made ((before twenty days have passed from the date the notice of sale was recorded))

at least 90 days prior to the date of sale listed in the notice of trustee's sale. If an amended notice of trustee's sale is recorded, the borrower may be referred to mediation no later than 25 days prior to the date of sale listed in the amended notice of trustee's sale.

Sec. 2. RCW 61.24.030 and 2021 c 151 s 3 are each amended to read as follows:

It shall be requisite to a trustee's sale:

(1) That the deed of trust contains a power of sale;

(2) That the deed of trust contains a statement that the real property conveyed is not used principally for agricultural purposes; provided, if the statement is false on the date the deed of trust was granted or amended to include that statement, and false on the date of the trustee's sale, then the deed of trust must be foreclosed judicially. Real property is used for agricultural purposes if it is used in an operation that produces crops, livestock, or aquatic goods;

(3) That a default has occurred in the obligation secured or a covenant of the grantor, which by the terms of the deed of trust makes operative the power to sell;

(4) That no action commenced by the beneficiary of the deed of trust is now pending to seek satisfaction of an obligation secured by the deed of trust in any court by reason of the grantor's default on the obligation secured: PROVIDED, That (a) the seeking of the appointment of a receiver, or the filing of a civil case to obtain court approval to access, secure, maintain, and preserve property from waste or nuisance, shall not constitute an action for purposes of this chapter; and (b) if a receiver is appointed, the grantor shall be entitled to any rents or profits derived from property subject to a homestead as defined in RCW 6.13.010. If the deed of trust was granted to secure a commercial loan, this subsection shall not apply to actions brought to enforce any other lien or security interest granted to secure the obligation secured by the deed of trust being foreclosed;

(5) That the deed of trust has been recorded in each county in which the land or some part thereof is situated;

(6) That prior to the date of the notice of trustee's sale and continuing thereafter through the date of the trustee's sale, the trustee must maintain a street address in this state where personal service of process may be made, and the trustee must maintain a physical presence and have telephone service at such address;

(7)(a) That, for residential real property of up to four units, before the notice of trustee's sale is recorded, transmitted, or served, the trustee shall have proof that the beneficiary is the holder of any promissory note or other obligation secured by the deed of trust. A declaration by the beneficiary made under the penalty of perjury stating that the beneficiary is the holder of any promissory note or other obligation secured by the deed of trust shall be sufficient proof as required under this subsection.

(b) Unless the trustee has violated his or her duty under RCW 61.24.010(4), the trustee is entitled to rely on the beneficiary's declaration as evidence of proof required under this subsection.

(c) This subsection (7) does not apply to association beneficiaries subject to chapter 64.32, 64.34, or 64.38 RCW;

(8) That at least ((thirty)) 30 days before notice of sale shall be recorded, transmitted or served, written notice of default and, for residential real property of up to four units, the beneficiary declaration specified in subsection (7)(a) of this section shall be transmitted by the beneficiary or trustee to the borrower and grantor at their last known addresses by both first-class and either registered or certified mail, return receipt requested, and the beneficiary or trustee shall cause to be posted in a conspicuous place on the premises, a copy of the notice, or personally served on the borrower and grantor. This notice shall contain the following information:

SEEKING ASSISTANCE

(a) A description of the property which is then subject to the deed of trust;

(b) A statement identifying each county in which the deed of trust is recorded and the document number given to the deed of trust upon recording by each county auditor or recording officer;

(c) A statement that the beneficiary has declared the borrower or grantor to be in default, and a concise statement of the default alleged;

(d) An itemized account of the amount or amounts in arrears if the default alleged is failure to make payments;

(e) An itemized account of all other specific charges, costs, or fees that the borrower, grantor, or any guarantor is or may be obliged to pay to reinstate the deed of trust before the recording of the notice of sale;

(f) A statement showing the total of (d) and (e) of this subsection, designated clearly and conspicuously as the amount necessary to reinstate the note and deed of trust before the recording of the notice of sale;

(g) A statement that failure to cure the alleged default within ((thirty)) 30 days of the date of mailing of the notice, or if personally served, within ((thirty)) 30 days of the date of personal service thereof, may lead to recordation, transmittal, and publication of a notice of sale, and that the property described in (a) of this subsection may be sold at public auction at a date no less than ((one hundred twenty)) 120 days in the future, or no less than ((one hundred fifty)) 150 days in the future if the borrower received a letter under RCW 61.24.031;

(h) A statement that the effect of the recordation, transmittal, and publication of a notice of sale will be to (i) increase the costs and fees and (ii) publicize the default and advertise the grantor's property for sale;

(i) A statement that the effect of the sale of the grantor's property by the trustee will be to deprive the grantor of all their interest in the property described in (a) of this subsection;

(j) A statement that the borrower, grantor, and any guarantor has recourse to the courts pursuant to RCW 61.24.130 to contest the alleged default on any proper ground;

(k) In the event the property secured by the deed of trust is residential real property of up to four units, a statement, prominently set out at the beginning of the notice, which shall state as follows:

"THIS NOTICE IS ONE STEP IN A PROCESS THAT COULD RESULT IN YOUR LOSING YOUR HOME.

You may be eligible for mediation in front of a neutral third party to help save your home.

CONTACT A HOUSING COUNSELOR OR AN ATTORNEY LICENSED IN WASHINGTON NOW to assess your situation and refer you to mediation if you might benefit. Mediation **MUST** be requested between the time you receive the Notice of Default and no later than ((twenty days after the Notice of Trustee Sale is recorded)) **90 calendar days BEFORE the date of sale listed in the Notice of Trustee Sale. If an amended Notice of Trustee Sale is recorded providing a 45-day notice of the sale, mediation must be requested no later than 25 calendar days BEFORE the date of sale listed in the amended Notice of Trustee Sale.**

DO NOT DELAY. If you do nothing, a notice of sale may be issued as soon as 30 days from the date of this notice of default. The notice of sale will provide a minimum of 120 days' notice of the date of the actual foreclosure sale.

BE CAREFUL of people who claim they can help you. There are many individuals and businesses that prey upon borrowers in distress.

REFER TO THE CONTACTS BELOW for sources of assistance.

Housing counselors and legal assistance may be available at little or no cost to you. If you would like assistance in determining your rights and opportunities to keep your house, you may contact the following:

The statewide foreclosure hotline for assistance and referral to housing counselors recommended by the Housing Finance Commission

Telephone: Website:

The United States Department of Housing and Urban Development

Telephone: Website:

The statewide civil legal aid hotline for assistance and referrals to other housing counselors and attorneys

Telephone: Website:"

The beneficiary or trustee shall obtain the toll-free numbers and website information from the department for inclusion in the notice;

(l) In the event the property secured by the deed of trust is residential real property of up to four units, the name and address of the holder of any promissory note or other obligation secured by the deed of trust and the name, address, and telephone number of a party acting as a servicer of the obligations secured by the deed of trust;

(m) For notices issued after June 30, 2018, on the top of the first page of the notice:

- (i) The current beneficiary of the deed of trust;
- (ii) The current mortgage servicer for the deed of trust; and
- (iii) The current trustee for the deed of trust;

(9) That, for residential real property of up to four units, before the notice of the trustee's sale is recorded, transmitted, or served, the beneficiary has complied with RCW 61.24.031 and, if applicable, RCW 61.24.163;

(10) That, in the case where the borrower or grantor is known to the mortgage servicer or trustee to be deceased, the notice required under subsection (8) of this section must be sent to any spouse, child, or parent of the borrower or grantor known to the trustee or mortgage servicer, and to any owner of record of the property, at any address provided to the trustee or mortgage servicer, and to the property addressed to the heirs and devisees of the borrower.

(a) If the name or address of any spouse, child, or parent of such deceased borrower or grantor cannot be ascertained with use of reasonable diligence, the trustee must execute and record with the notice of sale a declaration attesting to the same.

(b) Reasonable diligence for the purposes of this subsection (10) means the trustee shall search in the county where the property is located, the public records and information for any obituary, will, death certificate, or case in probate within the county for the borrower and grantor;

(11) Upon written notice identifying the property address and the name of the borrower to the servicer or trustee by someone claiming to be a successor in interest to the borrower's or grantor's property rights, but who is not a party to the loan or promissory note or other obligation secured by the deed of trust, a trustee shall not record a notice of sale pursuant to RCW 61.24.040 until the trustee or mortgage servicer completes the following:

(a) Acknowledges the notice in writing and requests reasonable documentation of the death of the borrower or grantor from the claimant including, but not limited to, a death certificate or other written evidence of the death of the borrower or grantor. Other written evidence of the death of the borrower or grantor may include an obituary, a published death notice, or documentation of an open probate action for the estate of the borrower or grantor. The claimant must be allowed ((thirty)) 30 days from the date of

EIGHTY EIGHTH DAY, APRIL 6, 2023

this request to present this documentation. If the trustee or mortgage servicer has already obtained sufficient proof of the borrower's death, it may proceed by acknowledging the claimant's notice in writing and issuing a request under (b) of this subsection.

(b) If the mortgage servicer or trustee obtains or receives written documentation of the death of the borrower or grantor from the claimant, or otherwise independently confirms the death of the borrower or grantor, then the servicer or trustee must request in writing documentation from the claimant demonstrating the ownership interest of the claimant in the real property. A claimant has ~~((sixty))~~ 60 days from the date of the request to present this documentation. Documentation demonstrating the ownership interest of the claimant in the real property includes, but is not limited to, one of the following:

(i) Excerpts of a trust document noting the claimant as a beneficiary of a trust with title to the real property;

(ii) A will of the borrower or grantor listing the claimant as an heir or devisee with respect to the real property;

(iii) A probate order or finding of heirship issued by any court documenting the claimant as an heir or devisee or awarding the real property to the claimant;

(iv) A recorded lack of probate affidavit signed by any heir listing the claimant as an heir of the borrower or grantor pursuant to the laws of intestacy;

(v) A deed, such as a personal representative's deed, trustee's deed issued on behalf of a trust, statutory warranty deed, transfer on death deed, or other deed, giving any ownership interest to the claimant resulting from the death of the borrower or grantor or executed by the borrower or grantor for estate planning purposes; and

(vi) Other proof documenting the claimant as an heir of the borrower or grantor pursuant to state rules of intestacy set forth in chapter 11.04 RCW.

(c) If the mortgage servicer or trustee receives written documentation demonstrating the ownership interest of the claimant prior to the expiration of the ~~((sixty))~~ 60 days provided in (b) of this subsection, then the servicer or trustee must, within ~~((twenty))~~ 20 days of receipt of proof of ownership interest, provide the claimant with, at a minimum, the loan balance, interest rate and interest reset dates and amounts, balloon payments if any, prepayment penalties if any, the basis for the default, the monthly payment amount, reinstatement amounts or conditions, payoff amounts, and information on how and where payments should be made. The mortgage servicers shall also provide the claimant application materials and information, or a description of the process, necessary to request a loan assumption and modification.

(d) Upon receipt by the trustee or the mortgage servicer of the documentation establishing claimant's ownership interest in the real property, that claimant shall be deemed a "successor in interest" for the purposes of this section.

(e) There may be more than one successor in interest to the borrower's property rights. The trustee and mortgage servicer shall apply the provisions of this section to each successor in interest. In the case of multiple successors in interest, where one or more do not wish to assume the loan as coborrowers or coapplicants, a mortgage servicer may require any nonapplicant successor in interest to consent in writing to the application for loan assumption.

(f) The existence of a successor in interest under this section does not impose an affirmative duty on a mortgage servicer or alter any obligation the mortgage servicer has to provide a loan modification to the successor in interest. If a successor in interest assumes the loan, he or she may be required to otherwise qualify

for available foreclosure prevention alternatives offered by the mortgage servicer.

(g) (c), (e), and (f) of this subsection (11) do not apply to association beneficiaries subject to chapter 64.32, 64.34, or 64.38 RCW; and

(12) Nothing in this section shall prejudice the right of the mortgage servicer or beneficiary from discontinuing any foreclosure action initiated under the deed of trust act in favor of other allowed methods for pursuit of foreclosure of the security interest or deed of trust security interest.

Sec. 3. RCW 61.24.040 and 2018 c 306 s 2 are each amended to read as follows:

A deed of trust foreclosed under this chapter shall be foreclosed as follows:

(1) At least ~~((ninety))~~ 90 days before the sale, or if a letter under RCW 61.24.031 is required, at least ~~((one hundred twenty))~~ 120 days before the sale, the trustee shall:

(a) Record a notice in the form described in subsection (2) of this section in the office of the auditor in each county in which the deed of trust is recorded;

(b) To the extent the trustee elects to foreclose its lien or interest, or the beneficiary elects to preserve its right to seek a deficiency judgment against a borrower or grantor under RCW 61.24.100(3)(a), and if their addresses are stated in a recorded instrument evidencing their interest, lien, or claim of lien, or an amendment thereto, or are otherwise known to the trustee, cause a copy of the notice of sale described in subsection (2) of this section to be transmitted by both first-class and either certified or registered mail, return receipt requested, to the following persons or their legal representatives, if any, at such address:

(i)(A) The borrower and grantor;

(B) In the case where the borrower or grantor is deceased, to any successors in interest. If no successor in interest has been established, then to any spouse, child, or parent of the borrower or grantor, at the addresses discovered by the trustee pursuant to RCW 61.24.030(10);

(ii) The beneficiary of any deed of trust or mortgagee of any mortgage, or any person who has a lien or claim of lien against the property, that was recorded subsequent to the recordation of the deed of trust being foreclosed and before the recordation of the notice of sale;

(iii) The vendee in any real estate contract, the lessee in any lease, or the holder of any conveyances of any interest or estate in any portion or all of the property described in such notice, if that contract, lease, or conveyance of such interest or estate, or a memorandum or other notice thereof, was recorded after the recordation of the deed of trust being foreclosed and before the recordation of the notice of sale;

(iv) The last holder of record of any other lien against or interest in the property that is subject to a subordination to the deed of trust being foreclosed that was recorded before the recordation of the notice of sale;

(v) The last holder of record of the lien of any judgment subordinate to the deed of trust being foreclosed; and

(vi) The occupants of property consisting solely of a single-family residence, or a condominium, cooperative, or other dwelling unit in a multiplex or other building containing fewer than five residential units, whether or not the occupant's rental agreement is recorded, which notice may be a single notice addressed to "occupants" for each unit known to the trustee or beneficiary;

(c) Cause a copy of the notice of sale described in subsection (2) of this section to be transmitted by both first-class and either certified or registered mail, return receipt requested, to the plaintiff or the plaintiff's attorney of record, in any court action to

foreclose a lien or other encumbrance on all or any part of the property, provided a court action is pending and a lis pendens in connection therewith is recorded in the office of the auditor of any county in which all or part of the property is located on the date the notice is recorded;

(d) Cause a copy of the notice of sale described in subsection (2) of this section to be transmitted by both first-class and either certified or registered mail, return receipt requested, to any person who has recorded a request for notice in accordance with RCW 61.24.045, at the address specified in such person's most recently recorded request for notice;

(e) Cause a copy of the notice of sale described in subsection (2) of this section to be posted in a conspicuous place on the property, or in lieu of posting, cause a copy of said notice to be served upon any occupant of the property.

(2)(a) If foreclosing on a commercial loan under RCW 61.24.005(4), the title of the document must be "Notice of Trustee's Sale of Commercial Loan(s)";

(b) In addition to all other indexing requirements, the notice required in subsection (1) of this section must clearly indicate on the first page the following information, which the auditor will index:

(i) The document number or numbers given to the deed of trust upon recording;

(ii) The parcel number(s);

(iii) The grantor;

(iv) The current beneficiary of the deed of trust;

(v) The current trustee of the deed of trust; and

(vi) The current loan mortgage servicer of the deed of trust;

(c) Nothing in this section:

(i) Requires a trustee or beneficiary to cause to be recorded any new notice of trustee's sale upon transfer of the beneficial interest in a deed of trust or the servicing rights for the associated mortgage loan;

(ii) Relieves a mortgage loan servicer of any obligation to provide the borrower with notice of a transfer of servicing rights or other legal obligations related to the transfer; or

(iii) Prevents the trustee from disclosing the beneficiary's identity to the borrower and to county and municipal officials seeking to abate nuisance and abandoned property in foreclosure pursuant to chapter 35.21 RCW.

(d) The notice must be in substantially the following form:

NOTICE OF TRUSTEE'S SALE

Grantor:

Current beneficiary of the deed of trust:

Current trustee of the deed of trust:

Current mortgage servicer of the deed of trust:

Reference number of the deed of trust:

Parcel number(s):

I.

NOTICE IS HEREBY GIVEN that the undersigned Trustee will on the day of,, at the hour of o'clock M. at [street address and location if inside a building] in the City of, State of Washington, sell at public auction to the highest and best bidder, payable at the time of sale, the following described real property, situated in the County(ies) of, State of Washington, to-wit:

[If any personal property is to be included in the trustee's sale, include a description that reasonably identifies such personal property]

which is subject to that certain Deed of Trust dated,, recorded,, under Auditor's File No., records of County, Washington, from, as Grantor, to, as Trustee, to secure an obligation in favor of, as Beneficiary, the beneficial interest in which was assigned by

., under an Assignment recorded under Auditor's File No. [Include recording information for all counties if the Deed of Trust is recorded in more than one county.]

II.

No action commenced by the Beneficiary of the Deed of Trust is now pending to seek satisfaction of the obligation in any Court by reason of the Borrower's or Grantor's default on the obligation secured by the Deed of Trust.

[If there is another action pending to foreclose other security for all or part of the same debt, qualify the statement and identify the action.]

III.

The default(s) for which this foreclosure is made is/are as follows:

[If default is for other than payment of money, set forth the particulars]

Failure to pay when due the following amounts which are now in arrears:

IV.

The sum owing on the obligation secured by the Deed of Trust is: Principal \$, together with interest as provided in the note or other instrument secured from the day of,, and such other costs and fees as are due under the note or other instrument secured, and as are provided by statute.

V.

The above-described real property will be sold to satisfy the expense of sale and the obligation secured by the Deed of Trust as provided by statute. The sale will be made without warranty, express or implied, regarding title, possession, or encumbrances on the day of, The default(s) referred to in paragraph III must be cured by the day of, (11 days before the sale date), to cause a discontinuance of the sale. The sale will be discontinued and terminated if at any time on or before the day of, (11 days before the sale date), the default(s) as set forth in paragraph III is/are cured and the Trustee's fees and costs are paid. The sale may be terminated any time after the day of, (11 days before the sale date), and before the sale by the Borrower, Grantor, any Guarantor, or the holder of any recorded junior lien or encumbrance paying the entire principal and interest secured by the Deed of Trust, plus costs, fees, and advances, if any, made pursuant to the terms of the obligation and/or Deed of Trust, and curing all other defaults.

VI.

A written notice of default was transmitted by the Beneficiary or Trustee to the Borrower and Grantor at the following addresses:

.....
.....
.....

by both first-class and certified mail on the day of,, proof of which is in the possession of the Trustee; and the Borrower and Grantor were personally served on the day of,, with said written notice of default or the written notice of default was posted in a conspicuous place on the real property described in paragraph I above, and the Trustee has possession of proof of such service or posting.

VII.

The Trustee whose name and address are set forth below will provide in writing to anyone requesting it, a statement of all costs and fees due at any time prior to the sale.

VIII.

The effect of the sale will be to deprive the Grantor and all those who hold by, through or under the Grantor of all their interest in the above-described property.

IX.

EIGHTY EIGHTH DAY, APRIL 6, 2023

Anyone having any objection to the sale on any grounds whatsoever will be afforded an opportunity to be heard as to those objections if they bring a lawsuit to restrain the sale pursuant to RCW 61.24.130. Failure to bring such a lawsuit may result in a waiver of any proper grounds for invalidating the Trustee's sale.

[Add Part X to this notice if applicable under RCW 61.24.040(11)]

.....
....., Trustee
..... }
..... Address
.....
..... } Phone

[Acknowledgment]

(3) If the borrower received a letter under RCW 61.24.031, the notice specified in subsection (2)(d) of this section shall also include the following additional language:

"THIS NOTICE IS THE FINAL STEP BEFORE THE FORECLOSURE SALE OF YOUR HOME.

You have only ((20 DAYS from the recording date on this notice to pursue mediation)) until 90 calendar days BEFORE the date of sale listed in this Notice of Trustee Sale to be referred to mediation. If this is an amended Notice of Trustee Sale providing a 45-day notice of the sale, mediation must be requested no later than 25 calendar days BEFORE the date of sale listed in this amended Notice of Trustee Sale.

DO NOT DELAY. CONTACT A HOUSING COUNSELOR OR AN ATTORNEY LICENSED IN WASHINGTON NOW to assess your situation and refer you to mediation if you are eligible and it may help you save your home. See below for safe sources of help.

SEEKING ASSISTANCE

Housing counselors and legal assistance may be available at little or no cost to you. If you would like assistance in determining your rights and opportunities to keep your house, you may contact the following:

The statewide foreclosure hotline for assistance and referral to housing counselors recommended by the Housing Finance Commission

Telephone: Website:

The United States Department of Housing and Urban Development

Telephone: Website:

The statewide civil legal aid hotline for assistance and referrals to other housing counselors and attorneys

Telephone: Website:"

The beneficiary or trustee shall obtain the toll-free numbers and website information from the department for inclusion in the notice;

(4) In addition to providing the borrower and grantor the notice of sale described in subsection (2) of this section, the trustee shall include with the copy of the notice which is mailed to the grantor, a statement to the grantor in substantially the following form:

NOTICE OF FORECLOSURE

Pursuant to the Revised Code of Washington, Chapter 61.24 RCW

The attached Notice of Trustee's Sale is a consequence of default(s) in the obligation to, the Beneficiary of your Deed of Trust and holder of the obligation secured thereby. Unless the default(s) is/are cured, your property will be sold at auction on the day of

To cure the default(s), you must bring the payments current, cure any other defaults, and pay accrued late charges and other costs, advances, and attorneys' fees as set forth below by the ...

day of, ... [11 days before the sale date]. To date, these arrears and costs are as follows:

Table with 3 columns: Description, Currently due to reinstate on, Estimated amount that will be due to reinstate on. Rows include Delinquent payments, Attorneys' fees, Trustee's fee, etc.

To pay off the entire obligation secured by your Deed of Trust as of the day of you must pay a total of \$.... in principal, \$.... in interest, plus other costs and advances estimated to date in the amount of \$.... From and after the date of this notice you must submit a written request to the Trustee to obtain the total amount to pay off the entire obligation secured by your Deed of Trust as of the payoff date.

As to the defaults which do not involve payment of money to the Beneficiary of your Deed of Trust, you must cure each such default. Listed below are the defaults which do not involve payment of money to the Beneficiary of your Deed of Trust. Opposite each such listed default is a brief description of the action necessary to cure the default and a description of the documentation necessary to show that the default has been cured.

Table with 2 columns: Default, Description of Action Required to Cure and Documentation Necessary to Show Cure.

You may reinstate your Deed of Trust and the obligation secured thereby at any time up to and including the day of, ... [11 days before the sale date], by paying the amount set forth or estimated above and by curing any other defaults described above. Of course, as time passes other payments may become due, and any further payments coming due and any

additional late charges must be added to your reinstating payment. Any new defaults not involving payment of money that occur after the date of this notice must also be cured in order to effect reinstatement. In addition, because some of the charges can only be estimated at this time, and because the amount necessary to reinstate or to pay off the entire indebtedness may include presently unknown expenditures required to preserve the property or to comply with state or local law, it will be necessary for you to contact the Trustee before the time you tender reinstatement or the payoff amount so that you may be advised of the exact amount you will be required to pay. Tender of payment or performance must be made to:, whose address is, telephone () AFTER THE DAY OF, . . . , YOU MAY NOT REINSTATE YOUR DEED OF TRUST BY PAYING THE BACK PAYMENTS AND COSTS AND FEES AND CURING THE OTHER DEFAULTS AS OUTLINED ABOVE. The Trustee will respond to any written request for current payoff or reinstatement amounts within ((ten)) 10 days of receipt of your written request. In such a case, you will only be able to stop the sale by paying, before the sale, the total principal balance (\$) plus accrued interest, costs and advances, if any, made pursuant to the terms of the documents and by curing the other defaults as outlined above.

You may contest this default by initiating court action in the Superior Court of the county in which the sale is to be held. In such action, you may raise any legitimate defenses you have to this default. A copy of your Deed of Trust and documents evidencing the obligation secured thereby are enclosed. You may wish to consult a lawyer. Legal action on your part may prevent or restrain the sale, but only if you persuade the court of the merits of your defense. You may contact the Department of Financial Institutions or the statewide civil legal aid hotline for possible assistance or referrals.

The court may grant a restraining order or injunction to restrain a trustee's sale pursuant to RCW 61.24.130 upon five days notice to the trustee of the time when, place where, and the judge before whom the application for the restraining order or injunction is to be made. This notice shall include copies of all pleadings and related documents to be given to the judge. Notice and other process may be served on the trustee at:

NAME:
 ADDRESS:

 TELEPHONE NUMBER:

If you do not reinstate the secured obligation and your Deed of Trust in the manner set forth above, or if you do not succeed in restraining the sale by court action, your property will be sold. The effect of such sale will be to deprive you and all those who hold by, through or under you of all interest in the property;

(5) In addition, the trustee shall cause a copy of the notice of sale described in subsection (2)(d) of this section (excluding the acknowledgment) to be published in a legal newspaper in each county in which the property or any part thereof is situated, once on or between the ((thirty-fifth)) 35th and ((twenty-eighth)) 28th day before the date of sale, and once on or between the ((fourteenth)) 14th and seventh day before the date of sale;

(6) In the case where no successor in interest has been established, and neither the beneficiary nor the trustee are able to ascertain the name and address of any spouse, child, or parent of the borrower or grantor in the manner described in RCW 61.24.030(10), then the trustee may, in addition to mailing notice to the property addressed to the unknown heirs and devisees of the grantor, serve the notice of sale by publication in a newspaper of general circulation in the county or city where the property is located once per week for three consecutive weeks. Upon this

service by publication, to be completed not less than ((thirty)) 30 days prior to the date the sale is conducted, all unknown heirs shall be deemed served with the notice of sale;

(7)(a) If a servicer or trustee receives notification by someone claiming to be a successor in interest to the borrower or grantor, as under RCW 61.24.030(11), after the recording of the notice of sale, the trustee or servicer must request written documentation within five days demonstrating the ownership interest, provided that, the trustee may, but is not required to, postpone a trustee's sale upon receipt of such notification by someone claiming to be a successor in interest.

(b) Upon receipt of documentation establishing a claimant as a successor in interest, the servicer must provide the information in RCW 61.24.030(11)(c). Only if the servicer or trustee receives the documentation confirming someone as successor in interest more than ((forty-five)) 45 days before the scheduled sale must the servicer then provide the information in RCW 61.24.030(11)(c) to the claimant not less than ((twenty)) 20 days prior to the sale.

(c) (b) of this subsection (7) does not apply to association beneficiaries subject to chapter 64.32, 64.34, or 64.38 RCW.

(8) On the date and at the time designated in the notice of sale, the trustee or its authorized agent shall sell the property at public auction to the highest bidder. The trustee may sell the property in gross or in parcels as the trustee shall deem most advantageous;

(9) The place of sale shall be at any designated public place within the county where the property is located and if the property is in more than one county, the sale may be in any of the counties where the property is located. The sale shall be on Friday, or if Friday is a legal holiday on the following Monday, and during the hours set by statute for the conduct of sales of real estate at execution;

(10) The trustee has no obligation to, but may, for any cause the trustee deems advantageous, continue the sale for a period or periods not exceeding a total of ((one hundred twenty)) 120 days by (a) a public proclamation at the time and place fixed for sale in the notice of sale and if the continuance is beyond the date of sale, by giving notice of the new time and place of the sale by both first class and either certified or registered mail, return receipt requested, to the persons specified in subsection (1)(b)(i) and (ii) of this section to be deposited in the mail (i) not less than four days before the new date fixed for the sale if the sale is continued for up to seven days; or (ii) not more than three days after the date of the continuance by oral proclamation if the sale is continued for more than seven days, or, alternatively, (b) by giving notice of the time and place of the postponed sale in the manner and to the persons specified in subsection (1)(b), (c), (d), and (e) of this section and publishing a copy of such notice once in the newspaper(s) described in subsection (5) of this section, more than seven days before the date fixed for sale in the notice of sale. No other notice of the postponed sale need be given;

(11) The purchaser shall forthwith pay the price bid ((and on payment)). On payment and subject to RCW 61.24.050, the trustee shall execute to the purchaser its deed((; the)). The deed shall recite the facts showing that the sale was conducted in compliance with all of the requirements of this chapter and of the deed of trust, which recital shall be prima facie evidence of such compliance and conclusive evidence thereof in favor of bona fide purchasers and encumbrancers for value, except that these recitals shall not affect the lien or interest of any person entitled to notice under subsection (1) of this section, if the trustee fails to give the required notice to such person. In such case, the lien or interest of such omitted person shall not be affected by the sale and such omitted person shall be treated as if such person was the

EIGHTY EIGHTH DAY, APRIL 6, 2023

holder of the same lien or interest and was omitted as a party defendant in a judicial foreclosure proceeding;

(12) The sale as authorized under this chapter shall not take place less than ((one hundred ninety)) 190 days from the date of default in any of the obligations secured;

(13) If the trustee elects to foreclose the interest of any occupant or tenant of property comprised solely of a single-family residence, or a condominium, cooperative, or other dwelling unit in a multiplex or other building containing fewer than five residential units, the following notice shall be included as Part X of the Notice of Trustee's Sale:

X. NOTICE TO OCCUPANTS OR TENANTS

The purchaser at the trustee's sale is entitled to possession of the property on the 20th day following the sale, as against the grantor under the deed of trust (the owner) and anyone having an interest junior to the deed of trust, including occupants who are not tenants. After the 20th day following the sale the purchaser has the right to evict occupants who are not tenants by summary proceedings under chapter 59.12 RCW. For tenant-occupied property, the purchaser shall provide a tenant with written notice in accordance with RCW 61.24.060;

(14) Only one copy of all notices required by this chapter need be given to a person who is both the borrower and the grantor. All notices required by this chapter that are given to a general partnership are deemed given to each of its general partners, unless otherwise agreed by the parties.

Sec. 4. RCW 61.24.160 and 2012 c 185 s 5 are each amended to read as follows:

(1)(a) A housing counselor who is contacted by a borrower under RCW 61.24.031 has a duty to act in good faith to attempt to reach a resolution with the beneficiary on behalf of the borrower within the ((ninety)) 90 days provided from the date the beneficiary initiates contact with the borrower and the date the notice of default is issued. A resolution may include, but is not limited to, modification of the loan, an agreement to conduct a short sale, a deed in lieu of foreclosure transaction, or some other workout plan.

(b) Nothing in RCW 61.24.031 or this section precludes a meeting or negotiations between the housing counselor, borrower, and beneficiary at any time, including after the issuance of the notice of default.

(c) A borrower who is contacted under RCW 61.24.031 may seek the assistance of a housing counselor or attorney at any time.

(2) Housing counselors have a duty to act in good faith to assist borrowers by:

(a) Preparing the borrower for meetings with the beneficiary;

(b) Advising the borrower about what documents the borrower must have to seek a loan modification or other resolution;

(c) Informing the borrower about the alternatives to foreclosure, including loan modifications or other possible resolutions; and

(d) Providing other guidance, advice, and education as the housing counselor considers necessary.

(3) A housing counselor or attorney assisting a borrower may refer the borrower to mediation, pursuant to RCW 61.24.163, if the housing counselor or attorney determines that mediation is appropriate based on the individual circumstances and the borrower has received a notice of default. The referral to mediation may be made any time after a notice of default has been issued but no later than ((twenty days after the date a notice of sale has been recorded)) 90 days prior to the date of sale listed in the notice of trustee's sale. If an amended notice of trustee's sale is recorded after the trustee sale has been stayed pursuant to RCW 61.24.130, the borrower may be referred to mediation no

later than 25 days prior to the date of sale listed in the amended notice of trustee's sale.

(4) For borrowers who have received a letter under RCW 61.24.031 before June 7, 2012, a referral to mediation by a housing counselor or attorney does not preclude a trustee issuing a notice of default if the requirements of RCW 61.24.031 have been met.

(5) Housing counselors providing assistance to borrowers under RCW 61.24.031 are not liable for civil damages resulting from any acts or omissions in providing assistance, unless the acts or omissions constitute gross negligence or willful or wanton misconduct.

(6) Housing counselors shall provide information to the department to assist the department in its annual report to the legislature as required under RCW 61.24.163(18). The information provided to the department by the housing counselors should include outcomes of foreclosures and be similar to the information requested in the national foreclosure mortgage counseling client level foreclosure outcomes report form.

Sec. 5. RCW 61.24.163 and 2018 c 306 s 6 are each amended to read as follows:

(1) The foreclosure mediation program established in this section applies only to borrowers who have been referred to mediation by a housing counselor or attorney. The referral to mediation may be made any time after a notice of default has been issued but no later than ((twenty days after the date a notice of sale has been recorded)) 90 days prior to the date of sale listed in the notice of trustee's sale. If an amended notice of trustee's sale is recorded after the trustee sale has been stayed pursuant to RCW 61.24.130, the borrower may be referred to mediation no later than 25 days prior to the date of sale listed in the amended notice of trustee's sale. If the borrower has failed to elect to mediate within the applicable time frame, the borrower and the beneficiary may, but are under no duty to, agree in writing to enter the foreclosure mediation program. The mediation program under this section is not governed by chapter 7.07 RCW and does not preclude mediation required by a court or other provision of law.

(2) A housing counselor or attorney referring a borrower to mediation shall send a notice to the borrower and the department, stating that mediation is appropriate.

(3) Within ((ten)) 10 days of receiving the notice, the department shall:

(a) Send a notice to the beneficiary, the borrower, the housing counselor or attorney who referred the borrower, and the trustee stating that the parties have been referred to mediation. The notice must include the statements and list of documents and information described in subsections (4) and (5) of this section and a statement explaining each party's responsibility to pay the mediator's fee; and

(b) Select a mediator and notify the parties of the selection.

(4) Within ((twenty-three)) 23 days of the department's notice that the parties have been referred to mediation, the borrower shall transmit the documents required for mediation to the mediator and the beneficiary. The required documents include an initial homeowner financial information worksheet as required by the department. The worksheet must include, at a minimum, the following information:

(a) The borrower's current and future income;

(b) Debts and obligations;

(c) Assets;

(d) Expenses;

(e) Tax returns for the previous two years;

(f) Hardship information;

(g) Other applicable information commonly required by any applicable federal mortgage relief program.

(5) Within ((twenty)) 20 days of the beneficiary's receipt of the borrower's documents, the beneficiary shall transmit the documents required for mediation to the mediator and the borrower. The required documents include:

(a) An accurate statement containing the balance of the loan within ((thirty)) 30 days of the date on which the beneficiary's documents are due to the parties;

(b) Copies of the note and deed of trust;

(c) Proof that the entity claiming to be the beneficiary is the owner of any promissory note or obligation secured by the deed of trust. Sufficient proof may be a copy of the declaration described in RCW 61.24.030(7)(a);

(d) The best estimate of any arrearage and an itemized statement of the arrearages;

(e) An itemized list of the best estimate of fees and charges outstanding;

(f) The payment history and schedule for the preceding twelve months, or since default, whichever is longer, including a breakdown of all fees and charges claimed;

(g) All borrower-related and mortgage-related input data used in any net present values analysis. If no net present values analysis is required by the applicable federal mortgage relief program, then the input data required under the federal deposit insurance corporation and published in the federal deposit insurance corporation loan modification program guide, or if that calculation becomes unavailable, substantially similar input data as determined by the department;

(h) An explanation regarding any denial for a loan modification, forbearance, or other alternative to foreclosure in sufficient detail for a reasonable person to understand why the decision was made;

(i) Appraisal or other broker price opinion most recently relied upon by the beneficiary not more than ((ninety)) 90 days old at the time of the scheduled mediation; and

(j) The portion or excerpt of the pooling and servicing agreement or other investor restriction that prohibits the beneficiary from implementing a modification, if the beneficiary claims it cannot implement a modification due to limitations in a pooling and servicing agreement or other investor restriction, and documentation or a statement detailing the efforts of the beneficiary to obtain a waiver of the pooling and servicing agreement or other investor restriction provisions.

(6) Within ((seventy)) 70 days of receiving the referral from the department, the mediator shall convene a mediation session in the county where the property is located, unless the parties agree on another location. The parties may agree to extend the time in which to schedule the mediation session. If the parties agree to extend the time, the beneficiary shall notify the trustee of the extension and the date the mediator is expected to issue the mediator's certification.

(7)(a) The mediator may schedule phone conferences, consultations with the parties individually, and other communications to ensure that the parties have all the necessary information and documents to engage in a productive mediation.

(b) The mediator must send written notice of the time, date, and location of the mediation session to the borrower, the beneficiary, and the department at least ((thirty)) 30 days prior to the mediation session. At a minimum, the notice must contain:

(i) A statement that the borrower may be represented in the mediation session by an attorney or other advocate;

(ii) A statement that a person with authority to agree to a resolution, including a proposed settlement, loan modification, or dismissal or continuation of the foreclosure proceeding, must be

present either in person or on the telephone or videoconference during the mediation session; and

(iii) A statement that the parties have a duty to mediate in good faith and that failure to mediate in good faith may impair the beneficiary's ability to foreclose on the property or the borrower's ability to modify the loan or take advantage of other alternatives to foreclosure.

(8)(a) The borrower, the beneficiary or authorized agent, and the mediator must meet in person for the mediation session. However, a person with authority to agree to a resolution on behalf of the beneficiary may be present over the telephone or videoconference during the mediation session.

(b) After the mediation session commences, the mediator may continue the mediation session once, and any further continuances must be with the consent of the parties.

(9) The participants in mediation must address the issues of foreclosure that may enable the borrower and the beneficiary to reach a resolution, including but not limited to reinstatement, modification of the loan, restructuring of the debt, or some other workout plan. To assist the parties in addressing issues of foreclosure, the mediator may require the participants to consider the following:

(a) The borrower's current and future economic circumstances, including the borrower's current and future income, debts, and obligations for the previous ((sixty)) 60 days or greater time period as determined by the mediator;

(b) The net present value of receiving payments pursuant to a modified mortgage loan as compared to the anticipated net recovery following foreclosure;

(c) Any affordable loan modification calculation and net present value calculation when required under any federal mortgage relief program and any modification program related to loans insured by the federal housing administration, the veterans administration, and the rural housing service. If such a calculation is not provided or required, then the beneficiary must provide the net present value data inputs established by the federal deposit insurance corporation and published in the federal deposit insurance corporation loan modification program guide or other net present value data inputs as designated by the department. The mediator may run the calculation in order for a productive mediation to occur and to comply with the mediator certification requirement; and

(d) Any other loss mitigation guidelines to loans insured by the federal housing administration, the veterans administration, and the rural housing service, if applicable.

(10) A violation of the duty to mediate in good faith as required under this section may include:

(a) Failure to timely participate in mediation without good cause;

(b) Failure of the borrower or the beneficiary to provide the documentation required before mediation or pursuant to the mediator's instructions;

(c) Failure of a party to designate representatives with adequate authority to fully settle, compromise, or otherwise reach resolution with the borrower in mediation; and

(d) A request by a beneficiary that the borrower waive future claims he or she may have in connection with the deed of trust, as a condition of agreeing to a modification, except for rescission claims under the federal truth in lending act. Nothing in this section precludes a beneficiary from requesting that a borrower dismiss with prejudice any pending claims against the beneficiary, its agents, loan servicer, or trustee, arising from the underlying deed of trust, as a condition of modification.

(11) If the mediator reasonably believes a borrower will not attend a mediation session based on the borrower's conduct, such

EIGHTY EIGHTH DAY, APRIL 6, 2023

as the lack of response to the mediator's communications, the mediator may cancel a scheduled mediation session and send a written cancellation to the department and the trustee and send copies to the parties. The beneficiary may proceed with the foreclosure after receipt of the mediator's written confirmation of cancellation.

(12) Within seven business days after the conclusion of the mediation session, the mediator must send a written certification to the department and the trustee and send copies to the parties of:

- (a) The date, time, and location of the mediation session;
- (b) The names of all persons attending in person and by telephone or videoconference, at the mediation session;
- (c) Whether a resolution was reached by the parties, including whether the default was cured by reinstatement, modification, or restructuring of the debt, or some other alternative to foreclosure was agreed upon by the parties;
- (d) Whether the parties participated in the mediation in good faith; and
- (e) If a written agreement was not reached, a description of any net present value test used, along with a copy of the inputs, including the result of any net present value test expressed in a dollar amount.

(13) If the parties are unable to reach an agreement, the beneficiary may proceed with the foreclosure after receipt of the mediator's written certification.

(14)(a) The mediator's certification that the beneficiary failed to act in good faith in mediation constitutes a defense to the nonjudicial foreclosure action that was the basis for initiating the mediation. In any action to enjoin the foreclosure, the beneficiary is entitled to rebut the allegation that it failed to act in good faith.

(b) The mediator's certification that the beneficiary failed to act in good faith during mediation does not constitute a defense to a judicial foreclosure or a future nonjudicial foreclosure action if a modification of the loan is agreed upon and the borrower subsequently defaults.

(c) If an affordable loan modification is not offered in the mediation or a written agreement was not reached and the mediator's certification shows that the net present value of the modified loan exceeds the anticipated net recovery at foreclosure, that showing in the certification constitutes a basis for the borrower to enjoin the foreclosure.

(15) The mediator's certification that the borrower failed to act in good faith in mediation authorizes the beneficiary to proceed with the foreclosure.

(16)(a) If a borrower has been referred to mediation before a notice of trustee sale has been recorded, a trustee may not record the notice of sale until the trustee receives the mediator's certification stating that the mediation has been completed. If the trustee does not receive the mediator's certification, the trustee may record the notice of sale after ((ten)) 10 days from the date the certification to the trustee was due. If, after a notice of sale is recorded under this subsection (16)(a), the mediator subsequently issues a certification finding that the beneficiary violated the duty of good faith, the certification constitutes a basis for the borrower to enjoin the foreclosure.

(b) If a borrower has been referred to mediation after the notice of sale was recorded, the sale may not occur until the trustee receives the mediator's certification stating that the mediation has been completed.

(17) A mediator may charge reasonable fees as authorized by this subsection or as authorized by the department. Unless the fee is waived, the parties agree otherwise, or the department otherwise authorizes, a foreclosure mediator's fee may not exceed ((four hundred dollars)) \$400 for preparing, scheduling, and conducting a mediation session lasting between one hour and

three hours. For a mediation session exceeding three hours, the foreclosure mediator may charge a reasonable fee, as authorized by the department. The mediator must provide an estimated fee before the mediation, and payment of the mediator's fee must be divided equally between the beneficiary and the borrower. The beneficiary and the borrower must tender the loan mediator's fee within ((thirty)) 30 calendar days from receipt of the department's letter referring the parties to mediation or pursuant to the mediator's instructions.

(18) Beginning December 1, 2012, and every year thereafter, the department shall report annually to the legislature on:

- (a) The performance of the program, including the numbers of borrowers who are referred to mediation by a housing counselor or attorney;
- (b) The results of the mediation program, including the number of mediations requested by housing counselors and attorneys, the number of certifications of good faith issued, the number of borrowers and beneficiaries who failed to mediate in good faith, and the reasons for the failure to mediate in good faith, if known, the numbers of loans restructured or modified, the change in the borrower's monthly payment for principal and interest and the number of principal write-downs and interest rate reductions, and, to the extent practical, the number of borrowers who report a default within a year of restructuring or modification;
- (c) The information received by housing counselors regarding outcomes of foreclosures; and
- (d) Any recommendations for changes to the statutes regarding the mediation program.

(19) This section does not apply to certain federally insured depository institutions, as specified in RCW 61.24.166.

Sec. 6. RCW 61.24.165 and 2021 c 151 s 6 are each amended to read as follows:

- (1) RCW 61.24.163 applies only to deeds of trust that are recorded against residential real property of up to four units.
- (2) RCW 61.24.163 does not apply to deeds of trust:
 - (a) Securing a commercial loan;
 - (b) Securing obligations of a grantor who is not the borrower or a guarantor;
 - (c) Securing a purchaser's obligations under a seller-financed sale; or
 - (d) Where the grantor is a partnership, corporation, or limited liability company, or where the property is vested in a partnership, corporation, or limited liability company at the time the notice of default is issued.
- (3) RCW 61.24.163 does not apply to association beneficiaries subject to chapter 64.32, 64.34, or 64.38 RCW.
- (4) For purposes of referral and mediation under RCW 61.24.163, a person may be referred to mediation if the borrower is deceased and the person is a successor in interest of the deceased borrower ((who occupies the property as his or her primary residence)). The referring counselor or attorney must determine a person's eligibility under this section and indicate the grounds for eligibility on the referral to mediation submitted to the department. For the purposes of mediation under RCW 61.24.163, the person must be treated as a "borrower." This subsection does not impose an affirmative duty on the beneficiary to accept an assumption of the loan.
- (5) For purposes of referral and mediation under RCW 61.24.163, a person may be referred to mediation if the person has been awarded title to the property in a proceeding for dissolution or legal separation. The referring counselor or attorney must determine the person's eligibility under this section and indicate the grounds for eligibility on the referral to mediation submitted to the department. For the purposes of mediation under RCW 61.24.163, the person must be treated as a

"borrower." This subsection does not impose an affirmative duty on the beneficiary to accept an assumption of the loan.

Sec. 7. RCW 61.24.166 and 2021 c 151 s 7 are each amended to read as follows:

(1) Beginning on January 1, ((2023)) 2024, the provisions of RCW 61.24.163 do not apply to any federally insured depository institution, as defined in 12 U.S.C. Sec. 461(b)(1)(A), that certifies to the department under penalty of perjury that it was not a beneficiary of deeds of trust in more than ((two hundred fifty)) 250 trustee sales of residential real property of up to four units that occurred in this state during the preceding calendar year. A federally insured depository institution certifying that RCW 61.24.163 does not apply must do so annually, beginning no later than January 31, ((2023)) 2024, and no later than January 31st of each year thereafter.

(2) During the 2023 calendar year, the provisions of RCW 61.24.163 do not apply to any federally insured depository institution, as defined in 12 U.S.C. Sec. 461(b)(1)(A), that certifies to the department under penalty of perjury that it was not a beneficiary of deeds of trust in more than 250 trustee sales of owner-occupied residential real property that occurred in this state during 2019. A federally insured depository institution certifying that RCW 61.24.163 does not apply pursuant to this subsection must do so no later than 30 days after the effective date of this section.

(3) This section applies retroactively to January 1, 2023, and prospectively beginning with the effective date of this section.

Sec. 8. RCW 61.24.190 and 2021 c 151 s 11 are each amended to read as follows:

(1) Except as provided in subsections (6) and (7) of this section, beginning January 1, 2022, and every quarter thereafter, every beneficiary issuing notices of default, or causing notices of default to be issued on its behalf, on residential real property under this chapter must:

(a) Report to the department, on a form approved by the department, the total number of residential real properties for which the beneficiary has issued a notice of default during the previous quarter, together with the street address, city, and zip code;

(b) Remit the amount required under subsection (2) of this section; and

(c) Report and update beneficiary contact information for the person and work group responsible for the beneficiary's compliance with the requirements of the foreclosure fairness act created in this chapter.

(2) For each residential real property for which a notice of default has been issued, the beneficiary issuing the notice of default, or causing the notice of default to be issued on the beneficiary's behalf, shall remit \$250 to the department to be deposited, as provided under RCW 61.24.172, into the foreclosure fairness account. The \$250 payment is required per property and not per notice of default. The beneficiary shall remit the total amount required in a lump sum each quarter.

(3) Reporting and payments under subsections (1) and (2) of this section are due within 45 days of the end of each quarter.

(4) For purposes of this section, "residential real property" includes residential real property with up to four dwelling units, whether or not the property or any part thereof is owner occupied.

(5) The department, including its officials and employees, may not be held civilly liable for damages arising from any release of information or the failure to release information related to the reporting required under this section, so long as the release was without gross negligence.

(6)(a) Beginning on January 1, 2023, this section does not apply to any beneficiary or loan servicer that is a federally insured

depository institution, as defined in 12 U.S.C. Sec. 461(b)(1)(A), and that certifies under penalty of perjury that it has issued, or has directed a trustee or authorized agent to issue, fewer than 250 notices of default in the preceding year.

(b) During the 2023 calendar year, this section does not apply to any beneficiary or loan servicer that is a federally insured depository institution, as defined in 12 U.S.C. Sec. 461(b)(1)(A), and that certifies under penalty of perjury that fewer than 50 notices of trustee's sale were recorded on its behalf in 2019.

(c) This subsection (6) applies retroactively to January 1, 2023, and prospectively beginning with the effective date of this section.

(7) This section does not apply to association beneficiaries subject to chapter 64.32, 64.34, or 64.38 RCW.

NEW SECTION. Sec. 9. A new section is added to chapter 61.24 RCW to read as follows:

(1)(a) The trustee shall continue a foreclosure sale for at least 30 days upon receipt of a written notice from the homeowner assistance fund program administered by the Washington state housing finance commission that an application has been submitted to the homeowner assistance fund program on behalf of the applicant.

(b) The trustee shall continue the foreclosure sale for an additional 30-day period upon receipt of a written notice from the homeowner assistance fund program that the applicant is deemed eligible for the program.

(c) An automated notice issued by the homeowner assistance fund program does not qualify as written notice required in this section.

(2)(a) If an application to the homeowner assistance fund program is approved in the amount that would cure the default and make the beneficiary whole, a sale may not proceed while the approved application is pending for payment.

(b) A sale may proceed if the homeowner assistance fund program issues a written confirmation that an application has been denied or that no funds from the program will be paid in response to the application, and that any appeal process available to the applicant has been exhausted and is no longer pending.

(3) The trustee has no duty to delay a sale if the applicant has already received a continuance based on prior application to the homeowner assistance fund program, unless the applicant demonstrates to the trustee that a new application is pending based upon a substantial change in circumstances supporting a new application and that it has not been submitted solely for the purpose of delaying the sale.

(4)(a) The trustee must comply with the process set forth in RCW 61.24.040(1) for giving notice of the continued sale.

(b) A continuance of a sale pursuant to this section shall not be included in calculating the maximum sale continuance period of 120 days established in RCW 61.24.040(10).

(5) For purposes of this section, "applicant" means a person who:

(a) Is the borrower, a successor in interest to a deceased borrower, or a person who has been awarded title to the property; and

(b) Has submitted an application to the homeowner assistance fund program or on whose behalf an application to the program has been submitted.

NEW SECTION. Sec. 10. A new section is added to chapter 61.12 RCW to read as follows:

(1) It is unlawful for any person to seek or receive from any person or contract with any person for any fee or compensation for locating, or purporting to purchase or otherwise acquire the right to recover, funds held by a court or county that are proceeds

EIGHTY EIGHTH DAY, APRIL 6, 2023

from a foreclosure under this chapter and subject to disposition under RCW 61.12.150 in excess of:

(a) Five percent of the value thereof returned to such owner; and

(b) Reasonable attorneys' fees and costs, upon a motion and a hearing by a court of competent jurisdiction.

(2) Any person who violates this section is guilty of a misdemeanor and shall be fined not less than the amount of the fee or charge he or she has sought or received or contracted for, and not more than 10 times such amount, or imprisoned for not more than 30 days, or both.

(3) The legislature finds that the practices covered by this section are matters vitally affecting the public interest for the purpose of applying the consumer protection act, chapter 19.86 RCW. Any violation of this section is not reasonable in relation to the development and preservation of business and is an unfair or deceptive act in trade or commerce and an unfair method of competition for the purpose of applying the consumer protection act, chapter 19.86 RCW. Remedies provided by chapter 19.86 RCW are cumulative and not exclusive.

(4) Every contract for any fee or compensation for locating or purporting to purchase the right to recover funds held by a court that are proceeds from a foreclosure under this chapter and subject to disposition under RCW 61.12.150 must contain the following notice in 10-point boldface type or larger directly above the space reserved in the contract for the signature of the buyer:

"NOTICE TO HOMEOWNER:

(1) Do not sign this contract before you read it or if any spaces intended for the agreed terms are left blank.

(2) You are entitled to a copy of this contract at the time you sign it.

(3) You may cancel this contract within 10 days of signing by sending notice of cancellation by regular United States mail to the other party at his or her address shown on the contract, which notice shall be posted not later than midnight of the 10th day (excluding Sundays and holidays) following your signing of the contract."

Sec. 11. RCW 61.24.135 and 2021 c 151 s 5 are each amended to read as follows:

(1) It is an unfair or deceptive act or practice under the consumer protection act, chapter 19.86 RCW, for any person, acting alone or in concert with others, to offer, or offer to accept or accept from another, any consideration of any type not to bid, or to reduce a bid, at a sale of property conducted pursuant to a power of sale in a deed of trust. The trustee may decline to complete a sale or deliver the trustee's deed and refund the purchase price, if it appears that the bidding has been collusive or defective, or that the sale might have been void. However, it is not an unfair or deceptive act or practice for any person, including a trustee, to state that a property subject to a recorded notice of trustee's sale or subject to a sale conducted pursuant to this chapter is being sold in an "as-is" condition, or for the beneficiary to arrange to provide financing for a particular bidder or to reach any good faith agreement with the borrower, grantor, any guarantor, or any junior lienholder.

(2) It is an unfair or deceptive act in trade or commerce and an unfair method of competition in violation of the consumer protection act, chapter 19.86 RCW, for any person or entity to: (a) Violate the duty of good faith under RCW 61.24.163; (b) fail to comply with the requirements of RCW 61.24.174, as it existed prior to July 1, 2016, 61.24.173, or 61.24.190; or (c) fail to initiate contact with a borrower and exercise due diligence as required under RCW 61.24.031.

(3)(a) It is unlawful for any person to seek or receive from any person or contract with any person for any fee or compensation for locating, or purporting to purchase or otherwise acquire the right to recover, funds held by a court or county that are proceeds from a foreclosure under this chapter and subject to disposition under RCW 61.24.080 in excess of:

(i) Five percent of the value thereof returned to such owner; and

(ii) Reasonable attorneys' fees and costs, upon a motion and a hearing by a court of competent jurisdiction.

(b) Any person who violates (a) of this subsection is guilty of a misdemeanor and shall be fined not less than the amount of the fee or charge he or she has sought or received or contracted for, and not more than 10 times such amount, or imprisoned for not more than 30 days, or both.

(c) The legislature finds that the practices covered by (a) of this subsection are matters vitally affecting the public interest for the purpose of applying the consumer protection act, chapter 19.86 RCW. Any violation of (a) of this subsection is not reasonable in relation to the development and preservation of business and is an unfair or deceptive act in trade or commerce and an unfair method of competition for the purpose of applying the consumer protection act, chapter 19.86 RCW. Remedies provided by chapter 19.86 RCW are cumulative and not exclusive.

(4) Every contract for any fee or compensation for locating or purporting to purchase the right to recover funds held by a court that are proceeds from a foreclosure under this chapter and subject to disposition under RCW 61.24.080 must contain the following notice in 10-point boldface type or larger directly above the space reserved in the contract for the signature of the buyer:

"NOTICE TO HOMEOWNER:

(1) Do not sign this contract before you read it or if any spaces intended for the agreed terms are left blank.

(2) You are entitled to a copy of this contract at the time you sign it.

(3) You may cancel this contract within 10 days of signing by sending notice of cancellation by regular United States mail to the other party at his or her address shown on the contract, which notice shall be posted not later than midnight of the 10th day (excluding Sundays and holidays) following your signing of the contract."

NEW SECTION. Sec. 12. (1) Section 9 of this act expires upon the expiration and permanent closure of the homeowner assistance fund program.

(2) The Washington state housing finance commission must provide written notice of the expiration date of section 9 of this act to the chief clerk of the house of representatives, the secretary of the senate, the office of the code reviser, and others as deemed appropriate by the commission.

NEW SECTION. Sec. 13. Sections 7 through 9 and 12 of this act are necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and take effect immediately."

On page 1, line 1 of the title, after "protections;" strike the remainder of the title and insert "amending RCW 61.24.008, 61.24.030, 61.24.040, 61.24.160, 61.24.163, 61.24.165, 61.24.166, 61.24.190, and 61.24.135; adding a new section to chapter 61.24 RCW; adding a new section to chapter 61.12 RCW; providing a contingent expiration date; and declaring an emergency."

Senator Kuderer spoke in favor of the motion to not adopt the striking amendment.

The President declared the question before the Senate to be the motion to not adopt the committee striking amendment by the Committee on Housing to House Bill No. 1349.

The motion by Senator Kuderer carried and the committee striking amendment was not adopted by voice vote.

MOTION

Senator Kuderer moved that the following striking amendment no. 0310 by Senator Kuderer be adopted:

Strike everything after the enacting clause and insert the following:

Sec. 1. RCW 61.24.008 and 2012 c 185 s 11 are each amended to read as follows:

(1) A borrower who has been referred to mediation before June 7, 2012, may continue through the mediation process and does not lose his or her right to mediation.

(2) A borrower who has not been referred to mediation as of June 7, 2012, may only be referred to mediation after a notice of default has been issued but no later than ((twenty days from the date a notice of sale is recorded)) 90 days prior to the date of sale listed in the notice of trustee's sale. If an amended notice of trustee's sale is recorded after the trustee sale has been stayed pursuant to RCW 61.24.130, the borrower may be referred to mediation no later than 25 days prior to the date of sale listed in the amended notice of trustee's sale.

(3) A borrower who has not been referred to mediation as of June 7, 2012, and who has had a notice of sale recorded may only be referred to mediation if the referral is made ((before twenty days have passed from the date the notice of sale was recorded)) at least 90 days prior to the date of sale listed in the notice of trustee's sale. If an amended notice of trustee's sale is recorded, the borrower may be referred to mediation no later than 25 days prior to the date of sale listed in the amended notice of trustee's sale.

Sec. 2. RCW 61.24.030 and 2021 c 151 s 3 are each amended to read as follows:

It shall be requisite to a trustee's sale:

(1) That the deed of trust contains a power of sale;

(2) That the deed of trust contains a statement that the real property conveyed is not used principally for agricultural purposes; provided, if the statement is false on the date the deed of trust was granted or amended to include that statement, and false on the date of the trustee's sale, then the deed of trust must be foreclosed judicially. Real property is used for agricultural purposes if it is used in an operation that produces crops, livestock, or aquatic goods;

(3) That a default has occurred in the obligation secured or a covenant of the grantor, which by the terms of the deed of trust makes operative the power to sell;

(4) That no action commenced by the beneficiary of the deed of trust is now pending to seek satisfaction of an obligation secured by the deed of trust in any court by reason of the grantor's default on the obligation secured: PROVIDED, That (a) the seeking of the appointment of a receiver, or the filing of a civil case to obtain court approval to access, secure, maintain, and preserve property from waste or nuisance, shall not constitute an action for purposes of this chapter; and (b) if a receiver is appointed, the grantor shall be entitled to any rents or profits derived from property subject to a homestead as defined in RCW 6.13.010. If the deed of trust was granted to secure a commercial loan, this subsection shall not apply to actions brought to enforce any other lien or security interest granted to secure the obligation secured by the deed of trust being foreclosed;

(5) That the deed of trust has been recorded in each county in which the land or some part thereof is situated;

(6) That prior to the date of the notice of trustee's sale and continuing thereafter through the date of the trustee's sale, the trustee must maintain a street address in this state where personal service of process may be made, and the trustee must maintain a physical presence and have telephone service at such address;

(7)(a) That, for residential real property of up to four units, before the notice of trustee's sale is recorded, transmitted, or served, the trustee shall have proof that the beneficiary is the holder of any promissory note or other obligation secured by the deed of trust. A declaration by the beneficiary made under the penalty of perjury stating that the beneficiary is the holder of any promissory note or other obligation secured by the deed of trust shall be sufficient proof as required under this subsection.

(b) Unless the trustee has violated his or her duty under RCW 61.24.010(4), the trustee is entitled to rely on the beneficiary's declaration as evidence of proof required under this subsection.

(c) This subsection (7) does not apply to association beneficiaries subject to chapter 64.32, 64.34, or 64.38 RCW;

(8) That at least ((thirty)) 30 days before notice of sale shall be recorded, transmitted or served, written notice of default and, for residential real property of up to four units, the beneficiary declaration specified in subsection (7)(a) of this section shall be transmitted by the beneficiary or trustee to the borrower and grantor at their last known addresses by both first-class and either registered or certified mail, return receipt requested, and the beneficiary or trustee shall cause to be posted in a conspicuous place on the premises, a copy of the notice, or personally served on the borrower and grantor. This notice shall contain the following information:

(a) A description of the property which is then subject to the deed of trust;

(b) A statement identifying each county in which the deed of trust is recorded and the document number given to the deed of trust upon recording by each county auditor or recording officer;

(c) A statement that the beneficiary has declared the borrower or grantor to be in default, and a concise statement of the default alleged;

(d) An itemized account of the amount or amounts in arrears if the default alleged is failure to make payments;

(e) An itemized account of all other specific charges, costs, or fees that the borrower, grantor, or any guarantor is or may be obliged to pay to reinstate the deed of trust before the recording of the notice of sale;

(f) A statement showing the total of (d) and (e) of this subsection, designated clearly and conspicuously as the amount necessary to reinstate the note and deed of trust before the recording of the notice of sale;

(g) A statement that failure to cure the alleged default within ((thirty)) 30 days of the date of mailing of the notice, or if personally served, within ((thirty)) 30 days of the date of personal service thereof, may lead to recordation, transmittal, and publication of a notice of sale, and that the property described in (a) of this subsection may be sold at public auction at a date no less than ((one hundred twenty)) 120 days in the future, or no less than ((one hundred fifty)) 150 days in the future if the borrower received a letter under RCW 61.24.031;

(h) A statement that the effect of the recordation, transmittal, and publication of a notice of sale will be to (i) increase the costs and fees and (ii) publicize the default and advertise the grantor's property for sale;

(i) A statement that the effect of the sale of the grantor's property by the trustee will be to deprive the grantor of all their interest in the property described in (a) of this subsection;

EIGHTY EIGHTH DAY, APRIL 6, 2023

(j) A statement that the borrower, grantor, and any guarantor has recourse to the courts pursuant to RCW 61.24.130 to contest the alleged default on any proper ground;

(k) In the event the property secured by the deed of trust is residential real property of up to four units, a statement, prominently set out at the beginning of the notice, which shall state as follows:

"THIS NOTICE IS ONE STEP IN A PROCESS THAT COULD RESULT IN YOUR LOSING YOUR HOME.

You may be eligible for mediation in front of a neutral third party to help save your home.

CONTACT A HOUSING COUNSELOR OR AN ATTORNEY LICENSED IN WASHINGTON NOW to assess your situation and refer you to mediation if you might benefit. Mediation **MUST** be requested between the time you receive the Notice of Default and no later than ((twenty days after the Notice of Trustee Sale is recorded)) **90 calendar days BEFORE the date of sale** listed in the Notice of Trustee Sale. **If an amended Notice of Trustee Sale is recorded providing a 45-day notice of the sale, mediation must be requested no later than 25 calendar days BEFORE the date of sale** listed in the amended Notice of Trustee Sale.

DO NOT DELAY. If you do nothing, a notice of sale may be issued as soon as 30 days from the date of this notice of default. The notice of sale will provide a minimum of 120 days' notice of the date of the actual foreclosure sale.

BE CAREFUL of people who claim they can help you. There are many individuals and businesses that prey upon borrowers in distress.

REFER TO THE CONTACTS BELOW for sources of assistance.

SEEKING ASSISTANCE

Housing counselors and legal assistance may be available at little or no cost to you. If you would like assistance in determining your rights and opportunities to keep your house, you may contact the following:

The statewide foreclosure hotline for assistance and referral to housing counselors recommended by the Housing Finance Commission

Telephone: Website:

The United States Department of Housing and Urban Development

Telephone: Website:

The statewide civil legal aid hotline for assistance and referrals to other housing counselors and attorneys

Telephone: Website:"

The beneficiary or trustee shall obtain the toll-free numbers and website information from the department for inclusion in the notice;

(l) In the event the property secured by the deed of trust is residential real property of up to four units, the name and address of the holder of any promissory note or other obligation secured by the deed of trust and the name, address, and telephone number of a party acting as a servicer of the obligations secured by the deed of trust;

(m) For notices issued after June 30, 2018, on the top of the first page of the notice:

- (i) The current beneficiary of the deed of trust;
- (ii) The current mortgage servicer for the deed of trust; and
- (iii) The current trustee for the deed of trust;

(9) That, for residential real property of up to four units, before the notice of the trustee's sale is recorded, transmitted, or served, the beneficiary has complied with RCW 61.24.031 and, if applicable, RCW 61.24.163;

(10) That, in the case where the borrower or grantor is known to the mortgage servicer or trustee to be deceased, the notice required under subsection (8) of this section must be sent to any spouse, child, or parent of the borrower or grantor known to the trustee or mortgage servicer, and to any owner of record of the property, at any address provided to the trustee or mortgage servicer, and to the property addressed to the heirs and devisees of the borrower.

(a) If the name or address of any spouse, child, or parent of such deceased borrower or grantor cannot be ascertained with use of reasonable diligence, the trustee must execute and record with the notice of sale a declaration attesting to the same.

(b) Reasonable diligence for the purposes of this subsection (10) means the trustee shall search in the county where the property is located, the public records and information for any obituary, will, death certificate, or case in probate within the county for the borrower and grantor;

(11) Upon written notice identifying the property address and the name of the borrower to the servicer or trustee by someone claiming to be a successor in interest to the borrower's or grantor's property rights, but who is not a party to the loan or promissory note or other obligation secured by the deed of trust, a trustee shall not record a notice of sale pursuant to RCW 61.24.040 until the trustee or mortgage servicer completes the following:

(a) Acknowledges the notice in writing and requests reasonable documentation of the death of the borrower or grantor from the claimant including, but not limited to, a death certificate or other written evidence of the death of the borrower or grantor. Other written evidence of the death of the borrower or grantor may include an obituary, a published death notice, or documentation of an open probate action for the estate of the borrower or grantor. The claimant must be allowed ((thirty)) 30 days from the date of this request to present this documentation. If the trustee or mortgage servicer has already obtained sufficient proof of the borrower's death, it may proceed by acknowledging the claimant's notice in writing and issuing a request under (b) of this subsection.

(b) If the mortgage servicer or trustee obtains or receives written documentation of the death of the borrower or grantor from the claimant, or otherwise independently confirms the death of the borrower or grantor, then the servicer or trustee must request in writing documentation from the claimant demonstrating the ownership interest of the claimant in the real property. A claimant has ((sixty)) 60 days from the date of the request to present this documentation. Documentation demonstrating the ownership interest of the claimant in the real property includes, but is not limited to, one of the following:

(i) Excerpts of a trust document noting the claimant as a beneficiary of a trust with title to the real property;

(ii) A will of the borrower or grantor listing the claimant as an heir or devisee with respect to the real property;

(iii) A probate order or finding of heirship issued by any court documenting the claimant as an heir or devisee or awarding the real property to the claimant;

(iv) A recorded lack of probate affidavit signed by any heir listing the claimant as an heir of the borrower or grantor pursuant to the laws of intestacy;

(v) A deed, such as a personal representative's deed, trustee's deed issued on behalf of a trust, statutory warranty deed, transfer on death deed, or other deed, giving any ownership interest to the claimant resulting from the death of the borrower or grantor or executed by the borrower or grantor for estate planning purposes; and

(vi) Other proof documenting the claimant as an heir of the borrower or grantor pursuant to state rules of intestacy set forth in chapter 11.04 RCW.

(c) If the mortgage servicer or trustee receives written documentation demonstrating the ownership interest of the claimant prior to the expiration of the ((sixty)) 60 days provided in (b) of this subsection, then the servicer or trustee must, within ((twenty)) 20 days of receipt of proof of ownership interest, provide the claimant with, at a minimum, the loan balance, interest rate and interest reset dates and amounts, balloon payments if any, prepayment penalties if any, the basis for the default, the monthly payment amount, reinstatement amounts or conditions, payoff amounts, and information on how and where payments should be made. The mortgage servicers shall also provide the claimant application materials and information, or a description of the process, necessary to request a loan assumption and modification.

(d) Upon receipt by the trustee or the mortgage servicer of the documentation establishing claimant's ownership interest in the real property, that claimant shall be deemed a "successor in interest" for the purposes of this section.

(e) There may be more than one successor in interest to the borrower's property rights. The trustee and mortgage servicer shall apply the provisions of this section to each successor in interest. In the case of multiple successors in interest, where one or more do not wish to assume the loan as coborrowers or coapplicants, a mortgage servicer may require any nonapplicant successor in interest to consent in writing to the application for loan assumption.

(f) The existence of a successor in interest under this section does not impose an affirmative duty on a mortgage servicer or alter any obligation the mortgage servicer has to provide a loan modification to the successor in interest. If a successor in interest assumes the loan, he or she may be required to otherwise qualify for available foreclosure prevention alternatives offered by the mortgage servicer.

(g) (c), (e), and (f) of this subsection (11) do not apply to association beneficiaries subject to chapter 64.32, 64.34, or 64.38 RCW; and

(12) Nothing in this section shall prejudice the right of the mortgage servicer or beneficiary from discontinuing any foreclosure action initiated under the deed of trust act in favor of other allowed methods for pursuit of foreclosure of the security interest or deed of trust security interest.

Sec. 3. RCW 61.24.040 and 2018 c 306 s 2 are each amended to read as follows:

A deed of trust foreclosed under this chapter shall be foreclosed as follows:

(1) At least ((ninety)) 90 days before the sale, or if a letter under RCW 61.24.031 is required, at least ((one hundred twenty)) 120 days before the sale, the trustee shall:

(a) Record a notice in the form described in subsection (2) of this section in the office of the auditor in each county in which the deed of trust is recorded;

(b) To the extent the trustee elects to foreclose its lien or interest, or the beneficiary elects to preserve its right to seek a deficiency judgment against a borrower or grantor under RCW 61.24.100(3)(a), and if their addresses are stated in a recorded instrument evidencing their interest, lien, or claim of lien, or an amendment thereto, or are otherwise known to the trustee, cause a copy of the notice of sale described in subsection (2) of this section to be transmitted by both first-class and either certified or registered mail, return receipt requested, to the following persons or their legal representatives, if any, at such address:

(i)(A) The borrower and grantor;

(B) In the case where the borrower or grantor is deceased, to any successors in interest. If no successor in interest has been established, then to any spouse, child, or parent of the borrower or grantor, at the addresses discovered by the trustee pursuant to RCW 61.24.030(10);

(ii) The beneficiary of any deed of trust or mortgagee of any mortgage, or any person who has a lien or claim of lien against the property, that was recorded subsequent to the recordation of the deed of trust being foreclosed and before the recordation of the notice of sale;

(iii) The vendee in any real estate contract, the lessee in any lease, or the holder of any conveyances of any interest or estate in any portion or all of the property described in such notice, if that contract, lease, or conveyance of such interest or estate, or a memorandum or other notice thereof, was recorded after the recordation of the deed of trust being foreclosed and before the recordation of the notice of sale;

(iv) The last holder of record of any other lien against or interest in the property that is subject to a subordination to the deed of trust being foreclosed that was recorded before the recordation of the notice of sale;

(v) The last holder of record of the lien of any judgment subordinate to the deed of trust being foreclosed; and

(vi) The occupants of property consisting solely of a single-family residence, or a condominium, cooperative, or other dwelling unit in a multiplex or other building containing fewer than five residential units, whether or not the occupant's rental agreement is recorded, which notice may be a single notice addressed to "occupants" for each unit known to the trustee or beneficiary;

(c) Cause a copy of the notice of sale described in subsection (2) of this section to be transmitted by both first-class and either certified or registered mail, return receipt requested, to the plaintiff or the plaintiff's attorney of record, in any court action to foreclose a lien or other encumbrance on all or any part of the property, provided a court action is pending and a lis pendens in connection therewith is recorded in the office of the auditor of any county in which all or part of the property is located on the date the notice is recorded;

(d) Cause a copy of the notice of sale described in subsection (2) of this section to be transmitted by both first-class and either certified or registered mail, return receipt requested, to any person who has recorded a request for notice in accordance with RCW 61.24.045, at the address specified in such person's most recently recorded request for notice;

(e) Cause a copy of the notice of sale described in subsection (2) of this section to be posted in a conspicuous place on the property, or in lieu of posting, cause a copy of said notice to be served upon any occupant of the property.

(2)(a) If foreclosing on a commercial loan under RCW 61.24.005(4), the title of the document must be "Notice of Trustee's Sale of Commercial Loan(s)";

(b) In addition to all other indexing requirements, the notice required in subsection (1) of this section must clearly indicate on the first page the following information, which the auditor will index:

(i) The document number or numbers given to the deed of trust upon recording;

(ii) The parcel number(s);

(iii) The grantor;

(iv) The current beneficiary of the deed of trust;

(v) The current trustee of the deed of trust; and

(vi) The current loan mortgage servicer of the deed of trust;

(c) Nothing in this section:

EIGHTY EIGHTH DAY, APRIL 6, 2023

(i) Requires a trustee or beneficiary to cause to be recorded any new notice of trustee's sale upon transfer of the beneficial interest in a deed of trust or the servicing rights for the associated mortgage loan;

(ii) Relieves a mortgage loan servicer of any obligation to provide the borrower with notice of a transfer of servicing rights or other legal obligations related to the transfer; or

(iii) Prevents the trustee from disclosing the beneficiary's identity to the borrower and to county and municipal officials seeking to abate nuisance and abandoned property in foreclosure pursuant to chapter 35.21 RCW.

(d) The notice must be in substantially the following form:

NOTICE OF TRUSTEE'S SALE

Grantor:

Current beneficiary of the deed of trust:

Current trustee of the deed of trust:

Current mortgage servicer of the deed of trust:

Reference number of the deed of trust:

Parcel number(s):

I.

NOTICE IS HEREBY GIVEN that the undersigned Trustee will on the day of, . . . , at the hour of . . . o'clock . . . M. at [street address and location if inside a building] in the City of, State of Washington, sell at public auction to the highest and best bidder, payable at the time of sale, the following described real property, situated in the County(ies) of, State of Washington, to-wit:

[If any personal property is to be included in the trustee's sale, include a description that reasonably identifies such personal property]

which is subject to that certain Deed of Trust dated, . . . , recorded, . . . , under Auditor's File No., records of County, Washington, from, as Grantor, to, as Trustee, to secure an obligation in favor of, as Beneficiary, the beneficial interest in which was assigned by, under an Assignment recorded under Auditor's File No. [Include recording information for all counties if the Deed of Trust is recorded in more than one county.]

II.

No action commenced by the Beneficiary of the Deed of Trust is now pending to seek satisfaction of the obligation in any Court by reason of the Borrower's or Grantor's default on the obligation secured by the Deed of Trust.

[If there is another action pending to foreclose other security for all or part of the same debt, qualify the statement and identify the action.]

III.

The default(s) for which this foreclosure is made is/are as follows:

[If default is for other than payment of money, set forth the particulars]

Failure to pay when due the following amounts which are now in arrears:

IV.

The sum owing on the obligation secured by the Deed of Trust is: Principal \$, together with interest as provided in the note or other instrument secured from the day of, . . . , and such other costs and fees as are due under the note or other instrument secured, and as are provided by statute.

V.

The above-described real property will be sold to satisfy the expense of sale and the obligation secured by the Deed of Trust as provided by statute. The sale will be made without warranty,

express or implied, regarding title, possession, or encumbrances on the day of, The default(s) referred to in paragraph III must be cured by the day of, (11 days before the sale date), to cause a discontinuance of the sale. The sale will be discontinued and terminated if at any time on or before the day of, (11 days before the sale date), the default(s) as set forth in paragraph III is/are cured and the Trustee's fees and costs are paid. The sale may be terminated any time after the day of, (11 days before the sale date), and before the sale by the Borrower, Grantor, any Guarantor, or the holder of any recorded junior lien or encumbrance paying the entire principal and interest secured by the Deed of Trust, plus costs, fees, and advances, if any, made pursuant to the terms of the obligation and/or Deed of Trust, and curing all other defaults.

VI.

A written notice of default was transmitted by the Beneficiary or Trustee to the Borrower and Grantor at the following addresses:

.....
.....
.....

by both first-class and certified mail on the day of, . . . , proof of which is in the possession of the Trustee; and the Borrower and Grantor were personally served on the day of, . . . , with said written notice of default or the written notice of default was posted in a conspicuous place on the real property described in paragraph I above, and the Trustee has possession of proof of such service or posting.

VII.

The Trustee whose name and address are set forth below will provide in writing to anyone requesting it, a statement of all costs and fees due at any time prior to the sale.

VIII.

The effect of the sale will be to deprive the Grantor and all those who hold by, through or under the Grantor of all their interest in the above-described property.

IX.

Anyone having any objection to the sale on any grounds whatsoever will be afforded an opportunity to be heard as to those objections if they bring a lawsuit to restrain the sale pursuant to RCW 61.24.130. Failure to bring such a lawsuit may result in a waiver of any proper grounds for invalidating the Trustee's sale.

[Add Part X to this notice if applicable under RCW 61.24.040(11)]

.....
....., Trustee
..... }
..... Address
.....
..... } Phone

[Acknowledgment]

(3) If the borrower received a letter under RCW 61.24.031, the notice specified in subsection (2)(d) of this section shall also include the following additional language:

"THIS NOTICE IS THE FINAL STEP BEFORE THE FORECLOSURE SALE OF YOUR HOME.

You have only ((20 DAYS from the recording date on this notice to pursue mediation)) until 90 calendar days BEFORE the date of sale listed in this Notice of Trustee Sale to be referred to mediation. If this is an amended Notice of Trustee Sale providing a 45-day notice of the sale, mediation must be requested no later than 25 calendar days BEFORE the date of sale listed in this amended Notice of Trustee Sale.

DO NOT DELAY. CONTACT A HOUSING COUNSELOR OR AN ATTORNEY LICENSED IN WASHINGTON NOW to assess your situation and refer you to mediation if you are eligible and it may help you save your home. See below for safe sources of help.

SEEKING ASSISTANCE

Housing counselors and legal assistance may be available at little or no cost to you. If you would like assistance in determining your rights and opportunities to keep your house, you may contact the following:

The statewide foreclosure hotline for assistance and referral to housing counselors recommended by the Housing Finance Commission

Telephone: Website:

The United States Department of Housing and Urban Development

Telephone: Website:

The statewide civil legal aid hotline for assistance and referrals to other housing counselors and attorneys

Telephone: Website:"

The beneficiary or trustee shall obtain the toll-free numbers and website information from the department for inclusion in the notice;

(4) In addition to providing the borrower and grantor the notice of sale described in subsection (2) of this section, the trustee shall include with the copy of the notice which is mailed to the grantor, a statement to the grantor in substantially the following form:

NOTICE OF FORECLOSURE

Pursuant to the Revised Code of Washington, Chapter 61.24 RCW

The attached Notice of Trustee's Sale is a consequence of default(s) in the obligation to, the Beneficiary of your Deed of Trust and holder of the obligation secured thereby. Unless the default(s) is/are cured, your property will be sold at auction on the day of,

To cure the default(s), you must bring the payments current, cure any other defaults, and pay accrued late charges and other costs, advances, and attorneys' fees as set forth below by the day of, [11 days before the sale date]. To date, these arrears and costs are as follows:

	Currently due to reinstate on	Estimated amount that will be due to reinstate on (11 days before the date set for sale)
Delinquent payments from,, in the amount of \$. . . /mo.:	\$	\$
Late charges in the total amount of:	\$	\$
		Estimated Amounts
Attorneys' fees:	\$	\$
Trustee's fee:	\$	\$
Trustee's expenses: (Itemization)		
Title report	\$	\$
Recording fees	\$	\$
Service/Posting of Notices	\$	\$
Postage/Copying		

expense	\$	\$
Publication	\$	\$
Telephone charges	\$	\$
Inspection fees	\$	\$
.	\$	\$
.	\$	\$
TOTALS	\$	\$

To pay off the entire obligation secured by your Deed of Trust as of the day of you must pay a total of \$ in principal, \$ in interest, plus other costs and advances estimated to date in the amount of \$ From and after the date of this notice you must submit a written request to the Trustee to obtain the total amount to pay off the entire obligation secured by your Deed of Trust as of the payoff date.

As to the defaults which do not involve payment of money to the Beneficiary of your Deed of Trust, you must cure each such default. Listed below are the defaults which do not involve payment of money to the Beneficiary of your Deed of Trust. Opposite each such listed default is a brief description of the action necessary to cure the default and a description of the documentation necessary to show that the default has been cured.

Default	Description of Action Required to Cure and Documentation Necessary to Show Cure
.
.
.
.
.
.

You may reinstate your Deed of Trust and the obligation secured thereby at any time up to and including the day of, [11 days before the sale date], by paying the amount set forth or estimated above and by curing any other defaults described above. Of course, as time passes other payments may become due, and any further payments coming due and any additional late charges must be added to your reinstating payment. Any new defaults not involving payment of money that occur after the date of this notice must also be cured in order to effect reinstatement. In addition, because some of the charges can only be estimated at this time, and because the amount necessary to reinstate or to pay off the entire indebtedness may include presently unknown expenditures required to preserve the property or to comply with state or local law, it will be necessary for you to contact the Trustee before the time you tender reinstatement or the payoff amount so that you may be advised of the exact amount you will be required to pay. Tender of payment or performance must be made to:, whose address is, telephone () AFTER THE DAY OF,, YOU MAY NOT REINSTATE YOUR DEED OF TRUST BY PAYING THE BACK PAYMENTS AND COSTS AND FEES AND CURING THE OTHER DEFAULTS AS OUTLINED ABOVE. The Trustee will respond to any written request for current payoff or reinstatement amounts within ((ten)) 10 days of receipt of your written request. In such a case, you will only be able to stop the sale by paying, before the sale, the total principal balance (\$) plus accrued interest, costs and advances, if any, made pursuant to the terms of the documents and by curing the other defaults as outlined above.

You may contest this default by initiating court action in the Superior Court of the county in which the sale is to be held. In such action, you may raise any legitimate defenses you have to this default. A copy of your Deed of Trust and documents

EIGHTY EIGHTH DAY, APRIL 6, 2023

evidencing the obligation secured thereby are enclosed. You may wish to consult a lawyer. Legal action on your part may prevent or restrain the sale, but only if you persuade the court of the merits of your defense. You may contact the Department of Financial Institutions or the statewide civil legal aid hotline for possible assistance or referrals.

The court may grant a restraining order or injunction to restrain a trustee's sale pursuant to RCW 61.24.130 upon five days notice to the trustee of the time when, place where, and the judge before whom the application for the restraining order or injunction is to be made. This notice shall include copies of all pleadings and related documents to be given to the judge. Notice and other process may be served on the trustee at:

NAME:
ADDRESS:
TELEPHONE NUMBER:

If you do not reinstate the secured obligation and your Deed of Trust in the manner set forth above, or if you do not succeed in restraining the sale by court action, your property will be sold. The effect of such sale will be to deprive you and all those who hold by, through or under you of all interest in the property;

(5) In addition, the trustee shall cause a copy of the notice of sale described in subsection (2)(d) of this section (excluding the acknowledgment) to be published in a legal newspaper in each county in which the property or any part thereof is situated, once on or between the ((thirty-fifth)) 35th and ((twenty-eighth)) 28th day before the date of sale, and once on or between the ((fourteenth)) 14th and seventh day before the date of sale;

(6) In the case where no successor in interest has been established, and neither the beneficiary nor the trustee are able to ascertain the name and address of any spouse, child, or parent of the borrower or grantor in the manner described in RCW 61.24.030(10), then the trustee may, in addition to mailing notice to the property addressed to the unknown heirs and devisees of the grantor, serve the notice of sale by publication in a newspaper of general circulation in the county or city where the property is located once per week for three consecutive weeks. Upon this service by publication, to be completed not less than ((thirty)) 30 days prior to the date the sale is conducted, all unknown heirs shall be deemed served with the notice of sale;

(7)(a) If a servicer or trustee receives notification by someone claiming to be a successor in interest to the borrower or grantor, as under RCW 61.24.030(11), after the recording of the notice of sale, the trustee or servicer must request written documentation within five days demonstrating the ownership interest, provided that, the trustee may, but is not required to, postpone a trustee's sale upon receipt of such notification by someone claiming to be a successor in interest.

(b) Upon receipt of documentation establishing a claimant as a successor in interest, the servicer must provide the information in RCW 61.24.030(11)(c). Only if the servicer or trustee receives the documentation confirming someone as successor in interest more than ((forty-five)) 45 days before the scheduled sale must the servicer then provide the information in RCW 61.24.030(11)(c) to the claimant not less than ((twenty)) 20 days prior to the sale.

(c) (b) of this subsection (7) does not apply to association beneficiaries subject to chapter 64.32, 64.34, or 64.38 RCW.

(8) On the date and at the time designated in the notice of sale, the trustee or its authorized agent shall sell the property at public auction to the highest bidder. The trustee may sell the property in gross or in parcels as the trustee shall deem most advantageous;

(9) The place of sale shall be at any designated public place within the county where the property is located and if the property

is in more than one county, the sale may be in any of the counties where the property is located. The sale shall be on Friday, or if Friday is a legal holiday on the following Monday, and during the hours set by statute for the conduct of sales of real estate at execution;

(10) The trustee has no obligation to, but may, for any cause the trustee deems advantageous, continue the sale for a period or periods not exceeding a total of ((one hundred twenty)) 120 days by (a) a public proclamation at the time and place fixed for sale in the notice of sale and if the continuance is beyond the date of sale, by giving notice of the new time and place of the sale by both first class and either certified or registered mail, return receipt requested, to the persons specified in subsection (1)(b)(i) and (ii) of this section to be deposited in the mail (i) not less than four days before the new date fixed for the sale if the sale is continued for up to seven days; or (ii) not more than three days after the date of the continuance by oral proclamation if the sale is continued for more than seven days, or, alternatively, (b) by giving notice of the time and place of the postponed sale in the manner and to the persons specified in subsection (1)(b), (c), (d), and (e) of this section and publishing a copy of such notice once in the newspaper(s) described in subsection (5) of this section, more than seven days before the date fixed for sale in the notice of sale. No other notice of the postponed sale need be given;

(11) The purchaser shall forthwith pay the price bid ((and on payment)). On payment and subject to RCW 61.24.050, the trustee shall execute to the purchaser its deed((; the)). The deed shall recite the facts showing that the sale was conducted in compliance with all of the requirements of this chapter and of the deed of trust, which recital shall be prima facie evidence of such compliance and conclusive evidence thereof in favor of bona fide purchasers and encumbrancers for value, except that these recitals shall not affect the lien or interest of any person entitled to notice under subsection (1) of this section, if the trustee fails to give the required notice to such person. In such case, the lien or interest of such omitted person shall not be affected by the sale and such omitted person shall be treated as if such person was the holder of the same lien or interest and was omitted as a party defendant in a judicial foreclosure proceeding;

(12) The sale as authorized under this chapter shall not take place less than ((one hundred ninety)) 190 days from the date of default in any of the obligations secured;

(13) If the trustee elects to foreclose the interest of any occupant or tenant of property comprised solely of a single-family residence, or a condominium, cooperative, or other dwelling unit in a multiplex or other building containing fewer than five residential units, the following notice shall be included as Part X of the Notice of Trustee's Sale:

X. NOTICE TO OCCUPANTS OR TENANTS

The purchaser at the trustee's sale is entitled to possession of the property on the 20th day following the sale, as against the grantor under the deed of trust (the owner) and anyone having an interest junior to the deed of trust, including occupants who are not tenants. After the 20th day following the sale the purchaser has the right to evict occupants who are not tenants by summary proceedings under chapter 59.12 RCW. For tenant-occupied property, the purchaser shall provide a tenant with written notice in accordance with RCW 61.24.060;

(14) Only one copy of all notices required by this chapter need be given to a person who is both the borrower and the grantor. All notices required by this chapter that are given to a general partnership are deemed given to each of its general partners, unless otherwise agreed by the parties.

Sec. 4. RCW 61.24.160 and 2012 c 185 s 5 are each amended to read as follows:

(1)(a) A housing counselor who is contacted by a borrower under RCW 61.24.031 has a duty to act in good faith to attempt to reach a resolution with the beneficiary on behalf of the borrower within the ((ninety)) 90 days provided from the date the beneficiary initiates contact with the borrower and the date the notice of default is issued. A resolution may include, but is not limited to, modification of the loan, an agreement to conduct a short sale, a deed in lieu of foreclosure transaction, or some other workout plan.

(b) Nothing in RCW 61.24.031 or this section precludes a meeting or negotiations between the housing counselor, borrower, and beneficiary at any time, including after the issuance of the notice of default.

(c) A borrower who is contacted under RCW 61.24.031 may seek the assistance of a housing counselor or attorney at any time.

(2) Housing counselors have a duty to act in good faith to assist borrowers by:

(a) Preparing the borrower for meetings with the beneficiary;

(b) Advising the borrower about what documents the borrower must have to seek a loan modification or other resolution;

(c) Informing the borrower about the alternatives to foreclosure, including loan modifications or other possible resolutions; and

(d) Providing other guidance, advice, and education as the housing counselor considers necessary.

(3) A housing counselor or attorney assisting a borrower may refer the borrower to mediation, pursuant to RCW 61.24.163, if the housing counselor or attorney determines that mediation is appropriate based on the individual circumstances and the borrower has received a notice of default. The referral to mediation may be made any time after a notice of default has been issued but no later than ((twenty days after the date a notice of sale has been recorded)) 90 days prior to the date of sale listed in the notice of trustee's sale. If an amended notice of trustee's sale is recorded after the trustee sale has been stayed pursuant to RCW 61.24.130, the borrower may be referred to mediation no later than 25 days prior to the date of sale listed in the amended notice of trustee's sale.

(4) For borrowers who have received a letter under RCW 61.24.031 before June 7, 2012, a referral to mediation by a housing counselor or attorney does not preclude a trustee issuing a notice of default if the requirements of RCW 61.24.031 have been met.

(5) Housing counselors providing assistance to borrowers under RCW 61.24.031 are not liable for civil damages resulting from any acts or omissions in providing assistance, unless the acts or omissions constitute gross negligence or willful or wanton misconduct.

(6) Housing counselors shall provide information to the department to assist the department in its annual report to the legislature as required under RCW 61.24.163(18). The information provided to the department by the housing counselors should include outcomes of foreclosures and be similar to the information requested in the national foreclosure mortgage counseling client level foreclosure outcomes report form.

Sec. 5. RCW 61.24.163 and 2018 c 306 s 6 are each amended to read as follows:

(1) The foreclosure mediation program established in this section applies only to borrowers who have been referred to mediation by a housing counselor or attorney. The referral to mediation may be made any time after a notice of default has been issued but no later than ((twenty days after the date a notice of sale has been recorded)) 90 days prior to the date of sale listed in the notice of trustee's sale. If an amended notice of trustee's

sale is recorded after the trustee sale has been stayed pursuant to RCW 61.24.130, the borrower may be referred to mediation no later than 25 days prior to the date of sale listed in the amended notice of trustee's sale. If the borrower has failed to elect to mediate within the applicable time frame, the borrower and the beneficiary may, but are under no duty to, agree in writing to enter the foreclosure mediation program. The mediation program under this section is not governed by chapter 7.07 RCW and does not preclude mediation required by a court or other provision of law.

(2) A housing counselor or attorney referring a borrower to mediation shall send a notice to the borrower and the department, stating that mediation is appropriate.

(3) Within ((ten)) 10 days of receiving the notice, the department shall:

(a) Send a notice to the beneficiary, the borrower, the housing counselor or attorney who referred the borrower, and the trustee stating that the parties have been referred to mediation. The notice must include the statements and list of documents and information described in subsections (4) and (5) of this section and a statement explaining each party's responsibility to pay the mediator's fee; and

(b) Select a mediator and notify the parties of the selection.

(4) Within ((twenty-three)) 23 days of the department's notice that the parties have been referred to mediation, the borrower shall transmit the documents required for mediation to the mediator and the beneficiary. The required documents include an initial homeowner financial information worksheet as required by the department. The worksheet must include, at a minimum, the following information:

(a) The borrower's current and future income;

(b) Debts and obligations;

(c) Assets;

(d) Expenses;

(e) Tax returns for the previous two years;

(f) Hardship information;

(g) Other applicable information commonly required by any applicable federal mortgage relief program.

(5) Within ((twenty)) 20 days of the beneficiary's receipt of the borrower's documents, the beneficiary shall transmit the documents required for mediation to the mediator and the borrower. The required documents include:

(a) An accurate statement containing the balance of the loan within ((thirty)) 30 days of the date on which the beneficiary's documents are due to the parties;

(b) Copies of the note and deed of trust;

(c) Proof that the entity claiming to be the beneficiary is the owner of any promissory note or obligation secured by the deed of trust. Sufficient proof may be a copy of the declaration described in RCW 61.24.030(7)(a);

(d) The best estimate of any arrearage and an itemized statement of the arrearages;

(e) An itemized list of the best estimate of fees and charges outstanding;

(f) The payment history and schedule for the preceding twelve months, or since default, whichever is longer, including a breakdown of all fees and charges claimed;

(g) All borrower-related and mortgage-related input data used in any net present values analysis. If no net present values analysis is required by the applicable federal mortgage relief program, then the input data required under the federal deposit insurance corporation and published in the federal deposit insurance corporation loan modification program guide, or if that calculation becomes unavailable, substantially similar input data as determined by the department;

EIGHTY EIGHTH DAY, APRIL 6, 2023

(h) An explanation regarding any denial for a loan modification, forbearance, or other alternative to foreclosure in sufficient detail for a reasonable person to understand why the decision was made;

(i) Appraisal or other broker price opinion most recently relied upon by the beneficiary not more than ((ninety)) 90 days old at the time of the scheduled mediation; and

(j) The portion or excerpt of the pooling and servicing agreement or other investor restriction that prohibits the beneficiary from implementing a modification, if the beneficiary claims it cannot implement a modification due to limitations in a pooling and servicing agreement or other investor restriction, and documentation or a statement detailing the efforts of the beneficiary to obtain a waiver of the pooling and servicing agreement or other investor restriction provisions.

(6) Within ((seventy)) 70 days of receiving the referral from the department, the mediator shall convene a mediation session in the county where the property is located, unless the parties agree on another location. The parties may agree to extend the time in which to schedule the mediation session. If the parties agree to extend the time, the beneficiary shall notify the trustee of the extension and the date the mediator is expected to issue the mediator's certification.

(7)(a) The mediator may schedule phone conferences, consultations with the parties individually, and other communications to ensure that the parties have all the necessary information and documents to engage in a productive mediation.

(b) The mediator must send written notice of the time, date, and location of the mediation session to the borrower, the beneficiary, and the department at least ((thirty)) 30 days prior to the mediation session. At a minimum, the notice must contain:

(i) A statement that the borrower may be represented in the mediation session by an attorney or other advocate;

(ii) A statement that a person with authority to agree to a resolution, including a proposed settlement, loan modification, or dismissal or continuation of the foreclosure proceeding, must be present either in person or on the telephone or videoconference during the mediation session; and

(iii) A statement that the parties have a duty to mediate in good faith and that failure to mediate in good faith may impair the beneficiary's ability to foreclose on the property or the borrower's ability to modify the loan or take advantage of other alternatives to foreclosure.

(8)(a) The borrower, the beneficiary or authorized agent, and the mediator must meet in person for the mediation session. However, a person with authority to agree to a resolution on behalf of the beneficiary may be present over the telephone or videoconference during the mediation session.

(b) After the mediation session commences, the mediator may continue the mediation session once, and any further continuances must be with the consent of the parties.

(9) The participants in mediation must address the issues of foreclosure that may enable the borrower and the beneficiary to reach a resolution, including but not limited to reinstatement, modification of the loan, restructuring of the debt, or some other workout plan. To assist the parties in addressing issues of foreclosure, the mediator may require the participants to consider the following:

(a) The borrower's current and future economic circumstances, including the borrower's current and future income, debts, and obligations for the previous ((sixty)) 60 days or greater time period as determined by the mediator;

(b) The net present value of receiving payments pursuant to a modified mortgage loan as compared to the anticipated net recovery following foreclosure;

(c) Any affordable loan modification calculation and net present value calculation when required under any federal mortgage relief program and any modification program related to loans insured by the federal housing administration, the veterans administration, and the rural housing service. If such a calculation is not provided or required, then the beneficiary must provide the net present value data inputs established by the federal deposit insurance corporation and published in the federal deposit insurance corporation loan modification program guide or other net present value data inputs as designated by the department. The mediator may run the calculation in order for a productive mediation to occur and to comply with the mediator certification requirement; and

(d) Any other loss mitigation guidelines to loans insured by the federal housing administration, the veterans administration, and the rural housing service, if applicable.

(10) A violation of the duty to mediate in good faith as required under this section may include:

(a) Failure to timely participate in mediation without good cause;

(b) Failure of the borrower or the beneficiary to provide the documentation required before mediation or pursuant to the mediator's instructions;

(c) Failure of a party to designate representatives with adequate authority to fully settle, compromise, or otherwise reach resolution with the borrower in mediation; and

(d) A request by a beneficiary that the borrower waive future claims he or she may have in connection with the deed of trust, as a condition of agreeing to a modification, except for rescission claims under the federal truth in lending act. Nothing in this section precludes a beneficiary from requesting that a borrower dismiss with prejudice any pending claims against the beneficiary, its agents, loan servicer, or trustee, arising from the underlying deed of trust, as a condition of modification.

(11) If the mediator reasonably believes a borrower will not attend a mediation session based on the borrower's conduct, such as the lack of response to the mediator's communications, the mediator may cancel a scheduled mediation session and send a written cancellation to the department and the trustee and send copies to the parties. The beneficiary may proceed with the foreclosure after receipt of the mediator's written confirmation of cancellation.

(12) Within seven business days after the conclusion of the mediation session, the mediator must send a written certification to the department and the trustee and send copies to the parties of:

(a) The date, time, and location of the mediation session;

(b) The names of all persons attending in person and by telephone or videoconference, at the mediation session;

(c) Whether a resolution was reached by the parties, including whether the default was cured by reinstatement, modification, or restructuring of the debt, or some other alternative to foreclosure was agreed upon by the parties;

(d) Whether the parties participated in the mediation in good faith; and

(e) If a written agreement was not reached, a description of any net present value test used, along with a copy of the inputs, including the result of any net present value test expressed in a dollar amount.

(13) If the parties are unable to reach an agreement, the beneficiary may proceed with the foreclosure after receipt of the mediator's written certification.

(14)(a) The mediator's certification that the beneficiary failed to act in good faith in mediation constitutes a defense to the nonjudicial foreclosure action that was the basis for initiating the

mediation. In any action to enjoin the foreclosure, the beneficiary is entitled to rebut the allegation that it failed to act in good faith.

(b) The mediator's certification that the beneficiary failed to act in good faith during mediation does not constitute a defense to a judicial foreclosure or a future nonjudicial foreclosure action if a modification of the loan is agreed upon and the borrower subsequently defaults.

(c) If an affordable loan modification is not offered in the mediation or a written agreement was not reached and the mediator's certification shows that the net present value of the modified loan exceeds the anticipated net recovery at foreclosure, that showing in the certification constitutes a basis for the borrower to enjoin the foreclosure.

(15) The mediator's certification that the borrower failed to act in good faith in mediation authorizes the beneficiary to proceed with the foreclosure.

(16)(a) If a borrower has been referred to mediation before a notice of trustee sale has been recorded, a trustee may not record the notice of sale until the trustee receives the mediator's certification stating that the mediation has been completed. If the trustee does not receive the mediator's certification, the trustee may record the notice of sale after ((ten)) 10 days from the date the certification to the trustee was due. If, after a notice of sale is recorded under this subsection (16)(a), the mediator subsequently issues a certification finding that the beneficiary violated the duty of good faith, the certification constitutes a basis for the borrower to enjoin the foreclosure.

(b) If a borrower has been referred to mediation after the notice of sale was recorded, the sale may not occur until the trustee receives the mediator's certification stating that the mediation has been completed.

(17) A mediator may charge reasonable fees as authorized by this subsection or as authorized by the department. Unless the fee is waived, the parties agree otherwise, or the department otherwise authorizes, a foreclosure mediator's fee may not exceed ((four hundred dollars)) \$400 for preparing, scheduling, and conducting a mediation session lasting between one hour and three hours. For a mediation session exceeding three hours, the foreclosure mediator may charge a reasonable fee, as authorized by the department. The mediator must provide an estimated fee before the mediation, and payment of the mediator's fee must be divided equally between the beneficiary and the borrower. The beneficiary and the borrower must tender the loan mediator's fee within ((thirty)) 30 calendar days from receipt of the department's letter referring the parties to mediation or pursuant to the mediator's instructions.

(18) Beginning December 1, 2012, and every year thereafter, the department shall report annually to the legislature on:

(a) The performance of the program, including the numbers of borrowers who are referred to mediation by a housing counselor or attorney;

(b) The results of the mediation program, including the number of mediations requested by housing counselors and attorneys, the number of certifications of good faith issued, the number of borrowers and beneficiaries who failed to mediate in good faith, and the reasons for the failure to mediate in good faith, if known, the numbers of loans restructured or modified, the change in the borrower's monthly payment for principal and interest and the number of principal write-downs and interest rate reductions, and, to the extent practical, the number of borrowers who report a default within a year of restructuring or modification;

(c) The information received by housing counselors regarding outcomes of foreclosures; and

(d) Any recommendations for changes to the statutes regarding the mediation program.

(19) This section does not apply to certain federally insured depository institutions, as specified in RCW 61.24.166.

Sec. 6. RCW 61.24.165 and 2021 c 151 s 6 are each amended to read as follows:

(1) RCW 61.24.163 applies only to deeds of trust that are recorded against residential real property of up to four units.

(2) RCW 61.24.163 does not apply to deeds of trust:

(a) Securing a commercial loan;

(b) Securing obligations of a grantor who is not the borrower or a guarantor;

(c) Securing a purchaser's obligations under a seller-financed sale; or

(d) Where the grantor is a partnership, corporation, or limited liability company, or where the property is vested in a partnership, corporation, or limited liability company at the time the notice of default is issued.

(3) RCW 61.24.163 does not apply to association beneficiaries subject to chapter 64.32, 64.34, or 64.38 RCW.

(4) For purposes of referral and mediation under RCW 61.24.163, a person may be referred to mediation if the borrower is deceased and the person is a successor in interest of the deceased borrower ((who occupies the property as his or her primary residence)). The referring counselor or attorney must determine a person's eligibility under this section and indicate the grounds for eligibility on the referral to mediation submitted to the department. For the purposes of mediation under RCW 61.24.163, the person must be treated as a "borrower." This subsection does not impose an affirmative duty on the beneficiary to accept an assumption of the loan.

(5) For purposes of referral and mediation under RCW 61.24.163, a person may be referred to mediation if the person has been awarded title to the property in a proceeding for dissolution or legal separation. The referring counselor or attorney must determine the person's eligibility under this section and indicate the grounds for eligibility on the referral to mediation submitted to the department. For the purposes of mediation under RCW 61.24.163, the person must be treated as a "borrower." This subsection does not impose an affirmative duty on the beneficiary to accept an assumption of the loan.

Sec. 7. RCW 61.24.166 and 2021 c 151 s 7 are each amended to read as follows:

(1) Beginning on January 1, ((2023)) 2024, the provisions of RCW 61.24.163 do not apply to any federally insured depository institution, as defined in 12 U.S.C. Sec. 461(b)(1)(A), that certifies to the department under penalty of perjury that it was not a beneficiary of deeds of trust in more than ((two hundred fifty)) 250 trustee sales of residential real property of up to four units that occurred in this state during the preceding calendar year. A federally insured depository institution certifying that RCW 61.24.163 does not apply must do so annually, beginning no later than January 31, ((2023)) 2024, and no later than January 31st of each year thereafter.

(2) During the 2023 calendar year, the provisions of RCW 61.24.163 do not apply to any federally insured depository institution, as defined in 12 U.S.C. Sec. 461(b)(1)(A), that certifies to the department under penalty of perjury that it was not a beneficiary of deeds of trust in more than 250 trustee sales of owner-occupied residential real property that occurred in this state during 2019. A federally insured depository institution certifying that RCW 61.24.163 does not apply pursuant to this subsection must do so no later than 30 days after the effective date of this section.

(3) This section applies retroactively to January 1, 2023, and prospectively beginning with the effective date of this section.

EIGHTY EIGHTH DAY, APRIL 6, 2023

Sec. 8. RCW 61.24.190 and 2021 c 151 s 11 are each amended to read as follows:

(1) Except as provided in subsections (6) and (7) of this section, beginning January 1, 2022, and every quarter thereafter, every beneficiary issuing notices of default, or causing notices of default to be issued on its behalf, on residential real property under this chapter must:

(a) Report to the department, on a form approved by the department, the total number of residential real properties for which the beneficiary has issued a notice of default during the previous quarter, together with the street address, city, and zip code;

(b) Remit the amount required under subsection (2) of this section; and

(c) Report and update beneficiary contact information for the person and work group responsible for the beneficiary's compliance with the requirements of the foreclosure fairness act created in this chapter.

(2) For each residential real property for which a notice of default has been issued, the beneficiary issuing the notice of default, or causing the notice of default to be issued on the beneficiary's behalf, shall remit \$250 to the department to be deposited, as provided under RCW 61.24.172, into the foreclosure fairness account. The \$250 payment is required per property and not per notice of default. The beneficiary shall remit the total amount required in a lump sum each quarter.

(3) Reporting and payments under subsections (1) and (2) of this section are due within 45 days of the end of each quarter.

(4) For purposes of this section, "residential real property" includes residential real property with up to four dwelling units, whether or not the property or any part thereof is owner occupied.

(5) The department, including its officials and employees, may not be held civilly liable for damages arising from any release of information or the failure to release information related to the reporting required under this section, so long as the release was without gross negligence.

(6)(a) Beginning on January 1, 2023, this section does not apply to any beneficiary or loan servicer that is a federally insured depository institution, as defined in 12 U.S.C. Sec. 461(b)(1)(A), and that certifies under penalty of perjury that it has issued, or has directed a trustee or authorized agent to issue, fewer than 250 notices of default in the preceding year.

(b) During the 2023 calendar year, this section does not apply to any beneficiary or loan servicer that is a federally insured depository institution, as defined in 12 U.S.C. Sec. 461(b)(1)(A), and that certifies under penalty of perjury that fewer than 50 notices of trustee's sale were recorded on its behalf in 2019.

(c) This subsection (6) applies retroactively to January 1, 2023, and prospectively beginning with the effective date of this section.

(7) This section does not apply to association beneficiaries subject to chapter 64.32, 64.34, or 64.38 RCW.

NEW SECTION. Sec. 9. A new section is added to chapter 61.24 RCW to read as follows:

(1)(a) The trustee shall continue a foreclosure sale for at least 30 days upon receipt of a written notice from the homeowner assistance fund program administered by the Washington state housing finance commission that an application has been submitted to the homeowner assistance fund program on behalf of the applicant.

(b) The trustee shall continue the foreclosure sale for an additional 30-day period upon receipt of a written notice from the homeowner assistance fund program that the applicant is deemed eligible for the program.

(c) An automated notice issued by the homeowner assistance fund program does not qualify as written notice required in this section.

(2)(a) If an application to the homeowner assistance fund program is approved in the amount that would cure the default and make the beneficiary whole, a sale may not proceed while the approved application is pending for payment.

(b) A sale may proceed if the homeowner assistance fund program issues a written confirmation that an application has been denied or that no funds from the program will be paid in response to the application, and that any appeal process available to the applicant has been exhausted and is no longer pending.

(3) The trustee has no duty to delay a sale if the applicant has already received a continuance based on prior application to the homeowner assistance fund program, unless the applicant demonstrates to the trustee that a new application is pending based upon a substantial change in circumstances supporting a new application and that it has not been submitted solely for the purpose of delaying the sale.

(4)(a) The trustee must comply with the process set forth in RCW 61.24.040(1) for giving notice of the continued sale.

(b) A continuance of a sale pursuant to this section shall not be included in calculating the maximum sale continuance period of 120 days established in RCW 61.24.040(10).

(5) For purposes of this section, "applicant" means a person who:

(a) Is the borrower, a successor in interest to a deceased borrower, or a person who has been awarded title to the property; and

(b) Has submitted an application to the homeowner assistance fund program or on whose behalf an application to the program has been submitted.

NEW SECTION. Sec. 10. A new section is added to chapter 61.12 RCW to read as follows:

(1) It is unlawful for any person to seek or receive from any person or contract with any person for any fee or compensation for locating, or purporting to purchase or otherwise acquire the right to recover, funds held by a court or county that are proceeds from a foreclosure under this chapter and subject to disposition under RCW 61.12.150 in excess of:

(a) Five percent of the value thereof returned to such owner; and

(b) Reasonable attorneys' fees and costs, upon a motion and a hearing by a court of competent jurisdiction.

(2) Any person who violates this section is guilty of a misdemeanor and shall be fined not less than the amount of the fee or charge he or she has sought or received or contracted for, and not more than 10 times such amount, or imprisoned for not more than 30 days, or both.

(3) The legislature finds that the practices covered by this section are matters vitally affecting the public interest for the purpose of applying the consumer protection act, chapter 19.86 RCW. Any violation of this section is not reasonable in relation to the development and preservation of business and is an unfair or deceptive act in trade or commerce and an unfair method of competition for the purpose of applying the consumer protection act, chapter 19.86 RCW. Remedies provided by chapter 19.86 RCW are cumulative and not exclusive.

(4) Every contract for any fee or compensation for locating or purporting to purchase the right to recover funds held by a court that are proceeds from a foreclosure under this chapter and subject to disposition under RCW 61.12.150 must contain the following notice in 10-point boldface type or larger directly above the space reserved in the contract for the signature of the buyer:

"NOTICE TO HOMEOWNER:

(1) Do not sign this contract before you read it or if any spaces intended for the agreed terms are left blank.

(2) You are entitled to a copy of this contract at the time you sign it.

(3) You may cancel this contract within 10 days of signing by sending notice of cancellation by regular United States mail to the other party at his or her address shown on the contract, which notice shall be posted not later than midnight of the 10th day (excluding Sundays and holidays) following your signing of the contract."

Sec. 11. RCW 61.24.135 and 2021 c 151 s 5 are each amended to read as follows:

(1) It is an unfair or deceptive act or practice under the consumer protection act, chapter 19.86 RCW, for any person, acting alone or in concert with others, to offer, or offer to accept or accept from another, any consideration of any type not to bid, or to reduce a bid, at a sale of property conducted pursuant to a power of sale in a deed of trust. The trustee may decline to complete a sale or deliver the trustee's deed and refund the purchase price, if it appears that the bidding has been collusive or defective, or that the sale might have been void. However, it is not an unfair or deceptive act or practice for any person, including a trustee, to state that a property subject to a recorded notice of trustee's sale or subject to a sale conducted pursuant to this chapter is being sold in an "as-is" condition, or for the beneficiary to arrange to provide financing for a particular bidder or to reach any good faith agreement with the borrower, grantor, any guarantor, or any junior lienholder.

(2) It is an unfair or deceptive act in trade or commerce and an unfair method of competition in violation of the consumer protection act, chapter 19.86 RCW, for any person or entity to: (a) Violate the duty of good faith under RCW 61.24.163; (b) fail to comply with the requirements of RCW 61.24.174, as it existed prior to July 1, 2016, 61.24.173, or 61.24.190; or (c) fail to initiate contact with a borrower and exercise due diligence as required under RCW 61.24.031.

(3)(a) It is unlawful for any person to seek or receive from any person or contract with any person for any fee or compensation for locating, or purporting to purchase or otherwise acquire the right to recover, funds held by a court or county that are proceeds from a foreclosure under this chapter and subject to disposition under RCW 61.24.080 in excess of:

(i) Five percent of the value thereof returned to such owner; and

(ii) Reasonable attorneys' fees and costs, upon a motion and a hearing by a court of competent jurisdiction.

(b) Any person who violates (a) of this subsection is guilty of a misdemeanor and shall be fined not less than the amount of the fee or charge he or she has sought or received or contracted for, and not more than 10 times such amount, or imprisoned for not more than 30 days, or both.

(c) The legislature finds that the practices covered by (a) of this subsection are matters vitally affecting the public interest for the purpose of applying the consumer protection act, chapter 19.86 RCW. Any violation of (a) of this subsection is not reasonable in relation to the development and preservation of business and is an unfair or deceptive act in trade or commerce and an unfair method of competition for the purpose of applying the consumer protection act, chapter 19.86 RCW. Remedies provided by chapter 19.86 RCW are cumulative and not exclusive.

(4) Every contract for any fee or compensation for locating or purporting to purchase the right to recover funds held by a court that are proceeds from a foreclosure under this chapter and subject to disposition under RCW 61.24.080 must contain the

following notice in 10-point boldface type or larger directly above the space reserved in the contract for the signature of the buyer:

"NOTICE TO HOMEOWNER:

(1) Do not sign this contract before you read it or if any spaces intended for the agreed terms are left blank.

(2) You are entitled to a copy of this contract at the time you sign it.

(3) You may cancel this contract within 10 days of signing by sending notice of cancellation by regular United States mail to the other party at his or her address shown on the contract, which notice shall be posted not later than midnight of the 10th day (excluding Sundays and holidays) following your signing of the contract."

NEW SECTION. **Sec. 12.** (1) Section 9 of this act expires upon the expiration and permanent closure of the homeowner assistance fund program.

(2) The Washington state housing finance commission must provide written notice of the expiration date of section 9 of this act to the chief clerk of the house of representatives, the secretary of the senate, the office of the code reviser, and others as deemed appropriate by the commission.

NEW SECTION. **Sec. 13.** Sections 7 through 9 and 12 of this act are necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and take effect immediately."

On page 1, line 1 of the title, after "protections;" strike the remainder of the title and insert "amending RCW 61.24.008, 61.24.030, 61.24.040, 61.24.160, 61.24.163, 61.24.165, 61.24.166, 61.24.190, and 61.24.135; adding a new section to chapter 61.24 RCW; adding a new section to chapter 61.12 RCW; providing a contingent expiration date; and declaring an emergency."

MOTION

Senator Fortunato moved that the following amendment no. 0316 by Senator Fortunato be adopted:

On page 32, beginning on line 34, after "locating" strike all material through "recover," on line 35

On page 32, line 38, after "(a)" strike "Five" and insert "Fifteen"

On page 33, beginning on line 17, after "locating" strike all material through "purchase" on line 18

On page 34, beginning on line 20, after "locating" strike all material through "recover," on line 21

On page 34, line 24, after "(i)" strike "Five" and insert "Fifteen"

On page 35, beginning on line 1, after "locating" strike all material through "purchase" on line 2

Senator Fortunato spoke in favor of adoption of the amendment to the striking amendment.

WITHDRAWAL OF AMENDMENT

On motion of Senator Fortunato and without objection, amendment no. 0316 by Senator Fortunato on page 32, line 34 to House Bill No. 1349 was withdrawn.

The President declared the question before the Senate to be the adoption of striking amendment no. 0310 by Senator Kuderer to House Bill No. 1349.

EIGHTY EIGHTH DAY, APRIL 6, 2023

The motion by Senator Kuderer carried and striking amendment no. 0310 was adopted by voice vote.

MOTION

On motion of Senator Kuderer, the rules were suspended, House Bill No. 1349 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Kuderer and Fortunato spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1349 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1349 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 1; Excused, 2.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Absent: Senator Hawkins

Excused: Senators MacEwen and Van De Wege

HOUSE BILL NO. 1349, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1599, by Representatives Goodman, Berry, Ramel and Pollet

Concerning court files and records exemptions for firearm background checks.

The measure was read the second time.

MOTION

Senator Dhingra moved that the following committee striking amendment by the Committee on Law & Justice be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 71.05.620 and 2018 c 201 s 3028 are each amended to read as follows:

(1) The files and records of court proceedings under this chapter and chapter 71.34 RCW shall be closed but shall be accessible to:

- (a) The department;
- (b) The department of social and health services;
- (c) The authority;
- (d) The state hospitals as defined in RCW 72.23.010;
- (e) Any person who is the subject of a petition;
- (f) The attorney or guardian of the person;
- (g) Resource management services for that person; ((and))

(h) Service providers authorized to receive such information by resource management services; and

(i) The Washington state patrol firearms background division to conduct background checks for processing and purchasing firearms, concealed pistol licenses, alien firearms licenses, firearm rights restoration petitions under chapter 9.41 RCW, and release of firearms from evidence, including appeals of denial.

(2) The authority shall adopt rules to implement this section."

On page 1, line 2 of the title, after "checks;" strike the remainder of the title and insert "and amending RCW 71.05.620."

Senator Dhingra spoke in favor of adoption of the committee striking amendment.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Law & Justice to House Bill No. 1599.

The motion by Senator Dhingra carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Dhingra, the rules were suspended, House Bill No. 1599 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Dhingra and Padden spoke in favor of passage of the bill.

MOTION

On motion of Senator Wagoner, Senator Hawkins was excused.

The President declared the question before the Senate to be the final passage of House Bill No. 1599 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1599 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Hawkins, MacEwen and Van De Wege

HOUSE BILL NO. 1599, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1707, by Representatives Kloba, Reed and Eslick

Concerning bingo conducted by bona fide charitable or nonprofit organizations.

The measure was read the second time.

MOTION

On motion of Senator Stanford, the rules were suspended, House Bill No. 1707 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Stanford and Dozier spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1707.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1707 and the bill passed the Senate by the following vote: Yeas, 44; Nays, 1; Absent, 1; Excused, 3.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Holy, Hunt, Keiser, King, Kuderer, Lias, Lovelett, Lovick, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senator Kauffman

Absent: Senator Boehnke

Excused: Senators Hawkins, MacEwen and Van De Wege

HOUSE BILL NO. 1707, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1370, by Representatives Reeves, Corry, Reed, Morgan, Ramel, Pollet and Leavitt

Providing the payment of awards to whistleblowers who report violations of state or federal securities laws and providing protection to whistleblowers and internal reporters.

The measure was read the second time.

MOTION

On motion of Senator Stanford, the rules were suspended, House Bill No. 1370 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Stanford and Dozier spoke in favor of passage of the bill.

MOTION

On motion of Senator Wagoner, Senator Boehnke was excused.

The President declared the question before the Senate to be the final passage of House Bill No. 1370.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1370 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 0; Absent, 0; Excused, 4.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Boehnke, Hawkins, MacEwen and Van De Wege

HOUSE BILL NO. 1370, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1301, by Representatives McClintock and Cheney

Creating license review and reporting requirements.

The measure was read the second time.

MOTION

Senator Keiser moved that the following committee striking amendment by the Committee on Labor & Commerce be adopted:

Strike everything after the enacting clause and insert the following:

NEW SECTION. **Sec. 1.** (1) The legislature finds that, at times, additional protection by means of the regulation of a profession through professional licensure may be deemed necessary to ensure that the public's health, safety, and general welfare is protected. Furthermore, technological innovation continues to change the responsibilities and practices surrounding these professions, and by result, the potential harms associated with them.

(2) It is also recognized that requirements, such as educational requirements, fees, and training hours, which an individual must fulfill before receiving a license to practice in a profession, can create barriers to an individual's upward mobility and freedom to pursue their profession of choice.

(3) It is, therefore, the intent of the legislature to establish a sunset review process for all professional licensing requirements regulated by the department of licensing, to ensure that the rights and well-being of current and future practitioners of the profession be given full protection from unnecessary regulatory burden and that regulations meant to safeguard public health and safety are still warranted.

NEW SECTION. **Sec. 2.** This chapter may be known and cited as the professional license review act.

NEW SECTION. **Sec. 3.** The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Department" means the department of licensing.

(2) "Director" means the director of licensing.

NEW SECTION. **Sec. 4.** (1) Beginning in 2024, the department shall annually review and analyze approximately 10 percent of the professional licenses regulated by the department and prepare and submit an annual report electronically to the chief clerk of the house of representatives, the secretary of the senate, and each member of the house of representatives and senate by August 31st of each year as provided in this section. The department shall complete this process for all professional

EIGHTY EIGHTH DAY, APRIL 6, 2023

licenses within its jurisdiction within 10 years and every 10 years thereafter. Each report shall include the department's recommendations regarding whether the professional licenses should be terminated, continued, or modified.

(2) The department may require the submission of information by the affected professional board or commission and other affected or interested parties. The department shall provide notice to the relevant professional board or commission and all licensees, not regulated under a board or commission, prior to commencing the review.

(3) The department's report shall include, but not be limited to, the following:

(a) The title of the professional license and, if applicable, the name of the professional board or commission responsible for enforcement of the professional license, if any;

(b) The statutory citation or other authorization for the creation of the professional license and, if applicable, the professional board or commission;

(c) If applicable, the number of members of the professional board or commission and how the members are appointed;

(d) If applicable, the qualifications for membership on the professional board or commission;

(e) If applicable, the number of times the professional board or commission is required to meet during the year and the number of times it actually met during the preceding five calendar years;

(f) Annual budget information for the five most recently completed fiscal years;

(g) For the immediately preceding five calendar years, or for the period of time less than five years for which the information is practically available, the number of government certifications, professional licenses, and registrations the department, professional board, or commission has issued, revoked, denied, or assessed penalties against, listed anonymously and separately per type of credential, and the reasons for such revocations, denials, and other penalties;

(h) A review of the basic assumptions underlying the creation of the professional license;

(i) A comparison of whether and how other states regulate the profession;

(j) A review and analysis of the hours or other amount of education, training, or experience required to obtain the license or credential;

(k) A summary of any regulatory changes made by the department, professional board, or commission as a result of the review; and

(l) Any recommendations regarding whether the professional license should be terminated, continued, or modified.

(4) After the report in subsection (3) of this section is submitted, if the relevant legislative committee determines further analysis is needed it may request the department to conduct further analysis. Specifically, the extended report shall include:

(a) Whether the professional license meets the policies stated and the following recommended courses of action for meeting such policies:

(i) If the need is to protect consumers against fraud, the recommended course of action should be to strengthen powers under chapter 19.86 RCW, or require disclosures that will reduce misleading attributes of the specific goods or services;

(ii) If the need is to protect consumers against unclean facilities or to promote general health and safety, the recommended course of action should be to require periodic inspections of such facilities;

(iii) If the need is to protect consumers against potential damages from failure by providers to complete a contract fully or

up to standards, the recommended course of action should be to require that providers be bonded;

(iv) If the need is to protect a person who is not a party to a contract between the provider and consumer, the recommended course of action should be to require that the provider have insurance;

(v) If the need is to protect consumers against potential damages by transient providers, the recommended course of action should be to require that providers register their businesses with the state;

(vi) If the need is to protect consumers against a shortfall or imbalance of knowledge about the goods or services relative to the providers' knowledge, the recommended course of action should be to enact government certification; and

(vii) If the need is to address a systematic information shortfall such that a reasonable consumer is unable to distinguish between the quality of providers, there is an absence of institutions that provide adequate guidance to the consumer, and the consumer's inability to distinguish between providers and the lack of adequate guidance allows for undue risk of present, significant, and substantiated harms, the recommended course of action should be to enact a professional license; and

(b) If education, training, or experience is a qualification in the professional license under review, a review and analysis of the hours or other amount of education, training, or experience required to ensure such requirements are as least restrictive as necessary to protect the public's health, safety, and welfare.

(5) If a lawful profession is subject to chapter 18.120 RCW, the analysis under subsection (4)(a) of this section shall be made using the least restrictive method of regulation as set out in RCW 18.120.010.

(6) If the department finds that it is necessary to change professional licenses, the department shall recommend the least restrictive regulation consistent with the public interest and the policies in this section.

NEW SECTION. Sec. 5. Sections 1 through 4 of this act constitute a new chapter in Title 18 RCW."

On page 1, line 2 of the title, after "legislature;" strike the remainder of the title and insert "and adding a new chapter to Title 18 RCW."

Senator Keiser spoke in favor of adoption of the committee striking amendment.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Labor & Commerce to House Bill No. 1301.

The motion by Senator Keiser carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Keiser, the rules were suspended, House Bill No. 1301 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Keiser and King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1301 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1301 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Hawkins, MacEwen and Van De Wege

HOUSE BILL NO. 1301, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

REMARKS BY THE PRESIDENT

President Heck: “Senator Pedersen, before I acknowledge you for your motion – during which time I am absolutely certain you will be your usual incredibly gracious self in acknowledging the very hard work of the rostrum staff – the President would like to point out that one of the members of the rostrum staff happens to be celebrating a particularly important day. Another trip around the sun with a very important numeric value attached to it, which the President is not going to reveal. The ever-competent Systems Analyst Brittany Yunker Carlson. Happy Birthday Brittany.”

[The Senate sang *Happy Birthday* to Ms. Brittany Yunker Carlson.]

MOTION

At 4:38 p.m., on motion of Senator Pedersen, and with gratitude for diligent efforts of the staff at the rostrum, the Senate adjourned until 9 o'clock a.m. Friday, April 7, 2023.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

EIGHTY NINTH DAY

MORNING SESSION

Senate Chamber, Olympia
Friday, April 7, 2023

The Senate was called to order at 9 o'clock a.m. by the President of the Senate, Lt. Governor Heck presiding. The Secretary called the roll and announced to the President that all senators were present.

The Sergeant at Arms Color Guard consisting of Pages Mr. Adam York and Miss Kayla Chang, presented the Colors. Page Miss Elsie Cziske led the Senate in the Pledge of Allegiance.

The prayer was offered by Reverend Mary Gear of Olympia Unitarian Universalist Congregation.

MOTIONS

On motion of Senator Pedersen, the reading of the Journal of the previous day was dispensed with and it was approved.

On motion of Senator Pedersen, the Senate advanced to the fourth order of business.

MESSAGES FROM THE HOUSE

April 6, 2023

MR. PRESIDENT:

The Speaker has signed:

HOUSE BILL NO. 1023,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1051,
HOUSE BILL NO. 1259,

and the same are herewith transmitted.

BERNARD DEAN, Chief Clerk

April 6, 2023

MR. PRESIDENT:

The House has passed:

SUBSTITUTE HOUSE BILL NO. 1850,
and the same is herewith transmitted.

BERNARD DEAN, Chief Clerk

April 6, 2023

MR. PRESIDENT:

The House has passed:

SENATE BILL NO. 5066,
SENATE BILL NO. 5070,
SENATE BILL NO. 5084,
SENATE BILL NO. 5131,
ENGROSSED SECOND SUBSTITUTE
SENATE BILL NO. 5236,
SUBSTITUTE SENATE BILL NO. 5238,
SUBSTITUTE SENATE BILL NO. 5286,
SENATE BILL NO. 5390,
SUBSTITUTE SENATE BILL NO. 5453,
SUBSTITUTE SENATE BILL NO. 5499,
SECOND SUBSTITUTE SENATE BILL NO. 5518,
SUBSTITUTE SENATE BILL NO. 5542,

and the same are herewith transmitted.

BERNARD DEAN, Chief Clerk

MOTION

On motion of Senator Pedersen, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 5769 by Senator Mullet

AN ACT Relating to the price ceiling under chapter 70A.65 RCW, the climate commitment act; and amending RCW 70A.65.160.

Referred to Committee on Environment, Energy & Technology.

MOTIONS

On motion of Senator Pedersen, the measure listed on the Introduction and First Reading report was referred to the committee as designated.

On motion of Senator Pedersen, the Senate advanced to the eighth order of business.

MOTION

Senator Kauffman moved adoption of the following resolution:

SENATE RESOLUTION
8625

By Senators Kauffman, Randall, Lias, Keiser, Rolfes, C. Wilson, Nobles, Trudeau, Hunt, Dhingra, Shewmake, Torres, Boehnke, Nguyen, Stanford, Valdez, Van De Wege, Lovick, Salomon, Braun, Billig, Cleveland, Conway, Hasegawa, Holy, Kuderer, Lovelett, Padden, Pedersen, Rivers, Saldaña, Short, Wagoner, Warnick, Wellman, and L. Wilson

WHEREAS, The Special Olympics is the world's largest sports organization for children and adults with intellectual and physical disabilities, providing year-round training and activities to more than 3.7 million participants and Unified Sports partners in the United States and 200 other countries and jurisdictions; and

WHEREAS, The Special Olympics is a global movement of people creating a new world of inclusion and community, where every single person is accepted and welcomed, regardless of ability or disability; and

WHEREAS, Ninety-eight Washingtonians participated and competed in the 2022 Special Olympics in Orlando, Florida, as either an Athlete, Unified Partner, Coach, or Staff; and

WHEREAS, Among the 98 participating Washingtonians, 65 Athletes, Unified Partners, and Coaches received gold, silver, and bronze medals in their respective competitions; and

WHEREAS, The following teams won medals in their respective competitions, including Competitive Cheer, Bronze Medal; Flag Football, Silver Medal; and Volleyball, Gold Medal; and

WHEREAS, The Bronze medal-winning Competitive Cheer's Athletes, Coaches, and Unified Partners are Athletes TyAnna Brandtly, Samantha Elliott, Anna Stults, Courtney Thom, and MacKenzie Wilkes; Unified Partners Brittany Chiasson, Christina Evenhuis, Naya Hart, Kialie Pogoncheff, and Emily Wright; and Coaches Karen Elliott and Genia Stewart; and

WHEREAS, The Silver medal-winning Soccer team's Athletes and Coaches are Athletes Joel Adams, Gina Boyle, Jimmie Hutchins, Jocelyn Iwaniec, Seth Landers-Printy, Christopher Lyman, Domanic Morrow, Eamonn Rosenberg, Justin Villareal,

and Todd Weathers; and Coaches Caitlin Walker-Collins, and Gregory Weathers; and

WHEREAS, The Silver medal-winning Flag Football's Athletes, Unified Partners, and Coaches are Athletes Turrean Hatzenbeler, Brayden Kelly, Benjamin Kennish, Austin Landon, and Ronnie Papka; Unified Partners Jagateshwar Bains, Jasmair Bains, Nolan Springer, William Suastegui-Perez, and Jordan Tveter; and Coaches Nick Asby, Gregory Kelly, and Donna Lindsay; and

WHEREAS, The Gold medal-winning Volleyball team's Athletes and Coaches are Athletes Grant Brickbealer, Daniel Brito, Stacey Conser, Kevin Geoghegan, Nicholas Hollands, Marcus Moore, Skyler Poor, Nicholas Rothbauer, Larry Simpson, and Gable Wilkins; and Coaches Lucy Capron, Kenneth Randy Geoghegan, and Alysanne Stack; and

WHEREAS, The individual medal-winning athletes are Benjamin Gregory, Gold medal, Athletics; Danielle Haag and Craig Lockard, Bronze medals, Athletics; Crystal Womack, Gold and Silver medals, Bocce; Jacqueline Diaz, two Silver medals, Bocce; Ian Dews, Bronze medal, Bocce; Grace Van Well, Gold medal, Swimming; Jake Moselle, Silver medal, Swimming; Truman Hobbs and Melissa Sprague, Bronze medals, Swimming; Alice Ness, Silver medal, Bowling; Elizabeth Bedell, Silver medal, Bowling; Peter Condon, Bronze medal, Golf; and Doug McPherson, four Bronze medals, Powerlifting;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate honor these extraordinary and courageous Athletes and their dedicated Coaches and Unified Partners for participating in the 2022 Special Olympics and winning medals in their respective competitions and events; and

BE IT FURTHER RESOLVED, That the Coaches, Unified Partners, Athletes' families, and the Special Olympics Washington Board of Directors and staff be applauded for their time, dedication, and expertise in preparing these athletes for their successes both on and off the field and empowering them to pursue their dreams, as well as the countless fans across Washington who cheered on the delegation for their support; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to Special Olympics Washington.

Senators Kauffman, Wellman and Boehnke spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8625.

The motion by Senator Kauffman carried and the resolution was adopted by voice vote.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced athletes and staff who represented Washington at the 2022 Special Olympics and were seated in the gallery.

MOTION

On motion of Senator Pedersen, the Senate reverted to the seventh order of business.

SIGNED BY THE PRESIDENT

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

HOUSE BILL NO. 1023,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1051,

THIRD READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Randall moved that Debra J. Entenman, Senate Gubernatorial Appointment No. 9203, be confirmed as a member of the Renton Technical College Board of Trustees.

Senators Randall and Holy spoke in favor of passage of the motion.

MOTION

On motion of Senator Nobles, Senators Dhingra, Rolfes and Stanford were excused.

APPOINTMENT OF DEBRA J. ENTENMAN

The President declared the question before the Senate to be the confirmation of Debra J. Entenman, Senate Gubernatorial Appointment No. 9203, as a member of the Renton Technical College Board of Trustees.

The Secretary called the roll on the confirmation of Debra J. Entenman, Senate Gubernatorial Appointment No. 9203, as a member of the Renton Technical College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Dhingra, Rolfes and Stanford

Debra J. Entenman, Senate Gubernatorial Appointment No. 9203, having received the constitutional majority was declared confirmed as a member of the Renton Technical College Board of Trustees.

THIRD READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Cleveland moved that Steven R. Jacobs, Senate Gubernatorial Appointment No. 9117, be confirmed as a member of the Health Care Facilities Authority.

Senator Cleveland spoke in favor of the motion.

APPOINTMENT OF STEVEN R. JACOBS

The President declared the question before the Senate to be the confirmation of Steven R. Jacobs, Senate Gubernatorial Appointment No. 9117, as a member of the Health Care Facilities Authority.

The Secretary called the roll on the confirmation of Steven R. Jacobs, Senate Gubernatorial Appointment No. 9117, as a member of the Health Care Facilities Authority and the appointment was confirmed by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

EIGHTY NINTH DAY, APRIL 7, 2023

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Dhingra, Rolfes and Stanford

Steven R. Jacobs, Senate Gubernatorial Appointment No. 9117, having received the constitutional majority was declared confirmed as a member of the Health Care Facilities Authority.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Keiser moved that Ollie A. Garrett, Senate Gubernatorial Appointment No. 9328, be confirmed as a member of the Liquor and Cannabis Board.

Senators Keiser and Valdez spoke in favor of passage of the motion.

APPOINTMENT OF OLLIE A. GARRETT

The President declared the question before the Senate to be the confirmation of Ollie A. Garrett, Senate Gubernatorial Appointment No. 9328, as a member of the Liquor and Cannabis Board.

The Secretary called the roll on the confirmation of Ollie A. Garrett, Senate Gubernatorial Appointment No. 9328, as a member of the Liquor and Cannabis Board and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Dhingra and Rolfes

Ollie A. Garrett, Senate Gubernatorial Appointment No. 9328, having received the constitutional majority was declared confirmed as a member of the Liquor and Cannabis Board.

MOTION

On motion of Senator Pedersen, the Senate reverted to the sixth order of business.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1323, by House Committee on Labor & Workplace Standards (originally sponsored by Bronoske, Berry, Leavitt, Morgan, Taylor, Senn, Bateman, Reed, Lekanoff and Doglio)

Requiring a training and certification program for individuals who apply fire-resistant materials.

The measure was read the second time.

MOTION

On motion of Senator Keiser, the rules were suspended, Substitute House Bill No. 1323 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Keiser and King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1323.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1323 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Rolfes

SUBSTITUTE HOUSE BILL NO. 1323, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED HOUSE BILL NO. 1636, by Representatives Orwall, Walsh and Timmons

Concerning foreclosure protections for homeowners in common interest communities.

The measure was read the second time.

MOTION

Senator Trudeau moved that the following committee striking amendment by the Committee on Law & Justice be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 64.32.200 and 2021 c 222 s 3 are each amended to read as follows:

(1) The declaration may provide for the collection of all sums assessed by the association of apartment owners for the share of the common expenses chargeable to any apartment and the collection may be enforced in any manner provided in the declaration including, but not limited to, (a) ((ten)) 10 days notice shall be given the delinquent apartment owner to the effect that unless such assessment is paid within ((ten)) 10 days any or all utility services will be forthwith severed and shall remain severed until such assessment is paid, or (b) collection of such assessment may be made by such lawful method of enforcement, judicial or extra-judicial, as may be provided in the declaration and/or bylaws.

(2) All sums assessed by the association of apartment owners but unpaid for the share of the common expenses chargeable to

any apartment shall constitute a lien on such apartment prior to all other liens except only (a) tax liens on the apartment in favor of any assessing unit and/or special district, and (b) all sums unpaid on all mortgages of record. Such lien is not subject to the ban against execution or forced sales of homesteads under RCW 6.13.080 and, subject to the provisions in subsection ((4)) (5) of this section, may be foreclosed by suit by the manager or board of directors, acting on behalf of the apartment owners, in like manner as a mortgage of real property. In any such foreclosure the apartment owner shall be required to pay a reasonable rental for the apartment, if so provided in the bylaws, and the plaintiff in such foreclosures shall be entitled to the appointment of a receiver to collect the same. The manager or board of directors, acting on behalf of the apartment owners, shall have power, unless prohibited by the declaration, to bid on the apartment at foreclosure sale, and to acquire and hold, lease, mortgage, and convey the same. Upon an express waiver in the complaint of any right to a deficiency judgment, the period of redemption shall be eight months after the sale. Suit to recover any judgment for any unpaid common expenses shall be maintainable without foreclosing or waiving the liens securing the same.

(3) Where the mortgagee of a mortgage of record or other purchaser of an apartment obtains possession of the apartment as a result of foreclosure of the mortgage, such possessor, his or her successors and assigns shall not be liable for the share of the common expenses or assessments by the association of apartment owners chargeable to such apartment which became due prior to such possession. Such unpaid share of common expenses of assessments shall be deemed to be common expenses collectible from all of the apartment owners including such possessor, his or her successors and assigns.

(4)(a) When the association, or the manager or board of directors on its behalf, mails to the apartment owner by first-class mail the first notice of delinquency for past due assessments to the apartment address and to any other address that the owner has provided to the association, the association shall include a first preforeclosure notice that states as follows:

THIS IS A NOTICE OF DELINQUENCY FOR PAST DUE ASSESSMENTS FROM THE APARTMENT OWNERS' ASSOCIATION TO WHICH YOUR HOME BELONGS. THIS NOTICE IS ONE STEP IN A PROCESS THAT COULD RESULT IN YOUR LOSING YOUR HOME. CONTACT A HOUSING COUNSELOR OR AN ATTORNEY LICENSED IN WASHINGTON NOW to assess your situation and refer you to mediation if you might benefit. DO NOT DELAY.

BE CAREFUL of people who claim they can help you. There are many individuals and businesses that prey upon borrowers in distress.

REFER TO THE CONTACTS BELOW for sources of assistance.

SEEKING ASSISTANCE

Housing counselors and legal assistance may be available at little or no cost to you. If you would like assistance in determining your rights and opportunities to keep your house, you may contact the following:

The statewide foreclosure hotline for assistance and referral to housing counselors recommended by the Housing Finance Commission

Telephone: Website:

The United States Department of Housing and Urban Development

Telephone: Website:

The statewide civil legal aid hotline for assistance and referrals to other housing counselors and attorneys

Telephone: Website:

The association shall obtain the toll-free numbers and website information from the department of commerce for inclusion in the notice.

(b) If, when a delinquent account is referred to an association's attorney, the first preforeclosure notice required under (a) of this subsection has not yet been mailed to the apartment owner, the association or the association's attorney shall mail the first preforeclosure notice to the apartment owner in order to satisfy the requirement in (a) of this subsection.

(c) Mailing the first preforeclosure notice pursuant to (a) of this subsection does not satisfy the requirement in subsection (5)(b) of this section to mail a second preforeclosure notice at or after the date that assessments have become past due for at least 90 days. The second preforeclosure notice may not be mailed sooner than 60 days after the first preforeclosure notice is mailed.

(5) An association, or the manager or board of directors on its behalf, may not commence an action to foreclose a lien on an apartment under this section unless:

(a) The apartment owner, at the time the action is commenced, owes at least a sum equal to the greater of:

(i) Three months or more of assessments, not including fines, late charges, interest, attorneys' fees, or costs incurred by the association in connection with the collection of a delinquent owner's account; or

(ii) (\$200) \$2,000 of assessments, not including fines, late charges, interest, attorneys' fees, or costs incurred by the association in connection with the collection of a delinquent owner's account;

(b) At or after the date that assessments have become past due for at least 90 days, but no sooner than 60 days after the first preforeclosure notice required in subsection (4)(a) of this section is mailed, the association has mailed, by first-class mail, to the owner, at the apartment address and to any other address which the owner has provided to the association, a second notice of delinquency, which ((shall state as follows:

THIS IS A NOTICE OF DELINQUENCY FOR PAST DUE ASSESSMENTS FROM THE APARTMENT OWNERS' ASSOCIATION TO WHICH YOUR HOME BELONGS. THIS NOTICE IS ONE STEP IN A PROCESS THAT COULD RESULT IN YOUR LOSING YOUR HOME. CONTACT A HOUSING COUNSELOR OR AN ATTORNEY LICENSED IN WASHINGTON NOW to assess your situation and refer you to mediation if you might benefit. DO NOT DELAY.

BE CAREFUL of people who claim they can help you. There are many individuals and businesses that prey upon borrowers in distress.

REFER TO THE CONTACTS BELOW for sources of assistance.

SEEKING ASSISTANCE

Housing counselors and legal assistance may be available at little or no cost to you. If you would like assistance in determining your rights and opportunities to keep your house, you may contact the following:

The statewide foreclosure hotline for assistance and referral to housing counselors recommended by the Housing Finance Commission

Telephone: Website:

The United States Department of Housing and Urban Development

Telephone: Website:

The statewide civil legal aid hotline for assistance and referrals to other housing counselors and attorneys

Telephone: Website:

EIGHTY NINTH DAY, APRIL 7, 2023

~~The association shall obtain the toll-free numbers and website information from the department of commerce for inclusion in the notice)~~ must include a second preforeclosure notice that contains the same information as the first preforeclosure notice provided to the apartment owner pursuant to subsection (4)(a) of this section. The second preforeclosure notice may not be mailed sooner than 60 days after the first preforeclosure notice required in subsection (4)(a) of this section is mailed;

(c) At least 180 days have elapsed from the date the minimum amount required in (a) of this subsection has accrued; and

(d) The board approves commencement of a foreclosure action specifically against that apartment.

~~((5))~~ (6) Every aspect of a collection, foreclosure, sale, or other conveyance under this section, including the method, advertising, time, date, place, and terms, must be commercially reasonable.

Sec. 2. RCW 64.32.200 and 2021 c 222 s 4 are each amended to read as follows:

(1) The declaration may provide for the collection of all sums assessed by the association of apartment owners for the share of the common expenses chargeable to any apartment and the collection may be enforced in any manner provided in the declaration including, but not limited to, (a) ~~((ten))~~ 10 days notice shall be given the delinquent apartment owner to the effect that unless such assessment is paid within ~~((ten))~~ 10 days any or all utility services will be forthwith severed and shall remain severed until such assessment is paid, or (b) collection of such assessment may be made by such lawful method of enforcement, judicial or extra-judicial, as may be provided in the declaration and/or bylaws.

(2) All sums assessed by the association of apartment owners but unpaid for the share of the common expenses chargeable to any apartment shall constitute a lien on such apartment prior to all other liens except only (a) tax liens on the apartment in favor of any assessing unit and/or special district, and (b) all sums unpaid on all mortgages of record. Such lien is not subject to the ban against execution or forced sales of homesteads under RCW 6.13.080 and, subject to the provisions in subsection ~~((4))~~ (5) of this section, may be foreclosed by suit by the manager or board of directors, acting on behalf of the apartment owners, in like manner as a mortgage of real property. In any such foreclosure the apartment owner shall be required to pay a reasonable rental for the apartment, if so provided in the bylaws, and the plaintiff in such foreclosures shall be entitled to the appointment of a receiver to collect the same. The manager or board of directors, acting on behalf of the apartment owners, shall have power, unless prohibited by the declaration, to bid on the apartment at foreclosure sale, and to acquire and hold, lease, mortgage, and convey the same. Upon an express waiver in the complaint of any right to a deficiency judgment, the period of redemption shall be eight months after the sale. Suit to recover any judgment for any unpaid common expenses shall be maintainable without foreclosing or waiving the liens securing the same.

(3) Where the mortgagee of a mortgage of record or other purchaser of an apartment obtains possession of the apartment as a result of foreclosure of the mortgage, such possessor, his or her successors and assigns shall not be liable for the share of the common expenses or assessments by the association of apartment owners chargeable to such apartment which became due prior to such possession. Such unpaid share of common expenses of assessments shall be deemed to be common expenses collectible from all of the apartment owners including such possessor, his or her successors and assigns.

(4)(a) When the association, or the manager or board of directors on its behalf, mails to the apartment owner by first-class

mail the first notice of delinquency for past due assessments to the apartment address and to any other address that the owner has provided to the association, the association shall include a first preforeclosure notice that states as follows:

THIS IS A NOTICE OF DELINQUENCY FOR PAST DUE ASSESSMENTS FROM THE APARTMENT OWNERS' ASSOCIATION TO WHICH YOUR HOME BELONGS.

THIS NOTICE IS ONE STEP IN A PROCESS THAT COULD RESULT IN YOUR LOSING YOUR HOME.

CONTACT A HOUSING COUNSELOR OR AN ATTORNEY LICENSED IN WASHINGTON NOW to assess your situation and refer you to mediation if you might benefit. DO NOT DELAY.

BE CAREFUL of people who claim they can help you. There are many individuals and businesses that prey upon borrowers in distress.

REFER TO THE CONTACTS BELOW for sources of assistance.

SEEKING ASSISTANCE

Housing counselors and legal assistance may be available at little or no cost to you. If you would like assistance in determining your rights and opportunities to keep your house, you may contact the following:

The statewide foreclosure hotline for assistance and referral to housing counselors recommended by the Housing Finance Commission

Telephone: Website:

The United States Department of Housing and Urban Development

Telephone: Website:

The statewide civil legal aid hotline for assistance and referrals to other housing counselors and attorneys

Telephone: Website:

The association shall obtain the toll-free numbers and website information from the department of commerce for inclusion in the notice.

(b) If, when a delinquent account is referred to an association's attorney, the first preforeclosure notice required under (a) of this subsection has not yet been mailed to the apartment owner, the association or the association's attorney shall mail the first preforeclosure notice to the apartment owner in order to satisfy the requirement in (a) of this subsection.

(c) Mailing the first preforeclosure notice pursuant to (a) of this subsection does not satisfy the requirement in subsection (5)(b) of this section to mail a second preforeclosure notice at or after the date that assessments have become past due for at least 90 days. The second preforeclosure notice may not be mailed sooner than 60 days after the first preforeclosure notice is mailed.

(5) An association, or the manager or board of directors on its behalf, may not commence an action to foreclose a lien on an apartment under this section unless:

(a) The apartment owner, at the time the action is commenced, owes at least a sum equal to the greater of:

(i) Three months or more of assessments, not including fines, late charges, interest, attorneys' fees, or costs incurred by the association in connection with the collection of a delinquent owner's account; or

(ii) ((\$200)) \$2,000 of assessments, not including fines, late charges, interest, attorneys' fees, or costs incurred by the association in connection with the collection of a delinquent owner's account;

(b) At or after the date that assessments have become past due for at least 90 days, but no sooner than 60 days after the first preforeclosure notice required in subsection (4)(a) of this section is mailed, the association has mailed, by first-class mail, to the

owner, at the apartment address and to any other address which the owner has provided to the association, a second notice of delinquency, which ~~((shall state as follows:~~

~~**THIS IS A NOTICE OF DELINQUENCY FOR PAST DUE ASSESSMENTS FROM THE APARTMENT OWNERS' ASSOCIATION TO WHICH YOUR HOME BELONGS. THIS NOTICE IS ONE STEP IN A PROCESS THAT COULD RESULT IN YOUR LOSING YOUR HOME.**~~

~~**CONTACT A HOUSING COUNSELOR OR AN ATTORNEY LICENSED IN WASHINGTON NOW to assess your situation and refer you to mediation if you might benefit. DO NOT DELAY.**~~

~~**BE CAREFUL** of people who claim they can help you. There are many individuals and businesses that prey upon borrowers in distress.~~

~~**REFER TO THE CONTACTS BELOW** for sources of assistance.~~

SEEKING ASSISTANCE

~~Housing counselors and legal assistance may be available at little or no cost to you. If you would like assistance in determining your rights and opportunities to keep your house, you may contact the following:~~

~~The statewide foreclosure hotline for assistance and referral to housing counselors recommended by the Housing Finance Commission~~

~~Telephone: Website:~~

~~The United States Department of Housing and Urban Development~~

~~Telephone: Website:~~

~~The statewide civil legal aid hotline for assistance and referrals to other housing counselors and attorneys~~

~~Telephone: Website:~~

~~The association shall obtain the toll free numbers and website information from the department of commerce for inclusion in the notice)) must include a second preforeclosure notice that contains the same information as the first preforeclosure notice provided to the apartment owner pursuant to subsection (4)(a) of this section. The second preforeclosure notice may not be mailed sooner than 60 days after the first preforeclosure notice required in subsection (4)(a) of this section is mailed;~~

(c) At least 90 days have elapsed from the date the minimum amount required in (a) of this subsection has accrued; and

(d) The board approves commencement of a foreclosure action specifically against that apartment.

(((5))) (6) Every aspect of a collection, foreclosure, sale, or other conveyance under this section, including the method, advertising, time, date, place, and terms, must be commercially reasonable.

Sec. 3. RCW 64.34.364 and 2021 c 222 s 5 are each amended to read as follows:

(1) The association has a lien on a unit for any unpaid assessments levied against a unit from the time the assessment is due.

(2) A lien under this section shall be prior to all other liens and encumbrances on a unit except: (a) Liens and encumbrances recorded before the recording of the declaration; (b) a mortgage on the unit recorded before the date on which the assessment sought to be enforced became delinquent; and (c) liens for real property taxes and other governmental assessments or charges against the unit. A lien under this section is not subject to the provisions of chapter 6.13 RCW.

(3) Except as provided in subsections (4) and (5) of this section, the lien shall also be prior to the mortgages described in subsection (2)(b) of this section to the extent of assessments for common expenses, excluding any amounts for capital

improvements, based on the periodic budget adopted by the association pursuant to RCW 64.34.360(1) which would have become due during the six months immediately preceding the date of a sheriff's sale in an action for judicial foreclosure by either the association or a mortgagee, the date of a trustee's sale in a nonjudicial foreclosure by a mortgagee, or the date of recording of the declaration of forfeiture in a proceeding by the vendor under a real estate contract.

(4) The priority of the association's lien against units encumbered by a mortgage held by an eligible mortgagee or by a mortgagee which has given the association a written request for a notice of delinquent assessments shall be reduced by up to three months if and to the extent that the lien priority under subsection (3) of this section includes delinquencies which relate to a period after such holder becomes an eligible mortgagee or has given such notice and before the association gives the holder a written notice of the delinquency. This subsection does not affect the priority of mechanics' or material suppliers' liens, or the priority of liens for other assessments made by the association.

(5) If the association forecloses its lien under this section nonjudicially pursuant to chapter 61.24 RCW, as provided by subsection (9) of this section, the association shall not be entitled to the lien priority provided for under subsection (3) of this section.

(6) Unless the declaration otherwise provides, if two or more associations have liens for assessments created at any time on the same real estate, those liens have equal priority.

(7) Recording of the declaration constitutes record notice and perfection of the lien for assessments. While no further recording of any claim of lien for assessment under this section shall be required to perfect the association's lien, the association may record a notice of claim of lien for assessments under this section in the real property records of any county in which the condominium is located. Such recording shall not constitute the written notice of delinquency to a mortgagee referred to in subsection (2) of this section.

(8) A lien for unpaid assessments and the personal liability for payment of assessments is extinguished unless proceedings to enforce the lien or collect the debt are instituted within three years after the amount of the assessments sought to be recovered becomes due.

(9) The lien arising under this section may be enforced judicially by the association or its authorized representative in the manner set forth in chapter 61.12 RCW. The lien arising under this section may be enforced nonjudicially in the manner set forth in chapter 61.24 RCW for nonjudicial foreclosure of deeds of trust if the declaration (a) contains a grant of the condominium in trust to a trustee qualified under RCW 61.24.010 to secure the obligations of the unit owners to the association for the payment of assessments, (b) contains a power of sale, (c) provides in its terms that the units are not used principally for agricultural or farming purposes, and (d) provides that the power of sale is operative in the case of a default in the obligation to pay assessments. The association or its authorized representative shall have the power, unless prohibited by the declaration, to purchase the unit at the foreclosure sale and to acquire, hold, lease, mortgage, or convey the same. Upon an express waiver in the complaint of any right to a deficiency judgment in a judicial foreclosure action, the period of redemption shall be eight months. Nothing in this section shall prohibit an association from taking a deed in lieu of foreclosure.

(10) From the time of commencement of an action by the association to foreclose a lien for nonpayment of delinquent assessments against a unit that is not occupied by the owner thereof, the association shall be entitled to the appointment of a

EIGHTY NINTH DAY, APRIL 7, 2023

receiver to collect from the lessee thereof the rent for the unit as and when due. If the rental is not paid, the receiver may obtain possession of the unit, refurbish it for rental up to a reasonable standard for rental units in this type of condominium, rent the unit or permit its rental to others, and apply the rents first to the cost of the receivership and attorneys' fees thereof, then to the cost of refurbishing the unit, then to applicable charges, then to costs, fees, and charges of the foreclosure action, and then to the payment of the delinquent assessments. Only a receiver may take possession and collect rents under this subsection, and a receiver shall not be appointed less than ((ninety)) 90 days after the delinquency. The exercise by the association of the foregoing rights shall not affect the priority of preexisting liens on the unit.

(11) Except as provided in subsection (3) of this section, the holder of a mortgage or other purchaser of a unit who obtains the right of possession of the unit through foreclosure shall not be liable for assessments or installments thereof that became due prior to such right of possession. Such unpaid assessments shall be deemed to be common expenses collectible from all the unit owners, including such mortgagee or other purchaser of the unit. Foreclosure of a mortgage does not relieve the prior owner of personal liability for assessments accruing against the unit prior to the date of such sale as provided in this subsection.

(12) In addition to constituting a lien on the unit, each assessment shall be the joint and several obligation of the owner or owners of the unit to which the same are assessed as of the time the assessment is due. In a voluntary conveyance, the grantee of a unit shall be jointly and severally liable with the grantor for all unpaid assessments against the grantor up to the time of the grantor's conveyance, without prejudice to the grantee's right to recover from the grantor the amounts paid by the grantee therefor. Suit to recover a personal judgment for any delinquent assessment shall be maintainable in any court of competent jurisdiction without foreclosing or waiving the lien securing such sums.

(13) The association may from time to time establish reasonable late charges and a rate of interest to be charged on all subsequent delinquent assessments or installments thereof. In the absence of another established nonusurious rate, delinquent assessments shall bear interest from the date of delinquency at the maximum rate permitted under RCW 19.52.020 on the date on which the assessments became delinquent.

(14) The association shall be entitled to recover any costs and reasonable attorneys' fees incurred in connection with the collection of delinquent assessments, whether or not such collection activities result in suit being commenced or prosecuted to judgment. In addition, the association shall be entitled to recover costs and reasonable attorneys' fees if it prevails on appeal and in the enforcement of a judgment.

(15) The association upon written request shall furnish to a unit owner or a mortgagee a statement signed by an officer or authorized agent of the association setting forth the amount of unpaid assessments against that unit. The statement shall be furnished within fifteen days after receipt of the request and is binding on the association, the board of directors, and every unit owner, unless and to the extent known by the recipient to be false.

(16) To the extent not inconsistent with this section, the declaration may provide for such additional remedies for collection of assessments as may be permitted by law.

(17)(a) When the association mails to the unit owner by first-class mail the first notice of delinquency for past due assessments to the unit address and to any other address that the owner has provided to the association, the association shall include a first preforeclosure notice that states as follows:

THIS IS A NOTICE OF DELINQUENCY FOR PAST DUE ASSESSMENTS FROM THE UNIT OWNERS' ASSOCIATION TO WHICH YOUR HOME BELONGS. THIS NOTICE IS ONE STEP IN A PROCESS THAT COULD RESULT IN YOUR LOSING YOUR HOME. CONTACT A HOUSING COUNSELOR OR AN ATTORNEY LICENSED IN WASHINGTON NOW to assess your situation and refer you to mediation if you might benefit. DO NOT DELAY.

BE CAREFUL of people who claim they can help you. There are many individuals and businesses that prey upon borrowers in distress.

REFER TO THE CONTACTS BELOW for sources of assistance.

SEEKING ASSISTANCE

Housing counselors and legal assistance may be available at little or no cost to you. If you would like assistance in determining your rights and opportunities to keep your house, you may contact the following:

The statewide foreclosure hotline for assistance and referral to housing counselors recommended by the Housing Finance Commission

Telephone: Website:

The United States Department of Housing and Urban Development

Telephone: Website:

The statewide civil legal aid hotline for assistance and referrals to other housing counselors and attorneys

Telephone: Website:

The association shall obtain the toll-free numbers and website information from the department of commerce for inclusion in the notice.

(b) If, when a delinquent account is referred to an association's attorney, the first preforeclosure notice required under (a) of this subsection has not yet been mailed to the unit owner, the association or the association's attorney shall mail the first preforeclosure notice to the unit owner in order to satisfy the requirement in (a) of this subsection.

(c) Mailing the first preforeclosure notice pursuant to (a) of this subsection does not satisfy the requirement in subsection (18)(b) of this section to mail a second preforeclosure notice at or after the date that assessments have become past due for at least 90 days. The second preforeclosure notice may not be mailed sooner than 60 days after the first preforeclosure notice is mailed.

(18) An association may not commence an action to foreclose a lien on a unit under this section unless:

(a) The unit owner, at the time the action is commenced, owes at least a sum equal to the greater of:

(i) Three months or more of assessments, not including fines, late charges, interest, attorneys' fees, or costs incurred by the association in connection with the collection of a delinquent owner's account; or

(ii) ((\$200)) \$2,000 of assessments, not including fines, late charges, interest, attorneys' fees, or costs incurred by the association in connection with the collection of a delinquent owner's account;

(b) At or after the date that assessments have become past due for at least 90 days, but no sooner than 60 days after the first preforeclosure notice required in subsection (17)(a) of this section is mailed, the association has mailed, by first-class mail, to the owner, at the unit address and to any other address which the owner has provided to the association, a second notice of delinquency, which ~~((shall state as follows:~~

THIS IS A NOTICE OF DELINQUENCY FOR PAST DUE ASSESSMENTS FROM THE UNIT OWNERS'

~~ASSOCIATION TO WHICH YOUR HOME BELONGS. THIS NOTICE IS ONE STEP IN A PROCESS THAT COULD RESULT IN YOUR LOSING YOUR HOME. CONTACT A HOUSING COUNSELOR OR AN ATTORNEY LICENSED IN WASHINGTON NOW to assess your situation and refer you to mediation if you might benefit. DO NOT DELAY.~~

~~BE CAREFUL of people who claim they can help you. There are many individuals and businesses that prey upon borrowers in distress.~~

~~REFER TO THE CONTACTS BELOW for sources of assistance.~~

SEEKING ASSISTANCE

~~Housing counselors and legal assistance may be available at little or no cost to you. If you would like assistance in determining your rights and opportunities to keep your house, you may contact the following:~~

~~The statewide foreclosure hotline for assistance and referral to housing counselors recommended by the Housing Finance Commission~~

~~Telephone: Website:~~

~~The United States Department of Housing and Urban Development~~

~~Telephone: Website:~~

~~The statewide civil legal aid hotline for assistance and referrals to other housing counselors and attorneys~~

~~Telephone: Website:~~

~~The association shall obtain the toll free numbers and website information from the department of commerce for inclusion in the notice)) must include a second preforeclosure notice that contains the same information as the first preforeclosure notice provided to the unit owner pursuant to subsection (17)(a) of this section. The second preforeclosure notice may not be mailed sooner than 60 days after the first preforeclosure notice required in subsection (17)(a) of this section is mailed;~~

(c) At least 180 days have elapsed from the date the minimum amount required in (a) of this subsection has accrued; and

(d) The board approves commencement of a foreclosure action specifically against that unit.

((18)) (19) Every aspect of a collection, foreclosure, sale, or other conveyance under this section, including the method, advertising, time, date, place, and terms, must be commercially reasonable.

Sec. 4. RCW 64.34.364 and 2021 c 222 s 6 are each amended to read as follows:

(1) The association has a lien on a unit for any unpaid assessments levied against a unit from the time the assessment is due.

(2) A lien under this section shall be prior to all other liens and encumbrances on a unit except: (a) Liens and encumbrances recorded before the recording of the declaration; (b) a mortgage on the unit recorded before the date on which the assessment sought to be enforced became delinquent; and (c) liens for real property taxes and other governmental assessments or charges against the unit. A lien under this section is not subject to the provisions of chapter 6.13 RCW.

(3) Except as provided in subsections (4) and (5) of this section, the lien shall also be prior to the mortgages described in subsection (2)(b) of this section to the extent of assessments for common expenses, excluding any amounts for capital improvements, based on the periodic budget adopted by the association pursuant to RCW 64.34.360(1) which would have become due during the six months immediately preceding the date of a sheriff's sale in an action for judicial foreclosure by either the association or a mortgagee, the date of a trustee's sale in

a nonjudicial foreclosure by a mortgagee, or the date of recording of the declaration of forfeiture in a proceeding by the vendor under a real estate contract.

(4) The priority of the association's lien against units encumbered by a mortgage held by an eligible mortgagee or by a mortgagee which has given the association a written request for a notice of delinquent assessments shall be reduced by up to three months if and to the extent that the lien priority under subsection (3) of this section includes delinquencies which relate to a period after such holder becomes an eligible mortgagee or has given such notice and before the association gives the holder a written notice of the delinquency. This subsection does not affect the priority of mechanics' or material suppliers' liens, or the priority of liens for other assessments made by the association.

(5) If the association forecloses its lien under this section nonjudicially pursuant to chapter 61.24 RCW, as provided by subsection (9) of this section, the association shall not be entitled to the lien priority provided for under subsection (3) of this section.

(6) Unless the declaration otherwise provides, if two or more associations have liens for assessments created at any time on the same real estate, those liens have equal priority.

(7) Recording of the declaration constitutes record notice and perfection of the lien for assessments. While no further recording of any claim of lien for assessment under this section shall be required to perfect the association's lien, the association may record a notice of claim of lien for assessments under this section in the real property records of any county in which the condominium is located. Such recording shall not constitute the written notice of delinquency to a mortgagee referred to in subsection (2) of this section.

(8) A lien for unpaid assessments and the personal liability for payment of assessments is extinguished unless proceedings to enforce the lien or collect the debt are instituted within three years after the amount of the assessments sought to be recovered becomes due.

(9) The lien arising under this section may be enforced judicially by the association or its authorized representative in the manner set forth in chapter 61.12 RCW. The lien arising under this section may be enforced nonjudicially in the manner set forth in chapter 61.24 RCW for nonjudicial foreclosure of deeds of trust if the declaration (a) contains a grant of the condominium in trust to a trustee qualified under RCW 61.24.010 to secure the obligations of the unit owners to the association for the payment of assessments, (b) contains a power of sale, (c) provides in its terms that the units are not used principally for agricultural or farming purposes, and (d) provides that the power of sale is operative in the case of a default in the obligation to pay assessments. The association or its authorized representative shall have the power, unless prohibited by the declaration, to purchase the unit at the foreclosure sale and to acquire, hold, lease, mortgage, or convey the same. Upon an express waiver in the complaint of any right to a deficiency judgment in a judicial foreclosure action, the period of redemption shall be eight months. Nothing in this section shall prohibit an association from taking a deed in lieu of foreclosure.

(10) From the time of commencement of an action by the association to foreclose a lien for nonpayment of delinquent assessments against a unit that is not occupied by the owner thereof, the association shall be entitled to the appointment of a receiver to collect from the lessee thereof the rent for the unit as and when due. If the rental is not paid, the receiver may obtain possession of the unit, refurbish it for rental up to a reasonable standard for rental units in this type of condominium, rent the unit or permit its rental to others, and apply the rents first to the cost of

EIGHTY NINTH DAY, APRIL 7, 2023

the receivership and attorneys' fees thereof, then to the cost of refurbishing the unit, then to applicable charges, then to costs, fees, and charges of the foreclosure action, and then to the payment of the delinquent assessments. Only a receiver may take possession and collect rents under this subsection, and a receiver shall not be appointed less than ((ninety)) 90 days after the delinquency. The exercise by the association of the foregoing rights shall not affect the priority of preexisting liens on the unit.

(11) Except as provided in subsection (3) of this section, the holder of a mortgage or other purchaser of a unit who obtains the right of possession of the unit through foreclosure shall not be liable for assessments or installments thereof that became due prior to such right of possession. Such unpaid assessments shall be deemed to be common expenses collectible from all the unit owners, including such mortgagee or other purchaser of the unit. Foreclosure of a mortgage does not relieve the prior owner of personal liability for assessments accruing against the unit prior to the date of such sale as provided in this subsection.

(12) In addition to constituting a lien on the unit, each assessment shall be the joint and several obligation of the owner or owners of the unit to which the same are assessed as of the time the assessment is due. In a voluntary conveyance, the grantee of a unit shall be jointly and severally liable with the grantor for all unpaid assessments against the grantor up to the time of the grantor's conveyance, without prejudice to the grantee's right to recover from the grantor the amounts paid by the grantee therefor. Suit to recover a personal judgment for any delinquent assessment shall be maintainable in any court of competent jurisdiction without foreclosing or waiving the lien securing such sums.

(13) The association may from time to time establish reasonable late charges and a rate of interest to be charged on all subsequent delinquent assessments or installments thereof. In the absence of another established nonusurious rate, delinquent assessments shall bear interest from the date of delinquency at the maximum rate permitted under RCW 19.52.020 on the date on which the assessments became delinquent.

(14) The association shall be entitled to recover any costs and reasonable attorneys' fees incurred in connection with the collection of delinquent assessments, whether or not such collection activities result in suit being commenced or prosecuted to judgment. In addition, the association shall be entitled to recover costs and reasonable attorneys' fees if it prevails on appeal and in the enforcement of a judgment.

(15) The association upon written request shall furnish to a unit owner or a mortgagee a statement signed by an officer or authorized agent of the association setting forth the amount of unpaid assessments against that unit. The statement shall be furnished within fifteen days after receipt of the request and is binding on the association, the board of directors, and every unit owner, unless and to the extent known by the recipient to be false.

(16) To the extent not inconsistent with this section, the declaration may provide for such additional remedies for collection of assessments as may be permitted by law.

(17)(a) When the association mails to the unit owner by first-class mail the first notice of delinquency for past due assessments to the unit address and to any other address that the owner has provided to the association, the association shall include a first preforeclosure notice that states as follows:

THIS IS A NOTICE OF DELINQUENCY FOR PAST DUE ASSESSMENTS FROM THE UNIT OWNERS' ASSOCIATION TO WHICH YOUR HOME BELONGS. THIS NOTICE IS ONE STEP IN A PROCESS THAT COULD RESULT IN YOUR LOSING YOUR HOME.

CONTACT A HOUSING COUNSELOR OR AN ATTORNEY LICENSED IN WASHINGTON NOW to assess your situation and refer you to mediation if you might benefit. DO NOT DELAY.

BE CAREFUL of people who claim they can help you. There are many individuals and businesses that prey upon borrowers in distress.

REFER TO THE CONTACTS BELOW for sources of assistance.

SEEKING ASSISTANCE

Housing counselors and legal assistance may be available at little or no cost to you. If you would like assistance in determining your rights and opportunities to keep your house, you may contact the following:

The statewide foreclosure hotline for assistance and referral to housing counselors recommended by the Housing Finance Commission

Telephone: Website:

The United States Department of Housing and Urban Development

Telephone: Website:

The statewide civil legal aid hotline for assistance and referrals to other housing counselors and attorneys

Telephone: Website:

The association shall obtain the toll-free numbers and website information from the department of commerce for inclusion in the notice.

(b) If, when a delinquent account is referred to an association's attorney, the first preforeclosure notice required under (a) of this subsection has not yet been mailed to the unit owner, the association or the association's attorney shall mail the first preforeclosure notice to the unit owner in order to satisfy the requirement in (a) of this subsection.

(c) Mailing the first preforeclosure notice pursuant to (a) of this subsection does not satisfy the requirement in subsection (18)(b) of this section to mail a second preforeclosure notice at or after the date that assessments have become past due for at least 90 days. The second preforeclosure notice may not be mailed sooner than 60 days after the first preforeclosure notice is mailed.

(18) An association may not commence an action to foreclose a lien on a unit under this section unless:

(a) The unit owner, at the time the action is commenced, owes at least a sum equal to the greater of:

(i) Three months or more of assessments, not including fines, late charges, interest, attorneys' fees, or costs incurred by the association in connection with the collection of a delinquent owner's account; or

(ii) ((\$200)) \$2,000 of assessments, not including fines, late charges, interest, attorneys' fees, or costs incurred by the association in connection with the collection of a delinquent owner's account;

(b) At or after the date that assessments have become past due for at least 90 days, but no sooner than 60 days after the first preforeclosure notice required in subsection (17)(a) of this section is mailed, the association has mailed, by first-class mail, to the owner, at the unit address and to any other address which the owner has provided to the association, a second notice of delinquency, which ((shall state as follows:

THIS IS A NOTICE OF DELINQUENCY FOR PAST DUE ASSESSMENTS FROM THE UNIT OWNERS' ASSOCIATION TO WHICH YOUR HOME BELONGS. THIS NOTICE IS ONE STEP IN A PROCESS THAT COULD RESULT IN YOUR LOSING YOUR HOME. CONTACT A HOUSING COUNSELOR OR AN ATTORNEY LICENSED IN WASHINGTON NOW to assess

~~your situation and refer you to mediation if you might benefit. DO NOT DELAY.~~

~~BE CAREFUL of people who claim they can help you. There are many individuals and businesses that prey upon borrowers in distress.~~

~~REFER TO THE CONTACTS BELOW for sources of assistance.~~

~~SEEKING ASSISTANCE~~

~~Housing counselors and legal assistance may be available at little or no cost to you. If you would like assistance in determining your rights and opportunities to keep your house, you may contact the following:~~

~~The statewide foreclosure hotline for assistance and referral to housing counselors recommended by the Housing Finance Commission~~

~~Telephone: Website:~~

~~The United States Department of Housing and Urban Development~~

~~Telephone: Website:~~

~~The statewide civil legal aid hotline for assistance and referrals to other housing counselors and attorneys~~

~~Telephone: Website:~~

~~The association shall obtain the toll free numbers and website information from the department of commerce for inclusion in the notice)) must include a second preforeclosure notice that contains the same information as the first preforeclosure notice provided to the unit owner pursuant to subsection (17)(a) of this section. The second preforeclosure notice may not be mailed sooner than 60 days after the first preforeclosure notice required in subsection (17)(a) of this section is mailed;~~

~~(c) At least 90 days have elapsed from the date the minimum amount required in (a) of this subsection has accrued; and~~

~~(d) The board approves commencement of a foreclosure action specifically against that unit.~~

~~((18)) (19) Every aspect of a collection, foreclosure, sale, or other conveyance under this section, including the method, advertising, time, date, place, and terms, must be commercially reasonable.~~

~~Sec. 5. RCW 64.38.100 and 2021 c 222 s 7 are each amended to read as follows:~~

~~(1)(a) If the governing documents of an association provide for a lien on the lot of any owner for unpaid assessments, the association shall include the following first preforeclosure notice when mailing to the lot owner by first-class mail the first notice of delinquency to the lot address and to any other address that the owner has provided to the association:~~

~~**THIS IS A NOTICE OF DELINQUENCY FOR PAST DUE ASSESSMENTS FROM THE HOMEOWNERS' ASSOCIATION TO WHICH YOUR HOME BELONGS.**~~

~~**THIS NOTICE IS ONE STEP IN A PROCESS THAT COULD RESULT IN YOUR LOSING YOUR HOME.**~~

~~**CONTACT A HOUSING COUNSELOR OR AN ATTORNEY LICENSED IN WASHINGTON NOW to assess your situation and refer you to mediation if you might benefit. DO NOT DELAY.**~~

~~BE CAREFUL of people who claim they can help you. There are many individuals and businesses that prey upon borrowers in distress.~~

~~REFER TO THE CONTACTS BELOW for sources of assistance.~~

~~SEEKING ASSISTANCE~~

~~Housing counselors and legal assistance may be available at little or no cost to you. If you would like assistance in determining your rights and opportunities to keep your house, you may contact the following:~~

~~The statewide foreclosure hotline for assistance and referral to housing counselors recommended by the Housing Finance Commission~~

~~Telephone: Website:~~

~~The United States Department of Housing and Urban Development~~

~~Telephone: Website:~~

~~The statewide civil legal aid hotline for assistance and referrals to other housing counselors and attorneys~~

~~Telephone: Website:~~

~~The association shall obtain the toll-free numbers and website information from the department of commerce for inclusion in the notice.~~

~~(b) If, when a delinquent account is referred to an association's attorney, the first preforeclosure notice required under (a) of this subsection has not yet been mailed to the lot owner, the association or the association's attorney shall mail the first preforeclosure notice to the lot owner in order to satisfy the requirement in (a) of this subsection.~~

~~(c) Mailing the first preforeclosure notice pursuant to (a) of this subsection does not satisfy the requirement in subsection (2)(b) of this section to mail a second preforeclosure notice at or after the date that assessments have become past due for at least 90 days. The second preforeclosure notice may not be mailed sooner than 60 days after the first preforeclosure notice is mailed.~~

~~(2) If the governing documents of an association provide for a lien on the lot of any owner for unpaid assessments, the association may not commence an action to foreclose the lien unless:~~

~~(a) The lot owner, at the time the action is commenced, owes at least a sum equal to the greater of:~~

~~(i) Three months or more of assessments, not including fines, late charges, interest, attorneys' fees, or costs incurred by the association in connection with the collection of a delinquent owner's account; or~~

~~(ii) ((\$200)) \$2,000 of assessments, not including fines, late charges, interest, attorneys' fees, or costs incurred by the association in connection with the collection of a delinquent owner's account;~~

~~(b) At or after the date that assessments have become past due for at least 90 days, but no sooner than 60 days after the first preforeclosure notice required in subsection (1)(a) of this section is mailed, the association has mailed, by first-class mail, to the owner, at the lot address and to any other address which the owner has provided to the association, a second notice of delinquency, which ((shall state as follows:~~

~~**THIS IS A NOTICE OF DELINQUENCY FOR PAST DUE ASSESSMENTS FROM THE HOMEOWNERS' ASSOCIATION TO WHICH YOUR HOME BELONGS.**~~

~~**THIS NOTICE IS ONE STEP IN A PROCESS THAT COULD RESULT IN YOUR LOSING YOUR HOME.**~~

~~**CONTACT A HOUSING COUNSELOR OR AN ATTORNEY LICENSED IN WASHINGTON NOW to assess your situation and refer you to mediation if you might benefit. DO NOT DELAY.**~~

~~BE CAREFUL of people who claim they can help you. There are many individuals and businesses that prey upon borrowers in distress.~~

~~REFER TO THE CONTACTS BELOW for sources of assistance.~~

~~SEEKING ASSISTANCE~~

~~Housing counselors and legal assistance may be available at little or no cost to you. If you would like assistance in determining your rights and opportunities to keep your house, you may contact the following:~~

EIGHTY NINTH DAY, APRIL 7, 2023

~~The statewide foreclosure hotline for assistance and referral to housing counselors recommended by the Housing Finance Commission~~

~~Telephone: Website:~~

~~The United States Department of Housing and Urban Development~~

~~Telephone: Website:~~

~~The statewide civil legal aid hotline for assistance and referrals to other housing counselors and attorneys~~

~~Telephone: Website:~~

~~The association shall obtain the toll free numbers and website information from the department of commerce for inclusion in the notice)) must include a second preforeclosure notice that contains the same information as the first preforeclosure notice provided to the lot owner pursuant to subsection (1)(a) of this section. The second preforeclosure notice may not be mailed sooner than 60 days after the first preforeclosure notice required in subsection (1)(a) of this section is mailed;~~

~~(c) At least 180 days have elapsed from the date the minimum amount required in (a) of this subsection has accrued; and~~

~~(d) The board approves commencement of a foreclosure action specifically against that lot.~~

~~((2)) (3) Every aspect of a collection, foreclosure, sale, or other conveyance under this section, including the method, advertising, time, date, place, and terms, must be commercially reasonable.~~

~~Sec. 6. RCW 64.38.100 and 2021 c 222 s 8 are each amended to read as follows:~~

~~(1)(a) If the governing documents of an association provide for a lien on the lot of any owner for unpaid assessments, the association shall include the following first preforeclosure notice when mailing to the lot owner by first-class mail the first notice of delinquency to the lot address and to any other address that the owner has provided to the association:~~

~~**THIS IS A NOTICE OF DELINQUENCY FOR PAST DUE ASSESSMENTS FROM THE HOMEOWNERS' ASSOCIATION TO WHICH YOUR HOME BELONGS.**~~

~~**THIS NOTICE IS ONE STEP IN A PROCESS THAT COULD RESULT IN YOUR LOSING YOUR HOME.**~~

~~**CONTACT A HOUSING COUNSELOR OR AN ATTORNEY LICENSED IN WASHINGTON NOW**~~

~~**to assess your situation and refer you to mediation if you might benefit. DO NOT DELAY.**~~

~~**BE CAREFUL** of people who claim they can help you. There are many individuals and businesses that prey upon borrowers in distress.~~

~~**REFER TO THE CONTACTS BELOW** for sources of assistance.~~

~~**SEEKING ASSISTANCE**~~

~~Housing counselors and legal assistance may be available at little or no cost to you. If you would like assistance in determining your rights and opportunities to keep your house, you may contact the following:~~

~~The statewide foreclosure hotline for assistance and referral to housing counselors recommended by the Housing Finance Commission~~

~~Telephone: Website:~~

~~The United States Department of Housing and Urban Development~~

~~Telephone: Website:~~

~~The statewide civil legal aid hotline for assistance and referrals to other housing counselors and attorneys~~

~~Telephone: Website:~~

The association shall obtain the toll-free numbers and website information from the department of commerce for inclusion in the notice.

(b) If, when a delinquent account is referred to an association's attorney, the first preforeclosure notice required under (a) of this subsection has not yet been mailed to the lot owner, the association or the association's attorney shall mail the first preforeclosure notice to the lot owner in order to satisfy the requirement in (a) of this subsection.

(c) Mailing the first preforeclosure notice pursuant to (a) of this subsection does not satisfy the requirement in subsection (2)(b) of this section to mail a second preforeclosure notice at or after the date that assessments have become past due for at least 90 days. The second preforeclosure notice may not be mailed sooner than 60 days after the first preforeclosure notice is mailed.

(2) If the governing documents of an association provide for a lien on the lot of any owner for unpaid assessments, the association may not commence an action to foreclose the lien unless:

(a) The lot owner, at the time the action is commenced, owes at least a sum equal to the greater of:

(i) Three months or more of assessments, not including fines, late charges, interest, attorneys' fees, or costs incurred by the association in connection with the collection of a delinquent owner's account; or

(ii) ((\$200)) \$2,000 of assessments, not including fines, late charges, interest, attorneys' fees, or costs incurred by the association in connection with the collection of a delinquent owner's account;

(b) At or after the date that assessments have become past due for at least 90 days, but no sooner than 60 days after the first preforeclosure notice required in subsection (1)(a) of this section is mailed, the association has mailed, by first-class mail, to the owner, at the lot address and to any other address which the owner has provided to the association, a second notice of delinquency, which ((shall state as follows:

~~**THIS IS A NOTICE OF DELINQUENCY FOR PAST DUE ASSESSMENTS FROM THE HOMEOWNERS' ASSOCIATION TO WHICH YOUR HOME BELONGS.**~~

~~**THIS NOTICE IS ONE STEP IN A PROCESS THAT COULD RESULT IN YOUR LOSING YOUR HOME.**~~

~~**CONTACT A HOUSING COUNSELOR OR AN ATTORNEY LICENSED IN WASHINGTON NOW**~~

~~**to assess your situation and refer you to mediation if you might benefit. DO NOT DELAY.**~~

~~**BE CAREFUL** of people who claim they can help you. There are many individuals and businesses that prey upon borrowers in distress.~~

~~**REFER TO THE CONTACTS BELOW** for sources of assistance.~~

~~**SEEKING ASSISTANCE**~~

~~Housing counselors and legal assistance may be available at little or no cost to you. If you would like assistance in determining your rights and opportunities to keep your house, you may contact the following:~~

~~The statewide foreclosure hotline for assistance and referral to housing counselors recommended by the Housing Finance Commission~~

~~Telephone: Website:~~

~~The United States Department of Housing and Urban Development~~

~~Telephone: Website:~~

~~The statewide civil legal aid hotline for assistance and referrals to other housing counselors and attorneys~~

~~Telephone: Website:~~

~~The association shall obtain the toll free numbers and website information from the department of commerce for inclusion in the notice)~~ must include a second preforeclosure notice that contains the same information as the first preforeclosure notice provided to the lot owner pursuant to subsection (1)(a) of this section. The second preforeclosure notice may not be mailed sooner than 60 days after the first preforeclosure notice required in subsection (1)(a) of this section is mailed;

(c) At least 90 days have elapsed from the date the minimum amount required in (a) of this subsection has accrued; and

(d) The board approves commencement of a foreclosure action specifically against that lot.

((2)) (3) Every aspect of a collection, foreclosure, sale, or other conveyance under this section, including the method, advertising, time, date, place, and terms, must be commercially reasonable.

Sec. 7. RCW 64.90.485 and 2021 c 222 s 1 are each amended to read as follows:

(1) The association has a statutory lien on each unit for any unpaid assessment against the unit from the time such assessment is due.

(2) A lien under this section has priority over all other liens and encumbrances on a unit except:

(a) Liens and encumbrances recorded before the recordation of the declaration and, in a cooperative, liens and encumbrances that the association creates, assumes, or takes subject to;

(b) Except as otherwise provided in subsection (3) of this section, a security interest on the unit recorded before the date on which the unpaid assessment became due or, in a cooperative, a security interest encumbering only the unit owner's interest and perfected before the date on which the unpaid assessment became due; and

(c) Liens for real estate taxes and other state or local governmental assessments or charges against the unit or cooperative.

(3)(a) A lien under this section also has priority over the security interests described in subsection (2)(b) of this section to the extent of an amount equal to the following:

(i) The common expense assessments, excluding any amounts for capital improvements, based on the periodic budget adopted by the association pursuant to RCW 64.90.480(1), along with any specially allocated assessments that are properly assessable against the unit under such periodic budget, which would have become due in the absence of acceleration during the six months immediately preceding the institution of proceedings to foreclose either the association's lien or a security interest described in subsection (2)(b) of this section;

(ii) The association's actual costs and reasonable attorneys' fees incurred in foreclosing its lien but incurred after the giving of the notice described in (a)(iii) of this subsection; provided, however, that the costs and reasonable attorneys' fees that will have priority under this subsection (3)(a)(ii) shall not exceed ((two thousand dollars)) \$2,000 or an amount equal to the amounts described in (a)(i) of this subsection, whichever is less;

(iii) The amounts described in (a)(ii) of this subsection shall be prior only to the security interest of the holder of a security interest on the unit recorded before the date on which the unpaid assessment became due and only if the association has given that holder not less than ((sixty)) 60 days' prior written notice that the owner of the unit is in default in payment of an assessment. The notice shall contain:

- (A) Name of the borrower;
- (B) Recording date of the trust deed or mortgage;
- (C) Recording information;

(D) Name of condominium, unit owner, and unit designation stated in the declaration or applicable supplemental declaration;

(E) Amount of unpaid assessment; and

(F) A statement that failure to, within ((sixty)) 60 days of the written notice, submit the association payment of six months of assessments as described in (a)(i) of this subsection will result in the priority of the amounts described in (a)(ii) of this subsection; and

(iv) Upon payment of the amounts described in (a)(i) and (ii) of this subsection by the holder of a security interest, the association's lien described in this subsection (3)(a) shall thereafter be fully subordinated to the lien of such holder's security interest on the unit.

(b) For the purposes of this subsection:

(i) "Institution of proceedings" means either:

(A) The date of recording of a notice of trustee's sale by a deed of trust beneficiary;

(B) The date of commencement, pursuant to applicable court rules, of an action for judicial foreclosure either by the association or by the holder of a recorded security interest; or

(C) The date of recording of a notice of intention to forfeit in a real estate contract forfeiture proceeding by the vendor under a real estate contract.

(ii) "Capital improvements" does not include making, in the ordinary course of management, repairs to common elements or replacements of the common elements with substantially similar items, subject to: (A) Availability of materials and products, (B) prevailing law, or (C) sound engineering and construction standards then prevailing.

(c) The adoption of a periodic budget that purports to allocate to a unit any fines, late charges, interest, attorneys' fees and costs incurred for services unrelated to the foreclosure of the association's lien, other collection charges, or specially allocated assessments assessed under RCW 64.90.480 (6) or (7) does not cause any such items to be included in the priority amount affecting such unit.

(4) Subsections (2) and (3) of this section do not affect the priority of mechanics' or material suppliers' liens to the extent that law of this state other than chapter 277, Laws of 2018 gives priority to such liens, or the priority of liens for other assessments made by the association.

(5) A lien under this section is not subject to chapter 6.13 RCW.

(6) If the association forecloses its lien under this section nonjudicially pursuant to chapter 61.24 RCW, as provided under subsection (13) of this section, the association is not entitled to the lien priority provided for under subsection (3) of this section, and is subject to the limitations on deficiency judgments as provided in chapter 61.24 RCW.

(7) Unless the declaration provides otherwise, if two or more associations have liens for assessments created at any time on the same property, those liens have equal priority as to each other, and any foreclosure of one such lien shall not affect the lien of the other.

(8) Recording of the declaration constitutes record notice and perfection of the statutory lien created under this section. Further notice or recordation of any claim of lien for assessment under this section is not required, but is not prohibited.

(9) A lien for unpaid assessments and the personal liability for payment of those assessments are extinguished unless proceedings to enforce the lien or collect the debt are instituted within six years after the full amount of the assessments sought to be recovered becomes due.

(10) This section does not prohibit actions against unit owners to recover sums for which subsection (1) of this section creates a

EIGHTY NINTH DAY, APRIL 7, 2023

lien or prohibit an association from taking a deed in lieu of foreclosure.

(11) The association upon written request must furnish to a unit owner or a mortgagee a statement signed by an officer or authorized agent of the association setting forth the amount of unpaid assessments or the priority amount against that unit, or both. The statement must be furnished within ((fifteen)) 15 days after receipt of the request and is binding on the association, the board, and every unit owner unless, and to the extent, known by the recipient to be false. The liability of a recipient who reasonably relies upon the statement must not exceed the amount set forth in any statement furnished pursuant to this section or RCW 64.90.640(1)(b).

(12) In a cooperative, upon nonpayment of an assessment on a unit, the unit owner may be evicted in the same manner as provided by law in the case of an unlawful holdover by a commercial tenant, and the lien may be foreclosed as provided under this section.

(13) The association's lien may be foreclosed in accordance with (a) and (b) of this subsection.

(a) In a common interest community other than a cooperative, the association's lien may be foreclosed judicially in accordance with chapter 61.12 RCW, subject to any rights of redemption under chapter 6.23 RCW.

(b) The lien may be enforced nonjudicially in the manner set forth in chapter 61.24 RCW for nonjudicial foreclosure of deeds of trust if the declaration: Contains a grant of the common interest community in trust to a trustee qualified under RCW 61.24.010 to secure the obligations of the unit owners to the association for the payment of assessments, contains a power of sale, provides in its terms that the units are not used principally for agricultural purposes, and provides that the power of sale is operative in the case of a default in the obligation to pay assessments. The association or its authorized representative may purchase the unit at the foreclosure sale and acquire, hold, lease, mortgage, or convey the unit. Upon an express waiver in the complaint of any right to a deficiency judgment in a judicial foreclosure action, the period of redemption is eight months.

(c) In a cooperative in which the unit owners' interests in the units are real estate, the association's lien must be foreclosed in like manner as a mortgage on real estate or by power of sale under (b) of this subsection.

(d) In a cooperative in which the unit owners' interests in the units are personal property, the association's lien must be foreclosed in like manner as a security interest under chapter 62A.9A RCW.

(14) If the unit owner's interest in a unit in a cooperative is real estate, the following requirements apply:

(a) The association, upon nonpayment of assessments and compliance with this subsection, may sell that unit at a public sale or by private negotiation, and at any time and place. The association must give to the unit owner and any lessee of the unit owner reasonable notice in a record of the time, date, and place of any public sale or, if a private sale is intended, of the intention of entering into a contract to sell and of the time and date after which a private conveyance may be made. Such notice must also be sent to any other person that has a recorded interest in the unit that would be cut off by the sale, but only if the recorded interest was on record seven weeks before the date specified in the notice as the date of any public sale or seven weeks before the date specified in the notice as the date after which a private sale may be made. The notices required under this subsection may be sent to any address reasonable in the circumstances. A sale may not be held until five weeks after the sending of the notice. The association may buy at any public sale and, if the sale is

conducted by a fiduciary or other person not related to the association, at a private sale.

(b) Unless otherwise agreed to or as stated in this section, the unit owner is liable for any deficiency in a foreclosure sale.

(c) The proceeds of a foreclosure sale must be applied in the following order:

(i) The reasonable expenses of sale;

(ii) The reasonable expenses of securing possession before sale; the reasonable expenses of holding, maintaining, and preparing the unit for sale, including payment of taxes and other governmental charges and premiums on insurance; and, to the extent provided for by agreement between the association and the unit owner, reasonable attorneys' fees, costs, and other legal expenses incurred by the association;

(iii) Satisfaction of the association's lien;

(iv) Satisfaction in the order of priority of any subordinate claim of record; and

(v) Remittance of any excess to the unit owner.

(d) A good-faith purchaser for value acquires the unit free of the association's debt that gave rise to the lien under which the foreclosure sale occurred and any subordinate interest, even though the association or other person conducting the sale failed to comply with this section. The person conducting the sale must execute a conveyance to the purchaser sufficient to convey the unit and stating that it is executed by the person after a foreclosure of the association's lien by power of sale and that the person was empowered to make the sale. Signature and title or authority of the person signing the conveyance as grantor and a recital of the facts of nonpayment of the assessment and of the giving of the notices required under this subsection are sufficient proof of the facts recited and of the authority to sign. Further proof of authority is not required even though the association is named as grantee in the conveyance.

(e) At any time before the association has conveyed a unit in a cooperative or entered into a contract for its conveyance under the power of sale, the unit owners or the holder of any subordinate security interest may cure the unit owner's default and prevent sale or other conveyance by tendering the performance due under the security agreement, including any amounts due because of exercise of a right to accelerate, plus the reasonable expenses of proceeding to foreclosure incurred to the time of tender, including reasonable attorneys' fees and costs of the creditor.

(15) In an action by an association to collect assessments or to foreclose a lien on a unit under this section, the court may appoint a receiver to collect all sums alleged to be due and owing to a unit owner before commencement or during pendency of the action. The receivership is governed under chapter 7.60 RCW. During pendency of the action, the court may order the receiver to pay sums held by the receiver to the association for any assessments against the unit. The exercise of rights under this subsection by the association does not affect the priority of preexisting liens on the unit.

(16) Except as provided in subsection (3) of this section, the holder of a mortgage or other purchaser of a unit who obtains the right of possession of the unit through foreclosure is not liable for assessments or installments of assessments that became due prior to such right of possession. Such unpaid assessments are deemed to be common expenses collectible from all the unit owners, including such mortgagee or other purchaser of the unit. Foreclosure of a mortgage does not relieve the prior unit owner of personal liability for assessments accruing against the unit prior to the date of such sale as provided in this subsection.

(17) In addition to constituting a lien on the unit, each assessment is the joint and several obligation of the unit owner of the unit to which the same are assessed as of the time the

assessment is due. A unit owner may not exempt himself or herself from liability for assessments. In a voluntary conveyance other than by foreclosure, the grantee of a unit is jointly and severally liable with the grantor for all unpaid assessments against the grantor up to the time of the grantor's conveyance, without prejudice to the grantee's right to recover from the grantor the amounts paid by the grantee. Suit to recover a personal judgment for any delinquent assessment is maintainable in any court of competent jurisdiction without foreclosing or waiving the lien securing such sums.

(18) The association may from time to time establish reasonable late charges and a rate of interest to be charged, not to exceed the maximum rate calculated under RCW 19.52.020, on all subsequent delinquent assessments or installments of assessments. If the association does not establish such a rate, delinquent assessments bear interest from the date of delinquency at the maximum rate calculated under RCW 19.52.020 on the date on which the assessments became delinquent.

(19) The association is entitled to recover any costs and reasonable attorneys' fees incurred in connection with the collection of delinquent assessments, whether or not such collection activities result in a suit being commenced or prosecuted to judgment. The prevailing party is also entitled to recover costs and reasonable attorneys' fees in such suits, including any appeals, if it prevails on appeal and in the enforcement of a judgment.

(20) To the extent not inconsistent with this section, the declaration may provide for such additional remedies for collection of assessments as may be permitted by law.

(21)(a) When the association mails to the unit owner by first-class mail the first notice of delinquency for past due assessments to the unit address and to any other address that the owner has provided to the association, the association shall include a first preforeclosure notice that states as follows:

THIS IS A NOTICE OF DELINQUENCY FOR PAST DUE ASSESSMENTS FROM THE UNIT OWNERS ASSOCIATION TO WHICH YOUR HOME BELONGS. THIS NOTICE IS ONE STEP IN A PROCESS THAT COULD RESULT IN YOUR LOSING YOUR HOME. CONTACT A HOUSING COUNSELOR OR AN ATTORNEY LICENSED IN WASHINGTON NOW to assess your situation and refer you to mediation if you might benefit. DO NOT DELAY.

BE CAREFUL of people who claim they can help you. There are many individuals and businesses that prey upon borrowers in distress.

REFER TO THE CONTACTS BELOW for sources of assistance.

SEEKING ASSISTANCE

Housing counselors and legal assistance may be available at little or no cost to you. If you would like assistance in determining your rights and opportunities to keep your house, you may contact the following:

The statewide foreclosure hotline for assistance and referral to housing counselors recommended by the Housing Finance Commission

Telephone: Website:

The United States Department of Housing and Urban Development

Telephone: Website:

The statewide civil legal aid hotline for assistance and referrals to other housing counselors and attorneys

Telephone: Website:

The association shall obtain the toll-free numbers and website information from the department of commerce for inclusion in the notice.

(b) If, when a delinquent account is referred to an association's attorney, the first preforeclosure notice required under (a) of this subsection has not yet been mailed to the unit owner, the association or the association's attorney shall mail the first preforeclosure notice to the unit owner in order to satisfy the requirement in (a) of this subsection.

(c) Mailing the first preforeclosure notice pursuant to (a) of this subsection does not satisfy the requirement in subsection (22)(b) of this section to mail a second preforeclosure notice at or after the date that assessments have become past due for at least 90 days. The second preforeclosure notice may not be mailed sooner than 60 days after the first preforeclosure notice is mailed.

(22) An association may not commence an action to foreclose a lien on a unit under this section unless:

(a) The unit owner, at the time the action is commenced, owes at least a sum equal to the greater of:

(i) Three months or more of assessments, not including fines, late charges, interest, attorneys' fees, or costs incurred by the association in connection with the collection of a delinquent owner's account; or

(ii) ~~(((\$200))~~ \$2,000 of assessments, not including fines, late charges, interest, attorneys' fees, or costs incurred by the association in connection with the collection of a delinquent owner's account;

(b) At or after the date that assessments have become past due for at least 90 days, but no sooner than 60 days after the first preforeclosure notice required in subsection (21)(a) of this section is mailed, the association has mailed, by first-class mail, to the owner, at the unit address and to any other address which the owner has provided to the association, a second notice of delinquency, which ~~((shall state as follows:~~

THIS IS A NOTICE OF DELINQUENCY FOR PAST DUE ASSESSMENTS FROM THE UNIT OWNERS' ASSOCIATION TO WHICH YOUR HOME BELONGS. THIS NOTICE IS ONE STEP IN A PROCESS THAT COULD RESULT IN YOUR LOSING YOUR HOME. CONTACT A HOUSING COUNSELOR OR AN ATTORNEY LICENSED IN WASHINGTON NOW to assess your situation and refer you to mediation if you might benefit. DO NOT DELAY.

BE CAREFUL of people who claim they can help you. There are many individuals and businesses that prey upon borrowers in distress.

REFER TO THE CONTACTS BELOW for sources of assistance.

SEEKING ASSISTANCE

Housing counselors and legal assistance may be available at little or no cost to you. If you would like assistance in determining your rights and opportunities to keep your house, you may contact the following:

The statewide foreclosure hotline for assistance and referral to housing counselors recommended by the Housing Finance Commission

Telephone: Website:

The United States Department of Housing and Urban Development

Telephone: Website:

The statewide civil legal aid hotline for assistance and referrals to other housing counselors and attorneys

Telephone: Website:

The association shall obtain the toll-free numbers and website information from the department of commerce for inclusion in

EIGHTY NINTH DAY, APRIL 7, 2023

~~the notice~~) must include a second preforeclosure notice that contains the same information as the first preforeclosure notice provided to the owner pursuant to subsection (21)(a) of this section. The second preforeclosure notice may not be mailed sooner than 60 days after the first preforeclosure notice required in subsection (21)(a) of this section is mailed;

(c) At least 180 days have elapsed from the date the minimum amount required in (a) of this subsection has accrued; and

(d) The board approves commencement of a foreclosure action specifically against that unit.

((22)) (23) Every aspect of a collection, foreclosure, sale, or other conveyance under this section, including the method, advertising, time, date, place, and terms, must be commercially reasonable.

Sec. 8. RCW 64.90.485 and 2021 c 222 s 2 are each amended to read as follows:

(1) The association has a statutory lien on each unit for any unpaid assessment against the unit from the time such assessment is due.

(2) A lien under this section has priority over all other liens and encumbrances on a unit except:

(a) Liens and encumbrances recorded before the recordation of the declaration and, in a cooperative, liens and encumbrances that the association creates, assumes, or takes subject to;

(b) Except as otherwise provided in subsection (3) of this section, a security interest on the unit recorded before the date on which the unpaid assessment became due or, in a cooperative, a security interest encumbering only the unit owner's interest and perfected before the date on which the unpaid assessment became due; and

(c) Liens for real estate taxes and other state or local governmental assessments or charges against the unit or cooperative.

(3)(a) A lien under this section also has priority over the security interests described in subsection (2)(b) of this section to the extent of an amount equal to the following:

(i) The common expense assessments, excluding any amounts for capital improvements, based on the periodic budget adopted by the association pursuant to RCW 64.90.480(1), along with any specially allocated assessments that are properly assessable against the unit under such periodic budget, which would have become due in the absence of acceleration during the six months immediately preceding the institution of proceedings to foreclose either the association's lien or a security interest described in subsection (2)(b) of this section;

(ii) The association's actual costs and reasonable attorneys' fees incurred in foreclosing its lien but incurred after the giving of the notice described in (a)(iii) of this subsection; provided, however, that the costs and reasonable attorneys' fees that will have priority under this subsection (3)(a)(ii) shall not exceed ((two thousand dollars)) \$2,000 or an amount equal to the amounts described in (a)(i) of this subsection, whichever is less;

(iii) The amounts described in (a)(ii) of this subsection shall be prior only to the security interest of the holder of a security interest on the unit recorded before the date on which the unpaid assessment became due and only if the association has given that holder not less than ((sixty)) 60 days' prior written notice that the owner of the unit is in default in payment of an assessment. The notice shall contain:

- (A) Name of the borrower;
- (B) Recording date of the trust deed or mortgage;
- (C) Recording information;
- (D) Name of condominium, unit owner, and unit designation stated in the declaration or applicable supplemental declaration;
- (E) Amount of unpaid assessment; and

(F) A statement that failure to, within ((sixty)) 60 days of the written notice, submit the association payment of six months of assessments as described in (a)(i) of this subsection will result in the priority of the amounts described in (a)(ii) of this subsection; and

(iv) Upon payment of the amounts described in (a)(i) and (ii) of this subsection by the holder of a security interest, the association's lien described in this subsection (3)(a) shall thereafter be fully subordinated to the lien of such holder's security interest on the unit.

(b) For the purposes of this subsection:

(i) "Institution of proceedings" means either:

(A) The date of recording of a notice of trustee's sale by a deed of trust beneficiary;

(B) The date of commencement, pursuant to applicable court rules, of an action for judicial foreclosure either by the association or by the holder of a recorded security interest; or

(C) The date of recording of a notice of intention to forfeit in a real estate contract forfeiture proceeding by the vendor under a real estate contract.

(ii) "Capital improvements" does not include making, in the ordinary course of management, repairs to common elements or replacements of the common elements with substantially similar items, subject to: (A) Availability of materials and products, (B) prevailing law, or (C) sound engineering and construction standards then prevailing.

(c) The adoption of a periodic budget that purports to allocate to a unit any fines, late charges, interest, attorneys' fees and costs incurred for services unrelated to the foreclosure of the association's lien, other collection charges, or specially allocated assessments assessed under RCW 64.90.480 (6) or (7) does not cause any such items to be included in the priority amount affecting such unit.

(4) Subsections (2) and (3) of this section do not affect the priority of mechanics' or material suppliers' liens to the extent that law of this state other than chapter 277, Laws of 2018 gives priority to such liens, or the priority of liens for other assessments made by the association.

(5) A lien under this section is not subject to chapter 6.13 RCW.

(6) If the association forecloses its lien under this section nonjudicially pursuant to chapter 61.24 RCW, as provided under subsection (13) of this section, the association is not entitled to the lien priority provided for under subsection (3) of this section, and is subject to the limitations on deficiency judgments as provided in chapter 61.24 RCW.

(7) Unless the declaration provides otherwise, if two or more associations have liens for assessments created at any time on the same property, those liens have equal priority as to each other, and any foreclosure of one such lien shall not affect the lien of the other.

(8) Recording of the declaration constitutes record notice and perfection of the statutory lien created under this section. Further notice or recordation of any claim of lien for assessment under this section is not required, but is not prohibited.

(9) A lien for unpaid assessments and the personal liability for payment of those assessments are extinguished unless proceedings to enforce the lien or collect the debt are instituted within six years after the full amount of the assessments sought to be recovered becomes due.

(10) This section does not prohibit actions against unit owners to recover sums for which subsection (1) of this section creates a lien or prohibit an association from taking a deed in lieu of foreclosure.

(11) The association upon written request must furnish to a unit owner or a mortgagee a statement signed by an officer or authorized agent of the association setting forth the amount of unpaid assessments or the priority amount against that unit, or both. The statement must be furnished within ((fifteen)) 15 days after receipt of the request and is binding on the association, the board, and every unit owner unless, and to the extent, known by the recipient to be false. The liability of a recipient who reasonably relies upon the statement must not exceed the amount set forth in any statement furnished pursuant to this section or RCW 64.90.640(1)(b).

(12) In a cooperative, upon nonpayment of an assessment on a unit, the unit owner may be evicted in the same manner as provided by law in the case of an unlawful holdover by a commercial tenant, and the lien may be foreclosed as provided under this section.

(13) The association's lien may be foreclosed in accordance with (a) and (b) of this subsection.

(a) In a common interest community other than a cooperative, the association's lien may be foreclosed judicially in accordance with chapter 61.12 RCW, subject to any rights of redemption under chapter 6.23 RCW.

(b) The lien may be enforced nonjudicially in the manner set forth in chapter 61.24 RCW for nonjudicial foreclosure of deeds of trust if the declaration: Contains a grant of the common interest community in trust to a trustee qualified under RCW 61.24.010 to secure the obligations of the unit owners to the association for the payment of assessments, contains a power of sale, provides in its terms that the units are not used principally for agricultural purposes, and provides that the power of sale is operative in the case of a default in the obligation to pay assessments. The association or its authorized representative may purchase the unit at the foreclosure sale and acquire, hold, lease, mortgage, or convey the unit. Upon an express waiver in the complaint of any right to a deficiency judgment in a judicial foreclosure action, the period of redemption is eight months.

(c) In a cooperative in which the unit owners' interests in the units are real estate, the association's lien must be foreclosed in like manner as a mortgage on real estate or by power of sale under (b) of this subsection.

(d) In a cooperative in which the unit owners' interests in the units are personal property, the association's lien must be foreclosed in like manner as a security interest under chapter 62A.9A RCW.

(14) If the unit owner's interest in a unit in a cooperative is real estate, the following requirements apply:

(a) The association, upon nonpayment of assessments and compliance with this subsection, may sell that unit at a public sale or by private negotiation, and at any time and place. The association must give to the unit owner and any lessee of the unit owner reasonable notice in a record of the time, date, and place of any public sale or, if a private sale is intended, of the intention of entering into a contract to sell and of the time and date after which a private conveyance may be made. Such notice must also be sent to any other person that has a recorded interest in the unit that would be cut off by the sale, but only if the recorded interest was on record seven weeks before the date specified in the notice as the date of any public sale or seven weeks before the date specified in the notice as the date after which a private sale may be made. The notices required under this subsection may be sent to any address reasonable in the circumstances. A sale may not be held until five weeks after the sending of the notice. The association may buy at any public sale and, if the sale is conducted by a fiduciary or other person not related to the association, at a private sale.

(b) Unless otherwise agreed to or as stated in this section, the unit owner is liable for any deficiency in a foreclosure sale.

(c) The proceeds of a foreclosure sale must be applied in the following order:

(i) The reasonable expenses of sale;

(ii) The reasonable expenses of securing possession before sale; the reasonable expenses of holding, maintaining, and preparing the unit for sale, including payment of taxes and other governmental charges and premiums on insurance; and, to the extent provided for by agreement between the association and the unit owner, reasonable attorneys' fees, costs, and other legal expenses incurred by the association;

(iii) Satisfaction of the association's lien;

(iv) Satisfaction in the order of priority of any subordinate claim of record; and

(v) Remittance of any excess to the unit owner.

(d) A good-faith purchaser for value acquires the unit free of the association's debt that gave rise to the lien under which the foreclosure sale occurred and any subordinate interest, even though the association or other person conducting the sale failed to comply with this section. The person conducting the sale must execute a conveyance to the purchaser sufficient to convey the unit and stating that it is executed by the person after a foreclosure of the association's lien by power of sale and that the person was empowered to make the sale. Signature and title or authority of the person signing the conveyance as grantor and a recital of the facts of nonpayment of the assessment and of the giving of the notices required under this subsection are sufficient proof of the facts recited and of the authority to sign. Further proof of authority is not required even though the association is named as grantee in the conveyance.

(e) At any time before the association has conveyed a unit in a cooperative or entered into a contract for its conveyance under the power of sale, the unit owners or the holder of any subordinate security interest may cure the unit owner's default and prevent sale or other conveyance by tendering the performance due under the security agreement, including any amounts due because of exercise of a right to accelerate, plus the reasonable expenses of proceeding to foreclosure incurred to the time of tender, including reasonable attorneys' fees and costs of the creditor.

(15) In an action by an association to collect assessments or to foreclose a lien on a unit under this section, the court may appoint a receiver to collect all sums alleged to be due and owing to a unit owner before commencement or during pendency of the action. The receivership is governed under chapter 7.60 RCW. During pendency of the action, the court may order the receiver to pay sums held by the receiver to the association for any assessments against the unit. The exercise of rights under this subsection by the association does not affect the priority of preexisting liens on the unit.

(16) Except as provided in subsection (3) of this section, the holder of a mortgage or other purchaser of a unit who obtains the right of possession of the unit through foreclosure is not liable for assessments or installments of assessments that became due prior to such right of possession. Such unpaid assessments are deemed to be common expenses collectible from all the unit owners, including such mortgagee or other purchaser of the unit. Foreclosure of a mortgage does not relieve the prior unit owner of personal liability for assessments accruing against the unit prior to the date of such sale as provided in this subsection.

(17) In addition to constituting a lien on the unit, each assessment is the joint and several obligation of the unit owner of the unit to which the same are assessed as of the time the assessment is due. A unit owner may not exempt himself or herself from liability for assessments. In a voluntary conveyance

EIGHTY NINTH DAY, APRIL 7, 2023

other than by foreclosure, the grantee of a unit is jointly and severally liable with the grantor for all unpaid assessments against the grantor up to the time of the grantor's conveyance, without prejudice to the grantee's right to recover from the grantor the amounts paid by the grantee. Suit to recover a personal judgment for any delinquent assessment is maintainable in any court of competent jurisdiction without foreclosing or waiving the lien securing such sums.

(18) The association may from time to time establish reasonable late charges and a rate of interest to be charged, not to exceed the maximum rate calculated under RCW 19.52.020, on all subsequent delinquent assessments or installments of assessments. If the association does not establish such a rate, delinquent assessments bear interest from the date of delinquency at the maximum rate calculated under RCW 19.52.020 on the date on which the assessments became delinquent.

(19) The association is entitled to recover any costs and reasonable attorneys' fees incurred in connection with the collection of delinquent assessments, whether or not such collection activities result in a suit being commenced or prosecuted to judgment. The prevailing party is also entitled to recover costs and reasonable attorneys' fees in such suits, including any appeals, if it prevails on appeal and in the enforcement of a judgment.

(20) To the extent not inconsistent with this section, the declaration may provide for such additional remedies for collection of assessments as may be permitted by law.

(21)(a) When the association mails to the unit owner by first-class mail the first notice of delinquency for past due assessments to the unit address and to any other address that the owner has provided to the association, the association shall include a first preforeclosure notice that states as follows:

THIS IS A NOTICE OF DELINQUENCY FOR PAST DUE ASSESSMENTS FROM THE UNIT OWNERS ASSOCIATION TO WHICH YOUR HOME BELONGS. THIS NOTICE IS ONE STEP IN A PROCESS THAT COULD RESULT IN YOUR LOSING YOUR HOME. CONTACT A HOUSING COUNSELOR OR AN ATTORNEY LICENSED IN WASHINGTON NOW to assess your situation and refer you to mediation if you might benefit. DO NOT DELAY.

BE CAREFUL of people who claim they can help you. There are many individuals and businesses that prey upon borrowers in distress.

REFER TO THE CONTACTS BELOW for sources of assistance.

SEEKING ASSISTANCE

Housing counselors and legal assistance may be available at little or no cost to you. If you would like assistance in determining your rights and opportunities to keep your house, you may contact the following:

The statewide foreclosure hotline for assistance and referral to housing counselors recommended by the Housing Finance Commission

Telephone: Website:
The United States Department of Housing and Urban Development

Telephone: Website:
The statewide civil legal aid hotline for assistance and referrals to other housing counselors and attorneys

Telephone: Website:
The association shall obtain the toll-free numbers and website information from the department of commerce for inclusion in the notice.

(b) If, when a delinquent account is referred to an association's attorney, the first preforeclosure notice required under (a) of this subsection has not yet been mailed to the unit owner, the association or the association's attorney shall mail the first preforeclosure notice to the unit owner in order to satisfy the requirement in (a) of this subsection.

(c) Mailing the first preforeclosure notice pursuant to (a) of this subsection does not satisfy the requirement in subsection (22)(b) of this section to mail a second preforeclosure notice at or after the date that assessments have become past due for at least 90 days. The second preforeclosure notice may not be mailed sooner than 60 days after the first preforeclosure notice is mailed.

(22) An association may not commence an action to foreclose a lien on a unit under this section unless:

(a) The unit owner, at the time the action is commenced, owes at least a sum equal to the greater of:

(i) Three months or more of assessments, not including fines, late charges, interest, attorneys' fees, or costs incurred by the association in connection with the collection of a delinquent owner's account; or

(ii) ((\$200)) \$2,000 of assessments, not including fines, late charges, interest, attorneys' fees, or costs incurred by the association in connection with the collection of a delinquent owner's account;

(b) At or after the date that assessments have become past due for at least 90 days, but no sooner than 60 days after the first preforeclosure notice required in subsection (21)(a) of this section is mailed, the association has mailed, by first-class mail, to the owner, at the unit address and to any other address which the owner has provided to the association, a second notice of delinquency, which ((shall state as follows:

~~THIS IS A NOTICE OF DELINQUENCY FOR PAST DUE ASSESSMENTS FROM THE UNIT OWNERS' ASSOCIATION TO WHICH YOUR HOME BELONGS. THIS NOTICE IS ONE STEP IN A PROCESS THAT COULD RESULT IN YOUR LOSING YOUR HOME. CONTACT A HOUSING COUNSELOR OR AN ATTORNEY LICENSED IN WASHINGTON NOW~~ to assess your situation and refer you to mediation if you might benefit. ~~DO NOT DELAY.~~

~~BE CAREFUL~~ of people who claim they can help you. There are many individuals and businesses that prey upon borrowers in distress.

~~REFER TO THE CONTACTS BELOW~~ for sources of assistance.

SEEKING ASSISTANCE

Housing counselors and legal assistance may be available at little or no cost to you. If you would like assistance in determining your rights and opportunities to keep your house, you may contact the following:

The statewide foreclosure hotline for assistance and referral to housing counselors recommended by the Housing Finance Commission

Telephone: Website:
The United States Department of Housing and Urban Development

Telephone: Website:
The statewide civil legal aid hotline for assistance and referrals to other housing counselors and attorneys

Telephone: Website:
The association shall obtain the toll free numbers and website information from the department of commerce for inclusion in the notice)) must include a second preforeclosure notice that contains the same information as the first preforeclosure notice provided to the owner pursuant to subsection (21)(a) of this

section. The second preforeclosure notice may not be mailed sooner than 60 days after the first preforeclosure notice required in subsection (21)(a) of this section is mailed;

(c) At least 90 days have elapsed from the date the minimum amount required in (a) of this subsection has accrued; and

(d) The board approves commencement of a foreclosure action specifically against that unit.

((22))) (23) Every aspect of a collection, foreclosure, sale, or other conveyance under this section, including the method, advertising, time, date, place, and terms, must be commercially reasonable.

Sec. 9. 2021 c 222 s 9 (uncodified) is amended to read as follows:

Sections 1, 3, 5, and 7 of this act expire January 1, ((2024)) 2025.

Sec. 10. 2021 c 222 s 10 (uncodified) is amended to read as follows:

Sections 2, 4, 6, and 8 of this act take effect January 1, ((2024)) 2025.

NEW SECTION. **Sec. 11.** Sections 1, 3, 5, and 7 of this act expire January 1, 2025.

NEW SECTION. **Sec. 12.** Sections 2, 4, 6, and 8 of this act take effect January 1, 2025."

On page 1, line 2 of the title, after "communities;" strike the remainder of the title and insert "amending RCW 64.32.200, 64.32.200, 64.34.364, 64.34.364, 64.38.100, 64.38.100, 64.90.485, and 64.90.485; amending 2021 c 222 ss 9 and 10 (uncodified); providing an effective date; and providing an expiration date."

Senator Trudeau spoke in favor of adoption of the committee striking amendment.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Law & Justice to Engrossed House Bill No. 1636.

The motion by Senator Trudeau carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Trudeau, the rules were suspended, Engrossed House Bill No. 1636 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Trudeau spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed House Bill No. 1636 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 1636 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Rolfes

ENGROSSED HOUSE BILL NO. 1636, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1712, by Representatives Schmick and Chapman

Protecting workers displaced due to finfish aquaculture facility closure.

The measure was read the second time.

MOTION

On motion of Senator Keiser, the rules were suspended, House Bill No. 1712 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Keiser and Muzzall spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1712.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1712 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Rolfes

HOUSE BILL NO. 1712, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED HOUSE BILL NO. 1086, by Representatives Shavers, Ryu, Ramel, Lekanoff, Callan, Simmons, Timmons, Thai, Paul, Santos, Ormsby and Tharinger

Increasing local governments' ability to contract with community service organizations.

The measure was read the second time.

MOTION

Senator Lovelett moved that the following committee striking amendment by the Committee on Local Government, Land Use & Tribal Affairs be adopted:

Strike everything after the enacting clause and insert the following:

EIGHTY NINTH DAY, APRIL 7, 2023

"NEW SECTION. **Sec. 1.** The legislature finds that office of financial management forecasts are showing state population growth of more than 2.2 million people by the year 2050. In the face of this dramatic growth, the legislature finds that it is more important than ever to help preserve, maintain, and enhance local parks, trails, and open spaces that are key contributors to the state's quality of life.

The legislature further finds that local parks and recreation agencies confronted with this growth are still dealing with severe budget impacts brought on by the COVID-19 pandemic and facing a pending economic slowdown, even as the utilization of parks, open spaces, and trails has spiked up dramatically.

The legislature finds that local parks agencies desperately need additional funding and tools to address the significant growth in use and to better empower nonprofit and service organizations to make a positive impact in their communities.

The legislature finds that community service organizations can help local agencies bring people together in a way that fosters an ethic of service, builds cohesion among residents, and provides more free and accessible outdoor recreation opportunities, particularly in underserved communities.

The legislature finds that increased use of volunteers, and agreements with community service organizations, can help smaller agencies stretch local dollars further and take on bigger projects than they otherwise would be able to.

The legislature finds that one way to incentivize these types of agreements with community service organizations is by modernizing the state laws around contracting with such organizations, which have not been updated since 1988.

The legislature further finds that years of inflation and growth should be taken into account in updating these state laws, which currently restrict many local agencies to a \$25,000 per year limit for all community service organization contracts.

Therefore, it is the intent of the legislature to modernize the state laws around contracting with community service organizations in a manner that accounts for three and a half decades of growth and inflationary costs, so that local parks agencies can operate with more reasonable and up-to-date limits that are in keeping with today's budget and cost realities. Doing so will provide local agencies one additional tool to address maintenance backlogs, preserve quality open spaces, and better serve communities experiencing inequities and lacking access to parks and recreation facilities and programs that support healthy living. The legislature therefore intends to increase the dollar limit from \$25,000 to \$75,000 for smaller agencies. It is the intent of the legislature that this limit apply annually to all contracts entered into by an agency under RCW 35.21.278 in any one year, and that this limit not be interpreted to apply on a per contract basis so as to allow any number of individual contracts of up to \$75,000.

It is the intent of the legislature that this authority be used to provide additional opportunities for public service organizations to meaningfully participate in the betterment of their community, rather than as a way for local agencies to advantage nonprofits over other businesses in public contracting.

Sec. 2. RCW 35.21.278 and 2019 c 352 s 7 are each amended to read as follows:

(1) Without regard to competitive bidding laws for public works, a county, city, town, school district, metropolitan park district, park and recreation district, port district, or park and recreation service area may contract with a chamber of commerce, a service organization, a community, youth, or athletic association, or other similar association located and providing service in the immediate neighborhood, for drawing design plans, making improvements to a park, school playground,

public square, other public spaces, or port habitat site, installing equipment or artworks, or providing maintenance services for such a project, or for a facility or facilities as a community or neighborhood project, or for an environmental justice stewardship or sustainability project, and may reimburse the contracting association its expense. The contracting association may use volunteers to whom no wage or salary compensation is paid in the project and provide the volunteers with clothing or tools; meals or refreshments; accident/injury insurance coverage; and reimbursement of their expenses. The consideration to be received by the public entity through the value of the improvements, artworks, equipment, or maintenance shall have a value at least equal to ~~((three))~~ two times that of the payment to the contracting association. All payments made by a public entity under the authority of this section for all such contracts in any one year shall not exceed ~~((twenty five thousand dollars))~~ \$75,000 or two dollars per resident within the boundaries of the public entity, whichever is greater.

(2) A county, city, town, school district, metropolitan park district, park and recreation district, or park and recreation service area may ratify an agreement, which qualifies under subsection (1) of this section and was made before June 9, 1988.

(3) Without regard to competitive bidding laws for public works, a school district, institution of higher education, or other governmental entity that includes training programs for students may contract with a community service organization, nonprofit organization, or other similar entity, to build tiny houses for low-income housing, if the students participating in the building of the tiny houses are in:

- (a) Training in a community and technical college construction or construction management program;
- (b) A career and technical education program;
- (c) A state-recognized apprenticeship preparation program; or
- (d) Training under a construction career exploration program for high school students administered by a nonprofit organization."

On page 1, line 2 of the title, after "organizations;" strike the remainder of the title and insert "amending RCW 35.21.278; and creating a new section."

Senator Lovelett spoke in favor of adoption of the committee striking amendment.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Local Government, Land Use & Tribal Affairs to Engrossed House Bill No. 1086.

The motion by Senator Lovelett carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Lovelett, the rules were suspended, Engrossed House Bill No. 1086 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Lovelett and Torres spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed House Bill No. 1086 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 1086 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 44; Nays, 4; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senators Boehnke, MacEwen, McCune and Padden

Excused: Senator Rolfes

ENGROSSED HOUSE BILL NO. 1086, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1533, by House Committee on State Government & Tribal Relations (originally sponsored by Mena, Davis, Reed, Doglio, Fosse, Berg, Taylor, Ryu, Peterson, Berry, Walen, Alvarado, Ramel, Simmons, Griffey, Morgan, Gregerson, Shavers, Ormsby, Pollet, Fey, Kloba, Bateman and Macri)

Exempting the disclosure of certain information of agency employees or their dependents who are survivors of domestic violence, sexual assault, harassment, or stalking.

The measure was read the second time.

MOTION

Senator Hunt moved that the following committee striking amendment by the Committee on State Government & Elections be adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 42.56.250 and 2020 c 106 s 1 are each amended to read as follows:

(1) The following employment and licensing information is exempt from public inspection and copying under this chapter:

((4)) (a) Test questions, scoring keys, and other examination data used to administer a license, employment, or academic examination;

((2)) (b) All applications for public employment other than for vacancies in elective office, including the names of applicants, resumes, and other related materials submitted with respect to an applicant;

((3)) (c) Professional growth plans (PGPs) in educator license renewals submitted through the eCert system in the office of the superintendent of public instruction;

((4)) (d) The following information held by any public agency in personnel records, public employment related records, volunteer rosters, or included in any mailing list of employees or volunteers of any public agency: Residential addresses, residential telephone numbers, personal wireless telephone numbers, personal email addresses, social security numbers, driver's license numbers, identicard numbers, payroll deductions including the amount and identification of the deduction, and

emergency contact information of employees or volunteers of a public agency, and the names, dates of birth, residential addresses, residential telephone numbers, personal wireless telephone numbers, personal email addresses, social security numbers, and emergency contact information of dependents of employees or volunteers of a public agency. For purposes of this subsection, "employees" includes independent provider home care workers as defined in RCW 74.39A.240;

((5)) (e) Information that identifies a person who, while an agency employee: ((a)) (i) Seeks advice, under an informal process established by the employing agency, in order to ascertain his or her rights in connection with a possible unfair practice under chapter 49.60 RCW against the person; and ((b)) (ii) requests his or her identity or any identifying information not be disclosed;

((6)) (f) Investigative records compiled by an employing agency in connection with an investigation of a possible unfair practice under chapter 49.60 RCW or of a possible violation of other federal, state, or local laws or an employing agency's internal policies prohibiting discrimination or harassment in employment. Records are exempt in their entirety while the investigation is active and ongoing. After the agency has notified the complaining employee of the outcome of the investigation, the records may be disclosed only if the names of complainants, other accusers, and witnesses are redacted, unless a complainant, other accuser, or witness has consented to the disclosure of his or her name. The employing agency must inform a complainant, other accuser, or witness that his or her name will be redacted from the investigation records unless he or she consents to disclosure;

((7)) (g) Criminal history records checks for board staff finalist candidates conducted pursuant to RCW 43.33A.025;

((8)) (h) Photographs and month and year of birth in the personnel files of employees or volunteers of a public agency, including employees and workers of criminal justice agencies as defined in RCW 10.97.030. The news media, as defined in RCW 5.68.010(5), shall have access to the photographs and full date of birth. For the purposes of this subsection, news media does not include any person or organization of persons in the custody of a criminal justice agency as defined in RCW 10.97.030;

((9)) (i) (i) Any employee's name or other personally identifying information, including but not limited to birthdate, job title, addresses of work stations and locations, work email address, work phone number, bargaining unit, or other similar information, maintained by an agency in personnel-related records or systems, or responsive to a request for a list of individuals subject to the commercial purpose prohibition under RCW 42.56.070(8), if the employee has provided:

(A) A sworn statement, signed under penalty of perjury and verified by the director of the employing agency or director's designee, that the employee or a dependent of the employee is a survivor of domestic violence as defined in RCW 10.99.020 or 7.105.010, sexual assault as defined in RCW 70.125.030 or sexual abuse as defined in RCW 7.105.010, stalking as described in RCW 9A.46.110 or defined in RCW 7.105.010, or harassment as described in RCW 9A.46.020 or defined in RCW 7.105.010, and notifying the agency as to why the employee has a reasonable basis to believe that the risk of domestic violence, sexual assault, sexual abuse, stalking, or harassment continues to exist. A sworn statement under this subsection expires after two years, but may be subsequently renewed by providing a new sworn statement to the employee's employing agency; or

(B) Provides proof to the employing agency of the employee's participation or the participation of a dependent in the address confidentiality program under chapter 40.24 RCW.

EIGHTY NINTH DAY, APRIL 7, 2023

(ii) Any documentation maintained by an agency to administer this subsection (1)(i) is exempt from disclosure under this chapter and is confidential and may not be disclosed without consent of the employee who submitted the documentation. Agencies may provide information to their employees on how to submit a request to anonymize their work email address.

(iii) The following definitions apply to this subsection (1)(i):

(A) "Employee" means a state agency employee or an employee of a public school serving any of grades kindergarten through 12.

(B) "Agency" means a state agency or a public school serving any of grades kindergarten through 12.

(C) "Verified" means that the director of the employing agency or director's designee confirmed that the sworn statement identifies the alleged perpetrator or perpetrators by name and, if possible, image or likeness, or that the director or designee obtained from the employee a police report, protection order petition, or other documentation of allegations related to the domestic violence, sexual assault or abuse, stalking, or harassment.

(iv) The exemption in this subsection (1)(i) does not apply to public records requests from the news media as defined in RCW 5.68.010(5);

(j) The global positioning system data that would indicate the location of the residence of a public employee or volunteer using the global positioning system recording device;

~~((40))~~ (k) Until the person reaches eighteen years of age, information, otherwise disclosable under chapter 29A.08 RCW, that relates to a future voter, except for the purpose of processing and delivering ballots; and

~~((44))~~ (l) Voluntarily submitted information collected and maintained by a state agency or higher education institution that identifies an individual state employee's personal demographic details. "Personal demographic details" means race or ethnicity, sexual orientation as defined by RCW 49.60.040(~~((26))~~) (27), immigration status, national origin, or status as a person with a disability. This exemption does not prevent the release of state employee demographic information in a deidentified or aggregate format.

~~((42))~~ (2) Upon receipt of a request for information located exclusively in an employee's personnel, payroll, supervisor, or training file, the agency must provide notice to the employee, to any union representing the employee, and to the requestor. The notice must state:

(a) The date of the request;

(b) The nature of the requested record relating to the employee;

(c) That the agency will release any information in the record which is not exempt from the disclosure requirements of this chapter at least ten days from the date the notice is made; and

(d) That the employee may seek to enjoin release of the records under RCW 42.56.540.

NEW SECTION. Sec. 2. (1) By May 1, 2025, the joint legislative audit and review committee must analyze the impacts of section 1 of this act and must submit a report summarizing its analysis to the legislature. In preparing the report, the joint legislative audit and review committee must consult survivors with direct lived experience of domestic violence, sexual assault or abuse, stalking, or harassment. The report must include, at a minimum:

(a) Whether the exemption created in section 1 of this act, and exceptions to the exemption, effectively protects public employees and dependents who are survivors of domestic violence, sexual assault or abuse, stalking, or harassment by protecting their personal information while maintaining public transparency and oversight of governmental operations; and

(b) Whether the exemption created in section 1 of this act, and exceptions to the exemption, should be maintained or modified to ensure the protection of public employees and dependents who are survivors of domestic violence, sexual assault or abuse, stalking, or harassment by protecting their personal information while maintaining public transparency and oversight of governmental operations.

(2) This section expires June 30, 2025.

NEW SECTION. Sec. 3. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

On page 1, line 3 of the title, after "stalking;" strike the remainder of the title and insert "amending RCW 42.56.250; creating a new section; providing an expiration date; and declaring an emergency."

MOTION

Senator Trudeau moved that the following amendment no. 0306 by Senator Trudeau be adopted:

On page 3, beginning on line 22, after "~~((iii))~~" strike all material through "~~""Verified""~~" on line 27, and insert "For purposes of this subsection (1)(i), "verified""

Senators Trudeau and Wilson, J. spoke in favor of adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0306 by Senator Trudeau on page 3, line 22 to the committee striking amendment.

The motion by Senator Trudeau carried and amendment no. 0306 was adopted by voice vote.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on State Government & Elections as amended to Engrossed Substitute House Bill No. 1533.

The motion by Senator Hunt carried and the committee striking amendment as amended was adopted by voice vote.

MOTION

On motion of Senator Hunt, the rules were suspended, Engrossed Substitute House Bill No. 1533 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hunt and Wilson, J. spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 1533 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 1533 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña,

2023 REGULAR SESSION
WITHDRAWAL OF AMENDMENT

Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Rolfes

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1533, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1187, by House Committee on Civil Rights & Judiciary (originally sponsored by Hackney, Berry, Bateman, Ramel, Doglio, Simmons, Lekanoff, Bronoske, Wylie, Stonier, Pollet and Ormsby)

Concerning privileged communication between employees and the unions that represent them.

The measure was read the second time.

MOTION

Senator Padden moved that the following amendment no. 0328 by Senator Padden be adopted:

On page 7, beginning on line 13, after "action, the" strike all material through "member" on line 18 and insert "privilege is deemed waived if the employee identifies the union representative as a witness. Such a waiver shall not be construed to waive privilege on behalf of other nonparty employees represented by the union without those employees' consent, and a court may review such issues in camera to determine the treatment of such communications"

Senator Padden spoke in favor of adoption of the amendment.

Senator Dhingra spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0328 by Senator Padden on page 7, line 13 to Engrossed Substitute House Bill No. 1187.

The motion by Senator Padden did not carry and amendment no. 0328 was not adopted by voice vote.

MOTION

Senator Short moved that the following amendment no. 0327 by Senator Short be adopted:

On page 7, line 28, after "(c)" insert "The privilege created in this subsection (11) may not interfere with an employee's or union representative's applicable statutory mandatory reporting requirements, including but not limited to duties to report in chapters 26.44, 43.101, and 74.34 RCW.

(d)"

Correct any internal references accordingly.

Senators Short and Dhingra spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0327 by Senator Short on page 7, line 28 to Engrossed Substitute House Bill No. 1187.

The motion by Senator Short carried and amendment no. 0327 was adopted by voice vote.

On motion of Senator Trudeau and without objection, amendment no. 0329 by Senator Trudeau on page 7, line 28 to Engrossed Substitute House Bill No. 1187 was withdrawn.

MOTION

On motion of Senator Dhingra, the rules were suspended, Engrossed Substitute House Bill No. 1187 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Dhingra and Holy spoke in favor of passage of the bill.

Senator Padden spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 1187 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 1187 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 34; Nays, 14; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Cleveland, Conway, Dhingra, Frame, Hasegawa, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, Mullet, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman, Wilson, C. and Wilson, J.

Voting nay: Senators Braun, Dozier, Fortunato, Gildon, Hawkins, McCune, Muzzall, Padden, Schoesler, Short, Torres, Wagoner, Warnick and Wilson, L.

Excused: Senator Rolfes

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1187, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1730, by Representatives Waters, Stonier, Klicker, Low, Couture, Chambers, Ybarra, Barnard, Schmidt, Street, McClintock, Walen, Hutchins, Caldier and Cheney

Allowing people 18 years of age or older to work in certain 21 year and older establishments.

The measure was read the second time.

MOTION

On motion of Senator Keiser, the rules were suspended, House Bill No. 1730 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Keiser and King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1730.

ROLL CALL

EIGHTY NINTH DAY, APRIL 7, 2023

The Secretary called the roll on the final passage of House Bill No. 1730 and the bill passed the Senate by the following vote: Yeas, 44; Nays, 4; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senators Liias, Lovelett, Stanford and Van De Wege

Excused: Senator Rolfes

HOUSE BILL NO. 1730, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 10:19 a.m., on motion of Senator Pedersen, the Senate was declared to be at ease subject to the call of the President.

Senator Warnick announced a meeting of the Republican Caucus.

The Senate was called to order at 11:01 a.m. by the President of the Senate, Lt. Governor Heck presiding.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1658, by House Committee on Education (originally sponsored by Shavers, Santos, Morgan, Ramel, Taylor and Ormsby)

Authorizing public high school students to earn elective credit for paid work experience.

The measure was read the second time.

MOTION

On motion of Senator Pedersen, the rules were suspended, Substitute House Bill No. 1658 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wellman and Hawkins spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1658.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1658 and the bill passed the Senate by the following vote: Yeas, 44; Nays, 5; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, McCune, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senators Boehnke, MacEwen, Mullet, Padden and Stanford

SUBSTITUTE HOUSE BILL NO. 1658, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1173, by House Committee on Environment & Energy (originally sponsored by Connors, Klicker and Rude)

Reducing light pollution associated with certain energy infrastructure.

The measure was read the second time.

MOTION

Senator Boehnke moved that the following committee striking amendment by the Committee on Environment, Energy & Technology be not adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Department" means the department of ecology.

(2) "Hub height" means the distance from the ground to the middle of a wind turbine's rotor.

(3) "Light-mitigating technology system" means aircraft detection lighting or any other comparable system capable of reducing the impact of facility obstruction lighting while maintaining conspicuity sufficient to assist aircraft in identifying and avoiding collision with a utility-scale wind energy facility.

(4) "Power offtake agreement" means a long-term contract that provides for the provision of the whole or any part of the available capacity or the sale or other disposal of the whole or any part of the output of a utility-scale wind energy facility.

(5) "Repowering" means a rebuild or refurbishment of a turbine or facility that is required due to the turbine or facility reaching the end of its useful life or useful reasonable economic life. The rebuild or refurbishment does not constitute repowering if it is part of routine major maintenance or the maintenance of or replacement of equipment that does not materially affect the expected physical or economical life of the turbine or facility.

(6) "Utility-scale wind energy facility" means a facility used in the generation of electricity by means of turbines or other devices that capture and employ the kinetic energy of the wind and:

(a) Is required under federal aviation administration regulations, guidelines, circulars, or standards, as they existed as of January 1, 2023, to have obstruction lights; or

(b) Has at least one obstruction light and at least one wind turbine with a hub height of at least 75 feet above ground level.

NEW SECTION. **Sec. 2.** (1) On and after July 1, 2023, no new utility-scale wind energy facility shall commence operations unless the developer, owner, or operator of the facility applies to the federal aviation administration for installation of a light-mitigating technology system that complies with federal aviation administration regulations, 14 C.F.R. § 1.1 et seq. If approved by the federal aviation administration, the developer, owner, or operator of such utility-scale wind energy facility shall

install the light-mitigating technology system on approved turbines within 24 months after receipt of such approval.

(2) On and after January 1, 2025, or upon the completion of repowering, whichever is earlier, any developer, owner, or operator of a utility-scale wind energy facility that has commenced operations without a light-mitigating technology system shall apply to the federal aviation administration for installation and operation of a light-mitigating technology system that complies with federal aviation administration regulations, 14 C.F.R. § 1.1 et seq., within six months after the execution of a new power offtake agreement related to such utility-scale wind energy facility. If approved by the federal aviation administration, the developer, owner, or operator of such utility-scale wind energy facility shall install the light-mitigating technology system on approved turbines within 24 months following such approval.

(3) Prior to construction, operation, or repowering of any utility scale wind energy facility, the board of county commissioners of any county in which construction is proposed may determine the type of light-mitigating technology system that shall be used on such wind energy facility. The developer shall submit an application to the board on a form and in the manner specified by the board proposing the light-mitigating technology system that such developer will install and maintain upon such wind energy facility. The board shall have the authority to approve the proposed light-mitigating technology system or to require the installation of another light-mitigating technology system to serve the public interest.

NEW SECTION. Sec. 3. (1) A violation of the requirements of this chapter is punishable by a civil penalty of up to \$5,000 per day per violation. Penalties are appealable to the pollution control hearings board.

(2)(a) The department may enforce the requirements of this chapter.

(b) Enforcement of this chapter by the department must rely on notification and information exchange between the department and utility-scale wind energy facility owners or operators. The department must prepare and distribute information regarding this chapter to utility-scale wind energy facility owners and operators to help facility owners and operators in their advance planning to meet the deadlines.

(c)(i) If the department obtains information that a facility is not in compliance with the requirements of this chapter, the department may issue a notification letter by certified mail to the facility owner or operator and offer information or other appropriate assistance regarding compliance with this chapter. If compliance is not achieved within 60 days of the issuance of a notification letter under this subsection, the department may assess penalties under this section.

(ii) The department may delay any combination of the issuance of a notification letter under this subsection (2)(c), the 60-day period in which compliance with the requirements of this chapter must be achieved, or the imposition of penalties for good cause shown due to:

- (A) Supply chain constraints, including lack of light-mitigating technology system availability;
- (B) Lack of contractor availability;
- (C) Lighting system permitting delays; or
- (D) Technological feasibility considerations.

Sec. 4. RCW 43.21B.110 and 2022 c 180 s 812 are each amended to read as follows:

(1) The hearings board shall only have jurisdiction to hear and decide appeals from the following decisions of the department, the director, local conservation districts, the air pollution control boards or authorities as established pursuant to chapter 70A.15

RCW, local health departments, the department of natural resources, the department of fish and wildlife, the parks and recreation commission, and authorized public entities described in chapter 79.100 RCW:

(a) Civil penalties imposed pursuant to RCW 18.104.155, 70A.15.3160, 70A.300.090, 70A.20.050, 70A.530.040, 70A.350.070, 70A.515.060, 70A.245.040, 70A.245.050, 70A.245.070, 70A.245.080, 70A.65.200, 70A.455.090, section 3 of this act, 76.09.170, 77.55.440, 78.44.250, 88.46.090, 90.03.600, 90.46.270, 90.48.144, 90.56.310, 90.56.330, and 90.64.102.

(b) Orders issued pursuant to RCW 18.104.043, 18.104.060, 43.27A.190, 70A.15.2520, 70A.15.3010, 70A.300.120, 70A.350.070, 70A.245.020, 70A.65.200, 86.16.020, 88.46.070, 90.14.130, 90.46.250, 90.48.120, and 90.56.330.

(c) Except as provided in RCW 90.03.210(2), the issuance, modification, or termination of any permit, certificate, or license by the department or any air authority in the exercise of its jurisdiction, including the issuance or termination of a waste disposal permit, the denial of an application for a waste disposal permit, the modification of the conditions or the terms of a waste disposal permit, or a decision to approve or deny an application for a solid waste permit exemption under RCW 70A.205.260.

(d) Decisions of local health departments regarding the grant or denial of solid waste permits pursuant to chapter 70A.205 RCW.

(e) Decisions of local health departments regarding the issuance and enforcement of permits to use or dispose of biosolids under RCW 70A.226.090.

(f) Decisions of the department regarding waste-derived fertilizer or micronutrient fertilizer under RCW 15.54.820, and decisions of the department regarding waste-derived soil amendments under RCW 70A.205.145.

(g) Decisions of local conservation districts related to the denial of approval or denial of certification of a dairy nutrient management plan; conditions contained in a plan; application of any dairy nutrient management practices, standards, methods, and technologies to a particular dairy farm; and failure to adhere to the plan review and approval timelines in RCW 90.64.026.

(h) Any other decision by the department or an air authority which pursuant to law must be decided as an adjudicative proceeding under chapter 34.05 RCW.

(i) Decisions of the department of natural resources, the department of fish and wildlife, and the department that are reviewable under chapter 76.09 RCW, and the department of natural resources' appeals of county, city, or town objections under RCW 76.09.050(7).

(j) Forest health hazard orders issued by the commissioner of public lands under RCW 76.06.180.

(k) Decisions of the department of fish and wildlife to issue, deny, condition, or modify a hydraulic project approval permit under chapter 77.55 RCW, to issue a stop work order, to issue a notice to comply, to issue a civil penalty, or to issue a notice of intent to disapprove applications.

(l) Decisions of the department of natural resources that are reviewable under RCW 78.44.270.

(m) Decisions of an authorized public entity under RCW 79.100.010 to take temporary possession or custody of a vessel or to contest the amount of reimbursement owed that are reviewable by the hearings board under RCW 79.100.120.

(n) Decisions of the department of ecology that are appealable under RCW 70A.245.020 to set recycled minimum postconsumer content for covered products or to temporarily exclude types of covered products in plastic containers from minimum postconsumer recycled content requirements.

EIGHTY NINTH DAY, APRIL 7, 2023

(o) Orders by the department of ecology under RCW 70A.455.080.

(2) The following hearings shall not be conducted by the hearings board:

(a) Hearings required by law to be conducted by the shorelines hearings board pursuant to chapter 90.58 RCW.

(b) Hearings conducted by the department pursuant to RCW 70A.15.3010, 70A.15.3070, 70A.15.3080, 70A.15.3090, 70A.15.3100, 70A.15.3110, and 90.44.180.

(c) Appeals of decisions by the department under RCW 90.03.110 and 90.44.220.

(d) Hearings conducted by the department to adopt, modify, or repeal rules.

(3) Review of rules and regulations adopted by the hearings board shall be subject to review in accordance with the provisions of the administrative procedure act, chapter 34.05 RCW.

NEW SECTION. Sec. 5. A new section is added to chapter 43.21C RCW to read as follows:

(1) Actions to mitigate light pollution at a utility-scale wind energy facility as required under section 2 of this act, are categorically exempt from the requirements of this chapter.

(2) For the purposes of this section, "utility-scale wind energy facility" has the same meaning as defined in section 1 of this act.

NEW SECTION. Sec. 6. Sections 1 through 3 of this act constitute a new chapter in Title 70A RCW.

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

NEW SECTION. Sec. 8. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

On page 1, line 2 of the title, after "infrastructure;" strike the remainder of the title and insert "amending RCW 43.21B.110; adding a new section to chapter 43.21C RCW; adding a new chapter to Title 70A RCW; prescribing penalties; and declaring an emergency."

Senators Boehnke and Nguyen spoke in favor of the motion to not adopt the committee striking amendment.

The President declared the question before the Senate to be to not adopt the committee striking amendment by the Committee on Environment, Energy & Technology to Engrossed Substitute House Bill No. 1173.

The motion by Senator Boehnke carried and the committee striking amendment was not adopted by voice vote.

MOTION

Senator Boehnke moved that the following striking amendment no. 0324 by Senator Boehnke be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Aircraft detection lighting system" means a sensor-based system that:

(a) Is designed to detect approaching aircraft;

(b) Automatically activates appropriate obstruction lights until the lights are no longer needed by the aircraft; and

(c) The federal aviation administration has approved as meeting the requirements set forth in chapter 10 of the federal

aviation administration's 2020 advisory circular AC 70/7460-1M, "Obstruction marking and lighting."

(2) "Department" means the department of ecology.

(3) "Hub height" means the distance from the ground to the middle of a wind turbine's rotor.

(4) "Light-mitigating technology system" means aircraft detection lighting or another federal aviation administration-approved system capable of reducing the impact of aviation obstruction lighting while maintaining conspicuity sufficient to assist aircraft in identifying and avoiding collision with a utility-scale wind energy facility.

(5) "Repowering" means a rebuild or refurbishment of a turbine or facility that is required due to the turbine or facility reaching the end of its useful life or useful reasonable economic life. The rebuild or refurbishment does not constitute repowering if it is part of routine major maintenance or the maintenance or replacement of equipment that does not materially affect the expected physical or economical life of the turbine or facility.

(6) "Utility-scale wind energy facility" means a facility used in the generation of electricity by means of turbines or other devices that capture and employ the kinetic energy of the wind and:

(a) Is required under federal aviation administration regulations, guidelines, circulars, or standards, as they existed as of January 1, 2023, to have obstruction lights; or

(b) Has at least one obstruction light and at least one wind turbine with a hub height of at least 75 feet above ground level.

NEW SECTION. Sec. 2. (1) Except as provided in section 3 of this act, beginning July 1, 2023, no new utility-scale wind energy facility shall commence operations unless the developer, owner, or operator of the facility applies to the federal aviation administration for installation of a light-mitigating technology system that complies with federal aviation administration regulations, as they existed as of the effective date of this section. If approved by the federal aviation administration, the developer, owner, or operator of such utility-scale wind energy facility shall install the light-mitigating technology system on approved turbines within 24 months after receipt of such approval. If not approved by the federal aviation administration, the developer, owner, or operator of such utility-scale wind energy facility is not subject to this chapter.

(2) Except as provided in section 3 of this act, beginning January 1, 2028, or upon the completion of repowering, whichever is earlier, any developer, owner, or operator of a utility-scale wind energy facility that has commenced operations without an aircraft detection lighting system shall apply to the federal aviation administration for installation and operation of a light-mitigating technology system that achieves comparable light mitigation outcomes to an aircraft detection lighting system and that complies with federal aviation administration regulations, as they existed as of the effective date of this section. If approved by the federal aviation administration, the developer, owner, or operator of such utility-scale wind energy facility shall install the light-mitigating technology system on approved turbines within 24 months following such approval. If not approved by the federal aviation administration, the developer, owner, or operator of such utility-scale wind energy facility is not subject to this chapter.

(3) A developer, owner, or operator of a utility-scale wind energy facility shall comply with any wind energy ordinance adopted by a legislative authority of a county pursuant to section 3 of this act.

(4) Nothing in this section requires mitigation of light pollution to be carried out in a manner that conflicts with federal requirements, including requirements of the federal aviation administration or the United States department of defense.

NEW SECTION. Sec. 3. A new section is added to chapter 36.01 RCW to read as follows:

(1) A legislative authority of any county may adopt a wind energy ordinance that includes specifications for aviation obstruction light-mitigating technology systems only when there is more than one technology approved by the federal aviation administration. In adopting an ordinance under this section, the county legislative authority shall consider whether affected wind energy facilities have caused, or will cause, light impacts requiring mitigation. Additional practicability criteria related to the selection of light-mitigating technology systems may include the costs associated with the installation of such a system, the economic impact to a developer, owner, or operator of the installation of such a system, conditions under which light mitigation is required, and the type of system that best serves the public interest of the county. Nothing in this section authorizes a county to deny a permit application for a wind energy facility where the use of a light-mitigating technology system is not allowed by the federal aviation administration, United States department of defense, or if it is determined by the county to be impracticable.

(2) The definitions in section 1 of this act apply throughout this section unless the context clearly requires otherwise.

NEW SECTION. Sec. 4. (1) A violation of the requirements of this chapter is punishable by a civil penalty of up to \$5,000 per day per violation. Penalties are appealable to the pollution control hearings board.

(2)(a) The department may enforce the requirements of this chapter.

(b) Enforcement of this chapter by the department must rely on notification and information exchange between the department and utility-scale wind energy facility owners or operators. The department must prepare and distribute information regarding this chapter to utility-scale wind energy facility owners and operators to help facility owners and operators in their advance planning to meet the deadlines.

(c)(i) If the department obtains information that a facility is not in compliance with the requirements of this chapter, the department may issue a notification letter by certified mail to the facility owner or operator and offer information or other appropriate assistance regarding compliance with this chapter. If compliance is not achieved within 60 days of the issuance of a notification letter under this subsection, the department may assess penalties under this section.

(ii) The department may delay any combination of the issuance of a notification letter under this subsection (2)(c), the 60-day period in which compliance with the requirements of this chapter must be achieved, or the imposition of penalties for good cause shown due to:

- (A) Supply chain constraints, including lack of light-mitigating technology system availability;
- (B) Lack of contractor availability;
- (C) Lighting system permitting delays; or
- (D) Technological feasibility considerations.

(3) A utility-scale wind energy facility owner or operator of a facility that has commenced operations prior to January 1, 2023, that applies for the approval of a light-mitigating technology system to the federal aviation administration prior to January 1, 2027, but that has not received a determination to approve the system by the federal aviation administration as of July 1, 2027, may not be assessed a penalty under this chapter until at least 24 months after the federal aviation administration issues its determination on the application of the utility-scale wind energy facility's proposed light-mitigating technology system.

(4) The department may adopt by rule a light mitigation standard that references a more recent version of any federal requirements referenced in section 2 of this act in order to maintain consistency between this chapter and federal aviation administration requirements.

Sec. 5. RCW 43.21B.110 and 2022 c 180 s 812 are each amended to read as follows:

(1) The hearings board shall only have jurisdiction to hear and decide appeals from the following decisions of the department, the director, local conservation districts, the air pollution control boards or authorities as established pursuant to chapter 70A.15 RCW, local health departments, the department of natural resources, the department of fish and wildlife, the parks and recreation commission, and authorized public entities described in chapter 79.100 RCW:

(a) Civil penalties imposed pursuant to RCW 18.104.155, 70A.15.3160, 70A.300.090, 70A.20.050, 70A.530.040, 70A.350.070, 70A.515.060, 70A.245.040, 70A.245.050, 70A.245.070, 70A.245.080, 70A.65.200, 70A.455.090, section 4 of this act, 76.09.170, 77.55.440, 78.44.250, 88.46.090, 90.03.600, 90.46.270, 90.48.144, 90.56.310, 90.56.330, and 90.64.102.

(b) Orders issued pursuant to RCW 18.104.043, 18.104.060, 43.27A.190, 70A.15.2520, 70A.15.3010, 70A.300.120, 70A.350.070, 70A.245.020, 70A.65.200, 86.16.020, 88.46.070, 90.14.130, 90.46.250, 90.48.120, and 90.56.330.

(c) Except as provided in RCW 90.03.210(2), the issuance, modification, or termination of any permit, certificate, or license by the department or any air authority in the exercise of its jurisdiction, including the issuance or termination of a waste disposal permit, the denial of an application for a waste disposal permit, the modification of the conditions or the terms of a waste disposal permit, or a decision to approve or deny an application for a solid waste permit exemption under RCW 70A.205.260.

(d) Decisions of local health departments regarding the grant or denial of solid waste permits pursuant to chapter 70A.205 RCW.

(e) Decisions of local health departments regarding the issuance and enforcement of permits to use or dispose of biosolids under RCW 70A.226.090.

(f) Decisions of the department regarding waste-derived fertilizer or micronutrient fertilizer under RCW 15.54.820, and decisions of the department regarding waste-derived soil amendments under RCW 70A.205.145.

(g) Decisions of local conservation districts related to the denial of approval or denial of certification of a dairy nutrient management plan; conditions contained in a plan; application of any dairy nutrient management practices, standards, methods, and technologies to a particular dairy farm; and failure to adhere to the plan review and approval timelines in RCW 90.64.026.

(h) Any other decision by the department or an air authority which pursuant to law must be decided as an adjudicative proceeding under chapter 34.05 RCW.

(i) Decisions of the department of natural resources, the department of fish and wildlife, and the department that are reviewable under chapter 76.09 RCW, and the department of natural resources' appeals of county, city, or town objections under RCW 76.09.050(7).

(j) Forest health hazard orders issued by the commissioner of public lands under RCW 76.06.180.

(k) Decisions of the department of fish and wildlife to issue, deny, condition, or modify a hydraulic project approval permit under chapter 77.55 RCW, to issue a stop work order, to issue a notice to comply, to issue a civil penalty, or to issue a notice of intent to disapprove applications.

EIGHTY NINTH DAY, APRIL 7, 2023

(l) Decisions of the department of natural resources that are reviewable under RCW 78.44.270.

(m) Decisions of an authorized public entity under RCW 79.100.010 to take temporary possession or custody of a vessel or to contest the amount of reimbursement owed that are reviewable by the hearings board under RCW 79.100.120.

(n) Decisions of the department of ecology that are appealable under RCW 70A.245.020 to set recycled minimum postconsumer content for covered products or to temporarily exclude types of covered products in plastic containers from minimum postconsumer recycled content requirements.

(o) Orders by the department of ecology under RCW 70A.455.080.

(2) The following hearings shall not be conducted by the hearings board:

(a) Hearings required by law to be conducted by the shorelines hearings board pursuant to chapter 90.58 RCW.

(b) Hearings conducted by the department pursuant to RCW 70A.15.3010, 70A.15.3070, 70A.15.3080, 70A.15.3090, 70A.15.3100, 70A.15.3110, and 90.44.180.

(c) Appeals of decisions by the department under RCW 90.03.110 and 90.44.220.

(d) Hearings conducted by the department to adopt, modify, or repeal rules.

(3) Review of rules and regulations adopted by the hearings board shall be subject to review in accordance with the provisions of the administrative procedure act, chapter 34.05 RCW.

NEW SECTION. Sec. 6. A new section is added to chapter 43.21C RCW to read as follows:

(1) Actions to mitigate light pollution at a utility-scale wind energy facility as required under section 2 of this act, are categorically exempt from the requirements of this chapter.

(2) For the purposes of this section, "utility-scale wind energy facility" has the same meaning as defined in section 1 of this act.

NEW SECTION. Sec. 7. Sections 1, 2, and 4 of this act constitute a new chapter in Title 70A RCW.

NEW SECTION. Sec. 8. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 9. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

On page 1, line 2 of the title, after "infrastructure;" strike the remainder of the title and insert "amending RCW 43.21B.110; adding a new section to chapter 36.01 RCW; adding a new section to chapter 43.21C RCW; adding a new chapter to Title 70A RCW; prescribing penalties; and declaring an emergency."

MOTION

Senator Nguyen moved that the following amendment no. 0332 by Senator Nguyen be adopted:

On page 2, line 8, after "facility" insert "with five or more turbines"

On page 2, line 23, after "facility" insert "with five or more turbines"

On page 3, beginning on line 9, after "systems" strike all material through "administration" on line 10

On page 3, at the beginning of line 14, strike "practicability"

Senators Nguyen and Boehnke spoke in favor of adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0332 by Senator Nguyen on page 2, line 8 to striking amendment no. 0324.

The motion by Senator Nguyen carried and amendment no. 0324 was adopted by voice vote.

The President declared the question before the Senate to be the adoption of striking amendment no. 0324 by Senator Boehnke as amended to Engrossed Substitute House Bill No. 1173.

The motion by Senator Boehnke carried and striking amendment no. 0324 as amended was adopted by voice vote.

MOTION

On motion of Senator Boehnke, the rules were suspended, Engrossed Substitute House Bill No. 1173 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Boehnke, Nguyen and Gildon spoke in favor of passage of the bill.

REMARKS BY THE PRESIDENT

President Heck: "Senator Boehnke, with all due respect, a reminder to you and others who have made this particular allusion, referencing the other chamber in such a fashion is a violation of your rules."

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 1173 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 1173 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senator Liias

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1173, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SECOND SUBSTITUTE HOUSE BILL NO. 1474, by House Committee on Appropriations (originally sponsored by Taylor, Chopp, Berg, Peterson, Reed, Stonier, Gregerson, Bronoske, Cortes, Mena, Street, Ramel, Fosse, Fey, Goodman, Duerr, Bateman, Morgan, Alvarado, Macri, Senn, Berry, Kloba, Hackney, Springer, Slatter, Callan, Orwall, Farivar, Simmons, Ortiz-Self, Thai, Ryu, Stearns, Wylie, Ramos, Doglio, Riccelli, Chapman, Santos, Davis, Ormsby, Bergquist and Pollet)

Creating the covenant homeownership account and program to address the history of housing discrimination due to racially restrictive real estate covenants in Washington state.

The measure was read the second time.

MOTION

Senator Lovick moved that the following committee striking amendment by the Committee on Ways & Means be not adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) The legislature finds that:

(a) Generations of systemic, racist, and discriminatory policies and practices have created barriers to credit and homeownership for black, indigenous, and people of color and other historically marginalized communities in Washington state. The legislature finds that these policies and practices include redlining, racially restrictive covenants, mortgage subsidies and incentives, and displacement and gentrification.

(b) The state government was both an active and passive participant in this discrimination. For example, the legislature recognizes the role of state courts in facilitating discrimination by property owners; the existence of mandatory recording statutes that required county auditors to record racially restrictive covenants; the passage of the urban renewal law authorizing the designation, regulation, and displacement of certain neighborhoods that were deemed to be blighted; and state funding and regulation of the real estate and banking industries in ways that facilitated or promoted private discrimination. The legislature finds that the specific discriminatory acts and omissions are well documented, including in numerous public and private studies, reports, and other publications.

(c) This discrimination and its impacts continue to exist in the present day. The legislature recognizes that the homeownership rate for black, indigenous, and people of color and other historically marginalized communities in Washington is 19 percent below that of non-Hispanic white households, and the homeownership rate for black households is even lower. The legislature recognizes that credit, including home mortgages, is harder and more expensive to obtain for black, indigenous, and people of color and other historically marginalized communities in Washington than for non-Hispanic white households. The legislature finds that the imbalance in supply and demand in Washington's housing market has only exacerbated these inequities.

(d) These negative impacts extend beyond homeownership and affect wealth generation, housing security, and other outcomes for black, indigenous, and people of color and other historically marginalized communities in Washington. The legislature finds that these impacts include higher rates of homelessness, rent burdening, substandard or otherwise unhealthy or unsafe housing, and predatory and discriminatory lending practices that lead to further displacement and gentrification.

(e) Existing state and federal programs and other race-neutral approaches are insufficient to remedy that discrimination and its impacts on access to credit and homeownership for black, indigenous, and people of color and other historically marginalized communities in Washington. The legislature finds that race-conscious programs, such as the special purpose credit programs authorized by section 6 of this act, are necessary to remedy the past discrimination in which the state was complicit and to remove the structural barriers that persist.

(2) The legislature declares that the state has a compelling interest in remedying past and ongoing discrimination and its

impacts on access to credit and homeownership for black, indigenous, and people of color and other historically marginalized communities in Washington.

NEW SECTION. Sec. 2. A new section is added to chapter 36.22 RCW to read as follows:

(1) Beginning January 1, 2024, except as provided in subsection (2) of this section, the county auditor must collect a covenant homeownership program assessment of \$50 for each document recorded, which is in addition to any other charge, surcharge, or assessment allowed by law. The county auditor may retain up to one percent of the moneys for collection of the assessment and must remit the remainder of the moneys to the state treasurer to be deposited in the covenant homeownership account created in section 4 of this act.

(2) The assessment imposed in this section does not apply to: (a) Assignments or substitutions of previously recorded deeds of trust; (b) documents recording a birth, marriage, divorce, or death; (c) any recorded documents otherwise exempted from a recording fee or additional assessments under state law; (d) marriage licenses issued by the county auditor; (e) documents recording a name change order under RCW 4.24.130; or (f) documents recording a federal, state, county, city, or water-sewer district, or wage lien or satisfaction of lien.

NEW SECTION. Sec. 3. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Department" means the department of commerce, except as otherwise indicated in section 7 of act.

(2) "Commission" means the Washington state housing finance commission.

(3) "Covenant homeownership program study" means an evidence-based written report prepared by or on behalf of the commission as required in section 5 of this act.

(4) "First-time home buyer" means:

(a) An individual or the individual's spouse who has had no ownership in a principal residence during the three-year period ending on the date of purchase of the property;

(b) A single parent who has only owned a home with a former spouse while married;

(c) An individual who is a displaced homemaker as defined in 24 C.F.R. Sec. 93.2 as it exists on the effective date of this section, or such subsequent date as may be provided by the department by rule, consistent with the purposes of this section, and has only owned a home with a spouse;

(d) An individual who has only owned a principal residence not permanently affixed to a permanent foundation in accordance with applicable regulations; or

(e) An individual who has only owned a property that is determined by a licensed building inspector as being uninhabitable.

(5) "Oversight committee" means the covenant homeownership program oversight committee established in section 7 of this act.

(6) "Program" means the covenant homeownership program described in section 6 of this act.

(7) "Program participant" means a person who receives down payment and closing cost assistance through a special purpose credit program created by the commission for purposes of the covenant homeownership program.

(8) "Racially restrictive real estate covenant" means a recorded covenant or deed restriction that includes or included racial restrictions on property ownership or use against protected classes that are unlawful under RCW 49.60.224. For example, these unlawful restrictions commonly included exclusions against black, indigenous, and people of color and other

EIGHTY NINTH DAY, APRIL 7, 2023

historically marginalized communities in Washington state, using terms, many of which are offensive, such as "African blood" meaning all sub-Saharan African ancestries; "Aryan" meaning not Jewish, not eastern or southern European, nor any ancestry except northern European; "Asiatic" meaning all Asian ancestries; Chinese; "colored person" meaning all sub-Saharan African ancestries; "colored races" meaning all nonwhite races; "Ethiopian" meaning all sub-Saharan African ancestries; "gentile" meaning non-Jewish; Hawaiian; "Hebrew" meaning Jewish; "Hindu" meaning all South Asian ancestries; "Indian" meaning Native Americans and also possibly South Asian ancestries; Japanese; "Malay" meaning Filipino; "Mongolian" meaning all East Asian ancestries; "Negro blood" meaning all sub-Saharan African ancestries; "oriental" meaning all Asian ancestries; "Turkish empire" meaning all middle easterners; and "yellow races" meaning all Asian ancestries.

(9) "Special purpose credit program" means a credit assistance program created by the commission as authorized by the federal consumer financial protection bureau under regulation B, 12 C.F.R. 1002.8(a)(1), pursuant to Title VII of the consumer credit protection act (the equal credit opportunity act, 15 U.S.C. Sec. 1691 et seq.) as amended, allowing a creditor to extend special purpose credit to applicants who meet eligibility requirements under a credit assistance program expressly authorized by state law for the benefit of an economically disadvantaged class of persons.

NEW SECTION. Sec. 4. The covenant homeownership account is created in the state treasury. All receipts from the assessment established in section 2 of this act must be deposited into the account. Moneys in the account may be spent only after appropriation. Expenditures from the account may be made only for the purposes of the program described in section 6 of this act. The legislature may appropriate moneys in the account as follows:

(1) The legislature may appropriate up to one percent of moneys in the account to the department for costs related to the program described in section 6 of this act including, but not limited to, costs related to administering one or more contracts with the commission for purposes of the program, costs related to outreach and stakeholder engagement, costs related to reimbursing the department of financial institutions for its costs related to the oversight committee created in section 7 of this act, and other administrative, data collection, and reporting costs; and

(2) The legislature may appropriate the remainder of the moneys in the account to the department to contract with the commission for the purposes of the program described in section 6 of this act.

NEW SECTION. Sec. 5. (1)(a) The commission shall complete, or cause to be completed, an initial covenant homeownership program study. The initial covenant homeownership program study must:

(i) Document past and ongoing discrimination against black, indigenous, and people of color and other historically marginalized communities in Washington state and the impacts of this discrimination on homeownership in the state, including access to credit and other barriers to homeownership in the state;

(ii) Analyze whether and to what extent existing programs and race-neutral approaches have been insufficient to remedy this discrimination and its impacts;

(iii)(A) Recommend and evaluate potential programmatic and policy changes, including creation of one or more special purpose credit programs, to remedy this discrimination and its impacts;

(B) As part of the recommendations related to creation of one or more special purpose credit programs, identify through evidence-based documentation the economically disadvantaged

class or classes of persons that require down payment and closing cost assistance in order to reduce racial disparities in homeownership in the state. The class or classes of persons identified in the study may share one or more common characteristics such as, race, national origin, or sex; and

(iv) Identify methodology to evaluate the efficacy of any recommended programmatic and policy changes over time.

(b) By March 1, 2024, and in compliance with RCW 43.01.036, the commission shall submit a copy of the initial covenant homeownership program study to the appropriate committees of the legislature and post a copy of the study to the commission's website.

(2)(a) At least every five years after the initial covenant homeownership program study is completed, the commission shall complete, or cause to be completed, an updated covenant homeownership program study. The updated covenant homeownership program study must:

(i) Update and reevaluate the findings and recommendations contained in the initial covenant homeownership program study and any subsequent program studies;

(ii) Document the experience of program participants and others impacted by past and ongoing discrimination, including their experience accessing or attempting to access credit and any barriers to homeownership in the state that they have faced or continue to face;

(iii) Evaluate the special purpose credit program or programs' efficacy in providing down payment and closing cost assistance to the economically disadvantaged class or classes of persons identified in the initial covenant homeownership program study and any subsequent program studies, and the special purpose credit program or programs' impacts on remedying discrimination and reducing racial disparities in homeownership in the state; and

(iv) Recommend program modifications and improvements.

(b) By December 31, 2028, and by December 31st every five years thereafter, and in compliance with RCW 43.01.036, the commission shall submit a copy of an updated covenant homeownership program study to the appropriate committees of the legislature and post a copy of the study to the commission's website.

(c) The board of the commission shall review each subsequent covenant homeownership program study and consider the evidence-based documentation and recommendations in designing and implementing program amendments.

NEW SECTION. Sec. 6. (1) As part of the covenant homeownership program, the department shall contract with the commission to design, develop, implement, and evaluate one or more special purpose credit programs to reduce racial disparities in homeownership in the state by providing down payment and closing cost assistance. The contract must authorize the commission to use the contract funding as follows:

(a) The contract must authorize the commission to use up to one percent of the contract funding for costs related to administering the program including, but not limited to, costs related to completing a covenant homeownership program study required under section 5 of this act, and other administrative, data collection, and reporting costs;

(b) The contract must authorize the commission to use up to one percent of the contract funding to provide targeted education, homeownership counseling, and outreach about special purpose credit programs created under this section to black, indigenous, and people of color and other historically marginalized communities in Washington state, including outreach to relevant affinity groups for mortgage lenders; and

(c) The contract must authorize the commission to use the remainder of the contract funding to provide down payment and closing cost assistance to program participants. This portion of the contract funding may not be used to provide any type of assistance other than down payment and closing cost assistance.

(2) The commission shall create one or more special purpose credit programs to provide down payment and closing cost assistance for the benefit of one or more economically disadvantaged classes of persons identified in a covenant homeownership program study under section 5 of this act. In creating a special purpose credit program, the commission must consider the evidence-based documentation and programmatic and policy recommendations set forth in the initial covenant homeownership program study and any subsequent program studies. If the covenant homeownership program study identifies an economically disadvantaged class or classes of persons that share one or more common characteristics such as, race, national origin, or sex and the board of the commission finds it necessary to consider this information in tailoring a special purpose credit program to provide credit assistance to economically disadvantaged classes of persons, the commission may consider these characteristics in designing and implementing the program.

(3) At minimum, a special purpose credit program authorized under this section must:

(a) Provide loans for down payment and closing cost assistance to program participants that can be combined with other forms of down payment and closing cost assistance;

(b) Require a program participant to repay loans for down payment and closing cost assistance at the time that the house is sold; and

(c) Be implemented in conjunction with the commission's housing finance programs.

(4) To be eligible to receive down payment and closing cost assistance through a special purpose credit program authorized under this section, a special purpose credit program applicant must:

(a) Have a household income at or below 100 percent of the area median income;

(b) Be a first-time home buyer; and

(c)(i) Be a Washington state resident who:

(A) Was a Washington state resident on or before the enactment of the federal fair housing act (Title VIII of the civil rights act of 1968; P.L. 90-284; 82 Stat. 73) on April 11, 1968, and was or would have been excluded from homeownership in Washington state by a racially restrictive real estate covenant on or before April 11, 1968; or

(B) Is a descendant of a person who meets the criteria in (c)(i)(A) of this subsection;

(ii) Records that show a person's address on or about a specific date or include a reference indicating that a person is a resident of a specific city or area on or about a specific date may be used to provide proof that a person satisfies the criteria in (c)(i) of this subsection, such as genealogical records, vital records, church records, military records, probate records, public records, census data, newspaper clippings, and other similar documents.

(5) The commission may adopt rules, and shall adopt program policies, as necessary to implement this section. Program rules or policies must include procedures and standards for extending credit under the special purpose credit program, including program eligibility requirements. From time to time, including in response to a covenant homeownership program study's evaluation of program efficacy, the board of the commission may amend the special purpose credit programs, rules, and policies.

(6) By July 1, 2024, one or more of the special purpose credit programs must begin providing down payment and closing cost assistance to program participants.

(7) By December 31, 2025, and by each following December 31st, and in compliance with RCW 43.01.036, the commission shall submit an annual report to the appropriate committees of the legislature on the progress of the special purpose credit program or programs developed under this section. The report shall include, at minimum, the program eligibility requirements, the type and amount of down payment and closing cost assistance provided to program participants, the number of program participants and their corresponding eligibility categories, the location of property financed, and program outreach efforts. The report must be posted on the commission's website.

NEW SECTION. Sec. 7. (1) The department of financial institutions shall establish the covenant homeownership program oversight committee consisting of the following members appointed by the governor, except for the legislative members who must be appointed by the president of the senate or the speaker of the house of representatives as described in this section:

(a) One person who meets the eligibility criteria for the special purpose credit program described in section 6(4) of this act and is from east of the crest of the Cascade mountains;

(b) One person who meets the eligibility criteria for the special purpose credit program described in section 6(4) of this act and is from west of the crest of the Cascade mountains;

(c) One representative of an organization that operates a special purpose credit program, counseling service, or debt relief program that serves persons who were commonly subject to unlawful exclusions contained in racially restrictive real estate covenants as defined in section 3 of this act;

(d) One representative of a community-based organization that specializes in the development of permanently affordable housing that serves persons who were commonly subject to unlawful exclusions contained in racially restrictive real estate covenants;

(e) One representative of the real estate sales profession;

(f) One representative of the home mortgage lending profession who has a minimum of five years' lending or underwriting experience;

(g) One representative of the nonprofit affordable housing development industry;

(h) Two senators, one from each of the two largest caucuses, appointed by the president of the senate; and

(i) Two members of the house of representatives, one from each of the two largest caucuses, appointed by the speaker of the house of representatives.

(2)(a) Nonlegislative members shall each serve a three-year term, subject to renewal for no more than one additional three-year term. The oversight committee shall develop rules that provide for the staggering of terms so that, after the first two years of the committee's existence, the terms of one-third of the nonlegislative members expire each year.

(b) Legislative members shall each serve a two-year term, subject to renewal for no more than one additional two-year term.

(c) On the expiration of the term of each member, the governor, president of the senate, or the speaker of the house of representatives, as authorized under subsection (1) of this section, shall appoint a successor to serve for a term of two years if the successor is a legislative member, or three years if the successor is a nonlegislative member.

(d) The governor may remove a nonlegislative member of the oversight committee for cause. The president of the senate may remove a senator serving as a legislative member of the oversight

EIGHTY NINTH DAY, APRIL 7, 2023

committee for cause, and the speaker of the house of representatives may remove a member of the house of representatives serving as a legislative member of the oversight committee for cause.

(e) Vacancies on the oversight committee for any reason must be filled by appointment as authorized under subsection (1) of this section for the duration of the unexpired term.

(3) The oversight committee:

(a) Shall oversee and review the commission's activities and performance related to the program, including the commission's creation and administration of one or more special purpose credit programs authorized in section 6 of this act;

(b) Shall work with the department of financial institutions to convene meetings, create a charter and operating procedures, and to coordinate the oversight committee's ongoing activities;

(c) Shall convene the initial meeting of the oversight committee and select a chair by October 1, 2023;

(d) Shall work with the department of financial institutions to convene a meeting at least once a quarter and may hold additional meetings at the call of the chair or by a majority vote of the members of the committee;

(e) May conduct its meetings by conference telephone call, videoconference, or using similar technology that enables all persons participating in the meeting to hear each other at the same time; and

(f) May, from time to time, make recommendations to the appropriate committees of the legislature regarding the program.

(4)(a) The oversight committee is a class one group under RCW 43.03.220. Except as provided in (b) of this subsection, members of the committee receive no compensation for their services as members of the committee but may be reimbursed for travel and other expenses in accordance with rules adopted by the office of financial management.

(b) As authorized by RCW 43.03.220, the department of financial institutions may provide a stipend to individuals who are low income or have lived experience to support their participation on the oversight committee.

(5)(a) The department of commerce and the commission shall work together to supply the oversight committee and the department of financial institutions with any information requested by the oversight committee or the department of financial institutions that the oversight committee or the department of financial institutions deems necessary for the committee to carry out its duties under this section. This information may include, but is not limited to, books, accounts, records, policies, procedures, files, and information from relevant third parties.

(b) Any information shared among the oversight committee, the department of financial institutions, the department of commerce, and the commission that is confidential and exempt from public disclosure under RCW 42.56.270 shall remain confidential when received by the receiving party.

(6) The department of commerce and the commission must report to the oversight committee on a quarterly basis. The report must address the results of targeted education, homeownership counseling, and outreach efforts by the department of commerce as authorized under this chapter, and the results of any special purpose credit program formed by the commission under this chapter, and down payment and closing cost assistance to program participants.

(7)(a) The department of financial institutions shall:

(i) Provide subject matter expertise, administrative assistance, and staff support to the oversight committee; and

(ii) Work in coordination with the department of commerce and the commission to conduct outreach and financial education

to the communities served by this chapter, in accordance with RCW 43.320.150.

(b) The department of financial institutions may:

(i) Have one or more staff present at oversight committee meetings;

(ii) Employ staff necessary to carry out the purposes of this section; and

(iii) Hire outside experts and other professionals it deems necessary to carry out its duties under this section.

(8) The department of commerce shall reimburse the department of financial institutions for costs related to the oversight committee from the moneys that the legislature appropriates to the department of commerce for this purpose from the covenant homeownership account under section 4(1) of this act.

Sec. 8. RCW 36.18.010 and 2022 c 141 s 2 are each amended to read as follows:

Except as otherwise ordered by the court pursuant to RCW 4.24.130, county auditors or recording officers shall collect the following fees for their official services:

(1) For recording instruments, for the first page eight and one-half by ~~((fourteen))~~ 14 inches or less, ~~((five dollars))~~ \$5; for each additional page eight and one-half by ~~((fourteen))~~ 14 inches or less, ~~((one dollar))~~ \$1. The fee for recording multiple transactions contained in one instrument will be calculated for each transaction requiring separate indexing as required under RCW 65.04.050 as follows: The fee for each title or transaction is the same fee as the first page of any additional recorded document; the fee for additional pages is the same fee as for any additional pages for any recorded document; the fee for the additional pages may be collected only once and may not be collected for each title or transaction;

(2) For preparing and certifying copies, for the first page eight and one-half by ~~((fourteen))~~ 14 inches or less, ~~((three dollars))~~ \$3; for each additional page eight and one-half by ~~((fourteen))~~ 14 inches or less, ~~((one dollar))~~ \$1;

(3) For preparing noncertified copies, for each page eight and one-half by ~~((fourteen))~~ 14 inches or less, ~~((one dollar))~~ \$1;

(4) For administering an oath or taking an affidavit, with or without seal, ~~((two dollars))~~ \$2;

(5) For issuing a marriage license, ~~((eight dollars))~~ \$8, (this fee includes taking necessary affidavits, filing returns, indexing, and transmittal of a record of the marriage to the state registrar of vital statistics) plus an additional ~~((five dollar))~~ \$5 fee for use and support of the prevention of child abuse and neglect activities to be transmitted monthly to the state treasurer and deposited in the state general fund plus an additional ~~((ten dollar))~~ \$10 fee to be transmitted monthly to the state treasurer and deposited in the state general fund. The legislature intends to appropriate an amount at least equal to the revenue generated by this fee for the purposes of the displaced homemaker act, chapter 28B.04 RCW;

(6) For searching records per hour, ~~((eight dollars))~~ \$8;

(7) For recording plats, ~~((fifty))~~ 50 cents for each lot except cemetery plats for which the charge shall be ~~((twenty five))~~ 25 cents per lot; also ~~((one dollar))~~ \$1 for each acknowledgment, dedication, and description: PROVIDED, That there shall be a minimum fee of ~~((twenty five dollars))~~ \$25 per plat;

(8) For recording of miscellaneous records not listed above, for the first page eight and one-half by ~~((fourteen))~~ 14 inches or less, ~~((five dollars))~~ \$5; for each additional page eight and one-half by ~~((fourteen))~~ 14 inches or less, ~~((one dollar))~~ \$1;

(9) For modernization and improvement of the recording and indexing system, a surcharge as provided in RCW 36.22.170;

(10) For recording an emergency nonstandard document as provided in RCW 65.04.047, (~~(fifty dollars)~~) \$50, in addition to all other applicable recording fees;

(11) For recording instruments, a (~~(three dollar)~~) \$3 surcharge to be deposited into the Washington state library operations account created in RCW 43.07.129;

(12) For recording instruments, a (~~(two dollar)~~) \$2 surcharge to be deposited into the Washington state library-archives building account created in RCW 43.07.410 until the financing contract entered into by the secretary of state for the Washington state library-archives building is paid in full;

(13) For recording instruments, a surcharge as provided in RCW 36.22.178; (~~and~~)

(14) For recording instruments, except for documents recording a birth, marriage, divorce, or death or any documents otherwise exempted from a recording fee under state law, a surcharge as provided in RCW 36.22.179; and

(15) For recording instruments, except for documents exempt under section 2(2) of this act, an assessment as provided in section 2 of this act.

Sec. 9. RCW 43.84.092 and 2022 c 182 s 403 are each amended to read as follows:

(1) All earnings of investments of surplus balances in the state treasury shall be deposited to the treasury income account, which account is hereby established in the state treasury.

(2) The treasury income account shall be utilized to pay or receive funds associated with federal programs as required by the federal cash management improvement act of 1990. The treasury income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for refunds or allocations of interest earnings required by the cash management improvement act. Refunds of interest to the federal treasury required under the cash management improvement act fall under RCW 43.88.180 and shall not require appropriation. The office of financial management shall determine the amounts due to or from the federal government pursuant to the cash management improvement act. The office of financial management may direct transfers of funds between accounts as deemed necessary to implement the provisions of the cash management improvement act, and this subsection. Refunds or allocations shall occur prior to the distributions of earnings set forth in subsection (4) of this section.

(3) Except for the provisions of RCW 43.84.160, the treasury income account may be utilized for the payment of purchased banking services on behalf of treasury funds including, but not limited to, depository, safekeeping, and disbursement functions for the state treasury and affected state agencies. The treasury income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for payments to financial institutions. Payments shall occur prior to distribution of earnings set forth in subsection (4) of this section.

(4) Monthly, the state treasurer shall distribute the earnings credited to the treasury income account. The state treasurer shall credit the general fund with all the earnings credited to the treasury income account except:

(a) The following accounts and funds shall receive their proportionate share of earnings based upon each account's and fund's average daily balance for the period: The abandoned recreational vehicle disposal account, the aeronautics account, the Alaskan Way viaduct replacement project account, the ambulance transport fund, the brownfield redevelopment trust fund account, the budget stabilization account, the capital vessel replacement account, the capitol building construction account, the Central Washington University capital projects account, the charitable, educational, penal and reformatory institutions

account, the Chehalis basin account, the Chehalis basin taxable account, the cleanup settlement account, the climate active transportation account, the climate transit programs account, the Columbia river basin water supply development account, the Columbia river basin taxable bond water supply development account, the Columbia river basin water supply revenue recovery account, the common school construction fund, the community forest trust account, the connecting Washington account, the county arterial preservation account, the county criminal justice assistance account, the covenant homeownership account, the deferred compensation administrative account, the deferred compensation principal account, the department of licensing services account, the department of retirement systems expense account, the developmental disabilities community services account, the diesel idle reduction account, the drinking water assistance account, the administrative subaccount of the drinking water assistance account, the early learning facilities development account, the early learning facilities revolving account, the Eastern Washington University capital projects account, the education construction fund, the education legacy trust account, the election account, the electric vehicle account, the energy freedom account, the energy recovery act account, the essential rail assistance account, The Evergreen State College capital projects account, the fair start for kids account, the ferry bond retirement fund, the fish, wildlife, and conservation account, the freight mobility investment account, the freight mobility multimodal account, the grade crossing protective fund, the public health services account, the state higher education construction account, the higher education construction account, the higher education retirement plan supplemental benefit fund, the highway bond retirement fund, the highway infrastructure account, the highway safety fund, the hospital safety net assessment fund, the Interstate 405 and state route number 167 express toll lanes account, the judges' retirement account, the judicial retirement administrative account, the judicial retirement principal account, the limited fish and wildlife account, the local leasehold excise tax account, the local real estate excise tax account, the local sales and use tax account, the marine resources stewardship trust account, the medical aid account, the money-purchase retirement savings administrative account, the money-purchase retirement savings principal account, the motor vehicle fund, the motorcycle safety education account, the move ahead WA account, the move ahead WA flexible account, the multimodal transportation account, the multiuse roadway safety account, the municipal criminal justice assistance account, the oyster reserve land account, the pension funding stabilization account, the perpetual surveillance and maintenance account, the pilotage account, the pollution liability insurance agency underground storage tank revolving account, the public employees' retirement system plan 1 account, the public employees' retirement system combined plan 2 and plan 3 account, the public facilities construction loan revolving account, the public health supplemental account, the public works assistance account, the Puget Sound capital construction account, the Puget Sound ferry operations account, the Puget Sound Gateway facility account, the Puget Sound taxpayer accountability account, the real estate appraiser commission account, the recreational vehicle account, the regional mobility grant program account, the resource management cost account, the rural arterial trust account, the rural mobility grant program account, the rural Washington loan fund, the sexual assault prevention and response account, the site closure account, the skilled nursing facility safety net trust fund, the small city pavement and sidewalk account, the special category C account, the special wildlife account, the state investment board expense

EIGHTY NINTH DAY, APRIL 7, 2023

account, the state investment board commingled trust fund accounts, the state patrol highway account, the state reclamation revolving account, the state route number 520 civil penalties account, the state route number 520 corridor account, the statewide broadband account, the statewide tourism marketing account, the supplemental pension account, the Tacoma Narrows toll bridge account, the teachers' retirement system plan 1 account, the teachers' retirement system combined plan 2 and plan 3 account, the tobacco prevention and control account, the tobacco settlement account, the toll facility bond retirement account, the transportation 2003 account (nickel account), the transportation equipment fund, the transportation future funding program account, the transportation improvement account, the transportation improvement board bond retirement account, the transportation infrastructure account, the transportation partnership account, the traumatic brain injury account, the University of Washington bond retirement fund, the University of Washington building account, the voluntary cleanup account, the volunteer firefighters' and reserve officers' relief and pension principal fund, the volunteer firefighters' and reserve officers' administrative fund, the vulnerable roadway user education account, the Washington judicial retirement system account, the Washington law enforcement officers' and firefighters' system plan 1 retirement account, the Washington law enforcement officers' and firefighters' system plan 2 retirement account, the Washington public safety employees' plan 2 retirement account, the Washington school employees' retirement system combined plan 2 and 3 account, the Washington state patrol retirement account, the Washington State University building account, the Washington State University bond retirement fund, the water pollution control revolving administration account, the water pollution control revolving fund, the Western Washington University capital projects account, the Yakima integrated plan implementation account, the Yakima integrated plan implementation revenue recovery account, and the Yakima integrated plan implementation taxable bond account. Earnings derived from investing balances of the agricultural permanent fund, the normal school permanent fund, the permanent common school fund, the scientific permanent fund, and the state university permanent fund shall be allocated to their respective beneficiary accounts.

(b) Any state agency that has independent authority over accounts or funds not statutorily required to be held in the state treasury that deposits funds into a fund or account in the state treasury pursuant to an agreement with the office of the state treasurer shall receive its proportionate share of earnings based upon each account's or fund's average daily balance for the period.

(5) In conformance with Article II, section 37 of the state Constitution, no treasury accounts or funds shall be allocated earnings without the specific affirmative directive of this section.

Sec. 10. RCW 43.84.092 and 2022 c 182 s 404 are each amended to read as follows:

(1) All earnings of investments of surplus balances in the state treasury shall be deposited to the treasury income account, which account is hereby established in the state treasury.

(2) The treasury income account shall be utilized to pay or receive funds associated with federal programs as required by the federal cash management improvement act of 1990. The treasury income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for refunds or allocations of interest earnings required by the cash management improvement act. Refunds of interest to the federal treasury required under the cash management improvement act fall under RCW 43.88.180 and shall not require appropriation. The office of financial

management shall determine the amounts due to or from the federal government pursuant to the cash management improvement act. The office of financial management may direct transfers of funds between accounts as deemed necessary to implement the provisions of the cash management improvement act, and this subsection. Refunds or allocations shall occur prior to the distributions of earnings set forth in subsection (4) of this section.

(3) Except for the provisions of RCW 43.84.160, the treasury income account may be utilized for the payment of purchased banking services on behalf of treasury funds including, but not limited to, depository, safekeeping, and disbursement functions for the state treasury and affected state agencies. The treasury income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for payments to financial institutions. Payments shall occur prior to distribution of earnings set forth in subsection (4) of this section.

(4) Monthly, the state treasurer shall distribute the earnings credited to the treasury income account. The state treasurer shall credit the general fund with all the earnings credited to the treasury income account except:

(a) The following accounts and funds shall receive their proportionate share of earnings based upon each account's and fund's average daily balance for the period: The abandoned recreational vehicle disposal account, the aeronautics account, the Alaskan Way viaduct replacement project account, the brownfield redevelopment trust fund account, the budget stabilization account, the capital vessel replacement account, the capitol building construction account, the Central Washington University capital projects account, the charitable, educational, penal and reformatory institutions account, the Chehalis basin account, the Chehalis basin taxable account, the cleanup settlement account, the climate active transportation account, the climate transit programs account, the Columbia river basin water supply development account, the Columbia river basin taxable bond water supply development account, the Columbia river basin water supply revenue recovery account, the common school construction fund, the community forest trust account, the connecting Washington account, the county arterial preservation account, the county criminal justice assistance account, the covenant homeownership account, the deferred compensation administrative account, the deferred compensation principal account, the department of licensing services account, the department of retirement systems expense account, the developmental disabilities community services account, the diesel idle reduction account, the drinking water assistance account, the administrative subaccount of the drinking water assistance account, the early learning facilities development account, the early learning facilities revolving account, the Eastern Washington University capital projects account, the education construction fund, the education legacy trust account, the election account, the electric vehicle account, the energy freedom account, the energy recovery act account, the essential rail assistance account, The Evergreen State College capital projects account, the fair start for kids account, the ferry bond retirement fund, the fish, wildlife, and conservation account, the freight mobility investment account, the freight mobility multimodal account, the grade crossing protective fund, the public health services account, the state higher education construction account, the higher education construction account, the higher education retirement plan supplemental benefit fund, the highway bond retirement fund, the highway infrastructure account, the highway safety fund, the hospital safety net assessment fund, the Interstate 405 and state route number 167 express toll lanes account, the judges' retirement account, the

judicial retirement administrative account, the judicial retirement principal account, the limited fish and wildlife account, the local leasehold excise tax account, the local real estate excise tax account, the local sales and use tax account, the marine resources stewardship trust account, the medical aid account, the money-purchase retirement savings administrative account, the money-purchase retirement savings principal account, the motor vehicle fund, the motorcycle safety education account, the move ahead WA account, the move ahead WA flexible account, the multimodal transportation account, the multiuse roadway safety account, the municipal criminal justice assistance account, the oyster reserve land account, the pension funding stabilization account, the perpetual surveillance and maintenance account, the pilotage account, the pollution liability insurance agency underground storage tank revolving account, the public employees' retirement system plan 1 account, the public employees' retirement system combined plan 2 and plan 3 account, the public facilities construction loan revolving account, the public health supplemental account, the public works assistance account, the Puget Sound capital construction account, the Puget Sound ferry operations account, the Puget Sound Gateway facility account, the Puget Sound taxpayer accountability account, the real estate appraiser commission account, the recreational vehicle account, the regional mobility grant program account, the resource management cost account, the rural arterial trust account, the rural mobility grant program account, the rural Washington loan fund, the sexual assault prevention and response account, the site closure account, the skilled nursing facility safety net trust fund, the small city pavement and sidewalk account, the special category C account, the special wildlife account, the state investment board expense account, the state investment board commingled trust fund accounts, the state patrol highway account, the state reclamation revolving account, the state route number 520 civil penalties account, the state route number 520 corridor account, the statewide broadband account, the statewide tourism marketing account, the supplemental pension account, the Tacoma Narrows toll bridge account, the teachers' retirement system plan 1 account, the teachers' retirement system combined plan 2 and plan 3 account, the tobacco prevention and control account, the tobacco settlement account, the toll facility bond retirement account, the transportation 2003 account (nickel account), the transportation equipment fund, the transportation future funding program account, the transportation improvement account, the transportation improvement board bond retirement account, the transportation infrastructure account, the transportation partnership account, the traumatic brain injury account, the University of Washington bond retirement fund, the University of Washington building account, the voluntary cleanup account, the volunteer firefighters' and reserve officers' relief and pension principal fund, the volunteer firefighters' and reserve officers' administrative fund, the vulnerable roadway user education account, the Washington judicial retirement system account, the Washington law enforcement officers' and firefighters' system plan 1 retirement account, the Washington law enforcement officers' and firefighters' system plan 2 retirement account, the Washington public safety employees' plan 2 retirement account, the Washington school employees' retirement system combined plan 2 and 3 account, the Washington state patrol retirement account, the Washington State University building account, the Washington State University bond retirement fund, the water pollution control revolving administration account, the water pollution control revolving fund, the Western Washington University capital projects account, the Yakima integrated plan implementation account, the Yakima integrated plan

implementation revenue recovery account, and the Yakima integrated plan implementation taxable bond account. Earnings derived from investing balances of the agricultural permanent fund, the normal school permanent fund, the permanent common school fund, the scientific permanent fund, and the state university permanent fund shall be allocated to their respective beneficiary accounts.

(b) Any state agency that has independent authority over accounts or funds not statutorily required to be held in the state treasury that deposits funds into a fund or account in the state treasury pursuant to an agreement with the office of the state treasurer shall receive its proportionate share of earnings based upon each account's or fund's average daily balance for the period.

(5) In conformance with Article II, section 37 of the state Constitution, no treasury accounts or funds shall be allocated earnings without the specific affirmative directive of this section.

Sec. 11. RCW 42.56.270 and 2022 c 201 s 2 and 2022 c 16 s 28 are each reenacted and amended to read as follows:

The following financial, commercial, and proprietary information is exempt from disclosure under this chapter:

(1) Valuable formulae, designs, drawings, computer source code or object code, and research data obtained by any agency within five years of the request for disclosure when disclosure would produce private gain and public loss;

(2) Financial information supplied by or on behalf of a person, firm, or corporation for the purpose of qualifying to submit a bid or proposal for (a) a ferry system construction or repair contract as required by RCW 47.60.680 through 47.60.750; (b) highway construction or improvement as required by RCW 47.28.070; or (c) alternative public works contracting procedures as required by RCW 39.10.200 through 39.10.905;

(3) Financial and commercial information and records supplied by private persons pertaining to export services provided under chapters 43.163 and 53.31 RCW, and by persons pertaining to export projects under RCW 43.23.035;

(4) Financial and commercial information and records supplied by businesses or individuals during application for loans or program services provided by chapters 43.325, 43.163, 43.160, 43.330, ~~(and) 43.168, and 43.---~~ (the new chapter created in section 13 of this act) RCW and RCW 43.155.160, or during application for economic development loans or program services provided by any local agency;

(5) Financial information, business plans, examination reports, and any information produced or obtained in evaluating or examining a business and industrial development corporation organized or seeking certification under chapter 31.24 RCW;

(6) Financial and commercial information supplied to the state investment board by any person when the information relates to the investment of public trust or retirement funds and when disclosure would result in loss to such funds or in private loss to the providers of this information;

(7) Financial and valuable trade information under RCW 51.36.120;

(8) Financial, commercial, operations, and technical and research information and data submitted to or obtained by the clean Washington center in applications for, or delivery of, program services under chapter 70.95H RCW;

(9) Financial and commercial information requested by the public stadium authority from any person or organization that leases or uses the stadium and exhibition center as defined in RCW 36.102.010;

(10)(a) Financial information, including but not limited to account numbers and values, and other identification numbers supplied by or on behalf of a person, firm, corporation, limited

EIGHTY NINTH DAY, APRIL 7, 2023

liability company, partnership, or other entity related to an application for a horse racing license submitted pursuant to RCW 67.16.260(1)(b), cannabis producer, processor, or retailer license, liquor license, gambling license, or lottery retail license;

(b) Internal control documents, independent auditors' reports and financial statements, and supporting documents: (i) Of house-banked social card game licensees required by the gambling commission pursuant to rules adopted under chapter 9.46 RCW; or (ii) submitted by tribes with an approved tribal/state compact for class III gaming;

(c) Valuable formulae or financial or proprietary commercial information records received during a consultative visit or while providing consultative services to a licensed cannabis business in accordance with RCW 69.50.561;

(11) Proprietary data, trade secrets, or other information that relates to: (a) A vendor's unique methods of conducting business; (b) data unique to the product or services of the vendor; or (c) determining prices or rates to be charged for services, submitted by any vendor to the department of social and health services or the health care authority for purposes of the development, acquisition, or implementation of state purchased health care as defined in RCW 41.05.011;

(12)(a) When supplied to and in the records of the department of commerce:

(i) Financial and proprietary information collected from any person and provided to the department of commerce pursuant to RCW 43.330.050(8);

(ii) Financial or proprietary information collected from any person and provided to the department of commerce or the office of the governor in connection with the siting, recruitment, expansion, retention, or relocation of that person's business and until a siting decision is made, identifying information of any person supplying information under this subsection and the locations being considered for siting, relocation, or expansion of a business; and

(iii) Financial or proprietary information collected from any person and provided to the department of commerce pursuant to RCW 43.31.625 (3)(b) and (4);

(b) When developed by the department of commerce based on information as described in (a)(i) of this subsection, any work product is not exempt from disclosure;

(c) For the purposes of this subsection, "siting decision" means the decision to acquire or not to acquire a site;

(d) If there is no written contact for a period of ~~((sixty))~~ 60 days to the department of commerce from a person connected with siting, recruitment, expansion, retention, or relocation of that person's business, information described in (a)(ii) of this subsection will be available to the public under this chapter;

(13) Financial and proprietary information submitted to or obtained by the department of ecology or the authority created under chapter 70A.500 RCW to implement chapter 70A.500 RCW;

(14) Financial, commercial, operations, and technical and research information and data submitted to or obtained by the life sciences discovery fund authority in applications for, or delivery of, grants under RCW 43.330.502, to the extent that such information, if revealed, would reasonably be expected to result in private loss to the providers of this information;

(15) Financial and commercial information provided as evidence to the department of licensing as required by RCW 19.112.110 or 19.112.120, except information disclosed in aggregate form that does not permit the identification of information related to individual fuel licensees;

(16) Any production records, mineral assessments, and trade secrets submitted by a permit holder, mine operator, or landowner to the department of natural resources under RCW 78.44.085;

(17)(a) Farm plans developed by conservation districts, unless permission to release the farm plan is granted by the landowner or operator who requested the plan, or the farm plan is used for the application or issuance of a permit;

(b) Farm plans developed under chapter 90.48 RCW and not under the federal clean water act, 33 U.S.C. Sec. 1251 et seq., are subject to RCW 42.56.610 and 90.64.190;

(18) Financial, commercial, operations, and technical and research information and data submitted to or obtained by a health sciences and services authority in applications for, or delivery of, grants under RCW 35.104.010 through 35.104.060, to the extent that such information, if revealed, would reasonably be expected to result in private loss to providers of this information;

(19) Information gathered under chapter 19.85 RCW or RCW 34.05.328 that can be identified to a particular business;

(20) Financial and commercial information submitted to or obtained by the University of Washington, other than information the university is required to disclose under RCW 28B.20.150, when the information relates to investments in private funds, to the extent that such information, if revealed, would reasonably be expected to result in loss to the University of Washington consolidated endowment fund or to result in private loss to the providers of this information;

(21) Market share data submitted by a manufacturer under RCW 70A.500.190(4);

(22) Financial information supplied to the department of financial institutions, when filed by or on behalf of an issuer of securities for the purpose of obtaining the exemption from state securities registration for small securities offerings provided under RCW 21.20.880 or when filed by or on behalf of an investor for the purpose of purchasing such securities;

(23) Unaggregated or individual notices of a transfer of crude oil that is financial, proprietary, or commercial information, submitted to the department of ecology pursuant to RCW 90.56.565(1)(a), and that is in the possession of the department of ecology or any entity with which the department of ecology has shared the notice pursuant to RCW 90.56.565;

(24) Financial institution and retirement account information, and building security plan information, supplied to the liquor and cannabis board pursuant to RCW 69.50.325, 69.50.331, 69.50.342, and 69.50.345, when filed by or on behalf of a licensee or prospective licensee for the purpose of obtaining, maintaining, or renewing a license to produce, process, transport, or sell cannabis as allowed under chapter 69.50 RCW;

(25) Cannabis transport information, vehicle and driver identification data, and account numbers or unique access identifiers issued to private entities for traceability system access, submitted by an individual or business to the liquor and cannabis board under the requirements of RCW 69.50.325, 69.50.331, 69.50.342, and 69.50.345 for the purpose of cannabis product traceability. Disclosure to local, state, and federal officials is not considered public disclosure for purposes of this section;

(26) Financial and commercial information submitted to or obtained by the retirement board of any city that is responsible for the management of an employees' retirement system pursuant to the authority of chapter 35.39 RCW, when the information relates to investments in private funds, to the extent that such information, if revealed, would reasonably be expected to result in loss to the retirement fund or to result in private loss to the providers of this information except that (a) the names and commitment amounts of the private funds in which retirement

funds are invested and (b) the aggregate quarterly performance results for a retirement fund's portfolio of investments in such funds are subject to disclosure;

(27) Proprietary financial, commercial, operations, and technical and research information and data submitted to or obtained by the liquor and cannabis board in applications for cannabis research licenses under RCW 69.50.372, or in reports submitted by cannabis research licensees in accordance with rules adopted by the liquor and cannabis board under RCW 69.50.372;

(28) Trade secrets, technology, proprietary information, and financial considerations contained in any agreements or contracts, entered into by a licensed cannabis business under RCW 69.50.395, which may be submitted to or obtained by the state liquor and cannabis board;

(29) Financial, commercial, operations, and technical and research information and data submitted to or obtained by the Andy Hill cancer research endowment program in applications for, or delivery of, grants under chapter 43.348 RCW, to the extent that such information, if revealed, would reasonably be expected to result in private loss to providers of this information;

(30) Proprietary information filed with the department of health under chapter 69.48 RCW;

(31) Records filed with the department of ecology under chapter 70A.515 RCW that a court has determined are confidential valuable commercial information under RCW 70A.515.130; and

(32) Unaggregated financial, proprietary, or commercial information submitted to or obtained by the liquor and cannabis board in applications for licenses under RCW 66.24.140 or 66.24.145, or in any reports or remittances submitted by a person licensed under RCW 66.24.140 or 66.24.145 under rules adopted by the liquor and cannabis board under chapter 66.08 RCW.

NEW SECTION. Sec. 12. This act may be known and cited as the covenant homeownership account and program act.

NEW SECTION. Sec. 13. Sections 1 and 3 through 7 of this act constitute a new chapter in Title 43 RCW.

NEW SECTION. Sec. 14. If any part of this act is found to be in conflict with federal requirements that are a prescribed condition to the allocation of federal funds to the state, the conflicting part of this act is inoperative solely to the extent of the conflict and with respect to the agencies directly affected, and this finding does not affect the operation of the remainder of this act in its application to the agencies concerned. Rules adopted under this act must meet federal requirements that are a necessary condition to the receipt of federal funds by the state.

NEW SECTION. Sec. 15. (1) If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

(2) In addition, if the covenant homeownership program described in section 6 of this act is held invalid, in whole or in part, the legislature may appropriate moneys in the covenant homeownership account to the department of commerce to contract with the Washington state housing finance commission for one or more other programs that support homeownership for first-time home buyers.

NEW SECTION. Sec. 16. Section 9 of this act expires July 1, 2024.

NEW SECTION. Sec. 17. Section 10 of this act takes effect July 1, 2024."

On page 1, line 3 of the title, after "state;" strike the remainder of the title and insert "amending RCW 36.18.010, 43.84.092, and 43.84.092; reenacting and amending RCW 42.56.270; adding a new section to chapter 36.22 RCW; adding a new chapter to Title

43 RCW; creating new sections; providing an effective date; and providing an expiration date."

The President declared the question before the Senate to be the motion to not adopt the committee striking amendment by the Committee on Ways & Means to Second Substitute Senate Bill No. 1474.

The motion by Senator Lovick carried and the committee striking amendment was not adopted by voice vote.

MOTION

Senator Lovick moved that the following committee striking amendment by the Committee on Housing be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) The legislature finds that:

(a) Generations of systemic, racist, and discriminatory policies and practices have created barriers to credit and homeownership for black, indigenous, and people of color and other historically marginalized communities in Washington state. The legislature finds that these policies and practices include redlining, racially restrictive covenants, mortgage subsidies and incentives, and displacement and gentrification.

(b) The state government was both an active and passive participant in this discrimination. For example, the legislature recognizes the role of state courts in facilitating discrimination by property owners; the existence of mandatory recording statutes that required county auditors to record racially restrictive covenants; the passage of the urban renewal law authorizing the designation, regulation, and displacement of certain neighborhoods that were deemed to be blighted; and state funding and regulation of the real estate and banking industries in ways that facilitated or promoted private discrimination. The legislature finds that the specific discriminatory acts and omissions are well documented, including in numerous public and private studies, reports, and other publications.

(c) This discrimination and its impacts continue to exist in the present day. The legislature recognizes that the homeownership rate for black, indigenous, and people of color and other historically marginalized communities in Washington is 19 percent below that of non-Hispanic white households, and the homeownership rate for black households is even lower. The legislature recognizes that credit, including home mortgages, is harder and more expensive to obtain for black, indigenous, and people of color and other historically marginalized communities in Washington than for non-Hispanic white households. The legislature finds that the imbalance in supply and demand in Washington's housing market has only exacerbated these inequities.

(d) These negative impacts extend beyond homeownership and affect wealth generation, housing security, and other outcomes for black, indigenous, and people of color and other historically marginalized communities in Washington. The legislature finds that these impacts include higher rates of homelessness, rent burdening, substandard or otherwise unhealthy or unsafe housing, and predatory and discriminatory lending practices that lead to further displacement and gentrification.

(e) Existing state and federal programs and other race-neutral approaches are insufficient to remedy that discrimination and its impacts on access to credit and homeownership for black, indigenous, and people of color and other historically marginalized communities in Washington. The legislature finds that race-conscious programs, such as the special purpose credit

EIGHTY NINTH DAY, APRIL 7, 2023

programs authorized by section 6 of this act, are necessary to remedy the past discrimination in which the state was complicit and to remove the structural barriers that persist.

(2) The legislature declares that the state has a compelling interest in remedying past and ongoing discrimination and its impacts on access to credit and homeownership for black, indigenous, and people of color and other historically marginalized communities in Washington.

NEW SECTION. Sec. 2. A new section is added to chapter 36.22 RCW to read as follows:

(1) Beginning January 1, 2024, except as provided in subsection (2) of this section, the county auditor must collect a covenant homeownership program assessment of \$100 for each document recorded, which is in addition to any other charge, surcharge, or assessment allowed by law. The county auditor may retain up to one percent of the moneys for collection of the assessment and must remit the remainder of the moneys to the state treasurer to be deposited in the covenant homeownership account created in section 4 of this act.

(2) The assessment imposed in this section does not apply to: (a) Assignments or substitutions of previously recorded deeds of trust; (b) documents recording a birth, marriage, divorce, or death; (c) any recorded documents otherwise exempted from a recording fee or additional assessments under state law; (d) marriage licenses issued by the county auditor; (e) documents recording a name change order under RCW 4.24.130; or (f) documents recording a federal, state, county, city, or water-sewer district, or wage lien or satisfaction of lien.

NEW SECTION. Sec. 3. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Department" means the department of commerce, except as otherwise indicated in section 7 of act.

(2) "Commission" means the Washington state housing finance commission.

(3) "Covenant homeownership program study" means an evidence-based written report prepared by or on behalf of the commission as required in section 5 of this act.

(4) "First-time home buyer" means:

(a) An individual or the individual's spouse who has had no ownership in a principal residence during the three-year period ending on the date of purchase of the property;

(b) A single parent who has only owned a home with a former spouse while married;

(c) An individual who is a displaced homemaker as defined in 24 C.F.R. Sec. 93.2 as it exists on the effective date of this section, or such subsequent date as may be provided by the department by rule, consistent with the purposes of this section, and has only owned a home with a spouse;

(d) An individual who has only owned a principal residence not permanently affixed to a permanent foundation in accordance with applicable regulations; or

(e) An individual who has only owned a property that is determined by a licensed building inspector as being uninhabitable.

(5) "Oversight committee" means the covenant homeownership program oversight committee established in section 7 of this act.

(6) "Program" means the covenant homeownership program described in section 6 of this act.

(7) "Program participant" means a person who receives down payment and closing cost assistance through a special purpose credit program created by the commission for purposes of the covenant homeownership program.

(8) "Racially restrictive real estate covenant" means a recorded covenant or deed restriction that includes or included racial restrictions on property ownership or use against protected classes that are unlawful under RCW 49.60.224. For example, these unlawful restrictions commonly included exclusions against black, indigenous, and people of color and other historically marginalized communities in Washington state, using terms, many of which are offensive, such as "African blood" meaning all sub-Saharan African ancestries; "Aryan" meaning not Jewish, not eastern or southern European, nor any ancestry except northern European; "Asiatic" meaning all Asian ancestries; Chinese; "colored person" meaning all sub-Saharan African ancestries; "colored races" meaning all nonwhite races; "Ethiopian" meaning all sub-Saharan African ancestries; "gentile" meaning non-Jewish; Hawaiian; "Hebrew" meaning Jewish; "Hindu" meaning all South Asian ancestries; "Indian" meaning Native Americans and also possibly South Asian ancestries; Japanese; "Malay" meaning Filipino; "Mongolian" meaning all East Asian ancestries; "Negro blood" meaning all sub-Saharan African ancestries; "oriental" meaning all Asian ancestries; "Turkish empire" meaning all middle easterners; and "yellow races" meaning all Asian ancestries.

(9) "Special purpose credit program" means a credit assistance program created by the commission as authorized by the federal consumer financial protection bureau under regulation B, 12 C.F.R. 1002.8(a)(1), pursuant to Title VII of the consumer credit protection act (the equal credit opportunity act, 15 U.S.C. Sec. 1691 et seq.) as amended, allowing a creditor to extend special purpose credit to applicants who meet eligibility requirements under a credit assistance program expressly authorized by state law for the benefit of an economically disadvantaged class of persons.

NEW SECTION. Sec. 4. The covenant homeownership account is created in the state treasury. All receipts from the assessment established in section 2 of this act must be deposited into the account. Moneys in the account may be spent only after appropriation. Expenditures from the account may be made only for the purposes of the program described in section 6 of this act. The legislature may appropriate moneys in the account as follows:

(1) The legislature may appropriate up to one percent of moneys in the account to the department for costs related to the program described in section 6 of this act including, but not limited to, costs related to administering one or more contracts with the commission for purposes of the program, costs related to outreach and stakeholder engagement, costs related to reimbursing the department of financial institutions for its costs related to the oversight committee created in section 7 of this act, and other administrative, data collection, and reporting costs; and

(2) The legislature may appropriate the remainder of the moneys in the account to the department to contract with the commission for the purposes of the program described in section 6 of this act.

NEW SECTION. Sec. 5. (1)(a) The commission shall complete, or cause to be completed, an initial covenant homeownership program study. The initial covenant homeownership program study must:

(i) Document past and ongoing discrimination against black, indigenous, and people of color and other historically marginalized communities in Washington state and the impacts of this discrimination on homeownership in the state, including access to credit and other barriers to homeownership in the state;

(ii) Analyze whether and to what extent existing programs and race-neutral approaches have been insufficient to remedy this discrimination and its impacts;

(iii)(A) Recommend and evaluate potential programmatic and policy changes, including creation of one or more special purpose credit programs, to remedy this discrimination and its impacts;

(B) As part of the recommendations related to creation of one or more special purpose credit programs, identify through evidence-based documentation the economically disadvantaged class or classes of persons that require down payment and closing cost assistance in order to reduce racial disparities in homeownership in the state. The class or classes of persons identified in the study may share one or more common characteristics such as, race, national origin, or sex; and

(iv) Identify methodology to evaluate the efficacy of any recommended programmatic and policy changes over time.

(b) By March 1, 2024, and in compliance with RCW 43.01.036, the commission shall submit a copy of the initial covenant homeownership program study to the appropriate committees of the legislature and post a copy of the study to the commission's website.

(2)(a) At least every five years after the initial covenant homeownership program study is completed, the commission shall complete, or cause to be completed, an updated covenant homeownership program study. The updated covenant homeownership program study must:

(i) Update and reevaluate the findings and recommendations contained in the initial covenant homeownership program study and any subsequent program studies;

(ii) Document the experience of program participants and others impacted by past and ongoing discrimination, including their experience accessing or attempting to access credit and any barriers to homeownership in the state that they have faced or continue to face;

(iii) Evaluate the special purpose credit program or programs' efficacy in providing down payment and closing cost assistance to the economically disadvantaged class or classes of persons identified in the initial covenant homeownership program study and any subsequent program studies, and the special purpose credit program or programs' impacts on remedying discrimination and reducing racial disparities in homeownership in the state; and

(iv) Recommend program modifications and improvements.

(b) By December 31, 2028, and by December 31st every five years thereafter, and in compliance with RCW 43.01.036, the commission shall submit a copy of an updated covenant homeownership program study to the appropriate committees of the legislature and post a copy of the study to the commission's website.

(c) The board of the commission shall review each subsequent covenant homeownership program study and consider the evidence-based documentation and recommendations in designing and implementing program amendments.

NEW SECTION. Sec. 6. (1) As part of the covenant homeownership program, the department shall contract with the commission to design, develop, implement, and evaluate one or more special purpose credit programs to reduce racial disparities in homeownership in the state by providing down payment and closing cost assistance. The contract must authorize the commission to use the contract funding as follows:

(a) The contract must authorize the commission to use up to one percent of the contract funding for costs related to administering the program including, but not limited to, costs related to completing a covenant homeownership program study required under section 5 of this act, and other administrative, data collection, and reporting costs;

(b) The contract must authorize the commission to use up to one percent of the contract funding to provide targeted education,

homeownership counseling, and outreach about special purpose credit programs created under this section to black, indigenous, and people of color and other historically marginalized communities in Washington state, including outreach to relevant affinity groups for mortgage lenders; and

(c) The contract must authorize the commission to use the remainder of the contract funding to provide down payment and closing cost assistance to program participants. This portion of the contract funding may not be used to provide any type of assistance other than down payment and closing cost assistance.

(2) The commission shall create one or more special purpose credit programs to provide down payment and closing cost assistance for the benefit of one or more economically disadvantaged classes of persons identified in a covenant homeownership program study under section 5 of this act. In creating a special purpose credit program, the commission must consider the evidence-based documentation and programmatic and policy recommendations set forth in the initial covenant homeownership program study and any subsequent program studies. If the covenant homeownership program study identifies an economically disadvantaged class or classes of persons that share one or more common characteristics such as, race, national origin, or sex and the board of the commission finds it necessary to consider this information in tailoring a special purpose credit program to provide credit assistance to economically disadvantaged classes of persons, the commission may consider these characteristics in designing and implementing the program.

(3) At minimum, a special purpose credit program authorized under this section must:

(a) Provide loans for down payment and closing cost assistance to program participants that can be combined with other forms of down payment and closing cost assistance;

(b) Require a program participant to repay loans for down payment and closing cost assistance at the time that the house is sold; and

(c) Be implemented in conjunction with the commission's housing finance programs.

(4) To be eligible to receive down payment and closing cost assistance through a special purpose credit program authorized under this section, a special purpose credit program applicant must:

(a) Have a household income at or below 100 percent of the area median income;

(b) Be a first-time home buyer; and

(c)(i) Be a Washington state resident who:

(A) Was a Washington state resident on or before the enactment of the federal fair housing act (Title VIII of the civil rights act of 1968; P.L. 90-284; 82 Stat. 73) on April 11, 1968, and was or would have been excluded from homeownership in Washington state by a racially restrictive real estate covenant on or before April 11, 1968; or

(B) Is a descendant of a person who meets the criteria in (c)(i)(A) of this subsection;

(ii) Records that show a person's address on or about a specific date or include a reference indicating that a person is a resident of a specific city or area on or about a specific date may be used to provide proof that a person satisfies the criteria in (c)(i) of this subsection, such as genealogical records, vital records, church records, military records, probate records, public records, census data, newspaper clippings, and other similar documents.

(5) The commission may adopt rules, and shall adopt program policies, as necessary to implement this section. Program rules or policies must include procedures and standards for extending credit under the special purpose credit program, including program eligibility requirements. From time to time, including in

EIGHTY NINTH DAY, APRIL 7, 2023

response to a covenant homeownership program study's evaluation of program efficacy, the board of the commission may amend the special purpose credit programs, rules, and policies.

(6) By July 1, 2024, one or more of the special purpose credit programs must begin providing down payment and closing cost assistance to program participants.

(7) By December 31, 2025, and by each following December 31st, and in compliance with RCW 43.01.036, the commission shall submit an annual report to the appropriate committees of the legislature on the progress of the special purpose credit program or programs developed under this section. The report shall include, at minimum, the program eligibility requirements, the type and amount of down payment and closing cost assistance provided to program participants, the number of program participants and their corresponding eligibility categories, the location of property financed, and program outreach efforts. The report must be posted on the commission's website.

NEW SECTION. Sec. 7. (1) The department of financial institutions shall establish the covenant homeownership program oversight committee consisting of the following members appointed by the governor, except for the legislative members who must be appointed by the president of the senate or the speaker of the house of representatives as described in this section:

(a) One person who meets the eligibility criteria for the special purpose credit program described in section 6(4) of this act and is from east of the crest of the Cascade mountains;

(b) One person who meets the eligibility criteria for the special purpose credit program described in section 6(4) of this act and is from west of the crest of the Cascade mountains;

(c) One representative of an organization that operates a special purpose credit program, counseling service, or debt relief program that serves persons who were commonly subject to unlawful exclusions contained in racially restrictive real estate covenants as defined in section 3 of this act;

(d) One representative of a community-based organization that specializes in the development of permanently affordable housing that serves persons who were commonly subject to unlawful exclusions contained in racially restrictive real estate covenants;

(e) One representative of the real estate sales profession;

(f) One representative of the home mortgage lending profession who has a minimum of five years' lending or underwriting experience;

(g) One representative of the nonprofit affordable housing development industry;

(h) Two senators, one from each of the two largest caucuses, appointed by the president of the senate; and

(i) Two members of the house of representatives, one from each of the two largest caucuses, appointed by the speaker of the house of representatives.

(2)(a) Nonlegislative members shall each serve a three-year term, subject to renewal for no more than one additional three-year term. The oversight committee shall develop rules that provide for the staggering of terms so that, after the first two years of the committee's existence, the terms of one-third of the nonlegislative members expire each year.

(b) Legislative members shall each serve a two-year term, subject to renewal for no more than one additional two-year term.

(c) On the expiration of the term of each member, the governor, president of the senate, or the speaker of the house of representatives, as authorized under subsection (1) of this section, shall appoint a successor to serve for a term of two years if the successor is a legislative member, or three years if the successor is a nonlegislative member.

(d) The governor may remove a nonlegislative member of the oversight committee for cause. The president of the senate may remove a senator serving as a legislative member of the oversight committee for cause, and the speaker of the house of representatives may remove a member of the house of representatives serving as a legislative member of the oversight committee for cause.

(e) Vacancies on the oversight committee for any reason must be filled by appointment as authorized under subsection (1) of this section for the duration of the unexpired term.

(3) The oversight committee:

(a) Shall oversee and review the commission's activities and performance related to the program, including the commission's creation and administration of one or more special purpose credit programs authorized in section 6 of this act;

(b) Shall work with the department of financial institutions to convene meetings, create a charter and operating procedures, and to coordinate the oversight committee's ongoing activities;

(c) Shall convene the initial meeting of the oversight committee and select a chair by October 1, 2023;

(d) Shall work with the department of financial institutions to convene a meeting at least once a quarter and may hold additional meetings at the call of the chair or by a majority vote of the members of the committee;

(e) May conduct its meetings by conference telephone call, videoconference, or using similar technology that enables all persons participating in the meeting to hear each other at the same time; and

(f) May, from time to time, make recommendations to the appropriate committees of the legislature regarding the program.

(4)(a) The oversight committee is a class one group under RCW 43.03.220. Except as provided in (b) of this subsection, members of the committee receive no compensation for their services as members of the committee but may be reimbursed for travel and other expenses in accordance with rules adopted by the office of financial management.

(b) As authorized by RCW 43.03.220, the department of financial institutions may provide a stipend to individuals who are low income or have lived experience to support their participation on the oversight committee.

(5)(a) The department of commerce and the commission shall work together to supply the oversight committee and the department of financial institutions with any information requested by the oversight committee or the department of financial institutions that the oversight committee or the department of financial institutions deems necessary for the committee to carry out its duties under this section. This information may include, but is not limited to, books, accounts, records, policies, procedures, files, and information from relevant third parties.

(b) Any information shared among the oversight committee, the department of financial institutions, the department of commerce, and the commission that is confidential and exempt from public disclosure under RCW 42.56.270 shall remain confidential when received by the receiving party.

(6) The department of commerce and the commission must report to the oversight committee on a quarterly basis. The report must address the results of targeted education, homeownership counseling, and outreach efforts by the department of commerce as authorized under this chapter, and the results of any special purpose credit program formed by the commission under this chapter, and down payment and closing cost assistance to program participants.

(7)(a) The department of financial institutions shall:

(i) Provide subject matter expertise, administrative assistance, and staff support to the oversight committee; and

(ii) Work in coordination with the department of commerce and the commission to conduct outreach and financial education to the communities served by this chapter, in accordance with RCW 43.320.150.

(b) The department of financial institutions may:

(i) Have one or more staff present at oversight committee meetings;

(ii) Employ staff necessary to carry out the purposes of this section; and

(iii) Hire outside experts and other professionals it deems necessary to carry out its duties under this section.

(8) The department of commerce shall reimburse the department of financial institutions for costs related to the oversight committee from the moneys that the legislature appropriates to the department of commerce for this purpose from the covenant homeownership account under section 4(1) of this act.

Sec. 8. RCW 36.18.010 and 2022 c 141 s 2 are each amended to read as follows:

Except as otherwise ordered by the court pursuant to RCW 4.24.130, county auditors or recording officers shall collect the following fees for their official services:

(1) For recording instruments, for the first page eight and one-half by ~~((fourteen))~~ 14 inches or less, ~~((five-dollars))~~ \$5; for each additional page eight and one-half by ~~((fourteen))~~ 14 inches or less, ~~((one-dollar))~~ \$1. The fee for recording multiple transactions contained in one instrument will be calculated for each transaction requiring separate indexing as required under RCW 65.04.050 as follows: The fee for each title or transaction is the same fee as the first page of any additional recorded document; the fee for additional pages is the same fee as for any additional pages for any recorded document; the fee for the additional pages may be collected only once and may not be collected for each title or transaction;

(2) For preparing and certifying copies, for the first page eight and one-half by ~~((fourteen))~~ 14 inches or less, ~~((three-dollars))~~ \$3; for each additional page eight and one-half by ~~((fourteen))~~ 14 inches or less, ~~((one-dollar))~~ \$1;

(3) For preparing noncertified copies, for each page eight and one-half by ~~((fourteen))~~ 14 inches or less, ~~((one-dollar))~~ \$1;

(4) For administering an oath or taking an affidavit, with or without seal, ~~((two-dollars))~~ \$2;

(5) For issuing a marriage license, ~~((eight-dollars))~~ \$8, (this fee includes taking necessary affidavits, filing returns, indexing, and transmittal of a record of the marriage to the state registrar of vital statistics) plus an additional ~~((five-dollar))~~ \$5 fee for use and support of the prevention of child abuse and neglect activities to be transmitted monthly to the state treasurer and deposited in the state general fund plus an additional ~~((ten-dollar))~~ \$10 fee to be transmitted monthly to the state treasurer and deposited in the state general fund. The legislature intends to appropriate an amount at least equal to the revenue generated by this fee for the purposes of the displaced homemaker act, chapter 28B.04 RCW;

(6) For searching records per hour, ~~((eight-dollars))~~ \$8;

(7) For recording plats, ~~((fifty))~~ 50 cents for each lot except cemetery plats for which the charge shall be ~~((twenty-five))~~ 25 cents per lot; also ~~((one-dollar))~~ \$1 for each acknowledgment, dedication, and description: PROVIDED, That there shall be a minimum fee of ~~((twenty-five-dollars))~~ \$25 per plat;

(8) For recording of miscellaneous records not listed above, for the first page eight and one-half by ~~((fourteen))~~ 14 inches or less, ~~((five-dollars))~~ \$5; for each additional page eight and one-half by ~~((fourteen))~~ 14 inches or less, ~~((one-dollar))~~ \$1;

(9) For modernization and improvement of the recording and indexing system, a surcharge as provided in RCW 36.22.170;

(10) For recording an emergency nonstandard document as provided in RCW 65.04.047, ~~((fifty-dollars))~~ \$50, in addition to all other applicable recording fees;

(11) For recording instruments, a ~~((three-dollar))~~ \$3 surcharge to be deposited into the Washington state library operations account created in RCW 43.07.129;

(12) For recording instruments, a ~~((two-dollar))~~ \$2 surcharge to be deposited into the Washington state library-archives building account created in RCW 43.07.410 until the financing contract entered into by the secretary of state for the Washington state library-archives building is paid in full;

(13) For recording instruments, a surcharge as provided in RCW 36.22.178; ~~((and))~~

(14) For recording instruments, except for documents recording a birth, marriage, divorce, or death or any documents otherwise exempted from a recording fee under state law, a surcharge as provided in RCW 36.22.179; and

(15) For recording instruments, except for documents exempt under section 2(2) of this act, an assessment as provided in section 2 of this act.

Sec. 9. RCW 43.84.092 and 2022 c 182 s 403 are each amended to read as follows:

(1) All earnings of investments of surplus balances in the state treasury shall be deposited to the treasury income account, which account is hereby established in the state treasury.

(2) The treasury income account shall be utilized to pay or receive funds associated with federal programs as required by the federal cash management improvement act of 1990. The treasury income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for refunds or allocations of interest earnings required by the cash management improvement act. Refunds of interest to the federal treasury required under the cash management improvement act fall under RCW 43.88.180 and shall not require appropriation. The office of financial management shall determine the amounts due to or from the federal government pursuant to the cash management improvement act. The office of financial management may direct transfers of funds between accounts as deemed necessary to implement the provisions of the cash management improvement act, and this subsection. Refunds or allocations shall occur prior to the distributions of earnings set forth in subsection (4) of this section.

(3) Except for the provisions of RCW 43.84.160, the treasury income account may be utilized for the payment of purchased banking services on behalf of treasury funds including, but not limited to, depository, safekeeping, and disbursement functions for the state treasury and affected state agencies. The treasury income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for payments to financial institutions. Payments shall occur prior to distribution of earnings set forth in subsection (4) of this section.

(4) Monthly, the state treasurer shall distribute the earnings credited to the treasury income account. The state treasurer shall credit the general fund with all the earnings credited to the treasury income account except:

(a) The following accounts and funds shall receive their proportionate share of earnings based upon each account's and fund's average daily balance for the period: The abandoned recreational vehicle disposal account, the aeronautics account, the Alaskan Way viaduct replacement project account, the ambulance transport fund, the brownfield redevelopment trust fund account, the budget stabilization account, the capital vessel replacement account, the capitol building construction account,

EIGHTY NINTH DAY, APRIL 7, 2023

the Central Washington University capital projects account, the charitable, educational, penal and reformatory institutions account, the Chehalis basin account, the Chehalis basin taxable account, the cleanup settlement account, the climate active transportation account, the climate transit programs account, the Columbia river basin water supply development account, the Columbia river basin taxable bond water supply development account, the Columbia river basin water supply revenue recovery account, the common school construction fund, the community forest trust account, the connecting Washington account, the county arterial preservation account, the county criminal justice assistance account, the covenant homeownership account, the deferred compensation administrative account, the deferred compensation principal account, the department of licensing services account, the department of retirement systems expense account, the developmental disabilities community services account, the diesel idle reduction account, the drinking water assistance account, the administrative subaccount of the drinking water assistance account, the early learning facilities development account, the early learning facilities revolving account, the Eastern Washington University capital projects account, the education construction fund, the education legacy trust account, the election account, the electric vehicle account, the energy freedom account, the energy recovery act account, the essential rail assistance account, The Evergreen State College capital projects account, the fair start for kids account, the ferry bond retirement fund, the fish, wildlife, and conservation account, the freight mobility investment account, the freight mobility multimodal account, the grade crossing protective fund, the public health services account, the state higher education construction account, the higher education construction account, the higher education retirement plan supplemental benefit fund, the highway bond retirement fund, the highway infrastructure account, the highway safety fund, the hospital safety net assessment fund, the Interstate 405 and state route number 167 express toll lanes account, the judges' retirement account, the judicial retirement administrative account, the judicial retirement principal account, the limited fish and wildlife account, the local leasehold excise tax account, the local real estate excise tax account, the local sales and use tax account, the marine resources stewardship trust account, the medical aid account, the money-purchase retirement savings administrative account, the money-purchase retirement savings principal account, the motor vehicle fund, the motorcycle safety education account, the move ahead WA account, the move ahead WA flexible account, the multimodal transportation account, the multiuse roadway safety account, the municipal criminal justice assistance account, the oyster reserve land account, the pension funding stabilization account, the perpetual surveillance and maintenance account, the pilotage account, the pollution liability insurance agency underground storage tank revolving account, the public employees' retirement system plan 1 account, the public employees' retirement system combined plan 2 and plan 3 account, the public facilities construction loan revolving account, the public health supplemental account, the public works assistance account, the Puget Sound capital construction account, the Puget Sound ferry operations account, the Puget Sound Gateway facility account, the Puget Sound taxpayer accountability account, the real estate appraiser commission account, the recreational vehicle account, the regional mobility grant program account, the resource management cost account, the rural arterial trust account, the rural mobility grant program account, the rural Washington loan fund, the sexual assault prevention and response account, the site closure account, the skilled nursing facility safety net trust fund, the small city

pavement and sidewalk account, the special category C account, the special wildlife account, the state investment board expense account, the state investment board commingled trust fund accounts, the state patrol highway account, the state reclamation revolving account, the state route number 520 civil penalties account, the state route number 520 corridor account, the statewide broadband account, the statewide tourism marketing account, the supplemental pension account, the Tacoma Narrows toll bridge account, the teachers' retirement system plan 1 account, the teachers' retirement system combined plan 2 and plan 3 account, the tobacco prevention and control account, the tobacco settlement account, the toll facility bond retirement account, the transportation 2003 account (nickel account), the transportation equipment fund, the transportation future funding program account, the transportation improvement account, the transportation improvement board bond retirement account, the transportation infrastructure account, the transportation partnership account, the traumatic brain injury account, the University of Washington bond retirement fund, the University of Washington building account, the voluntary cleanup account, the volunteer firefighters' and reserve officers' relief and pension principal fund, the volunteer firefighters' and reserve officers' administrative fund, the vulnerable roadway user education account, the Washington judicial retirement system account, the Washington law enforcement officers' and firefighters' system plan 1 retirement account, the Washington law enforcement officers' and firefighters' system plan 2 retirement account, the Washington public safety employees' plan 2 retirement account, the Washington school employees' retirement system combined plan 2 and 3 account, the Washington state patrol retirement account, the Washington State University building account, the Washington State University bond retirement fund, the water pollution control revolving administration account, the water pollution control revolving fund, the Western Washington University capital projects account, the Yakima integrated plan implementation account, the Yakima integrated plan implementation revenue recovery account, and the Yakima integrated plan implementation taxable bond account. Earnings derived from investing balances of the agricultural permanent fund, the normal school permanent fund, the permanent common school fund, the scientific permanent fund, and the state university permanent fund shall be allocated to their respective beneficiary accounts.

(b) Any state agency that has independent authority over accounts or funds not statutorily required to be held in the state treasury that deposits funds into a fund or account in the state treasury pursuant to an agreement with the office of the state treasurer shall receive its proportionate share of earnings based upon each account's or fund's average daily balance for the period.

(5) In conformance with Article II, section 37 of the state Constitution, no treasury accounts or funds shall be allocated earnings without the specific affirmative directive of this section.

Sec. 10. RCW 43.84.092 and 2022 c 182 s 404 are each amended to read as follows:

(1) All earnings of investments of surplus balances in the state treasury shall be deposited to the treasury income account, which account is hereby established in the state treasury.

(2) The treasury income account shall be utilized to pay or receive funds associated with federal programs as required by the federal cash management improvement act of 1990. The treasury income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for refunds or allocations of interest earnings required by the cash management improvement act. Refunds of interest to the federal treasury required under the

cash management improvement act fall under RCW 43.88.180 and shall not require appropriation. The office of financial management shall determine the amounts due to or from the federal government pursuant to the cash management improvement act. The office of financial management may direct transfers of funds between accounts as deemed necessary to implement the provisions of the cash management improvement act, and this subsection. Refunds or allocations shall occur prior to the distributions of earnings set forth in subsection (4) of this section.

(3) Except for the provisions of RCW 43.84.160, the treasury income account may be utilized for the payment of purchased banking services on behalf of treasury funds including, but not limited to, depository, safekeeping, and disbursement functions for the state treasury and affected state agencies. The treasury income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for payments to financial institutions. Payments shall occur prior to distribution of earnings set forth in subsection (4) of this section.

(4) Monthly, the state treasurer shall distribute the earnings credited to the treasury income account. The state treasurer shall credit the general fund with all the earnings credited to the treasury income account except:

(a) The following accounts and funds shall receive their proportionate share of earnings based upon each account's and fund's average daily balance for the period: The abandoned recreational vehicle disposal account, the aeronautics account, the Alaskan Way viaduct replacement project account, the brownfield redevelopment trust fund account, the budget stabilization account, the capital vessel replacement account, the capitol building construction account, the Central Washington University capital projects account, the charitable, educational, penal and reformatory institutions account, the Chehalis basin account, the Chehalis basin taxable account, the cleanup settlement account, the climate active transportation account, the climate transit programs account, the Columbia river basin water supply development account, the Columbia river basin taxable bond water supply development account, the Columbia river basin water supply revenue recovery account, the common school construction fund, the community forest trust account, the connecting Washington account, the county arterial preservation account, the county criminal justice assistance account, the covenant homeownership account, the deferred compensation administrative account, the deferred compensation principal account, the department of licensing services account, the department of retirement systems expense account, the developmental disabilities community services account, the diesel idle reduction account, the drinking water assistance account, the administrative subaccount of the drinking water assistance account, the early learning facilities development account, the early learning facilities revolving account, the Eastern Washington University capital projects account, the education construction fund, the education legacy trust account, the election account, the electric vehicle account, the energy freedom account, the energy recovery act account, the essential rail assistance account, The Evergreen State College capital projects account, the fair start for kids account, the ferry bond retirement fund, the fish, wildlife, and conservation account, the freight mobility investment account, the freight mobility multimodal account, the grade crossing protective fund, the public health services account, the state higher education construction account, the higher education construction account, the higher education retirement plan supplemental benefit fund, the highway bond retirement fund, the highway infrastructure account, the highway safety fund, the hospital safety net

assessment fund, the Interstate 405 and state route number 167 express toll lanes account, the judges' retirement account, the judicial retirement administrative account, the judicial retirement principal account, the limited fish and wildlife account, the local leasehold excise tax account, the local real estate excise tax account, the local sales and use tax account, the marine resources stewardship trust account, the medical aid account, the money-purchase retirement savings administrative account, the money-purchase retirement savings principal account, the motor vehicle fund, the motorcycle safety education account, the move ahead WA account, the move ahead WA flexible account, the multimodal transportation account, the multiuse roadway safety account, the municipal criminal justice assistance account, the oyster reserve land account, the pension funding stabilization account, the perpetual surveillance and maintenance account, the pilotage account, the pollution liability insurance agency underground storage tank revolving account, the public employees' retirement system plan 1 account, the public employees' retirement system combined plan 2 and plan 3 account, the public facilities construction loan revolving account, the public health supplemental account, the public works assistance account, the Puget Sound capital construction account, the Puget Sound ferry operations account, the Puget Sound Gateway facility account, the Puget Sound taxpayer accountability account, the real estate appraiser commission account, the recreational vehicle account, the regional mobility grant program account, the resource management cost account, the rural arterial trust account, the rural mobility grant program account, the rural Washington loan fund, the sexual assault prevention and response account, the site closure account, the skilled nursing facility safety net trust fund, the small city pavement and sidewalk account, the special category C account, the special wildlife account, the state investment board expense account, the state investment board commingled trust fund accounts, the state patrol highway account, the state reclamation revolving account, the state route number 520 civil penalties account, the state route number 520 corridor account, the statewide broadband account, the statewide tourism marketing account, the supplemental pension account, the Tacoma Narrows toll bridge account, the teachers' retirement system plan 1 account, the teachers' retirement system combined plan 2 and plan 3 account, the tobacco prevention and control account, the tobacco settlement account, the toll facility bond retirement account, the transportation 2003 account (nickel account), the transportation equipment fund, the transportation future funding program account, the transportation improvement account, the transportation improvement board bond retirement account, the transportation infrastructure account, the transportation partnership account, the traumatic brain injury account, the University of Washington bond retirement fund, the University of Washington building account, the voluntary cleanup account, the volunteer firefighters' and reserve officers' relief and pension principal fund, the volunteer firefighters' and reserve officers' administrative fund, the vulnerable roadway user education account, the Washington judicial retirement system account, the Washington law enforcement officers' and firefighters' system plan 1 retirement account, the Washington law enforcement officers' and firefighters' system plan 2 retirement account, the Washington public safety employees' plan 2 retirement account, the Washington school employees' retirement system combined plan 2 and 3 account, the Washington state patrol retirement account, the Washington State University building account, the Washington State University bond retirement fund, the water pollution control revolving administration account, the water pollution control revolving fund, the Western Washington

EIGHTY NINTH DAY, APRIL 7, 2023

University capital projects account, the Yakima integrated plan implementation account, the Yakima integrated plan implementation revenue recovery account, and the Yakima integrated plan implementation taxable bond account. Earnings derived from investing balances of the agricultural permanent fund, the normal school permanent fund, the permanent common school fund, the scientific permanent fund, and the state university permanent fund shall be allocated to their respective beneficiary accounts.

(b) Any state agency that has independent authority over accounts or funds not statutorily required to be held in the state treasury that deposits funds into a fund or account in the state treasury pursuant to an agreement with the office of the state treasurer shall receive its proportionate share of earnings based upon each account's or fund's average daily balance for the period.

(5) In conformance with Article II, section 37 of the state Constitution, no treasury accounts or funds shall be allocated earnings without the specific affirmative directive of this section.

Sec. 11. RCW 42.56.270 and 2022 c 201 s 2 and 2022 c 16 s 28 are each reenacted and amended to read as follows:

The following financial, commercial, and proprietary information is exempt from disclosure under this chapter:

(1) Valuable formulae, designs, drawings, computer source code or object code, and research data obtained by any agency within five years of the request for disclosure when disclosure would produce private gain and public loss;

(2) Financial information supplied by or on behalf of a person, firm, or corporation for the purpose of qualifying to submit a bid or proposal for (a) a ferry system construction or repair contract as required by RCW 47.60.680 through 47.60.750; (b) highway construction or improvement as required by RCW 47.28.070; or (c) alternative public works contracting procedures as required by RCW 39.10.200 through 39.10.905;

(3) Financial and commercial information and records supplied by private persons pertaining to export services provided under chapters 43.163 and 53.31 RCW, and by persons pertaining to export projects under RCW 43.23.035;

(4) Financial and commercial information and records supplied by businesses or individuals during application for loans or program services provided by chapters 43.325, 43.163, 43.160, 43.330, ~~((and))~~ 43.168, and 43.--- (the new chapter created in section 13 of this act) RCW and RCW 43.155.160, or during application for economic development loans or program services provided by any local agency;

(5) Financial information, business plans, examination reports, and any information produced or obtained in evaluating or examining a business and industrial development corporation organized or seeking certification under chapter 31.24 RCW;

(6) Financial and commercial information supplied to the state investment board by any person when the information relates to the investment of public trust or retirement funds and when disclosure would result in loss to such funds or in private loss to the providers of this information;

(7) Financial and valuable trade information under RCW 51.36.120;

(8) Financial, commercial, operations, and technical and research information and data submitted to or obtained by the clean Washington center in applications for, or delivery of, program services under chapter 70.95H RCW;

(9) Financial and commercial information requested by the public stadium authority from any person or organization that leases or uses the stadium and exhibition center as defined in RCW 36.102.010;

(10)(a) Financial information, including but not limited to account numbers and values, and other identification numbers supplied by or on behalf of a person, firm, corporation, limited liability company, partnership, or other entity related to an application for a horse racing license submitted pursuant to RCW 67.16.260(1)(b), cannabis producer, processor, or retailer license, liquor license, gambling license, or lottery retail license;

(b) Internal control documents, independent auditors' reports and financial statements, and supporting documents: (i) Of house-banked social card game licensees required by the gambling commission pursuant to rules adopted under chapter 9.46 RCW; or (ii) submitted by tribes with an approved tribal/state compact for class III gaming;

(c) Valuable formulae or financial or proprietary commercial information records received during a consultative visit or while providing consultative services to a licensed cannabis business in accordance with RCW 69.50.561;

(11) Proprietary data, trade secrets, or other information that relates to: (a) A vendor's unique methods of conducting business; (b) data unique to the product or services of the vendor; or (c) determining prices or rates to be charged for services, submitted by any vendor to the department of social and health services or the health care authority for purposes of the development, acquisition, or implementation of state purchased health care as defined in RCW 41.05.011;

(12)(a) When supplied to and in the records of the department of commerce:

(i) Financial and proprietary information collected from any person and provided to the department of commerce pursuant to RCW 43.330.050(8);

(ii) Financial or proprietary information collected from any person and provided to the department of commerce or the office of the governor in connection with the siting, recruitment, expansion, retention, or relocation of that person's business and until a siting decision is made, identifying information of any person supplying information under this subsection and the locations being considered for siting, relocation, or expansion of a business; and

(iii) Financial or proprietary information collected from any person and provided to the department of commerce pursuant to RCW 43.31.625 (3)(b) and (4);

(b) When developed by the department of commerce based on information as described in (a)(i) of this subsection, any work product is not exempt from disclosure;

(c) For the purposes of this subsection, "siting decision" means the decision to acquire or not to acquire a site;

(d) If there is no written contact for a period of ~~((sixty))~~ 60 days to the department of commerce from a person connected with siting, recruitment, expansion, retention, or relocation of that person's business, information described in (a)(ii) of this subsection will be available to the public under this chapter;

(13) Financial and proprietary information submitted to or obtained by the department of ecology or the authority created under chapter 70A.500 RCW to implement chapter 70A.500 RCW;

(14) Financial, commercial, operations, and technical and research information and data submitted to or obtained by the life sciences discovery fund authority in applications for, or delivery of, grants under RCW 43.330.502, to the extent that such information, if revealed, would reasonably be expected to result in private loss to the providers of this information;

(15) Financial and commercial information provided as evidence to the department of licensing as required by RCW 19.112.110 or 19.112.120, except information disclosed in

aggregate form that does not permit the identification of information related to individual fuel licensees;

(16) Any production records, mineral assessments, and trade secrets submitted by a permit holder, mine operator, or landowner to the department of natural resources under RCW 78.44.085;

(17)(a) Farm plans developed by conservation districts, unless permission to release the farm plan is granted by the landowner or operator who requested the plan, or the farm plan is used for the application or issuance of a permit;

(b) Farm plans developed under chapter 90.48 RCW and not under the federal clean water act, 33 U.S.C. Sec. 1251 et seq., are subject to RCW 42.56.610 and 90.64.190;

(18) Financial, commercial, operations, and technical and research information and data submitted to or obtained by a health sciences and services authority in applications for, or delivery of, grants under RCW 35.104.010 through 35.104.060, to the extent that such information, if revealed, would reasonably be expected to result in private loss to providers of this information;

(19) Information gathered under chapter 19.85 RCW or RCW 34.05.328 that can be identified to a particular business;

(20) Financial and commercial information submitted to or obtained by the University of Washington, other than information the university is required to disclose under RCW 28B.20.150, when the information relates to investments in private funds, to the extent that such information, if revealed, would reasonably be expected to result in loss to the University of Washington consolidated endowment fund or to result in private loss to the providers of this information;

(21) Market share data submitted by a manufacturer under RCW 70A.500.190(4);

(22) Financial information supplied to the department of financial institutions, when filed by or on behalf of an issuer of securities for the purpose of obtaining the exemption from state securities registration for small securities offerings provided under RCW 21.20.880 or when filed by or on behalf of an investor for the purpose of purchasing such securities;

(23) Unaggregated or individual notices of a transfer of crude oil that is financial, proprietary, or commercial information, submitted to the department of ecology pursuant to RCW 90.56.565(1)(a), and that is in the possession of the department of ecology or any entity with which the department of ecology has shared the notice pursuant to RCW 90.56.565;

(24) Financial institution and retirement account information, and building security plan information, supplied to the liquor and cannabis board pursuant to RCW 69.50.325, 69.50.331, 69.50.342, and 69.50.345, when filed by or on behalf of a licensee or prospective licensee for the purpose of obtaining, maintaining, or renewing a license to produce, process, transport, or sell cannabis as allowed under chapter 69.50 RCW;

(25) Cannabis transport information, vehicle and driver identification data, and account numbers or unique access identifiers issued to private entities for traceability system access, submitted by an individual or business to the liquor and cannabis board under the requirements of RCW 69.50.325, 69.50.331, 69.50.342, and 69.50.345 for the purpose of cannabis product traceability. Disclosure to local, state, and federal officials is not considered public disclosure for purposes of this section;

(26) Financial and commercial information submitted to or obtained by the retirement board of any city that is responsible for the management of an employees' retirement system pursuant to the authority of chapter 35.39 RCW, when the information relates to investments in private funds, to the extent that such information, if revealed, would reasonably be expected to result in loss to the retirement fund or to result in private loss to the

providers of this information except that (a) the names and commitment amounts of the private funds in which retirement funds are invested and (b) the aggregate quarterly performance results for a retirement fund's portfolio of investments in such funds are subject to disclosure;

(27) Proprietary financial, commercial, operations, and technical and research information and data submitted to or obtained by the liquor and cannabis board in applications for cannabis research licenses under RCW 69.50.372, or in reports submitted by cannabis research licensees in accordance with rules adopted by the liquor and cannabis board under RCW 69.50.372;

(28) Trade secrets, technology, proprietary information, and financial considerations contained in any agreements or contracts, entered into by a licensed cannabis business under RCW 69.50.395, which may be submitted to or obtained by the state liquor and cannabis board;

(29) Financial, commercial, operations, and technical and research information and data submitted to or obtained by the Andy Hill cancer research endowment program in applications for, or delivery of, grants under chapter 43.348 RCW, to the extent that such information, if revealed, would reasonably be expected to result in private loss to providers of this information;

(30) Proprietary information filed with the department of health under chapter 69.48 RCW;

(31) Records filed with the department of ecology under chapter 70A.515 RCW that a court has determined are confidential valuable commercial information under RCW 70A.515.130; and

(32) Unaggregated financial, proprietary, or commercial information submitted to or obtained by the liquor and cannabis board in applications for licenses under RCW 66.24.140 or 66.24.145, or in any reports or remittances submitted by a person licensed under RCW 66.24.140 or 66.24.145 under rules adopted by the liquor and cannabis board under chapter 66.08 RCW.

NEW SECTION. Sec. 12. This act may be known and cited as the covenant homeownership account and program act.

NEW SECTION. Sec. 13. Sections 1 and 3 through 7 of this act constitute a new chapter in Title 43 RCW.

NEW SECTION. Sec. 14. If any part of this act is found to be in conflict with federal requirements that are a prescribed condition to the allocation of federal funds to the state, the conflicting part of this act is inoperative solely to the extent of the conflict and with respect to the agencies directly affected, and this finding does not affect the operation of the remainder of this act in its application to the agencies concerned. Rules adopted under this act must meet federal requirements that are a necessary condition to the receipt of federal funds by the state.

NEW SECTION. Sec. 15. (1) If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

(2) In addition, if the covenant homeownership program described in section 6 of this act is held invalid, in whole or in part, the legislature may appropriate moneys in the covenant homeownership account to the department of commerce to contract with the Washington state housing finance commission for one or more other programs that support homeownership for first-time home buyers.

NEW SECTION. Sec. 16. Section 9 of this act expires July 1, 2024.

NEW SECTION. Sec. 17. Section 10 of this act takes effect July 1, 2024."

On page 1, line 3 of the title, after "state;" strike the remainder of the title and insert "amending RCW 36.18.010, 43.84.092, and 43.84.092; reenacting and amending RCW 42.56.270; adding a

EIGHTY NINTH DAY, APRIL 7, 2023

new section to chapter 36.22 RCW; adding a new chapter to Title 43 RCW; creating new sections; providing an effective date; and providing an expiration date."

MOTION

Senator Fortunato moved that the following amendment no. 0338 by Senator Fortunato be adopted:

On page 3, after line 4, insert the following:

"(3) The assessment imposed in this section expires when all applicants who applied for any program described in section 6 of this act prior to July 1, 2028, have been served."

On page 8, after line 40, insert the following:

"(8) No applications for special purpose credit programs may be submitted after July 1, 2028."

Senator Fortunato spoke in favor of adoption of the amendment to the striking amendment.

Senators Kuderer and Frame spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0338 by Senator Fortunato on page 3, after line 4 to the committee striking amendment.

The motion by Senator Fortunato did not carry and amendment no. 0338 was not adopted by voice vote.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Housing to Second Substitute House Bill No. 1474.

The motion by Senator Lovick carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Lovick, the rules were suspended, Second Substitute House Bill No. 1474 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Lovick spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute House Bill No. 1474 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute House Bill No. 1474 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 30; Nays, 19; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Liias, Lovelett, Lovick, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Padden, Rivers, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

SECOND SUBSTITUTE HOUSE BILL NO. 1474, as amended by the Senate, having received the constitutional

majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1515, by House Committee on Appropriations (originally sponsored by Macri, Davis, Simmons, Orwall, Taylor, Leavitt, Riccelli, Callan, Farivar, Alvarado, Reed, Fosse, Doglio, Berg, Ryu, Peterson, Fitzgibbon, Bateman, Eslick, Ormsby, Stonier and Tharinger)

Concerning contracting and procurement requirements for behavioral health services in medical assistance programs.

The measure was read the second time.

MOTION

Senator Cleveland moved that the following committee striking amendment by the Committee on Health & Long Term Care be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** (1) The legislature finds that:

(a) Medicaid enrollees in Washington are challenged with accessing needed behavioral health care. According to the Washington state department of social and health services, as of 2021, among medicaid enrollees with an identified mental health need, only 50 percent of adults and 66 percent of youth received treatment, while among medicaid enrollees with an identified substance use disorder need, only 37 percent of adults and 23 percent of youth received treatment. Furthermore, the national council for mental wellbeing's 2022 access to care survey found that 43 percent of adults in the United States who say they need mental health or substance use care did not receive that care, and they face numerous barriers to receiving needed treatment. Lack of necessary care can cause behavioral health conditions to deteriorate and crises to escalate, driving increasing use of intensive services such as inpatient care and involuntary treatment. As a result, the behavioral health system is reaching a crisis point in communities across the state.

(b) As of December 2022, 1,953,153 Washington residents rely on apple health managed care organizations to provide for their physical and behavioral health needs. During the integration of physical and behavioral health care pursuant to chapter 225, Laws of 2014, the health care authority most recently procured managed care services in 2018 and selected five managed care organizations to serve as Washington's apple health plans to provide for the physical and behavioral health care needs of medicaid enrollees. The health care authority has begun considering when to conduct a new procurement for managed care organizations, including an allowance for possible new entrants that do not currently serve Washington's medicaid population.

(c) Medicaid managed care procurement presents a need and an opportunity for the state to reset expectations for managed care organizations related to behavioral health services to ensure that Washington residents are being served by qualified and experienced health plans that can deliver on the access to care and quality of care that residents need and deserve.

(2) It is the intent of the legislature to seize this opportunity to address ongoing challenges Washington's medicaid enrollees face in accessing behavioral health care. The legislature intends to establish robust new standards defining the levels of

medicaid-funded behavioral health service capacity and resources that are adequate to meet medicaid enrollees' treatment needs; to ensure that managed care organizations that serve Washington's medicaid enrollees have a track record of success in delivering a broad range of behavioral health care services to safety net populations; and to advance payment structures and provider network delivery models that improve equitable access, promote integration of care, and deliver on outcomes.

(3) The legislature finds that increased access to behavioral health services for American Indians and Alaska Natives, children in foster care, and the aged, blind, and disabled through the preservation and enhancement of the fee-for-service system is also critical to reducing health disparities among these vulnerable populations. The legislature also intends to increase access to timely and robust behavioral health services for American Indians and Alaska Natives, children in foster care, and the aged, blind, and disabled, in the fee-for-service system they access.

Sec. 2. RCW 74.09.871 and 2019 c 325 s 4006 are each amended to read as follows:

(1) Any agreement or contract by the authority to provide behavioral health services as defined under RCW 71.24.025 to persons eligible for benefits under medicaid, Title XIX of the social security act, and to persons not eligible for medicaid must include the following:

(a) Contractual provisions consistent with the intent expressed in RCW 71.24.015 and 71.36.005;

(b) Standards regarding the quality of services to be provided, including increased use of evidence-based, research-based, and promising practices, as defined in RCW 71.24.025;

(c) Accountability for the client outcomes established in RCW 71.24.435, 70.320.020, and 71.36.025 and performance measures linked to those outcomes;

(d) Standards requiring behavioral health administrative services organizations and managed care organizations to maintain a network of appropriate providers that is supported by written agreements sufficient to provide adequate access to all services covered under the contract with the authority and to protect essential behavioral health system infrastructure and capacity, including a continuum of substance use disorder services;

(e) Provisions to require that medically necessary substance use disorder and mental health treatment services be available to clients;

(f) Standards requiring the use of behavioral health service provider reimbursement methods that incentivize improved performance with respect to the client outcomes established in RCW 71.24.435 and 71.36.025, integration of behavioral health and primary care services at the clinical level, and improved care coordination for individuals with complex care needs;

(g) Standards related to the financial integrity of the contracting entity. This subsection does not limit the authority of the authority to take action under a contract upon finding that a contracting entity's financial status jeopardizes the contracting entity's ability to meet its contractual obligations;

(h) Mechanisms for monitoring performance under the contract and remedies for failure to substantially comply with the requirements of the contract including, but not limited to, financial deductions, termination of the contract, receivership, reprocurement of the contract, and injunctive remedies;

(i) Provisions to maintain the decision-making independence of designated crisis responders; and

(j) Provisions stating that public funds appropriated by the legislature may not be used to promote or deter, encourage, or discourage employees from exercising their rights under Title 29,

chapter 7, subchapter II, United States Code or chapter 41.56 RCW.

(2) At least six months prior to releasing a medicaid integrated managed care procurement, but no later than January 1, 2025, the authority shall adopt statewide network adequacy standards that are assessed on a regional basis for the behavioral health provider networks maintained by managed care organizations pursuant to subsection (1)(d) of this section. The standards shall require a network that ensures access to appropriate and timely behavioral health services for the enrollees of the managed care organization who live within the regional service area. At a minimum, these standards must address each behavioral health services type covered by the medicaid integrated managed care contract. This includes, but is not limited to: Outpatient, inpatient, and residential levels of care for adults and youth with a mental health disorder; outpatient, inpatient, and residential levels of care for adults and youth with a substance use disorder; crisis and stabilization services; providers of medication for opioid use disorders; specialty care; other facility-based services; and other providers as determined by the authority through this process. The authority shall apply the standards regionally and shall incorporate behavioral health system needs and considerations as follows:

(a) Include a process for an annual review of the network adequacy standards;

(b) Provide for participation from counties and behavioral health providers in both initial development and subsequent updates;

(c) Account for the regional service area's population; prevalence of behavioral health conditions; types of minimum behavioral health services and service capacity offered by providers in the regional service area; number and geographic proximity of providers in the regional service area; an assessment of the needs or gaps in the region; and availability of culturally specific services and providers in the regional service area to address the needs of communities that experience cultural barriers to health care including but not limited to communities of color and the LGBTQ+ community;

(d) Include a structure for monitoring compliance with provider network standards and timely access to the services;

(e) Consider how statewide services, such as residential treatment facilities, are utilized cross-regionally; and

(f) Consider how the standards would impact requirements for behavioral health administrative service organizations.

(3) Before releasing a medicaid integrated managed care procurement, the authority shall identify options that minimize provider administrative burden, including the potential to limit the number of managed care organizations that operate in a regional service area.

(4) The following factors must be given significant weight in any medicaid integrated managed care procurement process under this section:

(a) Demonstrated commitment and experience in serving low-income populations;

(b) Demonstrated commitment and experience serving persons who have mental illness, substance use disorders, or co-occurring disorders;

(c) Demonstrated commitment to and experience with partnerships with county and municipal criminal justice systems, housing services, and other critical support services necessary to achieve the outcomes established in RCW 71.24.435, 70.320.020, and 71.36.025;

(d) The ability to provide for the crisis service needs of medicaid enrollees, consistent with the degree to which such services are funded;

EIGHTY NINTH DAY, APRIL 7, 2023

(e) Recognition that meeting enrollees' physical and behavioral health care needs is a shared responsibility of contracted behavioral health administrative services organizations, managed care organizations, service providers, the state, and communities;

~~((e))~~ (f) Consideration of past and current performance and participation in other state or federal behavioral health programs as a contractor; ~~(and~~

~~(f))~~ (g) The ability to meet requirements established by the authority ~~((-3))~~;

(h) The extent to which a managed care organization's approach to contracting simplifies billing and contracting burdens for community behavioral health provider agencies, which may include but is not limited to a delegation arrangement with a provider network that leverages local, federal, or philanthropic funding to enhance the effectiveness of medicaid-funded integrated care services and promote medicaid clients' access to a system of services that addresses additional social support services and social determinants of health as defined in RCW 43.20.025;

(i) Demonstrated prior national or in-state experience with a full continuum of behavioral health services that are substantially similar to the behavioral health services covered under the Washington medicaid state plan, including evidence through past and current data on performance, quality, and outcomes; and

(j) Demonstrated commitment by managed care organizations to the use of alternative pricing and payment structures between a managed care organization and its behavioral health services providers, including provider networks described in subsection (b) of this section, and between a managed care organization and a behavioral administrative service organization, in any of their agreements or contracts under this section, which may include but are not limited to:

(i) Value-based purchasing efforts consistent with the authority's value-based purchasing strategy, such as capitated payment arrangements, comprehensive population-based payment arrangements, or case rate arrangements; or

(ii) Payment methods that secure a sufficient amount of ready and available capacity for levels of care that require staffing 24 hours per day, 365 days per year, to serve anyone in the regional service area with a demonstrated need for the service at all times, regardless of fluctuating utilization.

(5) The authority may use existing cross-system outcome data such as the outcomes and related measures under subsection (4)(c) of this section and chapter 338, Laws of 2013, to determine that the alternative pricing and payment structures referenced in subsection (4)(j) of this section have advanced community behavioral health system outcomes more effectively than a fee-for-service model may have been expected to deliver.

(6)(a) The authority shall urge managed care organizations to establish, continue, or expand delegation arrangements with a provider network that exists on the effective date of this section and that leverages local, federal, or philanthropic funding to enhance the effectiveness of medicaid-funded integrated care services and promote medicaid clients' access to a system of services that addresses additional social support services and social determinants of health as defined in RCW 43.20.025. Such delegation arrangements must meet the requirements of the integrated managed care contract and the national committee for quality assurance accreditation standards.

(b) The authority shall recognize and support, and may not limit or restrict, a delegation arrangement that a managed care organization and a provider network described in (a) of this subsection have agreed upon, provided such arrangement meets the requirements of the integrated managed care contract and the national committee for quality assurance accreditation standards.

The authority may periodically review such arrangements for effectiveness according to the requirements of the integrated managed care contract and the national committee for quality assurance accreditation standards.

(c) Managed care organizations and the authority may evaluate whether to establish or support future delegation arrangements with any additional provider networks that may be created after the effective date of this section, based on the requirements of the integrated managed care contract and the national committee for quality assurance accreditation standards.

(7) The authority shall expand the types of behavioral health crisis services that can be funded with medicaid to the maximum extent allowable under federal law, including seeking approval from the centers for medicare and medicaid services for amendments to the medicaid state plan or medicaid state directed payments that support the 24 hours per day, 365 days per year capacity of the crisis delivery system when necessary to achieve this expansion.

(8) The authority shall, in consultation with managed care organizations, review reports and recommendations of the involuntary treatment act work group established pursuant to section 103, chapter 302, Laws of 2020 and develop a plan for adding contract provisions that increase managed care organizations' accountability when their enrollees require long-term involuntary inpatient behavioral health treatment and shall explore opportunities to maximize medicaid funding as appropriate.

(9) In recognition of the value of community input and consistent with past procurement practices, the authority shall include county and behavioral health provider representatives in the development of any medicaid integrated managed care procurement process. This shall include, at a minimum, two representatives identified by the association of county human services and two representatives identified by the Washington council for behavioral health to participate in the review and development of procurement documents.

(10) For purposes of purchasing behavioral health services and medical care services for persons eligible for benefits under medicaid, Title XIX of the social security act and for persons not eligible for medicaid, the authority must use regional service areas. The regional service areas must be established by the authority as provided in RCW 74.09.870.

~~((4))~~ (11) Consideration must be given to using multiple-biennia contracting periods.

~~((5))~~ (12) Each behavioral health administrative services organization operating pursuant to a contract issued under this section shall serve clients within its regional service area who meet the authority's eligibility criteria for mental health and substance use disorder services within available resources.

Sec. 3. RCW 71.24.861 and 2019 c 325 s 1047 are each amended to read as follows:

(1) The legislature finds that ongoing coordination between state agencies, the counties, and the behavioral health administrative services organizations is necessary to coordinate the behavioral health system. To this end, the authority shall establish a committee to meet quarterly to address systemic issues, including but not limited to the data-sharing needs of behavioral health system partners.

(2) The committee established in subsection (1) of this section must be convened by the authority, meet quarterly, and include representatives from:

- (a) The authority;
- (b) The department of social and health services;
- (c) The department;
- (d) The office of the governor;

(e) One representative from the behavioral health administrative services organization per regional service area; and

(f) One county representative per regional service area.

NEW SECTION. Sec. 4. If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2023, in the omnibus appropriations act, this act is null and void."

On page 1, line 2 of the title, after "programs;" strike the remainder of the title and insert "amending RCW 74.09.871 and 71.24.861; and creating new sections."

Senator Cleveland spoke in favor of adoption of the committee striking amendment.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Health & Long-Term Care to Engrossed Second Substitute House Bill No. 1515.

The motion by Senator Cleveland carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Cleveland, the rules were suspended, Engrossed Second Substitute House Bill No. 1515 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Cleveland and Rivers spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute House Bill No. 1515 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute House Bill No. 1515 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1515, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1564, by Representatives Mosbrucker, Orwall, Chambers, Graham, Rude and Rule

Prohibiting the sale of over-the-counter sexual assault kits.

The measure was read the second time.

MOTION

Senator Dhingra moved that the following committee striking amendment by the Committee on Law & Justice be not adopted:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. It is the intent of the legislature to support survivors of sexual offenses through building victim-centered, trauma-informed systems that promote successful investigations and prosecutions of sexual offenses. Thorough and professional investigations, including preservation of forensic evidence, are imperative and a fundamental component in achieving these outcomes. At-home sexual assault test kits create false expectations and harm the potential for successful investigations and prosecutions. The sale of over-the-counter sexual assault kits may prevent survivors from receiving accurate information about their options and reporting processes; from obtaining access to appropriate and timely medical treatment and follow up; and from connecting to their community and other vital resources.

NEW SECTION. Sec. 2. A new section is added to chapter 5.70 RCW to read as follows:

(1)(a) As used in this section, "over-the-counter sexual assault kit" means a sexual assault kit or rape kit that:

(i) Is marketed or presented as over-the-counter, at-home, or self-collected;

(ii) Is offered for sale or as a sample to members of the public; and

(iii) Purports to allow a natural person to independently collect evidence of a sexual assault outside of a hospital or other health care facility.

(b) "Over-the-counter sexual assault kit" does not include a sexual assault kit intended for administration or collection by law enforcement or a health care provider.

(c) As used in this section, "health care provider" means a person, hospital, or other health care facility that is licensed, certified, or otherwise authorized or permitted by law in Washington state to administer health care or dispense medication in the ordinary course of business or practice of a profession.

(d) As used in this section, "natural person" means a human being. The term does not include a corporation, business trust, estate, trust, partnership, limited liability company, association, joint venture, or any other legal or commercial entity. The term does not include a government or governmental subdivision, agency, or instrumentality. The term does not include a health care provider.

(e) As used in this section, "person" means an individual, corporation, business trust, estate, trust, partnership, limited liability company, association, joint venture, or any other legal or commercial entity. The term does not include a government or governmental subdivision, agency, or instrumentality.

(2) A person may not sell, offer for sale, or provide to a natural person an over-the-counter sexual assault kit.

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

On page 1, line 2 of the title, after "kits;" strike the remainder of the title and insert "adding a new section to chapter 5.70 RCW; and creating a new section."

EIGHTY NINTH DAY, APRIL 7, 2023

Senator Dhingra spoke in favor of the motion to not adopt the committee striking amendment.

The President declared the question before the Senate to be the motion to not adopt the committee striking amendment by the Committee on Law & Justice to House Bill No. 1564.

The motion by Senator Dhingra carried and the committee striking amendment was not adopted by voice vote.

MOTION

Senator Dhingra moved that the following striking amendment no. 0263 by Senator Dhingra be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. It is the intent of the legislature to support survivors of sexual offenses through building victim-centered, trauma-informed systems that promote successful investigations and prosecutions of sexual offenses. Thorough and professional investigations, including preservation of forensic evidence, are imperative and a fundamental component in achieving these outcomes. At-home sexual assault test kits create false expectations and harm the potential for successful investigations and prosecutions. The sale of over-the-counter sexual assault kits may prevent survivors from receiving accurate information about their options and reporting processes; from obtaining access to appropriate and timely medical treatment and follow up; and from connecting to their community and other vital resources.

NEW SECTION. Sec. 2. A new section is added to chapter 5.70 RCW to read as follows:

(1) For purposes of this section:

(a) "Health care facility" means a hospital, clinic, nursing home, laboratory, office, or similar place situated in Washington state where a health care provider provides health care to patients.

(b) "Health care provider" means a person licensed, certified, or otherwise authorized or permitted by law, in Washington state, to provide health care in the ordinary course of business or practice of a profession, and includes a health care facility.

(c) "Person" means an individual, corporation, business trust, estate, trust, partnership, limited liability company, association, joint venture, or any other legal or commercial entity. The term does not include a government or governmental subdivision, agency, or instrumentality.

(d) "Sexual assault kit" means a product with which evidence of sexual assault is collected.

(2) A person may not sell, offer for sale, or otherwise make available a sexual assault kit:

(a) That is marketed or otherwise presented as over-the-counter, at-home, or self-collected or in any manner that indicates that the sexual assault kit may be used for the collection of evidence of sexual assault other than by law enforcement or a health care provider; or

(b) If the person intends, knows, or reasonably should know that the sexual assault kit will be used for the collection of evidence of sexual assault other than by law enforcement or a health care provider.

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

On page 1, line 2 of the title, after "kits;" strike the remainder of the title and insert "adding a new section to chapter 5.70 RCW; and creating a new section."

MOTION

Senator McCune moved that the following amendment no. 0331 by Senator McCune be adopted:

On page 2, line 3, after "(2)" strike "A" and insert "Except as provided in subsection (3) of this section, a"

On page 2, line 14, after "(3)" insert "A person may sell, offer for sale, or otherwise make available a sexual assault kit that will be used for the collection of evidence of sexual assault other than by law enforcement or a health care provider if the collection of evidence is supervised by a sexual assault nurse examiner or a telehealth sexual assault nurse examiner.

(4)"

Correct any internal references accordingly.

Senator McCune spoke in favor of adoption of the amendment to the striking amendment.

WITHDRAWAL OF AMENDMENT

On motion of Senator McCune and without objection, amendment no. 0331 by Senator McCune on page 2, line 3 to House Bill No. 1564 was withdrawn.

The President declared the question before the Senate to be the adoption of striking amendment no. 0263 by Senator Dhingra to House Bill No. 1564.

The motion by Senator Dhingra carried and striking amendment no. 0263 was adopted by voice vote.

MOTION

On motion of Senator Dhingra, the rules were suspended, House Bill No. 1564 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Dhingra, Trudeau and Holy spoke in favor of passage of the bill.

Senators Padden, McCune and MacEwen spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1564 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1564 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 42; Nays, 7; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wellman, Wilson, C. and Wilson, J.

Voting nay: Senators Fortunato, MacEwen, McCune, Padden, Wagoner, Warnick and Wilson, L.

HOUSE BILL NO. 1564, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1181, by House Committee on Appropriations (originally sponsored by Duerr, Fitzgibbon, Berry, Peterson, Ryu, Alvarado, Taylor, Reed, Walen, Bateman, Ramel, Goodman, Doglio, Macri, Callan, Simmons, Lekanoff, Gregerson, Bergquist, Stonier, Pollet, Davis, Kloba, Riccelli, Mena and Tharinger)

Improving the state's response to climate change by updating the state's planning framework.

The measure was read the second time.

MOTION

Senator Lovelett moved that the following striking amendment no. 0333 by Senator Lovelett be adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 36.70A.020 and 2021 c 254 s 1 are each amended to read as follows:

The following goals are adopted to guide the development and adoption of comprehensive plans and development regulations of those counties and cities that are required or choose to plan under RCW 36.70A.040 and, where specified, also guide the development of regional policies, plans, and strategies adopted under RCW 36.70A.210 and chapter 47.80 RCW. The following goals are not listed in order of priority and shall be used exclusively for the purpose of guiding the development of comprehensive plans ~~((and))~~, development regulations, and, where specified, regional plans, policies, and strategies:

(1) Urban growth. Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.

(2) Reduce sprawl. Reduce the inappropriate conversion of undeveloped land into sprawling, low-density development.

(3) Transportation. Encourage efficient multimodal transportation systems that will reduce greenhouse gas emissions and per capita vehicle miles traveled, and are based on regional priorities and coordinated with county and city comprehensive plans.

(4) Housing. Plan for and accommodate housing affordable to all economic segments of the population of this state, promote a variety of residential densities and housing types, and encourage preservation of existing housing stock.

(5) Economic development. Encourage economic development throughout the state that is consistent with adopted comprehensive plans, promote economic opportunity for all citizens of this state, especially for unemployed and for disadvantaged persons, promote the retention and expansion of existing businesses and recruitment of new businesses, recognize regional differences impacting economic development opportunities, and encourage growth in areas experiencing insufficient economic growth, all within the capacities of the state's natural resources, public services, and public facilities.

(6) Property rights. Private property shall not be taken for public use without just compensation having been made. The property rights of landowners shall be protected from arbitrary and discriminatory actions.

(7) Permits. Applications for both state and local government permits should be processed in a timely and fair manner to ensure predictability.

(8) Natural resource industries. Maintain and enhance natural resource-based industries, including productive timber, agricultural, and fisheries industries. Encourage the conservation of productive forestlands and productive agricultural lands, and discourage incompatible uses.

(9) Open space and recreation. Retain open space and green space, enhance recreational opportunities, ~~((conserve))~~ enhance fish and wildlife habitat, increase access to natural resource lands and water, and develop parks and recreation facilities.

(10) Environment. Protect and enhance the environment and enhance the state's high quality of life, including air and water quality, and the availability of water.

(11) Citizen participation and coordination. Encourage the involvement of citizens in the planning process, including the participation of vulnerable populations and overburdened communities, and ensure coordination between communities and jurisdictions to reconcile conflicts.

(12) Public facilities and services. Ensure that those public facilities and services necessary to support development shall be adequate to serve the development at the time the development is available for occupancy and use without decreasing current service levels below locally established minimum standards.

(13) Historic preservation. Identify and encourage the preservation of lands, sites, and structures, that have historical or archaeological significance.

(14) Climate change and resiliency. Ensure that comprehensive plans, development regulations, and regional policies, plans, and strategies under RCW 36.70A.210 and chapter 47.80 RCW adapt to and mitigate the effects of a changing climate; support reductions in greenhouse gas emissions and per capita vehicle miles traveled; prepare for climate impact scenarios; foster resiliency to climate impacts and natural hazards; protect and enhance environmental, economic, and human health and safety; and advance environmental justice.

(15) Shorelines of the state. For shorelines of the state, the goals and policies of the shoreline management act as set forth in RCW 90.58.020 shall be considered an element of the county's or city's comprehensive plan.

"**Sec. 2.** RCW 36.70A.480 and 2010 c 107 s 2 are each amended to read as follows:

(1) For shorelines of the state, the goals and policies of the shoreline management act as set forth in RCW 90.58.020 are added as one of the goals of this chapter as set forth in RCW 36.70A.020 without creating an order of priority among the ~~((fourteen))~~ 15 goals. The goals and policies of a shoreline master program for a county or city approved under chapter 90.58 RCW shall be considered an element of the county or city's comprehensive plan. All other portions of the shoreline master program for a county or city adopted under chapter 90.58 RCW, including use regulations, shall be considered a part of the county or city's development regulations.

(2) The shoreline master program shall be adopted pursuant to the procedures of chapter 90.58 RCW rather than the goals, policies, and procedures set forth in this chapter for the adoption of a comprehensive plan or development regulations.

(3)(a) The policies, goals, and provisions of chapter 90.58 RCW and applicable guidelines shall be the sole basis for determining compliance of a shoreline master program with this chapter except as the shoreline master program is required to comply with the internal consistency provisions of RCW 36.70A.070, 36.70A.040(4), 35.63.125, and 35A.63.105.

EIGHTY NINTH DAY, APRIL 7, 2023

(b) Except as otherwise provided in (c) of this subsection, development regulations adopted under this chapter to protect critical areas within shorelines of the state apply within shorelines of the state until the department of ecology approves one of the following: A comprehensive master program update, as defined in RCW 90.58.030; a segment of a master program relating to critical areas, as provided in RCW 90.58.090; or a new or amended master program approved by the department of ecology on or after March 1, 2002, as provided in RCW 90.58.080. The adoption or update of development regulations to protect critical areas under this chapter prior to department of ecology approval of a master program update as provided in this subsection is not a comprehensive or segment update to the master program.

(c)(i) Until the department of ecology approves a master program or segment of a master program as provided in (b) of this subsection, a use or structure legally located within shorelines of the state that was established or vested on or before the effective date of the local government's development regulations to protect critical areas may continue as a conforming use and may be redeveloped or modified if: (A) The redevelopment or modification is consistent with the local government's master program; and (B) the local government determines that the proposed redevelopment or modification will result in no net loss of shoreline ecological functions. The local government may waive this requirement if the redevelopment or modification is consistent with the master program and the local government's development regulations to protect critical areas.

(ii) For purposes of this subsection (3)(c), an agricultural activity that does not expand the area being used for the agricultural activity is not a redevelopment or modification. "Agricultural activity," as used in this subsection (3)(c), has the same meaning as defined in RCW 90.58.065.

(d) Upon department of ecology approval of a shoreline master program or critical area segment of a shoreline master program, critical areas within shorelines of the state are protected under chapter 90.58 RCW and are not subject to the procedural and substantive requirements of this chapter, except as provided in subsection (6) of this section. Nothing in chapter 321, Laws of 2003 or chapter 107, Laws of 2010 is intended to affect whether or to what extent agricultural activities, as defined in RCW 90.58.065, are subject to chapter 36.70A RCW.

(e) The provisions of RCW 36.70A.172 shall not apply to the adoption or subsequent amendment of a local government's shoreline master program and shall not be used to determine compliance of a local government's shoreline master program with chapter 90.58 RCW and applicable guidelines. Nothing in this section, however, is intended to limit or change the quality of information to be applied in protecting critical areas within shorelines of the state, as required by chapter 90.58 RCW and applicable guidelines.

(4) Shoreline master programs shall provide a level of protection to critical areas located within shorelines of the state that assures no net loss of shoreline ecological functions necessary to sustain shoreline natural resources as defined by department of ecology guidelines adopted pursuant to RCW 90.58.060.

(5) Shorelines of the state shall not be considered critical areas under this chapter except to the extent that specific areas located within shorelines of the state qualify for critical area designation based on the definition of critical areas provided by RCW 36.70A.030(~~((5))~~) (6) and have been designated as such by a local government pursuant to RCW 36.70A.060(2).

(6) If a local jurisdiction's master program does not include land necessary for buffers for critical areas that occur within shorelines of the state, as authorized by RCW 90.58.030(2)(~~((4))~~)

(d), then the local jurisdiction shall continue to regulate those critical areas and their required buffers pursuant to RCW 36.70A.060(2).

Sec. 3. RCW 36.70A.070 and 2022 c 246 s 2 and 2022 c 220 s 1 are each reenacted and amended to read as follows:

The comprehensive plan of a county or city that is required or chooses to plan under RCW 36.70A.040 shall consist of a map or maps, and descriptive text covering objectives, principles, and standards used to develop the comprehensive plan. The plan shall be an internally consistent document and all elements shall be consistent with the future land use map. A comprehensive plan shall be adopted and amended with public participation as provided in RCW 36.70A.140. Each comprehensive plan shall include a plan, scheme, or design for each of the following:

(1) A land use element designating the proposed general distribution and general location and extent of the uses of land, where appropriate, for agriculture, timber production, housing, commerce, industry, recreation, open spaces and green spaces, urban and community forests within the urban growth area, general aviation airports, public utilities, public facilities, and other land uses. The land use element shall include population densities, building intensities, and estimates of future population growth. The land use element shall provide for protection of the quality and quantity of groundwater used for public water supplies. The land use element must give special consideration to achieving environmental justice in its goals and policies, including efforts to avoid creating or worsening environmental health disparities. Wherever possible, the land use element should consider utilizing urban planning approaches that promote physical activity and reduce per capita vehicle miles traveled within the jurisdiction, but without increasing greenhouse gas emissions elsewhere in the state. Where applicable, the land use element shall review drainage, flooding, and stormwater runoff in the area and nearby jurisdictions and provide guidance for corrective actions to mitigate or cleanse those discharges that pollute waters of the state, including Puget Sound or waters entering Puget Sound. The land use element must reduce and mitigate the risk to lives and property posed by wildfires by using land use planning tools, which may include, but are not limited to, reducing wildfire risks to residential development in high risk areas and the wildland urban interface area, separating human development from wildfire prone landscapes, and protecting existing residential development and infrastructure through community wildfire preparedness and fire adaptation measures.

(2) A housing element ensuring the vitality and character of established residential neighborhoods that:

(a) Includes an inventory and analysis of existing and projected housing needs that identifies the number of housing units necessary to manage projected growth, as provided by the department of commerce, including:

(i) Units for moderate, low, very low, and extremely low-income households; and

(ii) Emergency housing, emergency shelters, and permanent supportive housing;

(b) Includes a statement of goals, policies, objectives, and mandatory provisions for the preservation, improvement, and development of housing, including single-family residences, and within an urban growth area boundary, moderate density housing options including, but not limited to, duplexes, triplexes, and townhomes;

(c) Identifies sufficient capacity of land for housing including, but not limited to, government-assisted housing, housing for moderate, low, very low, and extremely low-income households, manufactured housing, multifamily housing, group homes, foster care facilities, emergency housing, emergency shelters,

permanent supportive housing, and within an urban growth area boundary, consideration of duplexes, triplexes, and townhomes;

(d) Makes adequate provisions for existing and projected needs of all economic segments of the community, including:

(i) Incorporating consideration for low, very low, extremely low, and moderate-income households;

(ii) Documenting programs and actions needed to achieve housing availability including gaps in local funding, barriers such as development regulations, and other limitations;

(iii) Consideration of housing locations in relation to employment location; and

(iv) Consideration of the role of accessory dwelling units in meeting housing needs;

(e) Identifies local policies and regulations that result in racially disparate impacts, displacement, and exclusion in housing, including:

(i) Zoning that may have a discriminatory effect;

(ii) Disinvestment; and

(iii) Infrastructure availability;

(f) Identifies and implements policies and regulations to address and begin to undo racially disparate impacts, displacement, and exclusion in housing caused by local policies, plans, and actions;

(g) Identifies areas that may be at higher risk of displacement from market forces that occur with changes to zoning development regulations and capital investments; and

(h) Establishes antidisplacement policies, with consideration given to the preservation of historical and cultural communities as well as investments in low, very low, extremely low, and moderate-income housing; equitable development initiatives; inclusionary zoning; community planning requirements; tenant protections; land disposition policies; and consideration of land that may be used for affordable housing.

In counties and cities subject to the review and evaluation requirements of RCW 36.70A.215, any revision to the housing element shall include consideration of prior review and evaluation reports and any reasonable measures identified. The housing element should link jurisdictional goals with overall county goals to ensure that the housing element goals are met.

The adoption of ordinances, development regulations and amendments to such regulations, and other nonproject actions taken by a city that is required or chooses to plan under RCW 36.70A.040 that increase housing capacity, increase housing affordability, and mitigate displacement as required under this subsection (2) and that apply outside of critical areas are not subject to administrative or judicial appeal under chapter 43.21C RCW unless the adoption of such ordinances, development regulations and amendments to such regulations, or other nonproject actions has a probable significant adverse impact on fish habitat.

(3) A capital facilities plan element consisting of: (a) An inventory of existing capital facilities owned by public entities, including green infrastructure, showing the locations and capacities of the capital facilities; (b) a forecast of the future needs for such capital facilities; (c) the proposed locations and capacities of expanded or new capital facilities; (d) at least a six-year plan that will finance such capital facilities within projected funding capacities and clearly identifies sources of public money for such purposes; and (e) a requirement to reassess the land use element if probable funding falls short of meeting existing needs and to ensure that the land use element, capital facilities plan element, and financing plan within the capital facilities plan element are coordinated and consistent. Park and recreation facilities shall be included in the capital facilities plan element.

The county or city shall identify all public entities that own capital facilities and endeavor in good faith to work with other public entities, such as special purpose districts, to gather and include within its capital facilities element the information required by this subsection. If, after a good faith effort, the county or city is unable to gather the information required by this subsection from the other public entities, the failure to include such information in its capital facilities element cannot be grounds for a finding of noncompliance or invalidity under this act. A good faith effort must, at a minimum, include consulting the public entity's capital facility or system plans and emailing and calling the staff of the public entity.

(4)(a) A utilities element consisting of the general location, proposed location, and capacity of all existing and proposed utilities(;) including, but not limited to, electrical (~~(lines)~~), (~~(telecommunication lines)~~) telecommunications, and natural gas (~~(lines)~~) systems.

(b) The county or city shall identify all public entities that own utility systems and endeavor in good faith to work with other public entities, such as special purpose districts, to gather and include within its utilities element the information required in (a) of this subsection. However, if, after a good faith effort, the county or city is unable to gather the information required in (a) of this subsection from the other public entities, the failure to include such information in the utilities element shall not be grounds for a finding of noncompliance or invalidity under this act. A good faith effort must, at a minimum, include consulting the public entity's capital facility or system plans, and emailing and calling the staff of the public entity.

(5) Rural element. Counties shall include a rural element including lands that are not designated for urban growth, agriculture, forest, or mineral resources. The following provisions shall apply to the rural element:

(a) Growth management act goals and local circumstances. Because circumstances vary from county to county, in establishing patterns of rural densities and uses, a county may consider local circumstances, but shall develop a written record explaining how the rural element harmonizes the planning goals in RCW 36.70A.020 and meets the requirements of this chapter.

(b) Rural development. The rural element shall permit rural development, forestry, and agriculture in rural areas. The rural element shall provide for a variety of rural densities, uses, essential public facilities, and rural governmental services needed to serve the permitted densities and uses. To achieve a variety of rural densities and uses, counties may provide for clustering, density transfer, design guidelines, conservation easements, and other innovative techniques that will accommodate appropriate rural economic advancement, densities, and uses that are not characterized by urban growth and that are consistent with rural character.

(c) Measures governing rural development. The rural element shall include measures that apply to rural development and protect the rural character of the area, as established by the county, by:

(i) Containing or otherwise controlling rural development;

(ii) Assuring visual compatibility of rural development with the surrounding rural area;

(iii) Reducing the inappropriate conversion of undeveloped land into sprawling, low-density development in the rural area;

(iv) Protecting critical areas, as provided in RCW 36.70A.060, and surface water and groundwater resources; and

(v) Protecting against conflicts with the use of agricultural, forest, and mineral resource lands designated under RCW 36.70A.170.

EIGHTY NINTH DAY, APRIL 7, 2023

(d) Limited areas of more intensive rural development. Subject to the requirements of this subsection and except as otherwise specifically provided in this subsection (5)(d), the rural element may allow for limited areas of more intensive rural development, including necessary public facilities and public services to serve the limited area as follows:

(i) Rural development consisting of the infill, development, or redevelopment of existing commercial, industrial, residential, or mixed-use areas, whether characterized as shoreline development, villages, hamlets, rural activity centers, or crossroads developments.

(A) A commercial, industrial, residential, shoreline, or mixed-use area are subject to the requirements of (d)(iv) of this subsection, but are not subject to the requirements of (c)(ii) and (iii) of this subsection.

(B) Any development or redevelopment other than an industrial area or an industrial use within a mixed-use area or an industrial area under this subsection (5)(d)(i) must be principally designed to serve the existing and projected rural population.

(C) Any development or redevelopment in terms of building size, scale, use, or intensity may be permitted subject to confirmation from all existing providers of public facilities and public services of sufficient capacity of existing public facilities and public services to serve any new or additional demand from the new development or redevelopment. Development and redevelopment may include changes in use from vacant land or a previously existing use so long as the new use conforms to the requirements of this subsection (5) and is consistent with the local character. Any commercial development or redevelopment within a mixed-use area must be principally designed to serve the existing and projected rural population and must meet the following requirements:

(I) Any included retail or food service space must not exceed the footprint of previously occupied space or 5,000 square feet, whichever is greater, for the same or similar use; and

(II) Any included retail or food service space must not exceed 2,500 square feet for a new use;

(ii) The intensification of development on lots containing, or new development of, small-scale recreational or tourist uses, including commercial facilities to serve those recreational or tourist uses, that rely on a rural location and setting, but that do not include new residential development. A small-scale recreation or tourist use is not required to be principally designed to serve the existing and projected rural population. Public services and public facilities shall be limited to those necessary to serve the recreation or tourist use and shall be provided in a manner that does not permit low-density sprawl;

(iii) The intensification of development on lots containing isolated nonresidential uses or new development of isolated cottage industries and isolated small-scale businesses that are not principally designed to serve the existing and projected rural population and nonresidential uses, but do provide job opportunities for rural residents. Rural counties may allow the expansion of small-scale businesses as long as those small-scale businesses conform with the rural character of the area as defined by the local government according to RCW 36.70A.030(23). Rural counties may also allow new small-scale businesses to utilize a site previously occupied by an existing business as long as the new small-scale business conforms to the rural character of the area as defined by the local government according to RCW 36.70A.030(23). Public services and public facilities shall be limited to those necessary to serve the isolated nonresidential use and shall be provided in a manner that does not permit low-density sprawl;

(iv) A county shall adopt measures to minimize and contain the existing areas of more intensive rural development, as appropriate, authorized under this subsection. Lands included in such existing areas shall not extend beyond the logical outer boundary of the existing area, thereby allowing a new pattern of low-density sprawl. Existing areas are those that are clearly identifiable and contained and where there is a logical boundary delineated predominately by the built environment, but that may also include undeveloped lands if limited as provided in this subsection. The county shall establish the logical outer boundary of an area of more intensive rural development. In establishing the logical outer boundary, the county shall address (A) the need to preserve the character of existing natural neighborhoods and communities, (B) physical boundaries, such as bodies of water, streets and highways, and land forms and contours, (C) the prevention of abnormally irregular boundaries, and (D) the ability to provide public facilities and public services in a manner that does not permit low-density sprawl;

(v) For purposes of this subsection (5)(d), an existing area or existing use is one that was in existence:

(A) On July 1, 1990, in a county that was initially required to plan under all of the provisions of this chapter;

(B) On the date the county adopted a resolution under RCW 36.70A.040(2), in a county that is planning under all of the provisions of this chapter under RCW 36.70A.040(2); or

(C) On the date the office of financial management certifies the county's population as provided in RCW 36.70A.040(5), in a county that is planning under all of the provisions of this chapter pursuant to RCW 36.70A.040(5).

(e) Exception. This subsection shall not be interpreted to permit in the rural area a major industrial development or a master planned resort unless otherwise specifically permitted under RCW 36.70A.360 and 36.70A.365.

(6) A transportation element that implements, and is consistent with, the land use element.

(a) The transportation element shall include the following subelements:

(i) Land use assumptions used in estimating travel;

(ii) Estimated ~~((traffic))~~ multimodal level of service impacts to state-owned transportation facilities resulting from land use assumptions to assist ~~((the department of transportation))~~ in monitoring the performance of state facilities, to plan improvements for the facilities, and to assess the impact of land-use decisions on state-owned transportation facilities;

(iii) Facilities and services needs, including:

(A) An inventory of air, water, and ground transportation facilities and services, including transit alignments, active transportation facilities, and general aviation airport facilities, to define existing capital facilities and travel levels ~~((as a basis for))~~ to inform future planning. This inventory must include state-owned transportation facilities within the city or county's jurisdictional boundaries;

(B) ~~((Level))~~ Multimodal level of service standards for all locally owned arterials ((and)), locally and regionally operated transit routes that serve urban growth areas, state-owned or operated transit routes that serve urban areas if the department of transportation has prepared such standards, and active transportation facilities to serve as a gauge to judge performance of the system and success in helping to achieve the goals of this chapter consistent with environmental justice. These standards should be regionally coordinated;

(C) For state-owned transportation facilities, multimodal level of service standards for highways, as prescribed in chapters 47.06 and 47.80 RCW, to gauge the performance of the system. The purposes of reflecting multimodal level of service standards for

state highways in the local comprehensive plan are to monitor the performance of the system, to evaluate improvement strategies, and to facilitate coordination between the county's or city's six-year street, road, active transportation, or transit program and the office of financial management's ten-year investment program. The concurrency requirements of (b) of this subsection do not apply to transportation facilities and services of statewide significance except for counties consisting of islands whose only connection to the mainland are state highways or ferry routes. In these island counties, state highways and ferry route capacity must be a factor in meeting the concurrency requirements in (b) of this subsection;

(D) Specific actions and requirements for bringing into compliance (~~(locally owned)~~) transportation facilities or services that are below an established multimodal level of service standard;

(E) Forecasts of (~~(traffic)~~) multimodal transportation demand and needs within cities and urban growth areas, and forecasts of multimodal transportation demand and needs outside of cities and urban growth areas, for at least ten years based on the adopted land use plan to (~~(provide information on the location, timing, and capacity needs of future growth)~~) inform the development of a transportation element that balances transportation system safety and convenience to accommodate all users of the transportation system to safely, reliably, and efficiently provide access and mobility to people and goods. Priority must be given to inclusion of transportation facilities and services providing the greatest multimodal safety benefit to each category of roadway users for the context and speed of the facility;

(F) Identification of state and local system needs to equitably meet current and future demands. Identified needs on state-owned transportation facilities must be consistent with the statewide multimodal transportation plan required under chapter 47.06 RCW. Local system needs should reflect the regional transportation system and local goals, and strive to equitably implement the multimodal network;

(G) A transition plan for transportation as required in Title II of the Americans with disabilities act of 1990 (ADA). As a necessary step to a program access plan to provide accessibility under the ADA, state and local government, public entities, and public agencies are required to perform self-evaluations of their current facilities, relative to accessibility requirements of the ADA. The agencies are then required to develop a program access plan, which can be called a transition plan, to address any deficiencies. The plan is intended to achieve the following:

(I) Identify physical obstacles that limit the accessibility of facilities to individuals with disabilities;

(II) Describe the methods to be used to make the facilities accessible;

(III) Provide a schedule for making the access modifications; and

(IV) Identify the public officials responsible for implementation of the transition plan;

(iv) Finance, including:

(A) An analysis of funding capability to judge needs against probable funding resources;

(B) A multiyear financing plan based on the needs identified in the comprehensive plan, the appropriate parts of which shall serve as the basis for the six-year street, road, or transit program required by RCW 35.77.010 for cities, RCW 36.81.121 for counties, and RCW 35.58.2795 for public transportation systems. The multiyear financing plan should be coordinated with the ten-year investment program developed by the office of financial management as required by RCW 47.05.030;

(C) If probable funding falls short of meeting the identified needs of the transportation system, including state transportation facilities, a discussion of how additional funding will be raised, or how land use assumptions will be reassessed to ensure that level of service standards will be met;

(v) Intergovernmental coordination efforts, including an assessment of the impacts of the transportation plan and land use assumptions on the transportation systems of adjacent jurisdictions;

(vi) Demand-management strategies;

(vii) (~~(Pedestrian and bicycle)~~) Active transportation component to include collaborative efforts to identify and designate planned improvements for (~~(pedestrian and bicycle)~~) active transportation facilities and corridors that address and encourage enhanced community access and promote healthy lifestyles.

(b) After adoption of the comprehensive plan by jurisdictions required to plan or who choose to plan under RCW 36.70A.040, local jurisdictions must adopt and enforce ordinances which prohibit development approval if the development causes the level of service on a locally owned or locally or regionally operated transportation facility to decline below the standards adopted in the transportation element of the comprehensive plan, unless transportation improvements or strategies to accommodate the impacts of development are made concurrent with the development. These strategies may include (~~(increased)~~) active transportation facility improvements, increased or enhanced public transportation service, ride-sharing programs, demand management, and other transportation systems management strategies. For the purposes of this subsection (6), "concurrent with the development" means that improvements or strategies are in place at the time of development, or that a financial commitment is in place to complete the improvements or strategies within six years. If the collection of impact fees is delayed under RCW 82.02.050(3), the six-year period required by this subsection (6)(b) must begin after full payment of all impact fees is due to the county or city. A development proposal may not be denied for causing the level of service on a locally owned or locally or regionally operated transportation facility to decline below the standards adopted in the transportation element of the comprehensive plan where such impacts could be adequately mitigated through active transportation facility improvements, increased or enhanced public transportation service, ride-sharing programs, demand management, or other transportation systems management strategies funded by the development.

(c) The transportation element described in this subsection (6), the six-year plans required by RCW 35.77.010 for cities, RCW 36.81.121 for counties, and RCW 35.58.2795 for public transportation systems, and the ten-year investment program required by RCW 47.05.030 for the state, must be consistent.

(7) An economic development element establishing local goals, policies, objectives, and provisions for economic growth and vitality and a high quality of life. A city that has chosen to be a residential community is exempt from the economic development element requirement of this subsection.

(8) A park and recreation element that implements, and is consistent with, the capital facilities plan element as it relates to park and recreation facilities. The element shall include: (a) Estimates of park and recreation demand for at least a ten-year period; (b) an evaluation of facilities and service needs; ~~(c) an~~ evaluation of tree canopy coverage within the urban growth area; and ~~((c))~~ (d) an evaluation of intergovernmental coordination opportunities to provide regional approaches for meeting park and recreational demand.

EIGHTY NINTH DAY, APRIL 7, 2023

(9)(a) A climate change and resiliency element that is designed to result in reductions in overall greenhouse gas emissions and that must enhance resiliency to and avoid the adverse impacts of climate change, which must include efforts to reduce localized greenhouse gas emissions and avoid creating or worsening localized climate impacts to vulnerable populations and overburdened communities.

(b) The climate change and resiliency element shall include the following subelements:

(i) A greenhouse gas emissions reduction subelement;

(ii) A resiliency subelement.

(c) The greenhouse gas emissions reduction subelement of the climate change and resiliency element is mandatory for the jurisdictions specified in section 4(1) of this act and is encouraged for all other jurisdictions, including those planning under RCW 36.70A.040 and those planning under chapter 36.70 RCW. The resiliency subelement of the climate change and resiliency element is mandatory for all jurisdictions planning under RCW 36.70A.040 and is encouraged for those jurisdictions planning under chapter 36.70 RCW.

(d)(i) The greenhouse gas emissions reduction subelement of the comprehensive plan, and its related development regulations, must identify the actions the jurisdiction will take during the planning cycle consistent with the guidelines published by the department pursuant to section 5 of this act that will:

(A) Result in reductions in overall greenhouse gas emissions generated by transportation and land use within the jurisdiction but without increasing greenhouse gas emissions elsewhere in the state;

(B) Result in reductions in per capita vehicle miles traveled within the jurisdiction but without increasing greenhouse gas emissions elsewhere in the state; and

(C) Prioritize reductions that benefit overburdened communities in order to maximize the cobenefits of reduced air pollution and environmental justice.

(ii) Actions not specifically identified in the guidelines developed by the department pursuant to section 5 of this act may be considered consistent with these guidelines only if:

(A) They are projected to achieve greenhouse gas emissions reductions or per capita vehicle miles traveled reductions equivalent to what would be required of the jurisdiction under the guidelines adopted by the department; and

(B) They are supported by scientifically credible projections and scenarios that indicate their adoption is likely to result in reductions of greenhouse gas emissions or per capita vehicle miles traveled.

(iii) A jurisdiction may not restrict population growth or limit population allocation in order to achieve the requirements set forth in this subsection (9)(d).

(e)(i) The resiliency subelement must equitably enhance resiliency to, and avoid or substantially reduce the adverse impacts of, climate change in human communities and ecological systems through goals, policies, and programs consistent with the best available science and scientifically credible climate projections and impact scenarios that moderate or avoid harm, enhance the resiliency of natural and human systems, and enhance beneficial opportunities. The resiliency subelement must prioritize actions that benefit overburdened communities that will disproportionately suffer from compounding environmental impacts and will be most impacted by natural hazards due to climate change. Specific goals, policies, and programs of the resiliency subelement must include, but are not limited to, those designed to:

(A) Identify, protect, and enhance natural areas to foster resiliency to climate impacts, as well as areas of vital habitat for safe passage and species migration;

(B) Identify, protect, and enhance community resiliency to climate change impacts, including social, economic, and built environment factors, that support adaptation to climate impacts consistent with environmental justice; and

(C) Address natural hazards created or aggravated by climate change, including sea level rise, landslides, flooding, drought, heat, smoke, wildfire, and other effects of changes to temperature and precipitation patterns.

(ii) A natural hazard mitigation plan or similar plan that is guided by RCW 36.70A.020(14), that prioritizes actions that benefit overburdened communities, and that complies with the applicable requirements of this chapter, including the requirements set forth in this subsection (9)(e), may be adopted by reference to satisfy these requirements, except that to the extent any of the substantive requirements of this subsection (9)(e) are not addressed, or are inadequately addressed, in the referenced natural hazard mitigation plan, a county or city must supplement the natural hazard mitigation plan accordingly so that the adopted resiliency subelement complies fully with the substantive requirements of this subsection (9)(e).

(A) If a county or city intends to adopt by reference a federal emergency management agency natural hazard mitigation plan in order to meet all or part of the substantive requirements set forth in this subsection (9)(e), and the most recently adopted federal emergency management agency natural hazard mitigation plan does not comply with the requirements of this subsection (9)(e), the department may grant the county or city an extension of time in which to submit a natural hazard mitigation plan.

(B) Eligibility for an extension under this subsection prior to July 1, 2027, is limited to a city or county required to review and, if needed, revise its comprehensive plan on or before June 30, 2025, as provided in RCW 36.70A.130, or for a city or county with an existing, unexpired federal emergency management agency natural hazard mitigation plan scheduled to expire before December 31, 2024.

(C) Extension requests after July 1, 2027, may be granted if requirements for the resiliency subelement are amended or added by the legislature or if the department finds other circumstances that may result in a potential finding of noncompliance with a jurisdiction's existing and approved federal emergency management agency natural hazard mitigation plan.

(D) A city or county that wishes to request an extension of time must submit a request in writing to the department no later than the date on which the city or county is required to review and, if needed, revise its comprehensive plan as provided in RCW 36.70A.130.

(E) Upon the submission of such a request to the department, the city or county may have an additional 48 months from the date provided in RCW 36.70A.130 in which to either adopt by reference an updated federal emergency management agency natural hazard mitigation plan or adopt its own natural hazard mitigation plan, and to then submit that plan to the department.

(F) The adoption of ordinances, amendments to comprehensive plans, amendments to development regulations, and other nonproject actions taken by a county or city pursuant to (d) of this subsection in order to implement measures specified by the department pursuant to section 5 of this act are not subject to administrative or judicial appeal under chapter 43.21C RCW.

(10) It is the intent that new or amended elements required after January 1, 2002, be adopted concurrent with the scheduled update provided in RCW 36.70A.130. Requirements to incorporate any such new or amended elements shall be null and void until funds

sufficient to cover applicable local government costs are appropriated and distributed by the state at least two years before local government must update comprehensive plans as required in RCW 36.70A.130.

NEW SECTION. Sec. 4. A new section is added to chapter 36.70A RCW to read as follows:

(1) The requirements of the greenhouse gas emissions reduction subelement of the climate change and resiliency element set forth in RCW 36.70A.070 apply only to those counties that are required or that choose to plan under RCW 36.70A.040 and that also meet either of the criteria set forth in (a), (b), or (c) of this subsection on or after April 1, 2021, and the cities with populations greater than 6,000 as of April 1, 2021, within those counties:

(a) A county with a population density of at least 100 people per square mile and a population of at least 200,000;

(b) A county bordering on the Columbia and Snake rivers with a population density of at least 75 people per square mile and an annual growth rate of at least 1.65 percent; or

(c) A county located to the west of the crest of the Cascade mountains with a population of at least 130,000.

(2) The requirements of the amendments to the transportation element of RCW 36.70A.070 set forth in this act apply only to:

(a) Counties and cities that meet the population criteria set forth in subsection (1) of this section; and (b) cities with populations of 6,000 or greater as of April 1, 2021, that are located in a county that is required or that chooses to plan under RCW 36.70A.040.

(3) The requirements of the amendments to the land use element of RCW 36.70A.070 set forth in this act apply only to:

(a) Counties and cities that meet the population criteria set forth in subsection (1) or (2) of this section; and (b) counties that have a population of 20,000 or greater as of April 1, 2021, and that are required or that choose to plan under RCW 36.70A.040.

(4) Once a county meets either of the sets of criteria set forth in subsection (1) of this section, the requirement to conform with the greenhouse gas emissions reduction subelement of the climate change and resiliency element set forth in RCW 36.70A.070 remains in effect, even if the county no longer meets one of these sets of criteria.

(5) If the population of a county that previously had not been required to conform with the greenhouse gas emissions reduction subelement of the climate change and resiliency element set forth in RCW 36.70A.070 changes sufficiently to meet either of the sets of criteria set forth in subsection (1) of this section, the county, and the cities with populations greater than 6,000 as of April 1, 2021, within that county, shall adopt a greenhouse gas emissions reduction subelement of the climate change and resiliency element set forth in RCW 36.70A.070 at the next scheduled update of the comprehensive plan as set forth in RCW 36.70A.130.

(6) The population criteria used in this section must be based on population data as determined by the office of financial management.

NEW SECTION. Sec. 5. A new section is added to chapter 70A.45 RCW to read as follows:

(1) The department of commerce, in consultation with the department of ecology, the department of health, and the department of transportation, shall publish guidelines that specify a set of measures counties and cities may implement via updates to their comprehensive plans and development regulations that have a demonstrated ability to increase housing capacity within urban growth areas or reduce greenhouse gas emissions, allowing for consideration of the emissions reductions achieved through the adoption of statewide programs. The guidelines must prioritize measures that benefit overburdened communities,

including communities that have experienced disproportionate harm due to air pollution and may draw upon the most recent health disparities data from the department of health to identify high pollution areas and disproportionately burdened communities. These guidelines must be developed consistent with an environmental justice assessment pursuant to RCW 70A.02.060 and the guidelines must include environmental justice assessment processes. The guidelines must be based on:

(a) The most recent greenhouse gas emissions report prepared by the department of ecology and the department of commerce pursuant to RCW 70A.45.020(2);

(b) The most recent city and county population estimates prepared by the office of financial management pursuant to RCW 43.62.035;

(c) The locations of major employment centers and transit corridors, for the purpose of increasing housing supply in these areas; and

(d) Available environmental justice data and data regarding access to public transportation for people with disabilities and for vulnerable populations.

(2)(a) The department of commerce, in consultation with the department of transportation, shall publish guidelines that specify a set of measures counties and cities may have available to them to take through updates to their comprehensive plans and development regulations that have a demonstrated ability to reduce per capita vehicle miles traveled, including measures that are designed to be achievable throughout the state, including in small cities and rural cities.

(b) The guidelines must be based on:

(i) The most recent greenhouse gas emissions report prepared by the department of ecology and the department of commerce pursuant to RCW 70A.45.020(2);

(ii) The most recent city and county population estimates prepared by the office of financial management pursuant to RCW 43.62.035; and

(iii) The most recent summary of per capita vehicle miles traveled as compiled by the department of transportation.

(3) The department of commerce shall first publish the full set of guidelines described in subsections (1) and (2) of this section no later than December 31, 2025. The department of commerce shall update these guidelines at least every five years thereafter based on the most recently available data, and shall provide for a process for local governments and other parties to submit alternative actions for consideration for inclusion into the guidelines at least once per year. The department of commerce shall publish an intermediate set of guidelines no later than December 31, 2023, in order to be available for use by jurisdictions whose periodic updates are required by RCW 36.70A.130(5) to occur prior to December 31, 2025. Jurisdictions whose periodic updates are required by RCW 36.70A.130(5)(b) may utilize the intermediate set of guidelines published by the department of commerce to meet the requirements of RCW 36.70A.070(9).

(4)(a) In any updates to the guidelines published after 2025, the department of commerce shall include an evaluation of the impact that locally adopted climate change and resiliency elements have had on local greenhouse gas emissions and per capita vehicle miles traveled reduction goals. The evaluation must also address the impact that locally adopted greenhouse gas emissions reduction subelements have had on meeting local housing goals and targets.

(b) The updates must also include an estimate of the impacts that locally adopted climate change and resiliency elements will have on achieving local greenhouse gas emissions and per capita vehicle miles traveled reduction goals. The evaluation must also

EIGHTY NINTH DAY, APRIL 7, 2023

include an estimate of the impact that locally adopted greenhouse gas emissions reduction subelements will have on meeting local housing goals and targets.

(c) The department may include in the specified guidelines what additional measures cities and counties should take to make additional progress on local reduction goals, including any measures that increase housing capacity within urban growth areas.

(5) The department of commerce may not propose or adopt any guidelines that would include any form of a road usage charge or any fees or surcharges related to vehicle miles traveled.

(6) The department of commerce may not propose or adopt any guidelines that would direct or require local governments to regulate or tax, in any form, transportation service providers, delivery vehicles, or passenger vehicles.

(7) The department of commerce, in the course of implementing this section, shall provide and prioritize options that support increased housing supply and diversity of housing types that assist counties and cities in meeting greenhouse gas emissions reduction, housing supply, and other requirements established under this chapter.

(8) The provisions of this section as applied to the department of transportation are subject to the availability of amounts appropriated for this specific purpose.

(9) For purposes of this section, "overburdened communities" and "vulnerable populations" means the same as provided in RCW 36.70A.030.

NEW SECTION. Sec. 6. A new section is added to chapter 36.70A RCW to read as follows:

(1) A county or city required to complete a greenhouse gas emissions reduction subelement may submit the subelement to the department for approval. When submitted to the department for approval, the subelement becomes effective when approved by the department as provided in this section. If a county or city does not seek department approval of the subelement, the effective date of the subelement is the date on which the comprehensive plan is adopted by the county or city.

(2) Notice of intent to apply for approval. (a) Not less than 120 days prior to applying for approval of a subelement, the county or city must notify the department in writing that it intends to apply for approval. The department shall review proposed subelements prior to final adoption and advise the county or city of the actions necessary to receive approval.

(b) The department may consult with other relevant state agencies in making its determination.

(c) The department shall publish notice in the Washington State Register that a city or county has notified the department of its intent to apply for approval and the department shall post a copy of the notice on the department website.

(3) Procedures for an application for approval. (a) After taking final action to adopt a greenhouse gas emissions reduction subelement, a city or county may apply to the department for approval of the subelement. A city or county must submit its application to the department within 10 days of taking final action.

(b) An application for approval must include, at a minimum, the following:

(i) A cover letter from the legislative authority requesting approval;

(ii) A copy of the adopted ordinance or resolution taking the legislative action or actions required to adopt the greenhouse gas emissions reduction subelement;

(iii) A statement explaining how the adopted subelement complies with the provisions of this chapter; and

(iv) A copy of the record developed by the city or county at any public meetings or public hearings at which action was taken on the greenhouse gas emissions reduction subelement.

(c) For purposes of this subsection, the terms "action" and "meeting" have the same definition as in RCW 42.30.020.

(4) Approval procedures. (a) The department shall strive to achieve final action to approve or deny an application within 180 days of the date of receipt of the application.

(b) The department must issue its decision in the form of a written statement, including findings of fact and conclusions, and noting the date of the issuance of its decision. The department's issued decision must conspicuously and plainly state that it is the department's final decision and that there will be no further modifications to the proposed greenhouse gas emissions reduction subelement.

(c) The department will promptly publish its decision on the application for approval as follows:

- (i) Notify the city or county in writing of its determination;
- (ii) Publish a notice of action in the Washington State Register;
- (iii) Post a notice of its decision on the agency website; and
- (iv) Notify other relevant state agencies regarding the approval decision.

(5) The department shall approve a proposed greenhouse gas emissions reduction subelement unless it determines that the proposed greenhouse gas emissions reduction subelement is not consistent with the policy of RCW 36.70A.070 and, after they are adopted, the applicable guidelines.

(6) The department's final decision to approve or reject a proposed greenhouse gas emissions reduction subelement or amendment by a local government planning under RCW 36.70A.040 may be appealed according to the following provisions:

(a) The department's final decision to approve or reject a proposed greenhouse gas emissions reduction subelement or amendment by a local government planning under RCW 36.70A.040 may be appealed to the growth management hearings board by filing a petition as provided in RCW 36.70A.290.

(b) A decision of the growth management hearings board concerning an appeal of the department's final decision to approve or reject a proposed greenhouse gas emissions reduction subelement or amendment must be based solely on whether or not the adopted or amended greenhouse gas emissions reduction subelement, any adopted amendments to other elements of the comprehensive plan necessary to carry out the subelement, and any adopted or amended development regulations necessary to implement the subelement, comply with the goal set forth in RCW 36.70A.020(14) as it applies to greenhouse gas emissions reductions, RCW 36.70A.070(9) excluding RCW 36.70A.070(9)(e), the guidelines adopted under section 5 of this act applicable to the greenhouse gas emissions reduction subelement, or chapter 43.21C RCW.

Sec. 7. RCW 36.70A.280 and 2011 c 360 s 17 are each amended to read as follows:

(1) The growth management hearings board shall hear and determine only those petitions alleging either:

(a) That, except as provided otherwise by this subsection, a state agency, county, or city planning under this chapter is not in compliance with the requirements of this chapter, chapter 90.58 RCW as it relates to the adoption of shoreline master programs or amendments thereto, or chapter 43.21C RCW as it relates to plans, development regulations, or amendments, adopted under RCW 36.70A.040 or chapter 90.58 RCW. Nothing in this subsection authorizes the board to hear petitions alleging noncompliance with RCW 36.70A.5801;

(b) That the ~~((twenty))~~ 20-year growth management planning population projections adopted by the office of financial management pursuant to RCW 43.62.035 should be adjusted;

(c) That the approval of a work plan adopted under RCW 36.70A.735(1)(a) is not in compliance with the requirements of the program established under RCW 36.70A.710;

(d) That regulations adopted under RCW 36.70A.735(1)(b) are not regionally applicable and cannot be adopted, wholly or partially, by another jurisdiction; ~~((or))~~

(e) That a department certification under RCW 36.70A.735(1)(c) is erroneous; or

(f) That the department's final decision to approve or reject a proposed greenhouse gas emissions reduction subelement or amendments by a local government planning under RCW 36.70A.040 was not in compliance with the joint guidance issued by the department pursuant to section 5 of this act.

(2) A petition may be filed only by: (a) The state, or a county or city that plans under this chapter; (b) a person who has participated orally or in writing before the county or city regarding the matter on which a review is being requested; (c) a person who is certified by the governor within ~~((sixty))~~ 60 days of filing the request with the board; or (d) a person qualified pursuant to RCW 34.05.530.

(3) For purposes of this section "person" means any individual, partnership, corporation, association, state agency, governmental subdivision or unit thereof, or public or private organization or entity of any character.

(4) To establish participation standing under subsection (2)(b) of this section, a person must show that his or her participation before the county or city was reasonably related to the person's issue as presented to the board.

(5) When considering a possible adjustment to a growth management planning population projection prepared by the office of financial management, the board shall consider the implications of any such adjustment to the population forecast for the entire state.

The rationale for any adjustment that is adopted by the board must be documented and filed with the office of financial management within ten working days after adoption.

If adjusted by the board, a county growth management planning population projection shall only be used for the planning purposes set forth in this chapter and shall be known as the "board adjusted population projection." None of these changes shall affect the official state and county population forecasts prepared by the office of financial management, which shall continue to be used for state budget and planning purposes.

Sec. 8. RCW 36.70A.320 and 1997 c 429 s 20 are each amended to read as follows:

(1) Except as provided in subsections (5) and (6) of this section, comprehensive plans and development regulations, and amendments thereto, adopted under this chapter are presumed valid upon adoption.

(2) Except as otherwise provided in subsection (4) of this section, the burden is on the petitioner to demonstrate that any action taken by a state agency, county, or city under this chapter is not in compliance with the requirements of this chapter.

(3) In any petition under this chapter, the board, after full consideration of the petition, shall determine whether there is compliance with the requirements of this chapter. In making its determination, the board shall consider the criteria adopted by the department under RCW 36.70A.190(4). The board shall find compliance unless it determines that the action by the state agency, county, or city is clearly erroneous in view of the entire record before the board and in light of the goals and requirements of this chapter.

(4) A county or city subject to a determination of invalidity made under RCW 36.70A.300 or 36.70A.302 has the burden of demonstrating that the ordinance or resolution it has enacted in response to the determination of invalidity will no longer substantially interfere with the fulfillment of the goals of this chapter under the standard in RCW 36.70A.302(1).

(5) The shoreline element of a comprehensive plan and the applicable development regulations adopted by a county or city shall take effect as provided in chapter 90.58 RCW.

(6) The greenhouse gas emissions reduction subelement required by RCW 36.70A.070 shall take effect as provided in section 6 of this act.

Sec. 9. RCW 36.70A.190 and 2022 c 252 s 5 are each amended to read as follows:

(1) The department shall establish a program of technical and financial assistance and incentives to counties and cities to encourage and facilitate the adoption and implementation of comprehensive plans and development regulations throughout the state.

(2) The department shall develop a priority list and establish funding levels for planning and technical assistance grants both for counties and cities that plan under RCW 36.70A.040. Priority for assistance shall be based on a county's or city's population growth rates, commercial and industrial development rates, the existence and quality of a comprehensive plan and development regulations, the presence of overburdened communities, and other relevant factors. The department shall establish funding levels for grants to community-based organizations for the specific purpose of advancing participation of vulnerable populations and overburdened communities in the planning process.

(3) The department shall develop and administer a grant program to provide direct financial assistance to counties and cities for the preparation of comprehensive plans under this chapter. The department may establish provisions for county and city matching funds to conduct activities under this subsection. Grants may be expended for any purpose directly related to the preparation of a county or city comprehensive plan as the county or city and the department may agree, including, without limitation, the conducting of surveys, inventories and other data gathering and management activities, the retention of planning consultants, contracts with regional councils for planning and related services, and other related purposes.

(4) The department shall establish a program of technical assistance:

(a) Utilizing department staff, the staff of other state agencies, and the technical resources of counties and cities to help in the development of comprehensive plans required under this chapter. The technical assistance may include, but not be limited to, model land use ordinances, regional education and training programs, and information for local and regional inventories; and

(b) Adopting by rule procedural criteria to assist counties and cities in adopting comprehensive plans and development regulations that meet the goals and requirements of this chapter. These criteria shall reflect regional and local variations and the diversity that exists among different counties and cities that plan under this chapter.

(5) The department shall provide mediation services to resolve disputes between counties and cities regarding, among other things, coordination of regional issues and designation of urban growth areas.

(6) The department shall provide services to facilitate the timely resolution of disputes between a federally recognized Indian tribe and a city or county.

EIGHTY NINTH DAY, APRIL 7, 2023

(a) A federally recognized Indian tribe may request the department to provide facilitation services to resolve issues of concern with a proposed comprehensive plan and its development regulations, or any amendment to the comprehensive plan and its development regulations.

(b) Upon receipt of a request from a tribe, the department shall notify the city or county of the request and offer to assist in providing facilitation services to encourage resolution before adoption of the proposed comprehensive plan. Upon receipt of the notice from the department, the city or county must delay any final action to adopt any comprehensive plan or any amendment or its development regulations for at least 60 days. The tribe and the city or county may jointly agree to extend this period by notifying the department. A county or city must not be penalized for noncompliance under this chapter due to any delays associated with this process.

(c) Upon receipt of a request, the department shall provide comments to the county or city including a summary and supporting materials regarding the tribe's concerns. The county or city may either agree to amend the comprehensive plan as requested consistent with the comments from the department, or enter into a facilitated process with the tribe, which must be arranged by the department using a suitable expert to be paid by the department. This facilitated process may also extend the 60-day delay of adoption, upon agreement of the tribe and the city or county.

(d) At the end of the 60-day period, unless by agreement there is an extension of the 60-day period, the city or county may proceed with adoption of the proposed comprehensive plan and development regulations. The facilitator shall write a report of findings describing the basis for agreements or disagreements that occurred during the process that are allowed to be disclosed by the parties and the resulting agreed-upon elements of the plan to be amended.

(7) The department shall provide planning grants to enhance citizen participation under RCW 36.70A.140.

(8) The department shall develop, in collaboration with the department of ecology, the department of fish and wildlife, the department of natural resources, the department of health, the emergency management division of the military department, as well as any federally recognized tribe who chooses to voluntarily participate, and adopt by rule guidance that creates a model climate change and resiliency element that may be used by counties, cities, and multiple-county planning regions for developing and implementing climate change and resiliency plans and policies required by RCW 36.70A.070(9), subject to the following provisions:

(a) The model element must establish minimum requirements, and may include model options or voluntary cross-jurisdictional strategies, or both, for fulfilling the requirements of RCW 36.70A.070(9);

(b) The model element should provide guidance on identifying, designing, and investing in infrastructure that supports community resilience to climate impacts, including the protection, restoration, and enhancement of natural infrastructure as well as traditional infrastructure and protecting and enhancing natural areas to foster resiliency to climate impacts, as well as areas of vital habitat for safe passage and species migration;

(c) The model element should provide guidance on identifying and addressing natural hazards created or aggravated by climate change, including sea level rise, landslides, flooding, drought, heat, smoke, wildfires, and other effects of reasonably anticipated changes to temperature and precipitation patterns; and

(d) The rule must recognize and promote as many cobenefits of climate resilience as possible such as climate change mitigation,

salmon recovery, forest health, ecosystem services, and socioeconomic health and resilience.

NEW SECTION. Sec. 10. A new section is added to chapter 47.80 RCW to read as follows:

The department shall compile, maintain, and publish a summary of the per capita vehicle miles traveled annually in each city in the state, and in the unincorporated portions of each county in the state.

NEW SECTION. Sec. 11. A new section is added to chapter 90.58 RCW to read as follows:

The department shall update its shoreline master program guidelines to require shoreline master programs to address the impact of sea level rise and increased storm severity on people, property, and shoreline natural resources and the environment.

Sec. 12. RCW 86.12.200 and 1991 c 322 s 3 are each amended to read as follows:

The county legislative authority of any county may adopt a comprehensive flood control management plan for any drainage basin that is located wholly or partially within the county.

A comprehensive flood control management plan shall include the following elements:

(1) Designation of areas that are susceptible to periodic flooding, from inundation by bodies of water or surface water runoff, or both, including the river's meander belt or floodway;

(2) Establishment of a comprehensive scheme of flood control protection and improvements for the areas that are subject to such periodic flooding, that includes: (a) Determining the need for, and desirable location of, flood control improvements to protect or preclude flood damage to structures, works, and improvements, based upon a cost/benefit ratio between the expense of providing and maintaining these improvements and the benefits arising from these improvements; (b) establishing the level of flood protection that each portion of the system of flood control improvements will be permitted; (c) identifying alternatives to in-stream flood control work; (d) identifying areas where flood waters could be directed during a flood to avoid damage to buildings and other structures; and (e) identifying sources of revenue that will be sufficient to finance the comprehensive scheme of flood control protection and improvements;

(3) Establishing land use regulations that preclude the location of structures, works, or improvements in critical portions of such areas subject to periodic flooding, including a river's meander belt or floodway, and permitting only flood-compatible land uses in such areas;

(4) Establishing restrictions on construction activities in areas subject to periodic floods that require the flood proofing of those structures that are permitted to be constructed or remodeled; ~~((and))~~

(5) Establishing restrictions on land clearing activities and development practices that exacerbate flood problems by increasing the flow or accumulation of flood waters, or the intensity of drainage, on low-lying areas. Land clearing activities do not include forest practices as defined in chapter 76.09 RCW; and

(6) Consideration of climate change impacts, including the impact of sea level rise and increased storm severity on people, property, natural resources, and the environment.

A comprehensive flood control management plan shall be subject to the minimum requirements for participation in the national flood insurance program, requirements exceeding the minimum national flood insurance program that have been adopted by the department of ecology for a specific floodplain pursuant to RCW 86.16.031, and rules adopted by the department of ecology pursuant to RCW 86.26.050 relating to floodplain management activities. When a county plans under chapter

36.70A RCW, it may incorporate the portion of its comprehensive flood control management plan relating to land use restrictions in its comprehensive plan and development regulations adopted pursuant to chapter 36.70A RCW.

NEW SECTION. Sec. 13. A new section is added to chapter 43.21C RCW to read as follows:

The adoption of ordinances, amendments to comprehensive plans, amendments to development regulations, and other nonproject actions taken by a county or city pursuant to RCW 36.70A.070(9) (d) or (e) in order to implement measures specified by the department of commerce pursuant to section 5 of this act are not subject to administrative or judicial appeals under this chapter.

Sec. 14. RCW 36.70A.030 and 2021 c 254 s 6 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Adopt a comprehensive land use plan" means to enact a new comprehensive land use plan or to update an existing comprehensive land use plan.

(2) "Affordable housing" means, unless the context clearly indicates otherwise, residential housing whose monthly costs, including utilities other than telephone, do not exceed thirty percent of the monthly income of a household whose income is:

(a) For rental housing, (~~sixty~~) 60 percent of the median household income adjusted for household size, for the county where the household is located, as reported by the United States department of housing and urban development; or

(b) For owner-occupied housing, (~~eighty~~) 80 percent of the median household income adjusted for household size, for the county where the household is located, as reported by the United States department of housing and urban development.

(3) "Agricultural land" means land primarily devoted to the commercial production of horticultural, viticultural, floricultural, dairy, apiary, vegetable, or animal products or of berries, grain, hay, straw, turf, seed, Christmas trees not subject to the excise tax imposed by RCW 84.33.100 through 84.33.140, finfish in upland hatcheries, or livestock, and that has long-term commercial significance for agricultural production.

(4) "City" means any city or town, including a code city.

(5) "Comprehensive land use plan," "comprehensive plan," or "plan" means a generalized coordinated land use policy statement of the governing body of a county or city that is adopted pursuant to this chapter.

(6) "Critical areas" include the following areas and ecosystems: (a) Wetlands; (b) areas with a critical recharging effect on aquifers used for potable water; (c) fish and wildlife habitat conservation areas; (d) frequently flooded areas; and (e) geologically hazardous areas. "Fish and wildlife habitat conservation areas" does not include such artificial features or constructs as irrigation delivery systems, irrigation infrastructure, irrigation canals, or drainage ditches that lie within the boundaries of and are maintained by a port district or an irrigation district or company.

(7) "Department" means the department of commerce.

(8) "Development regulations" or "regulation" means the controls placed on development or land use activities by a county or city, including, but not limited to, zoning ordinances, critical areas ordinances, shoreline master programs, official controls, planned unit development ordinances, subdivision ordinances, and binding site plan ordinances together with any amendments thereto. A development regulation does not include a decision to approve a project permit application, as defined in RCW 36.70B.020, even though the decision may be expressed in a

resolution or ordinance of the legislative body of the county or city.

(9) "Emergency housing" means temporary indoor accommodations for individuals or families who are homeless or at imminent risk of becoming homeless that is intended to address the basic health, food, clothing, and personal hygiene needs of individuals or families. Emergency housing may or may not require occupants to enter into a lease or an occupancy agreement.

(10) "Emergency shelter" means a facility that provides a temporary shelter for individuals or families who are currently homeless. Emergency shelter may not require occupants to enter into a lease or an occupancy agreement. Emergency shelter facilities may include day and warming centers that do not provide overnight accommodations.

(11) "Extremely low-income household" means a single person, family, or unrelated persons living together whose adjusted income is at or below thirty percent of the median household income adjusted for household size, for the county where the household is located, as reported by the United States department of housing and urban development.

(12) "Forestland" means land primarily devoted to growing trees for long-term commercial timber production on land that can be economically and practically managed for such production, including Christmas trees subject to the excise tax imposed under RCW 84.33.100 through 84.33.140, and that has long-term commercial significance. In determining whether forestland is primarily devoted to growing trees for long-term commercial timber production on land that can be economically and practically managed for such production, the following factors shall be considered: (a) The proximity of the land to urban, suburban, and rural settlements; (b) surrounding parcel size and the compatibility and intensity of adjacent and nearby land uses; (c) long-term local economic conditions that affect the ability to manage for timber production; and (d) the availability of public facilities and services conducive to conversion of forestland to other uses.

(13) "Freight rail dependent uses" means buildings and other infrastructure that are used in the fabrication, processing, storage, and transport of goods where the use is dependent on and makes use of an adjacent short line railroad. Such facilities are both urban and rural development for purposes of this chapter. "Freight rail dependent uses" does not include buildings and other infrastructure that are used in the fabrication, processing, storage, and transport of coal, liquefied natural gas, or "crude oil" as defined in RCW 90.56.010.

(14) "Geologically hazardous areas" means areas that because of their susceptibility to erosion, sliding, earthquake, or other geological events, are not suited to the siting of commercial, residential, or industrial development consistent with public health or safety concerns.

(15) "Long-term commercial significance" includes the growing capacity, productivity, and soil composition of the land for long-term commercial production, in consideration with the land's proximity to population areas, and the possibility of more intense uses of the land.

(16) "Low-income household" means a single person, family, or unrelated persons living together whose adjusted income is at or below eighty percent of the median household income adjusted for household size, for the county where the household is located, as reported by the United States department of housing and urban development.

(17) "Minerals" include gravel, sand, and valuable metallic substances.

EIGHTY NINTH DAY, APRIL 7, 2023

(18) "Moderate-income household" means a single person, family, or unrelated persons living together whose adjusted income is at or below 120 percent of the median household income adjusted for household size, for the county where the household is located, as reported by the United States department of housing and urban development.

(19) "Permanent supportive housing" is subsidized, leased housing with no limit on length of stay that prioritizes people who need comprehensive support services to retain tenancy and utilizes admissions practices designed to use lower barriers to entry than would be typical for other subsidized or unsubsidized rental housing, especially related to rental history, criminal history, and personal behaviors. Permanent supportive housing is paired with on-site or off-site voluntary services designed to support a person living with a complex and disabling behavioral health or physical health condition who was experiencing homelessness or was at imminent risk of homelessness prior to moving into housing to retain their housing and be a successful tenant in a housing arrangement, improve the resident's health status, and connect the resident of the housing with community-based health care, treatment, or employment services. Permanent supportive housing is subject to all of the rights and responsibilities defined in chapter 59.18 RCW.

(20) "Public facilities" include streets, roads, highways, sidewalks, street and road lighting systems, traffic signals, domestic water systems, storm and sanitary sewer systems, parks and recreational facilities, and schools.

(21) "Public services" include fire protection and suppression, law enforcement, public health, education, recreation, environmental protection, and other governmental services.

(22) "Recreational land" means land so designated under RCW 36.70A.1701 and that, immediately prior to this designation, was designated as agricultural land of long-term commercial significance under RCW 36.70A.170. Recreational land must have playing fields and supporting facilities existing before July 1, 2004, for sports played on grass playing fields.

(23) "Rural character" refers to the patterns of land use and development established by a county in the rural element of its comprehensive plan:

(a) In which open space, the natural landscape, and vegetation predominate over the built environment;

(b) That foster traditional rural lifestyles, rural-based economies, and opportunities to both live and work in rural areas;

(c) That provide visual landscapes that are traditionally found in rural areas and communities;

(d) That are compatible with the use of the land by wildlife and for fish and wildlife habitat;

(e) That reduce the inappropriate conversion of undeveloped land into sprawling, low-density development;

(f) That generally do not require the extension of urban governmental services; and

(g) That are consistent with the protection of natural surface water flows and groundwater and surface water recharge and discharge areas.

(24) "Rural development" refers to development outside the urban growth area and outside agricultural, forest, and mineral resource lands designated pursuant to RCW 36.70A.170. Rural development can consist of a variety of uses and residential densities, including clustered residential development, at levels that are consistent with the preservation of rural character and the requirements of the rural element. Rural development does not refer to agriculture or forestry activities that may be conducted in rural areas.

(25) "Rural governmental services" or "rural services" include those public services and public facilities historically and

typically delivered at an intensity usually found in rural areas, and may include domestic water systems, fire and police protection services, transportation and public transit services, and other public utilities associated with rural development and normally not associated with urban areas. Rural services do not include storm or sanitary sewers, except as otherwise authorized by RCW 36.70A.110(4).

(26) "Short line railroad" means those railroad lines designated class II or class III by the United States surface transportation board.

(27) "Urban governmental services" or "urban services" include those public services and public facilities at an intensity historically and typically provided in cities, specifically including storm and sanitary sewer systems, domestic water systems, street cleaning services, fire and police protection services, public transit services, and other public utilities associated with urban areas and normally not associated with rural areas.

(28) "Urban growth" refers to growth that makes intensive use of land for the location of buildings, structures, and impermeable surfaces to such a degree as to be incompatible with the primary use of land for the production of food, other agricultural products, or fiber, or the extraction of mineral resources, rural uses, rural development, and natural resource lands designated pursuant to RCW 36.70A.170. A pattern of more intensive rural development, as provided in RCW 36.70A.070(5)(d), is not urban growth. When allowed to spread over wide areas, urban growth typically requires urban governmental services. "Characterized by urban growth" refers to land having urban growth located on it, or to land located in relationship to an area with urban growth on it as to be appropriate for urban growth.

(29) "Urban growth areas" means those areas designated by a county pursuant to RCW 36.70A.110.

(30) "Very low-income household" means a single person, family, or unrelated persons living together whose adjusted income is at or below fifty percent of the median household income adjusted for household size, for the county where the household is located, as reported by the United States department of housing and urban development.

(31) "Wetland" or "wetlands" means areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. Wetlands do not include those artificial wetlands intentionally created from nonwetland sites, including, but not limited to, irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities, or those wetlands created after July 1, 1990, that were unintentionally created as a result of the construction of a road, street, or highway. Wetlands may include those artificial wetlands intentionally created from nonwetland areas created to mitigate conversion of wetlands.

(32) "Per capita vehicle miles traveled" means the number of miles traveled using cars and light trucks in a calendar year divided by the number of residents in Washington. The calculation of this value excludes vehicle miles driven conveying freight.

(33) "Active transportation" means forms of pedestrian mobility including walking or running, the use of a mobility assistive device such as a wheelchair, bicycling and cycling irrespective of the number of wheels, and the use of small personal devices such as foot scooters or skateboards. Active transportation includes both traditional and electric assist bicycles and other devices. Planning for active transportation

must consider and address accommodation pursuant to the Americans with disabilities act and the distinct needs of each form of active transportation.

(34) "Transportation system" means all infrastructure and services for all forms of transportation within a geographical area, irrespective of the responsible jurisdiction or transportation provider.

(35) "Environmental justice" means the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to development, implementation, and enforcement of environmental laws, regulations, and policies. Environmental justice includes addressing disproportionate environmental and health impacts in all laws, rules, and policies with environmental impacts by prioritizing vulnerable populations and overburdened communities and the equitable distribution of resources and benefits.

(36) "Active transportation facilities" means facilities provided for the safety and mobility of active transportation users including, but not limited to, trails, as defined in RCW 47.30.005, sidewalks, bike lanes, shared-use paths, and other facilities in the public right-of-way.

(37) "Green space" means an area of land, vegetated by natural features such as grass, trees, or shrubs, within an urban context and less than one acre in size that creates public value through one or more of the following attributes:

- (a) Is accessible to the public;
- (b) Promotes physical and mental health of residents;
- (c) Provides relief from the urban heat island effects;
- (d) Promotes recreational and aesthetic values;
- (e) Protects streams or water supply; or
- (f) Preserves visual quality along highway, road, or street corridors.

(38) "Green infrastructure" means a wide array of natural assets and built structures within an urban growth area boundary, including parks and other areas with protected tree canopy, and management practices at multiple scales that manage wet weather and that maintain and restore natural hydrology by storing, infiltrating, evapotranspiring, and harvesting and using stormwater.

(39) "Wildland urban interface" means the geographical area where structures and other human development meets or intermingles with wildland vegetative fuels.

(40) "Overburdened community" means a geographic area where vulnerable populations face combined, multiple environmental harms and health impacts, and includes, but is not limited to, highly impacted communities as defined in RCW 19.405.020.

(41)(a) "Vulnerable populations" means population groups that are more likely to be at higher risk for poor health outcomes in response to environmental harms, due to: (i) Adverse socioeconomic factors, such as unemployment, high housing and transportation costs relative to income, limited access to nutritious food and adequate health care, linguistic isolation, and other factors that negatively affect health outcomes and increase vulnerability to the effects of environmental harms; and (ii) sensitivity factors, such as low birth weight and higher rates of hospitalization.

(b) "Vulnerable populations" includes, but is not limited to:

- (i) Racial or ethnic minorities;
- (ii) Low-income populations; and
- (iii) Populations disproportionately impacted by environmental harms.

Sec. 15. RCW 36.70A.130 and 2022 c 287 s 1 and 2022 c 192 s 1 are each reenacted and amended to read as follows:

(1)(a) Each comprehensive land use plan and development regulations shall be subject to continuing review and evaluation by the county or city that adopted them. Except as otherwise provided, a county or city shall take legislative action to review and, if needed, revise its comprehensive land use plan and development regulations to ensure the plan and regulations comply with the requirements of this chapter according to the deadlines in subsections (4) and (5) of this section.

(b) Except as otherwise provided, a county or city not planning under RCW 36.70A.040 shall take action to review and, if needed, revise its policies and development regulations regarding critical areas and natural resource lands adopted according to this chapter to ensure these policies and regulations comply with the requirements of this chapter according to the deadlines in subsections (4) and (5) of this section. Legislative action means the adoption of a resolution or ordinance following notice and a public hearing indicating at a minimum, a finding that a review and evaluation has occurred and identifying the revisions made, or that a revision was not needed and the reasons therefor.

(c) The review and evaluation required by this subsection shall include, but is not limited to, consideration of critical area ordinances and, if planning under RCW 36.70A.040, an analysis of the population allocated to a city or county from the most recent ~~((ten))~~ 10-year population forecast by the office of financial management.

(d) Any amendment of or revision to a comprehensive land use plan shall conform to this chapter. Any amendment of or revision to development regulations shall be consistent with and implement the comprehensive plan.

(2)(a) Each county and city shall establish and broadly disseminate to the public a public participation program consistent with RCW 36.70A.035 and 36.70A.140 that identifies procedures and schedules whereby updates, proposed amendments, or revisions of the comprehensive plan are considered by the governing body of the county or city no more frequently than once every year. "Updates" means to review and revise, if needed, according to subsection (1) of this section, and the deadlines in subsections (4) and (5) of this section or in accordance with the provisions of subsection (6) of this section. Amendments may be considered more frequently than once per year under the following circumstances:

(i) The initial adoption of a subarea plan. Subarea plans adopted under this subsection (2)(a)(i) must clarify, supplement, or implement jurisdiction-wide comprehensive plan policies, and may only be adopted if the cumulative impacts of the proposed plan are addressed by appropriate environmental review under chapter 43.21C RCW;

(ii) The development of an initial subarea plan for economic development located outside of the one hundred year floodplain in a county that has completed a state-funded pilot project that is based on watershed characterization and local habitat assessment;

(iii) The adoption or amendment of a shoreline master program under the procedures set forth in chapter 90.58 RCW;

(iv) The amendment of the capital facilities element of a comprehensive plan that occurs concurrently with the adoption or amendment of a county or city budget; or

(v) The adoption of comprehensive plan amendments necessary to enact a planned action under RCW 43.21C.440, provided that amendments are considered in accordance with the public participation program established by the county or city under this subsection (2)(a) and all persons who have requested notice of a comprehensive plan update are given notice of the amendments and an opportunity to comment.

(b) Except as otherwise provided in (a) of this subsection, all proposals shall be considered by the governing body concurrently

EIGHTY NINTH DAY, APRIL 7, 2023

so the cumulative effect of the various proposals can be ascertained. However, after appropriate public participation a county or city may adopt amendments or revisions to its comprehensive plan that conform with this chapter whenever an emergency exists or to resolve an appeal of a comprehensive plan filed with the growth management hearings board or with the court.

(3)(a) Each county that designates urban growth areas under RCW 36.70A.110 shall review, according to the schedules established in subsections (4) and (5) of this section, its designated urban growth area or areas, patterns of development occurring within the urban growth area or areas, and the densities permitted within both the incorporated and unincorporated portions of each urban growth area. In conjunction with this review by the county, each city located within an urban growth area shall review the densities permitted within its boundaries, and the extent to which the urban growth occurring within the county has located within each city and the unincorporated portions of the urban growth areas.

(b) The county comprehensive plan designating urban growth areas, and the densities permitted in the urban growth areas by the comprehensive plans of the county and each city located within the urban growth areas, shall be revised to accommodate the urban growth projected to occur in the county for the succeeding ~~((twenty))~~ 20-year period. The review required by this subsection may be combined with the review and evaluation required by RCW 36.70A.215.

(c) If, during the county's review under (a) of this subsection, the county determines revision of the urban growth area is not required to accommodate the urban growth projected to occur in the county for the succeeding 20-year period, but does determine that patterns of development have created pressure in areas that exceed available, developable lands within the urban growth area, the urban growth area or areas may be revised to accommodate identified patterns of development and likely future development pressure for the succeeding 20-year period if the following requirements are met:

(i) The revised urban growth area may not result in an increase in the total surface areas of the urban growth area or areas;

(ii) The areas added to the urban growth area are not or have not been designated as agricultural, forest, or mineral resource lands of long-term commercial significance;

(iii) Less than 15 percent of the areas added to the urban growth area are critical areas;

(iv) The areas added to the urban growth areas are suitable for urban growth;

(v) The transportation element and capital facility plan element have identified the transportation facilities, and public facilities and services needed to serve the urban growth area and the funding to provide the transportation facilities and public facilities and services;

(vi) The urban growth area is not larger than needed to accommodate the growth planned for the succeeding 20-year planning period and a reasonable land market supply factor;

(vii) The areas removed from the urban growth area do not include urban growth or urban densities; and

(viii) The revised urban growth area is contiguous, does not include holes or gaps, and will not increase pressures to urbanize rural or natural resource lands.

(4) Except as otherwise provided in subsections (6) and (8) of this section, counties and cities shall take action to review and, if needed, revise their comprehensive plans and development regulations to ensure the plan and regulations comply with the requirements of this chapter as follows:

(a) On or before June 30, 2015, for King, Pierce, and Snohomish counties and the cities within those counties;

(b) On or before June 30, 2016, for Clallam, Clark, Island, Jefferson, Kitsap, Mason, San Juan, Skagit, Thurston, and Whatcom counties and the cities within those counties;

(c) On or before June 30, 2017, for Benton, Chelan, Cowlitz, Douglas, Kittitas, Lewis, Skamania, Spokane, and Yakima counties and the cities within those counties; and

(d) On or before June 30, 2018, for Adams, Asotin, Columbia, Ferry, Franklin, Garfield, Grant, Grays Harbor, Klickitat, Lincoln, Okanogan, Pacific, Pend Oreille, Stevens, Wahkiakum, Walla Walla, and Whitman counties and the cities within those counties.

(5) Except as otherwise provided in subsections (6) and (8) of this section, following the review of comprehensive plans and development regulations required by subsection (4) of this section, counties and cities shall take action to review and, if needed, revise their comprehensive plans and development regulations to ensure the plan and regulations comply with the requirements of this chapter as follows:

(a) ~~((On))~~ Except as provided in subsection (10) of this section, on or before December 31, 2024, with the following review and, if needed, revision on or before June 30, 2034, and then every ~~((ten))~~ 10 years thereafter, for King, Kitsap, Pierce, and Snohomish counties and the cities within those counties;

(b) On or before June 30, 2025, and every ~~((ten))~~ 10 years thereafter, for Clallam, Clark, Island, Jefferson, Lewis, Mason, San Juan, Skagit, Thurston, and Whatcom counties and the cities within those counties;

(c) On or before June 30, 2026, and every ~~((ten))~~ 10 years thereafter, for Benton, Chelan, Cowlitz, Douglas, Franklin, Kittitas, Skamania, Spokane, Walla Walla, and Yakima counties and the cities within those counties; and

(d) On or before June 30, 2027, and every ~~((ten))~~ 10 years thereafter, for Adams, Asotin, Columbia, Ferry, Garfield, Grant, Grays Harbor, Klickitat, Lincoln, Okanogan, Pacific, Pend Oreille, Stevens, Wahkiakum, and Whitman counties and the cities within those counties.

(6)(a) Nothing in this section precludes a county or city from conducting the review and evaluation required by this section before the deadlines established in subsections (4) and (5) of this section. Counties and cities may begin this process early and may be eligible for grants from the department, subject to available funding, if they elect to do so.

(b) A county that is subject to a deadline established in subsection (5)(b) through (d) of this section and meets the following criteria may comply with the requirements of this section at any time within the twenty-four months following the deadline established in subsection (5) of this section: The county has a population of less than fifty thousand and has had its population increase by no more than seventeen percent in the ten years preceding the deadline established in subsection (5) of this section as of that date.

(c) A city that is subject to a deadline established in subsection (5)(b) through (d) of this section and meets the following criteria may comply with the requirements of this section at any time within the twenty-four months following the deadline established in subsection (5) of this section: The city has a population of no more than five thousand and has had its population increase by the greater of either no more than one hundred persons or no more than seventeen percent in the ten years preceding the deadline established in subsection (5) of this section as of that date.

(d) State agencies are encouraged to provide technical assistance to the counties and cities in the review of critical area ordinances, comprehensive plans, and development regulations.

(7)(a) The requirements imposed on counties and cities under this section shall be considered "requirements of this chapter" under the terms of RCW 36.70A.040(1). Only those counties and cities that meet the following criteria may receive grants, loans, pledges, or financial guarantees under chapter 43.155 or 70A.135 RCW:

- (i) Complying with the deadlines in this section; or
 - (ii) Demonstrating substantial progress towards compliance with the schedules in this section for development regulations that protect critical areas.
- (b) A county or city that is fewer than ~~((twelve))~~ 12 months out of compliance with the schedules in this section for development regulations that protect critical areas is making substantial progress towards compliance. Only those counties and cities in compliance with the schedules in this section may receive preference for grants or loans subject to the provisions of RCW 43.17.250.

(8)(a) Except as otherwise provided in (c) of this subsection, if a participating watershed is achieving benchmarks and goals for the protection of critical areas functions and values, the county is not required to update development regulations to protect critical areas as they specifically apply to agricultural activities in that watershed.

(b) A county that has made the election under RCW 36.70A.710(1) may only adopt or amend development regulations to protect critical areas as they specifically apply to agricultural activities in a participating watershed if:

- (i) A work plan has been approved for that watershed in accordance with RCW 36.70A.725;
- (ii) The local watershed group for that watershed has requested the county to adopt or amend development regulations as part of a work plan developed under RCW 36.70A.720;
- (iii) The adoption or amendment of the development regulations is necessary to enable the county to respond to an order of the growth management hearings board or court;
- (iv) The adoption or amendment of development regulations is necessary to address a threat to human health or safety; or
- (v) Three or more years have elapsed since the receipt of funding.

(c) Beginning ~~((ten))~~ 10 years from the date of receipt of funding, a county that has made the election under RCW 36.70A.710(1) must review and, if necessary, revise development regulations to protect critical areas as they specifically apply to agricultural activities in a participating watershed in accordance with the review and revision requirements and timeline in subsection (5) of this section. This subsection (8)(c) does not apply to a participating watershed that has determined under RCW 36.70A.720(2)(c)(ii) that the watershed's goals and benchmarks for protection have been met.

(9)(a) Counties subject to planning deadlines established in subsection (5) of this section that are required or that choose to plan under RCW 36.70A.040 and that meet either criteria of (a)(i) or (ii) of this subsection, and cities with a population of more than 6,000 as of April 1, 2021, within those counties, must provide to the department an implementation progress report detailing the progress they have achieved in implementing their comprehensive plan five years after the review and revision of their comprehensive plan. Once a county meets the criteria in (a)(i) or (ii) of this subsection, the implementation progress report requirements remain in effect thereafter for that county and the cities therein with populations greater than 6,000 as of April 1, 2021, even if the county later no longer meets either or both criteria. A county is subject to the implementation progress report requirement if it meets either of the following criteria on or after April 1, 2021:

(i) The county has a population density of at least 100 people per square mile and a population of at least 200,000; or

(ii) The county has a population density of at least 75 people per square mile and an annual growth rate of at least 1.75 percent as determined by the office of financial management.

(b) The department shall adopt guidelines for indicators, measures, milestones, and criteria for use by counties and cities in the implementation progress report that must cover:

(i) The implementation of previously adopted changes to the housing element and any effect those changes have had on housing affordability and availability within the jurisdiction;

(ii) Permit processing timelines; and

(iii) Progress toward implementing any actions required to achieve reductions to meet greenhouse gas and vehicle miles traveled requirements as provided for in any element of the comprehensive plan under RCW 36.70A.070.

(c) If a city or county required to provide an implementation progress report under this subsection (9) has not implemented any specifically identified regulations, zoning and land use changes, or taken other legislative or administrative action necessary to implement any changes in the most recent periodic update in their comprehensive plan by the due date for the implementation progress report, the city or county must identify the need for such action in the implementation progress report. Cities and counties must adopt a work plan to implement any necessary regulations, zoning and land use changes, or take other legislative or administrative action identified in the implementation progress report and complete all work necessary for implementation within two years of submission of the implementation progress report.

(10) Any county or city that is required by section 4 of this act to include in its comprehensive plan a climate change and resiliency element and that is also required by subsection (5)(a) of this section to review and, if necessary, revise its comprehensive plan on or before December 31, 2024, must update its transportation element and incorporate a climate change and resiliency element into its comprehensive plan as part of the first implementation progress report required by subsection (9) of this section if funds are appropriated and distributed by December 31, 2027, as required under RCW 36.70A.070(10).

NEW SECTION. Sec. 16. A new section is added to chapter 36.70A RCW to read as follows:

(1) Notwithstanding the requirements of RCW 36.70A.070(10), it is the intent that jurisdictions subject to RCW 36.70A.130(5)(b) implement the requirements of this act on or before June 30, 2025. Any funding provided to cover applicable local government costs related to implementation of this act shall be considered timely.

(2) This section expires July 31, 2025.

NEW SECTION. Sec. 17. A new section is added to chapter 43.20 RCW to read as follows:

(1)(a) Beginning with water system plans initiated after June 30, 2025, the department shall ensure water system plans for group A community public water systems serving 1,000 or more connections include a climate resilience element at the time of approval.

(b) The department must update its water system planning guidebook to assist water systems in implementing the climate resilience element, including guidance on any available technical and financial resources.

(c) The department shall provide technical assistance to public water systems based on their system size, location, and water source, by providing references to existing state or federal risk management, climate resiliency, or emergency management and

EIGHTY NINTH DAY, APRIL 7, 2023

response tools that may be used to satisfy the climate resilience element.

(d) Subject to the availability of amounts appropriated for this specific purpose, the University of Washington climate impacts group shall assist the department in the development of tools for the technical assistance to be provided in (c) of this subsection.

(2) To fulfill the requirements of the climate resilience element, water systems must:

(a) Determine which extreme weather events pose significant challenges to their system and build scenarios to identify potential impacts;

(b) Assess critical assets and the actions necessary to protect the system from the consequences of extreme weather events on system operations; and

(c) Generate reports describing the costs and benefits of the system's risk reduction strategies and capital project needs.

(3) Climate readiness projects, including planning to meet the requirements of this section and actions to protect a water system from extreme weather events, including infrastructure and design projects, are eligible for financial assistance under RCW 70A.125.180. The department must develop grant and loan eligibility criteria and consider applications from water systems that identify climate readiness projects.

Sec. 18. RCW 70A.125.180 and 2020 c 20 s 1359 are each amended to read as follows:

Subject to the availability of amounts appropriated for this specific purpose, the department shall provide financial assistance through a water system acquisition and rehabilitation program, hereby created. ~~((The program shall be jointly administered with the public works board and the department of commerce.))~~ The ~~((agencies))~~ department shall adopt guidelines for the program using as a model the procedures and criteria of the drinking water revolving loan program authorized under RCW 70A.125.160. All financing provided through the program must be in the form of grants or loans that partially cover project costs, including projects and planning required under section 17 of this act. The maximum grant or loan to any eligible entity may not exceed ~~((twenty-five))~~ 25 percent of the funds allocated to the appropriation in any fiscal year.

NEW SECTION. Sec. 19. If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2023, in the omnibus appropriations act, this act is null and void."

On page 1, line 2 of the title, after "framework;" strike the remainder of the title and insert "amending RCW 36.70A.020, 36.70A.480, 36.70A.280, 36.70A.320, 36.70A.190, 86.12.200, 36.70A.030, and 70A.125.180; reenacting and amending RCW 36.70A.070 and 36.70A.130; adding new sections to chapter 36.70A RCW; adding a new section to chapter 70A.45 RCW; adding a new section to chapter 47.80 RCW; adding a new section to chapter 90.58 RCW; adding a new section to chapter 43.21C RCW; adding a new section to chapter 43.20 RCW; creating a new section; and providing an expiration date."

MOTION

Senator Boehnke moved that the following amendment no. 0342 by Senator Boehnke be adopted:

On page 1, beginning on line 20, after "emissions" strike "and per capita vehicle miles traveled."

On page 2, line 40, after "emissions" strike "and per capita vehicle miles traveled"

On page 6, beginning on line 4, after "activity" strike all material through "state" on line 6

On page 16, beginning on line 37, after "state;" strike all material through "state;" on line 40

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

On page 17, line 8, after "reductions" strike "or per capita vehicle miles traveled reductions"

On page 17, beginning on line 13, after "emissions" strike "or per capita vehicle miles traveled"

On page 21, beginning on line 16, strike all of subsection (2) Renumber the remaining subsections consecutively and correct any internal references accordingly.

On page 21, line 34, after "in" strike "subsections (1) and (2)" and insert "subsection (1)"

On page 22, line 10, after "emissions" strike "and per capita vehicle miles traveled"

On page 22, beginning on line 16, after "emissions" strike "and per capita vehicle miles traveled"

On page 22, beginning on line 26, after "charge" strike all material through "traveled" on line 27

On page 30, beginning on line 12, strike all of section 10 Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 37, beginning on line 37, strike all of subsection (32) Renumber the remaining subsections consecutively and correct any internal references accordingly.

On page 46, line 12, after "gas" strike "and vehicle miles traveled" and insert "~~((and vehicle miles traveled))~~"

On page 48, beginning on line 28, after "RCW;" strike "adding a new section to chapter 47.80 RCW;"

Senators Boehnke, Short and King spoke in favor of adoption of the amendment to the striking amendment.

Senator Lovelett spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0342 by Senator Boehnke on page 1, line 20 to striking amendment no. 0333.

The motion by Senator Boehnke did not carry and amendment no. 0342 was not adopted by voice vote.

MOTION

Senator Warnick moved that the following amendment no. 0340 by Senator Warnick be adopted:

On page 2, line 15, after "uses" insert "; encouraging the conservation of productive agricultural lands requires local governments to have a regulatory strategy that allows agricultural landowners to successfully engage in agriculture"

Senator Warnick spoke in favor of adoption of the amendment to the striking amendment.

Senator Lovelett spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0340 by Senator Warnick on page 2, line 15 to striking amendment no. 0333.

The motion by Senator Warnick did not carry and amendment no. 0340 was not adopted by voice vote.

MOTION

Senator Boehnke moved that the following amendment no. 0341 by Senator Boehnke be adopted:

On page 6, beginning on line 4, after "activity" strike "and reduce per capita vehicle miles traveled within the jurisdiction, but without increasing greenhouse gas emissions elsewhere in the state"

Senators Boehnke and Short spoke in favor of adoption of the amendment to the striking amendment.

Senator Lovelett spoke against adoption of the amendment to the striking amendment.

MOTION

Senator Boehnke demanded a roll call.

The President declared that one-sixth of the members supported the demand, and the demand was sustained.

The President declared the question before the Senate to be the adoption of the amendment by Senator Boehnke on page 6, line 4 to striking amendment no. 0333.

ROLL CALL

The Secretary called the roll on the adoption of the amendment by Senator Boehnke and the amendment was not adopted by the following vote: Yeas, 22; Nays, 27; Absent, 0; Excused, 0.

Voting yea: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Mullet, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Van De Wege, Wagoner, Warnick, Wilson, J. and Wilson, L.

Voting nay: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Liias, Lovelett, Lovick, Nguyen, Nobles, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Wellman and Wilson, C.

MOTION

Senator Short moved that the following amendment no. 0348 by Senator Short be adopted:

On page 6, line 13, after "to," insert "adoption of portions or all of the wildland urban interface code developed by the international code council or developing building and maintenance standards consistent with the firewise USA program or similar program designed to reduce wildfire risk,"

Senators Short and Lovelett spoke in favor of adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0348 by Senator Short on page 6, line 13 to striking amendment no. 0333.

The motion by Senator Short carried and amendment no. 0348 was adopted by voice vote.

WITHDRAWAL OF AMENDMENT

On motion of Senator Short and without objection, amendment no. 0343 by Senator Short on page 6, line 15 to striking amendment no. 0333 was withdrawn.

MOTION

Senator Short moved that the following amendment no. 0346 by Senator Short be adopted:

On page 20, after line 24, insert the following:

"(7) Compliance with the provisions of this act is voluntary for rural counties as defined in RCW 82.14.370 and counties that abut an international border."

Senator Short spoke in favor of adoption of the amendment to the striking amendment.

Senator Lovelett spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0346 by Senator Short on page 20, after line 24 to striking amendment no. 0333.

The motion by Senator Short did not carry and amendment no. 0346 was not adopted by voice vote.

MOTION

Senator Gildon moved that the following amendment no. 0349 by Senator Gildon be adopted:

On page 20, after line 24, insert the following:

"(7) The adoption of ordinances, amendments to comprehensive plans, amendments to development regulations, and other nonproject actions taken by a county or city to include in its comprehensive plan a climate change and resiliency element or the requirements to the land use element, capital facilities element, parks and recreation element, transportation element, and utilities element established by this act are not subject to administrative or judicial appeal to the growth management hearings board under RCW 36.70A.280, except that the actions taken by a county or city to include the requirements of this section may be subject to administrative or judicial appeal if at least 10 years has commenced since the jurisdiction's scheduled update of its comprehensive plan as established by RCW 36.70A.130(5)."

On page 25, after line 8, insert the following:

"(c) The provisions in this subsection take effect as follows:

(i) On December 31, 2034, for King, Kitsap, Pierce, and Snohomish counties and the cities within those counties;

(ii) On June 30, 2035, for Clallam, Clark, Island, Jefferson, Lewis, Mason, San Juan, Skagit, Thurston, and Whatcom counties and the cities within those counties;

(iii) On June 30, 2036, for Benton, Chelan, Cowlitz, Douglas, Franklin, Kittitas, Skamania, Spokane, Walla Walla, and Yakima counties and the cities within those counties; and

(iv) On June 30, 2037, for Adams, Asotin, Columbia, Ferry, Garfield, Grant, Grays Harbor, Klickitat, Lincoln, Okanogan, Pacific, Pend Oreille, Stevens, Wahkiakum, and Whitman counties and the cities within those counties."

Senator Gildon spoke in favor of adoption of the amendment to the striking amendment.

Senator Lovelett spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0349 by Senator Gildon on page 20, after line 24 to striking amendment no. 0333.

The motion by Senator Gildon did not carry and amendment no. 0349 was not adopted by a rising vote.

MOTION

Senator Short moved that the following amendment no. 0344 by Senator Short be adopted:

EIGHTY NINTH DAY, APRIL 7, 2023

On page 21, after line 32, insert the following:

"(c) Any state agency developing guidelines for implementing any of the provisions of the climate change and resiliency element or its subelements must treat the provisions of the guidelines as if they are provisions of a rule so that the final provisions are compliant with the rule-making restrictions in the administrative procedure act, RCW 34.05.328, for significant legislative rules. Guidelines may not recommend that any local jurisdictions impose requirements that conflict with or exceed the rule-making limitations in RCW 34.05.328(1) (d), (e), (f), (g), and (h). State agency guidance manuals may not recommend requirements that conflict with or are contrary to state or federal law."

On page 30, after line 11, insert the following:

"(9) Any state agency developing a rule or guidance implementing any of the provisions of the climate change and resiliency element or its subelements must abide by the requirements of the administrative procedure act, RCW 34.05.328, for significant legislative rules. Guidance may not recommend that any local jurisdiction impose requirements that conflict with or exceed the rule-making limitations in RCW 34.05.328(1) (d), (e), (f), (g), and (h). State agency guidance manuals may not recommend requirements that conflict with or are contrary to state or federal law."

On page 30, line 23, after "environment." insert "Any state agency developing a rule or guidelines to implement the provisions of this section must abide by the requirements of the administrative procedure act, RCW 34.05.328, for significant legislative rules. Rules and guidelines implementing this section may not recommend that any local jurisdiction impose requirements that conflict with or exceed the rule-making limitations in RCW 34.05.328(1) (d), (e), (f), (g), and (h). State agency guidance manuals may not recommend requirements that conflict with or are contrary to state or federal law."

Senator Short spoke in favor of adoption of the amendment to the striking amendment.

Senator Lovelett spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0344 by Senator Short on page 21, after line 32 to striking amendment no. 0333.

The motion by Senator Short did not carry and amendment no. 0344 was not adopted by voice vote.

MOTION

Senator Torres moved that the following amendment no. 0339 by Senator Torres be adopted:

On page 22, line 13, after "targets." insert "If the department of commerce or a county, city, or town finds that the climate change and resiliency element and any implementing development regulations or rules have resulted in a reduction to zoned housing capacity, and the local jurisdiction identifies a shortage of housing, then the city, county, or town may adopt a resolution with such findings, send a copy of the resolution to the department of commerce, and on the day the resolution is adopted stop implementing the climate change and resiliency element and its implementing development regulations and rules until there is no longer a housing shortage in the city, county, or town."

Senator Torres spoke in favor of adoption of the amendment to the striking amendment.

Senator Lovelett spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0339 by Senator Torres on page 22, line 13 to striking amendment no. 0333.

The motion by Senator Torres did not carry and amendment no. 0339 was not adopted by voice vote.

MOTION

Senator Short moved that the following amendment no. 0345 by Senator Short be adopted:

On page 47, after line 6, insert the following:

"NEW SECTION. Sec. 17. A new section is added to chapter 36.70A RCW to read as follows:

Green spaces and green infrastructure may not be sited on any location that would cause a net loss of buildable land within the jurisdiction. A jurisdiction may allow for additional development elsewhere within the jurisdiction, including by adjusting urban growth area boundaries, in order to compensate for the use of buildable land for green spaces and green infrastructure. Required green spaces may not be extracted from private property through a development regulation or through permits. Required green spaces may only be established on public land or by purchase of such property."

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

Senator Short spoke in favor of adoption of the amendment to the striking amendment.

Senator Lovelett spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0345 by Senator Short on page 47, after line 6 to striking amendment no. 0333.

The motion by Senator Short did not carry and amendment no. 0345 was not adopted by voice vote.

MOTION

Senator Short moved that the following amendment no. 0347 by Senator Short be adopted:

Beginning on page 47, line 7, strike all of section 17

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

On page 48, beginning on line 30, after "43.21C RCW;" strike "adding a new section to chapter 43.20 RCW;"

Senator Short spoke in favor of adoption of the amendment to the striking amendment.

Senator Lovelett spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0347 by Senator Short on page 47, line 7 to striking amendment no. 0333.

The motion by Senator Short did not carry and amendment no. 0347 was not adopted by voice vote.

Senator Lovelett spoke in favor of adoption of the striking amendment as amended.

Senator Torres spoke against adoption of the striking amendment as amended.

The President declared the question before the Senate to be the adoption of striking amendment no. 0333 by Senator Lovelett as amended to Engrossed Second Substitute House Bill No. 1181.

The motion by Senator Lovelett carried and striking amendment no. 0333 as amended was adopted by voice vote.

Taylor, Doglio, Gregerson, Wylie, Pollet, Davis, Santos, Ormsby and Fosse)

MOTION

On motion of Senator Lovelett, the rules were suspended, Engrossed Second Substitute House Bill No. 1181 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Lovelett spoke in favor of passage of the bill.

Senators Short, Warnick, Fortunato, Wilson, J., Braun and Wilson, L. spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute House Bill No. 1181 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute House Bill No. 1181 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 29; Nays, 20; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Liias, Lovelett, Lovick, Mullet, Nguyen, Nobles, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1181, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 1:18 p.m., on motion of Senator Pedersen, the Senate was declared to be at ease subject to the call of the President for the purposes of a meeting of the Committee on Rules and Caucus meetings.

Senator Hasegawa announced a meeting of the Democratic Caucus immediately following the Committee on Rules meeting.

Senator Warnick announced a meeting of the Republican Caucus immediately following the Committee on Rules meeting.

AFTERNOON SESSION

The Senate was called to order at 3:15 p.m. by the President of the Senate, Lt. Governor Heck presiding.

The President called for Substitute House Bill No. 1068 to be read by the day's Reader, Mr. Paul Campos, and noted the day was also Mr. Campos' birthday.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1068, by House Committee on Labor & Workplace Standards (originally sponsored by Bronoske, Simmons, Ryu, Goodman, Berry, Bateman, Peterson,

Concerning injured workers' rights during compelled medical examinations.

The measure was read the second time.

MOTION

Senator Keiser moved that the following committee striking amendment by the Committee on Labor & Commerce be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 51.36.070 and 2020 c 213 s 3 are each amended to read as follows:

(1)(a) Whenever the department or the self-insurer deems it necessary in order to (i) make a decision regarding claim allowance or reopening, (ii) resolve a new medical issue, an appeal, or case progress, or (iii) evaluate the worker's permanent disability or work restriction, a worker shall submit to examination by a physician or physicians selected by the department, with the rendition of a report to the person ordering the examination, the attending physician, and the injured worker.

(b) The examination must be at a place reasonably convenient to the injured worker, or alternatively utilize telemedicine if the department determines telemedicine is appropriate for the examination. For purposes of this subsection, "reasonably convenient" means at a place where residents in the injured worker's community would normally travel to seek medical care for the same specialty as the examiner. The department must address in rule how to accommodate the injured worker if no approved medical examiner in the specialty needed is available in that community.

(2) The department or self-insurer shall provide the physician performing an examination with all relevant medical records from the worker's claim file. The director, in his or her discretion, may charge the cost of such examination or examinations to the self-insurer or to the medical aid fund as the case may be. The cost of said examination shall include payment to the worker of reasonable expenses connected therewith.

(3) For purposes of this section, "examination" means a physical or mental examination by a medical care provider licensed to practice medicine, osteopathy, podiatry, chiropractic, dentistry, or psychiatry at the request of the department or self-insured employer (~~or by order of the board of industrial insurance appeals~~).

(4)(a) The worker has the right to record the audio, video, or both, of all examinations ordered under this section, RCW 51.32.110, or by the board of industrial insurance appeals.

(b) The worker is responsible for paying the costs of recording.

(c) Upon request, the worker must provide one copy of the recording to the department or self-insured employer within 14 days of receiving the request, but in no case prior to the issuance of a written report of the examination.

(d) The worker must take reasonable steps to ensure the recording equipment does not interfere with the examination. The worker may not hold the recording equipment while the examination is occurring.

(e) The worker may not materially alter the recording. Benefits received as a result of any material alteration of the recording by the worker or done on the worker's behalf may be subject to repayment pursuant to RCW 51.32.240.

(f) The worker may not post the recording to social media.

EIGHTY NINTH DAY, APRIL 7, 2023

(g) Recordings made under this subsection are deemed confidential pursuant to RCW 51.28.070.

(h) The worker has the right to have one person, who is at least the age of majority and who is of the worker's choosing, to be present to observe all examinations ordered under this section, RCW 51.32.110, or by the board of industrial insurance appeals. The observer must be unobtrusive and not interfere with the examination. The observer may not be the worker's legal representative, an employee of the legal representative, the worker's attending provider, or an employee of the worker's attending provider.

(5) This section applies prospectively to all claims regardless of the date of injury."

On page 1, line 2 of the title, after "examinations;" strike the remainder of the title and insert "and amending RCW 51.36.070."

MOTION

Senator King moved that the following amendment no. 0317 by Senators King and Robinson be adopted:

On page 2, line 6, after "(b)" insert "The worker or the worker's representative must provide notice to the entity scheduling the examination that the examination will be recorded no less than seven calendar days before the date of the examination. The department must adopt rules to define the notification process.

(c)"

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

Senators King and Keiser spoke in favor of adoption of the amendment to the committee striking amendment.

Senators Kuderer, Hasegawa and Stanford spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0317 by Senators King and Robinson on page 2, line 6 to the committee striking amendment.

The motion by Senator King carried and amendment no. 0317 was adopted by voice vote.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Labor & Commerce as amended to Substitute House Bill No. 1068.

The motion by Senator Keiser carried and the committee striking amendment as amended was adopted by voice vote.

MOTION

On motion of Senator Keiser, the rules were suspended, Substitute House Bill No. 1068 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Keiser and King spoke in favor of passage of the bill.

MOTIONS

On motion of Senator Wagoner, Senator Rivers was excused.

On motion of Senator Nobles, Senator Van De Wege was excused.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1068 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1068 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 31; Nays, 16; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Gildon, Hasegawa, Holy, Hunt, Kauffman, Keiser, King, Lias, Lovick, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Hawkins, Kuderer, Lovelett, MacEwen, McCune, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

Excused: Senators Rivers and Van De Wege

SUBSTITUTE HOUSE BILL NO. 1068, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SIGNED BY THE PRESIDENT

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

SENATE BILL NO. 5066,
SENATE BILL NO. 5070,
SENATE BILL NO. 5084,
SENATE BILL NO. 5131,

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5236,

SUBSTITUTE SENATE BILL NO. 5238,
SUBSTITUTE SENATE BILL NO. 5286,

SENATE BILL NO. 5390,

SUBSTITUTE SENATE BILL NO. 5453,
SUBSTITUTE SENATE BILL NO. 5499,

SECOND SUBSTITUTE SENATE BILL NO. 5518,
and SUBSTITUTE SENATE BILL NO. 5542.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1355, by House Committee on Finance (originally sponsored by Wylie, Slatter, Orcutt, Harris, Leavitt, Orwall, Walen, Christian, Couture, Rule, Senn, Stokesbary, Graham, Kloba, Reed, Paul, Donaghy, Pollet and Callan)

Updating property tax exemptions for service-connected disabled veterans and senior citizens.

The measure was read the second time.

MOTION

On motion of Senator Rolfes, the rules were suspended, Substitute House Bill No. 1355 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Rolfes and Wilson, L. spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1355.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1355 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Rivers and Van De Wege

SUBSTITUTE HOUSE BILL NO. 1355, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Pedersen, the Senate reverted to the fourth order of business.

MESSAGE FROM THE HOUSE

April 7, 2023

MR. PRESIDENT:

The Speaker has signed:

SENATE BILL NO. 5088,
SENATE BILL NO. 5113,
SENATE BILL NO. 5163,
SUBSTITUTE SENATE BILL NO. 5170,
SUBSTITUTE SENATE BILL NO. 5176,
SUBSTITUTE SENATE BILL NO. 5229,
SUBSTITUTE SENATE BILL NO. 5304,
ENGROSSED SUBSTITUTE SENATE BILL NO. 5320,
ENGROSSED SENATE BILL NO. 5336,
SENATE BILL NO. 5385,
ENGROSSED SUBSTITUTE SENATE BILL NO. 5512,
SUBSTITUTE SENATE BILL NO. 5538,
SUBSTITUTE SENATE BILL NO. 5547,
SUBSTITUTE SENATE BILL NO. 5604,
SENATE CONCURRENT RESOLUTION NO. 8407,
and the same are herewith transmitted.

BERNARD DEAN, Chief Clerk

MOTION

On motion of Senator Pedersen, the Senate advanced to the sixth order of business.

SECOND READING

HOUSE BILL NO. 1345, by Representatives Farivar, Senn, Simmons, Bateman, Lekanoff, Pollet, Fosse and Davis

Concerning the contribution to costs of privileges by incarcerated individuals.

The measure was read the second time.

Senator Wilson, C. moved that the following committee striking amendment by the Committee on Human Services be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 72.09.470 and 1995 1st sp.s. c 19 s 7 are each amended to read as follows:

To the greatest extent practical, all ~~((inmates))~~ incarcerated individuals shall contribute to the cost of privileges. The department may require incarcerated individuals to contribute to the cost of specific privileges designated by the department in accordance with standards that the department shall develop and adopt to ensure that incarcerated individuals contribute a portion of the department's costs directly associated with providing designated privileges. The department shall establish standards by which ~~((inmates))~~ incarcerated individuals shall contribute a portion of the department's capital costs of providing privileges, including television cable access, ~~((extended family visitation,))~~ weight lifting, and other recreational sports equipment and supplies. The standards shall also require ~~((inmates))~~ incarcerated individuals to contribute a ~~((significant))~~ portion of the department's operating costs directly associated with providing privileges, including staff and supplies. ~~((Inmate contributions))~~ Contributions by incarcerated individuals may be in the form of individual user fees assessed against an ~~((inmate's))~~ incarcerated individual's institution account, deductions from an ~~((inmate's))~~ incarcerated individual's gross wages or gratuities, or ~~((inmates))~~ collective contributions by incarcerated individuals to the institutional welfare/betterment fund. The department shall make every effort to maximize incarcerated individual ~~((inmate))~~ contributions to payment for privileges. The department shall not limit ~~((inmates))~~ incarcerated individuals' financial support for privileges to contributions from the institutional welfare/betterment fund. The standards shall consider the assets available to the ~~((inmates))~~ incarcerated individuals, the cost of administering compliance with the contribution requirements, and shall promote a responsible work ethic."

On page 1, line 2 of the title, after "individuals;" strike the remainder of the title and insert "and amending RCW 72.09.470."

Senators Wilson, C. and Boehnke spoke in favor of adoption of the committee striking amendment.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Human Services to House Bill No. 1345.

The motion by Senator Wilson, C. carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Wilson, C., the rules were suspended, House Bill No. 1345 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wilson, C. and Boehnke spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1345 as amended by the Senate.

ROLL CALL

EIGHTY NINTH DAY, APRIL 7, 2023

The Secretary called the roll on the final passage of House Bill No. 1345 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 37; Nays, 10; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Boehnke, Cleveland, Conway, Dhingra, Fortunato, Frame, Hasegawa, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Wagoner, Wellman, Wilson, C. and Wilson, J.

Voting nay: Senators Braun, Dozier, Gildon, Hawkins, McCune, Schoesler, Short, Torres, Warnick and Wilson, L.

Excused: Senators Rivers and Van De Wege

HOUSE BILL NO. 1345, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SECOND SUBSTITUTE HOUSE BILL NO. 1168, by House Committee on Appropriations (originally sponsored by Simmons, Ramel, Callan, Wylie, Davis and Ormsby)

Providing prevention services, diagnoses, treatment, and support for prenatal substance exposure.

The measure was read the second time.

MOTION

Senator Cleveland moved that the following committee striking amendment by the Committee on Ways & Means be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds that:

(1) Fetal alcohol spectrum disorders are lifelong physical, developmental, behavioral, and intellectual disabilities caused by prenatal alcohol exposure;

(2) According to the federal centers for disease control and prevention, fetal alcohol spectrum disorders affect as many as one in 20 people in the United States;

(3) The health care authority estimates that one percent of births, or approximately 870 children each year, are born with fetal alcohol spectrum disorders;

(4) In addition to alcohol use, other substances consumed during pregnancy may result in prenatal substance exposure affecting the physical, developmental, behavioral, and intellectual abilities of the exposed child;

(5) Washington has limited diagnostic capacity and currently lacks the capacity to diagnose and treat every child who needs support and treatment due to prenatal substance exposure;

(6) Without appropriate treatment and supports, children born with fetal alcohol spectrum disorders and other prenatal substance disorders are likely to experience adverse outcomes. According to current statistics, these children face adverse outcomes such as:

(a) 61 percent of children with fetal alcohol spectrum disorders are suspended or expelled from school by age 12;

(b) 90 percent of persons with fetal alcohol spectrum disorders develop comorbid mental health conditions; and

(c) 60 percent of youth with fetal alcohol spectrum disorders are involved in the justice system;

(7) Untreated and unsupported prenatal substance exposure results in higher costs for the state and worse outcomes for children and their families;

(8) Investing in prevention and earlier intervention, including diagnostic capacity, treatment, and services for children and supports for families and caregivers will improve school outcomes; and

(9) Effective prenatal substance exposure response requires effective and ongoing cross-agency strategic planning and coordination.

NEW SECTION. Sec. 2. A new section is added to chapter 41.05 RCW to read as follows:

(1) By January 1, 2024, the authority, on behalf of clients or potential clients of the department of children, youth, and families as described in this subsection, shall contract with a provider with expertise in comprehensive prenatal substance exposure treatment and family supports to offer services to children over the age of three and families who are or have been involved in the child welfare system or who are at risk of becoming involved in the child welfare system. This contract shall maximize the number of families that can be served through referrals by authority employees and other community partners in order to keep families together, reduce the number of placements, and prevent adverse outcomes for impacted children.

(2) By January 1, 2025, the authority, on behalf of clients or potential clients of the department of children, youth, and families as described in this subsection, shall contract with up to three providers across the state, in addition to the contracted provider in subsection (1) of this section, to offer comprehensive treatment services for prenatal substance exposure and family supports for children who were prenatally exposed to substances and who are, or have been, involved in the child welfare system.

(3) Comprehensive treatment and family supports must be trauma-informed and may include:

(a) Occupational, speech, and language therapy;

(b) Behavioral health counseling and caregiver counseling;

(c) Sensory processing support;

(d) Educational advocacy, psychoeducation, social skills support, and groups;

(e) Linkages to community resources; and

(f) Family supports and education, including the programs for parents, caregivers, and families recommended by the federal centers for disease control and prevention.

(4) The authority shall contract with the University of Washington fetal alcohol and drug unit to support the providers under contract in subsections (1) and (2) of this section by:

(a) Creating education and training programs for providers working with children who had prenatal substance exposure; and

(b) Offering ongoing coaching and support in creating a safe and healing environment, free from judgment, where families are supported through the challenges of care for children with prenatal substance exposure.

(5) The authority, in collaboration with the department of children, youth, and families, shall work with the contracted providers and families to collect relevant outcome data and provide a report on the expansion of services under the contracts and the outcomes experienced by persons receiving services under this section. The authority shall submit the report to the legislature with any recommendations related to improving availability of and access to services and ways to improve outcomes by June 1, 2028.

NEW SECTION. Sec. 3. A new section is added to chapter 71.24 RCW to read as follows:

(1) By June 1, 2024, the authority shall submit to the legislature recommendations on ways to increase access to diagnoses,

treatment, services, and supports for children who were exposed to alcohol or other substances during pregnancy and their families and caregivers. In creating the recommendations, the authority shall consult with service providers, medical professionals with expertise in diagnosing and treating prenatal substance exposure, families of children who were exposed to alcohol or other substances during pregnancy, communities affected by prenatal substance exposure, and advocates.

(2) The recommendations adopted under subsection (1) of this section shall, at a minimum, address:

(a) Increasing the availability of evaluation and diagnosis services for children and youth for fetal alcohol spectrum disorders and other prenatal substance disorders, including assuring an adequate payment rate for the interdisciplinary team required for diagnosis and developing sufficient capacity in rural and urban areas so that every child is able to access diagnosis services; and

(b) Increasing the availability of treatment for fetal alcohol spectrum disorders and other prenatal substance disorders for all children and youth including all treatments and services recommended by the federal centers for disease control and prevention. The authority shall review all barriers to accessing treatment and make recommendations on removing those barriers, including recommendations related to the definition of medical necessity, prior authorization requirements for diagnosis and treatment services, and limitations of treatment procedure codes and insurance coverage.

NEW SECTION. Sec. 4. A new section is added to chapter 71.24 RCW to read as follows:

Subject to the availability of amounts appropriated for this specific purpose, the authority shall contract with a statewide nonprofit entity with expertise in fetal alcohol spectrum disorders and experience in supporting parents and caregivers to offer free support groups for individuals living with fetal alcohol spectrum disorders and their parents and caregivers.

Sec. 5. RCW 71.24.610 and 2018 c 201 s 4049 are each amended to read as follows:

The authority, the department of social and health services, the department (~~of health~~), the department of corrections, the department of children, youth, and families, and the office of the superintendent of public instruction shall execute an interagency agreement to ensure the coordination of identification, prevention, and intervention programs for children who have fetal alcohol exposure and other prenatal substance exposures, and for women who are at high risk of having children with fetal alcohol exposure or other prenatal substance exposures.

The interagency agreement shall provide a process for community advocacy groups to participate in the review and development of identification, prevention, and intervention programs administered or contracted for by the agencies executing this agreement.

NEW SECTION. Sec. 6. If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2023, in the omnibus appropriations act, this act is null and void."

On page 1, line 2 of the title, after "exposure;" strike the remainder of the title and insert "amending RCW 71.24.610; adding a new section to chapter 41.05 RCW; adding new sections to chapter 71.24 RCW; and creating new sections."

MOTION

Senator Robinson moved that the following amendment no. 0313 by Senator Robinson be adopted:

On page 3, beginning on line 4, after "the" strike all material through "and" on line 6 and insert "provider referenced in subsection (1) of this section to support the providers under contract in subsection"

Senators Robinson and Muzzall spoke in favor of adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0313 by Senator Robinson on page 3, line 4 to the committee striking amendment.

The motion by Senator Robinson carried and amendment no. 0313 was adopted by voice vote.

Senator Cleveland spoke in favor of adoption of the committee striking amendment as amended.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Ways & Means as amended to Second Substitute House Bill No. 1168.

The motion by Senator Cleveland carried and the committee striking amendment as amended was adopted by voice vote.

MOTION

On motion of Senator Cleveland, the rules were suspended, Second Substitute House Bill No. 1168 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Cleveland and Muzzall spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute House Bill No. 1168 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute House Bill No. 1168 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Rivers and Van De Wege

SECOND SUBSTITUTE HOUSE BILL NO. 1168, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1143, by House Committee on Appropriations (originally sponsored by Berry, Walen, Reed, Peterson, Street, Bateman, Ramel, Senn, Callan, Doglio, Macri, Lekanoff, Duerr, Pollet, Davis, Kloba, Fosse and Ormsby)

Concerning requirements for the purchase or transfer of firearms.

EIGHTY NINTH DAY, APRIL 7, 2023

The measure was read the second time.

MOTION

Senator Dhingra moved that the following committee striking amendment by the Committee on Law & Justice be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 9.41.090 and 2019 c 3 s 3 are each amended to read as follows:

(1) In addition to the other requirements of this chapter, no dealer may deliver a ~~((pistol))~~ firearm to the purchaser thereof until:

(a) The purchaser ~~((produces a valid concealed pistol license and the dealer has recorded the purchaser's name, license number, and issuing agency, such record to be made in triplicate and processed as provided in subsection (6) of this section. For purposes of this subsection (1)(a), a "valid concealed pistol license" does not include a temporary emergency license, and does not include any license issued before July 1, 1996, unless the issuing agency conducted a records search for disqualifying crimes under RCW 9.41.070 at the time of issuance))~~ provides proof of completion of a recognized firearm safety training program within the last five years that complies with the requirements in section 2 of this act, or proof that the purchaser is exempt from the training requirement;

(b) The dealer is notified ~~((in writing by (i) the chief of police or the sheriff of the jurisdiction in which the purchaser resides that the purchaser is eligible to possess a pistol under RCW 9.41.040 and that the application to purchase is approved by the chief of police or sheriff; or (ii) the state))~~ by the Washington state patrol firearms background check program that the purchaser is eligible to possess a firearm under ((RCW 9.41.040, as provided in subsection (3)(b) of this section; or)) state and federal law; and

(c) The requirements ~~((or))~~ and time periods in RCW 9.41.092 have been satisfied.

(2) ~~((In addition to the other requirements of this chapter, no dealer may deliver a semiautomatic assault rifle to the purchaser thereof until:~~

(a) The purchaser provides proof that he or she has completed a recognized firearm safety training program within the last five years that, at a minimum, includes instruction on:

- (i) Basic firearms safety rules;
- (ii) Firearms and children, including secure gun storage and talking to children about gun safety;
- (iii) Firearms and suicide prevention;
- (iv) Secure gun storage to prevent unauthorized access and use;
- (v) Safe handling of firearms; and
- (vi) State and federal firearms laws, including prohibited firearms transfers.

The training must be sponsored by a federal, state, county, or municipal law enforcement agency, a college or university, a nationally recognized organization that customarily offers firearms training, or a firearms training school with instructors certified by a nationally recognized organization that customarily offers firearms training. The proof of training shall be in the form of a certification that states under the penalty of perjury the training included the minimum requirements; and

(b) The dealer is notified in writing by (i) the chief of police or the sheriff of the jurisdiction in which the purchaser resides that the purchaser is eligible to possess a firearm under RCW 9.41.040 and that the application to purchase is approved

by the chief of police or sheriff; or (ii) the state that the purchaser is eligible to possess a firearm under RCW 9.41.040, as provided in subsection (3)(b) of this section; or

~~(c) The requirements or time periods in RCW 9.41.092 have been satisfied.~~

~~(3)(a) Except as provided in (b) of this subsection, in))~~ In determining whether the purchaser ((meets the requirements of RCW 9.41.040)) is eligible to possess a firearm, the ((chief of police or sheriff, or the designee of either;)) Washington state patrol firearms background check program shall check with the ((national crime information center, including the)) national instant criminal background check system, provided for by the Brady handgun violence prevention act (18 U.S.C. Sec. 921 et seq.), the Washington state patrol electronic database, the health care authority electronic database, the administrative office of the courts, LInX-NW, and with other agencies or resources as appropriate, to determine whether the applicant is ineligible under RCW 9.41.040 to possess a firearm.

~~((b) The state, through the legislature or initiative process, may enact a statewide firearms background check system equivalent to, or more comprehensive than, the check required by (a) of this subsection to determine that a purchaser is eligible to possess a firearm under RCW 9.41.040. Once a state system is established, a dealer shall use the state system and national instant criminal background check system, provided for by the Brady handgun violence prevention act (18 U.S.C. Sec. 921 et seq.), to make criminal background checks of applicants to purchase firearms.~~

~~(4) In any case under this section where the applicant has an outstanding warrant for his or her arrest from any court of competent jurisdiction for a felony or misdemeanor, the dealer shall hold the delivery of the pistol or semiautomatic assault rifle until the warrant for arrest is served and satisfied by appropriate court appearance. The local jurisdiction for purposes of the sale, or the state pursuant to subsection (3)(b) of this section, shall confirm the existence of outstanding warrants within seventy-two hours after notification of the application to purchase a pistol or semiautomatic assault rifle is received. The local jurisdiction shall also immediately confirm the satisfaction of the warrant on request of the dealer so that the hold may be released if the warrant was for an offense other than an offense making a person ineligible under RCW 9.41.040 to possess a firearm.~~

~~(5) In any case where the chief or sheriff of the local jurisdiction, or the state pursuant to subsection (3)(b) of this section, has reasonable grounds based on the following circumstances: (a) Open criminal charges, (b) pending criminal proceedings, (c) pending commitment proceedings, (d) an outstanding warrant for an offense making a person ineligible under RCW 9.41.040 to possess a firearm, or (e) an arrest for an offense making a person ineligible under RCW 9.41.040 to possess a firearm, if the records of disposition have not yet been reported or entered sufficiently to determine eligibility to purchase a firearm, the local jurisdiction or the state may hold the sale and delivery of the pistol or semiautomatic assault rifle up to thirty days in order to confirm existing records in this state or elsewhere. After thirty days, the hold will be lifted unless an extension of the thirty days is approved by a local district court, superior court, or municipal court for good cause shown. A dealer shall be notified of each hold placed on the sale by local law enforcement or the state and of any application to the court for additional hold period to confirm records or confirm the identity of the applicant.~~

~~(6))~~ (3)(a) At the time of applying for the purchase of a ((pistol or semiautomatic assault rifle)) firearm, the purchaser shall sign

~~((in triplicate))~~ and deliver to the dealer an application containing:

(i) His or her full name, residential address, date and place of birth, race, and gender;

(ii) The date and hour of the application;

(iii) The applicant's driver's license number or state identification card number;

(iv) A description of the ~~((pistol or semiautomatic assault rifle))~~ firearm including the make, model, caliber and manufacturer's number if available at the time of applying for the purchase of ~~((a pistol or semiautomatic assault rifle))~~ the firearm. If the manufacturer's number is not available at the time of applying for the purchase of a ~~((pistol or semiautomatic assault rifle))~~ firearm, the application may be processed, but delivery of the ~~((pistol or semiautomatic assault rifle))~~ firearm to the purchaser may not occur unless the manufacturer's number is recorded on the application by the dealer and transmitted to the ~~((chief of police of the municipality or the sheriff of the county in which the purchaser resides, or the state pursuant to subsection (3)(b) of this section))~~ Washington state patrol firearms background check program; and

(v) A statement that the purchaser is eligible to purchase and possess a firearm under state and federal law~~(; and~~

~~((vi) If purchasing a semiautomatic assault rifle, a statement by the applicant under penalty of perjury that the applicant has completed a recognized firearm safety training program within the last five years, as required by subsection (2) of this section)).~~

(b) The ~~((application))~~ dealer shall ~~((contain))~~ provide the applicant with information that contains two warnings substantially stated as follows:

(i) CAUTION: Although state and local laws do not differ, federal law and state law on the possession of firearms differ. If you are prohibited by federal law from possessing a firearm, you may be prosecuted in federal court. State permission to purchase a firearm is not a defense to a federal prosecution; and

(ii) CAUTION: The presence of a firearm in the home has been associated with an increased risk of death to self and others, including an increased risk of suicide, death during domestic violence incidents, and unintentional deaths to children and others.

The purchaser shall be given a copy of the department of fish and wildlife pamphlet on the legal limits of the use of firearms and firearms safety.

(c) The dealer shall, by the end of the business day, ~~((sign and attach his or her address and deliver a copy of the application and such other documentation as required under subsections (1) and (2) of this section to the chief of police of the municipality or the sheriff of the county of which the purchaser is a resident, or the state pursuant to subsection (3)(b) of this section))~~ transmit the information from the application through secure automated firearms e-check (SAFE) to the Washington state patrol firearms background check program. The ~~((triplicate))~~ original application shall be retained by the dealer for six years.

(d) The dealer shall deliver the ~~((pistol or semiautomatic assault rifle))~~ firearm to the purchaser ~~((following))~~ once the requirements and period of time specified in this chapter ~~((unless the dealer is notified of an investigative hold under subsection (5) of this section in writing by the chief of police of the municipality, the sheriff of the county, or the state, whichever is applicable, or of the denial of the purchaser's application to purchase and the grounds thereof))~~ are satisfied. The application shall not be denied unless the purchaser is not eligible to purchase or possess the firearm under state or federal law or has not complied with the requirements of this section.

~~((d))~~ (e) The ~~((chief of police of the municipality or the sheriff of the county, or the state pursuant to subsection (3)(b) of this section,))~~ Washington state patrol firearms background check program shall retain or destroy applications to purchase a ~~((pistol or semiautomatic assault rifle))~~ firearm in accordance with the requirements of 18 U.S.C. Sec. 922.

~~((7)(a) To help offset the administrative costs of implementing this section as it relates to new requirements for semiautomatic assault rifles, the department of licensing may require the dealer to charge each semiautomatic assault rifle purchaser or transferee a fee not to exceed twenty five dollars, except that the fee may be adjusted at the beginning of each biennium to levels not to exceed the percentage increase in the consumer price index for all urban consumers, CPI-W, or a successor index, for the previous biennium as calculated by the United States department of labor.~~

(b) The fee under (a) of this subsection shall be no more than is necessary to fund the following:

(i) The state for the cost of meeting its obligations under this section;

(ii) The health care authority, mental health institutions, and other health care facilities for state mandated costs resulting from the reporting requirements imposed by RCW 9.41.097(1); and

(iii) Local law enforcement agencies for state mandated local costs resulting from the requirements set forth under RCW 9.41.090 and this section.

~~((8))~~ (4) A person who knowingly makes a false statement regarding identity or eligibility requirements on the application to purchase a firearm is guilty of false swearing under RCW 9A.72.040.

~~((9))~~ (5) This section does not apply to sales to licensed dealers for resale or to the sale of antique firearms.

NEW SECTION. Sec. 2. A new section is added to chapter 9.41 RCW to read as follows:

(1) A person applying for the purchase or transfer of a firearm must provide proof of completion of a recognized firearms safety training program within the last five years that, at a minimum, includes instruction on:

(a) Basic firearms safety rules;

(b) Firearms and children, including secure gun storage and talking to children about gun safety;

(c) Firearms and suicide prevention;

(d) Secure gun storage to prevent unauthorized access and use;

(e) Safe handling of firearms;

(f) State and federal firearms laws, including prohibited firearms transfers and locations where firearms are prohibited;

(g) State laws pertaining to the use of deadly force for self-defense; and

(h) Techniques for avoiding a criminal attack and how to manage a violent confrontation, including conflict resolution.

(2) The training must be sponsored by a federal, state, county, or municipal law enforcement agency, a college or university, a nationally recognized organization that customarily offers firearms training, or a firearms training school with instructors certified by a nationally recognized organization that customarily offers firearms training. The proof of training shall be in the form of a certification that states under the penalty of perjury that the training included the minimum requirements.

(3) The training may include stories provided by individuals with lived experience in the topics listed in subsection (1)(a) through (g) of this section or an understanding of the legal and social impacts of discharging a firearm.

(4) The firearms safety training requirement of this section does not apply to:

(a) A person who is a:

EIGHTY NINTH DAY, APRIL 7, 2023

(i) General authority Washington peace officer as defined in RCW 10.93.020;

(ii) Limited authority Washington peace officer as defined in RCW 10.93.020 who as a normal part of their duties has arrest powers and carries a firearm;

(iii) Specially commissioned Washington peace officer as defined in RCW 10.93.020 who as a normal part of their duties has arrest powers and carries a firearm; or

(iv) Federal peace officer as defined in RCW 10.93.020 who as a normal part of their duties has arrest powers and carries a firearm; or

(b) A person who is an active duty member of the armed forces of the United States, an active member of the national guard, or an active member of the armed forces reserves who, as part of the applicant's service, has completed, within the last five years, a course of training in firearms proficiency or familiarization that included training on the safe handling and shooting proficiency with firearms.

Sec. 3. RCW 9.41.047 and 2020 c 302 s 60 are each amended to read as follows:

(1)(a) At the time a person is convicted or found not guilty by reason of insanity of an offense making the person ineligible to possess a firearm under state or federal law, including if the person was convicted of possession under RCW 69.50.4011, 69.50.4013, 69.50.4014, or 69.41.030, or at the time a person is committed by court order under RCW 71.05.240, 71.05.320, 71.34.740, 71.34.750, or chapter 10.77 RCW for mental health treatment, or at the time that charges are dismissed based on incompetency to stand trial under RCW 10.77.088 and the court makes a finding that the person has a history of one or more violent acts, the convicting or committing court, or court that dismisses charges, shall notify the person, orally and in writing, that the person must immediately surrender any concealed pistol license and that the person may not possess a firearm unless his or her right to do so is restored by a court of record. For purposes of this section a convicting court includes a court in which a person has been found not guilty by reason of insanity.

(b) The court shall forward within three judicial days after conviction, entry of the commitment order, or dismissal of charges, a copy of the person's driver's license or identicard, or comparable information such as their name, address, and date of birth, along with the date of conviction or commitment, or date charges are dismissed, to the department of licensing and to the Washington state patrol firearms background check program. When a person is committed by court order under RCW 71.05.240, 71.05.320, 71.34.740, 71.34.750, or chapter 10.77 RCW, for mental health treatment, or when a person's charges are dismissed based on incompetency to stand trial under RCW 10.77.088 and the court makes a finding that the person has a history of one or more violent acts, the court also shall forward, within three judicial days after entry of the commitment order, or dismissal of charges, a copy of the person's driver's license, or comparable information, along with the date of commitment or date charges are dismissed, to the national instant criminal background check system index, denied persons file, created by the federal Brady handgun violence prevention act (P.L. 103-159). The petitioning party shall provide the court with the information required. If more than one commitment order is entered under one cause number, only one notification to the department of licensing, the Washington state patrol firearms background check program, and the national instant criminal background check system is required.

(2) Upon receipt of the information provided for by subsection (1) of this section, the department of licensing shall determine if the convicted or committed person, or the person whose charges

are dismissed based on incompetency to stand trial, has a concealed pistol license. If the person does have a concealed pistol license, the department of licensing shall immediately notify the license-issuing authority which, upon receipt of such notification, shall immediately revoke the license.

(3)(a) A person who is prohibited from possessing a firearm, by reason of having been involuntarily committed for mental health treatment under RCW 71.05.240, 71.05.320, 71.34.740, 71.34.750, chapter 10.77 RCW, or equivalent statutes of another jurisdiction, or by reason of having been detained under RCW 71.05.150 or 71.05.153, or because the person's charges were dismissed based on incompetency to stand trial under RCW 10.77.088 and the court made a finding that the person has a history of one or more violent acts, may, upon discharge, petition the superior court to have his or her right to possess a firearm restored.

(b) The petition must be brought in the superior court that ordered the involuntary commitment or dismissed the charges based on incompetency to stand trial or the superior court of the county in which the petitioner resides.

(c) Except as provided in (d) and (e) of this subsection, the court shall restore the petitioner's right to possess a firearm if the petitioner proves by a preponderance of the evidence that:

(i) The petitioner is no longer required to participate in court-ordered inpatient or outpatient treatment;

(ii) The petitioner has successfully managed the condition related to the commitment or detention or incompetency;

(iii) The petitioner no longer presents a substantial danger to himself or herself, or the public; and

(iv) The symptoms related to the commitment or detention or incompetency are not reasonably likely to recur.

(d) If a preponderance of the evidence in the record supports a finding that the person petitioning the court has engaged in violence and that it is more likely than not that the person will engage in violence after his or her right to possess a firearm is restored, the person shall bear the burden of proving by clear, cogent, and convincing evidence that he or she does not present a substantial danger to the safety of others.

(e) If the petitioner seeks restoration after having been detained under RCW 71.05.150 or 71.05.153, the state shall bear the burden of proof to show, by a preponderance of the evidence, that the petitioner does not meet the restoration criteria in (c) of this subsection.

(f) When a person's right to possess a firearm has been restored under this subsection, the court shall forward, within three judicial days after entry of the restoration order, notification that the person's right to possess a firearm has been restored to the department of licensing and the Washington state patrol criminal records division, with a copy of the person's driver's license or identicard, or comparable identification such as their name, address, and date of birth, and to the health care authority, and the national instant criminal background check system index, denied persons file. In the case of a person whose right to possess a firearm has been suspended for six months as provided in RCW 71.05.182, the department of licensing shall forward notification of the restoration order to the licensing authority, which, upon receipt of such notification, shall immediately lift the suspension, restoring the person's concealed pistol license.

(4) No person who has been found not guilty by reason of insanity may petition a court for restoration of the right to possess a firearm unless the person meets the requirements for the restoration of the right to possess a firearm under RCW 9.41.040(4).

Sec. 4. RCW 9.41.092 and 2019 c 3 s 4 are each amended to read as follows:

~~((4)) Except as otherwise provided in this chapter ((and except for semiautomatic assault rifles under subsection (2) of this section)), a licensed dealer may not deliver any firearm to a purchaser or transferee until ((the earlier of):~~

~~((a)) (1) The results of all required background checks are known and the purchaser or transferee ((a)) (a) is not prohibited from owning or possessing a firearm under federal or state law and ((b)) (b) does not have a voluntary waiver of firearm rights currently in effect; ((c)) and~~

~~((b)) (2) Ten business days have elapsed from the date the licensed dealer requested the background check. ((However, for sales and transfers of pistols if the purchaser or transferee does not have a valid permanent Washington driver's license or state identification card or has not been a resident of the state for the previous consecutive ninety days, then the time period in this subsection shall be extended from ten business days to sixty days.~~

~~(2) Except as otherwise provided in this chapter, a licensed dealer may not deliver a semiautomatic assault rifle to a purchaser or transferee until ten business days have elapsed from the date of the purchase application or, in the case of a transfer, ten business days have elapsed from the date a background check is initiated.))~~

Sec. 5. RCW 9.41.094 and 2019 c 3 s 7 are each amended to read as follows:

A signed application to purchase a ~~((pistol or semiautomatic assault rifle))~~ firearm shall constitute a waiver of confidentiality and written request that the health care authority, mental health institutions, and other health care facilities release ~~((to an inquiring court or law enforcement agency,))~~ information relevant to the applicant's eligibility to purchase a ~~((pistol or semiautomatic assault rifle))~~ firearm to an inquiring court ~~((or)),~~ law enforcement agency, or the Washington state patrol firearms background check program.

Sec. 6. RCW 9.41.097 and 2019 c 3 s 8 are each amended to read as follows:

(1) The health care authority, mental health institutions, and other health care facilities shall, upon request of a court, law enforcement agency, or the state, supply such relevant information as is necessary to determine the eligibility of a person to possess a firearm ~~((or)),~~ to be issued a concealed pistol license under RCW 9.41.070, or to purchase a ~~((pistol or semiautomatic assault rifle))~~ firearm under RCW 9.41.090.

(2) Mental health information received by: (a) The department of licensing pursuant to RCW 9.41.047 or 9.41.173; (b) an issuing authority pursuant to RCW 9.41.047 or 9.41.070; (c) a chief of police or sheriff pursuant to RCW 9.41.090 or 9.41.173; (d) a court or law enforcement agency pursuant to subsection (1) of this section; or (e) the Washington state patrol firearms background check program pursuant to RCW 9.41.090, shall not be disclosed except as provided in RCW 42.56.240(4).

Sec. 7. RCW 9.41.0975 and 2019 c 3 s 9 are each amended to read as follows:

(1) The state, local governmental entities, any public or private agency, and the employees of any state or local governmental entity or public or private agency, acting in good faith, are immune from liability:

(a) For failure to prevent the sale or transfer of a firearm to a person whose receipt or possession of the firearm is unlawful;

(b) For preventing the sale or transfer of a firearm to a person who may lawfully receive or possess a firearm;

(c) For issuing a concealed pistol license or alien firearm license to a person ineligible for such a license;

(d) For failing to issue a concealed pistol license or alien firearm license to a person eligible for such a license;

(e) For revoking or failing to revoke an issued concealed pistol license or alien firearm license;

(f) For errors in preparing or transmitting information as part of determining a person's eligibility to receive or possess a firearm, or eligibility for a concealed pistol license or alien firearm license;

(g) For issuing a dealer's license to a person ineligible for such a license; or

(h) For failing to issue a dealer's license to a person eligible for such a license.

(2) An application may be made to a court of competent jurisdiction for a writ of mandamus:

(a) Directing an issuing agency to issue a concealed pistol license or alien firearm license wrongfully refused;

(b) Directing ~~((a law enforcement agency))~~ the Washington state patrol firearms background check program to approve an application to purchase a ~~((pistol or semiautomatic assault rifle))~~ firearm wrongfully denied;

(c) Directing that erroneous information resulting either in the wrongful refusal to issue a concealed pistol license or alien firearm license or in the wrongful denial of a purchase application for a ~~((pistol or semiautomatic assault rifle))~~ firearm be corrected; or

(d) Directing a law enforcement agency to approve a dealer's license wrongfully denied.

The application for the writ may be made in the county in which the application for a concealed pistol license or alien firearm license or an application to purchase a ~~((pistol or semiautomatic assault rifle))~~ firearm was made, or in Thurston county, at the discretion of the petitioner. A court shall provide an expedited hearing for an application brought under this subsection (2) for a writ of mandamus. A person granted a writ of mandamus under this subsection (2) shall be awarded reasonable attorneys' fees and costs.

Sec. 8. RCW 9.41.110 and 2019 c 3 s 10 are each amended to read as follows:

(1) No dealer may sell or otherwise transfer, or expose for sale or transfer, or have in his or her possession with intent to sell, or otherwise transfer, any pistol without being licensed as provided in this section.

(2) No dealer may sell or otherwise transfer, or expose for sale or transfer, or have in his or her possession with intent to sell, or otherwise transfer, any firearm other than a pistol without being licensed as provided in this section.

(3) No dealer may sell or otherwise transfer, or expose for sale or transfer, or have in his or her possession with intent to sell, or otherwise transfer, any ammunition without being licensed as provided in this section.

(4) The duly constituted licensing authorities of any city, town, or political subdivision of this state shall grant licenses in forms prescribed by the director of licensing effective for not more than one year from the date of issue permitting the licensee to sell firearms within this state subject to the following conditions, for breach of any of which the license shall be forfeited and the licensee subject to punishment as provided in ~~((RCW 9.41.010 through 9.41.810))~~ this chapter. A licensing authority shall forward a copy of each license granted to the department of licensing. The department of licensing shall notify the department of revenue of the name and address of each dealer licensed under this section.

(5)(a) A licensing authority shall, within thirty days after the filing of an application of any person for a dealer's license, determine whether to grant the license. However, if the applicant does not have a valid permanent Washington driver's license or Washington state identification card, or has not been a resident of the state for the previous consecutive ninety days, the licensing authority shall have up to sixty days to determine whether to issue

EIGHTY NINTH DAY, APRIL 7, 2023

a license. No person shall qualify for a license under this section without first receiving a federal firearms license and undergoing fingerprinting and a background check. In addition, no person ineligible to possess a firearm under RCW 9.41.040 or ineligible for a concealed pistol license under RCW 9.41.070 shall qualify for a dealer's license.

(b) A dealer shall require every employee who may sell a firearm in the course of his or her employment to undergo fingerprinting and a background check. An employee must be eligible to possess a firearm, and must not have been convicted of a crime that would make the person ineligible for a concealed pistol license, before being permitted to sell a firearm. Every employee shall comply with requirements concerning purchase applications and restrictions on delivery of ~~((pistols or semiautomatic assault rifles))~~ firearms that are applicable to dealers.

(6)(a) Except as otherwise provided in (b) of this subsection, the business shall be carried on only in the building designated in the license. For the purpose of this section, advertising firearms for sale shall not be considered the carrying on of business.

(b) A dealer may conduct business temporarily at a location other than the building designated in the license, if the temporary location is within Washington state and is the location of a gun show sponsored by a national, state, or local organization, or an affiliate of any such organization, devoted to the collection, competitive use, or other sporting use of firearms in the community. Nothing in this subsection (6)(b) authorizes a dealer to conduct business in or from a motorized or towed vehicle.

In conducting business temporarily at a location other than the building designated in the license, the dealer shall comply with all other requirements imposed on dealers by RCW 9.41.090, 9.41.100, and this section. The license of a dealer who fails to comply with the requirements of RCW 9.41.080 and 9.41.090 and subsection (8) of this section while conducting business at a temporary location shall be revoked, and the dealer shall be permanently ineligible for a dealer's license.

(7) The license or a copy thereof, certified by the issuing authority, shall be displayed on the premises in the area where firearms are sold, or at the temporary location, where it can easily be read.

(8)(a) No ~~((pistol or semiautomatic assault rifle))~~ firearm may be sold: (i) In violation of any provisions of ~~((RCW 9.41.010 through 9.41.810))~~ this chapter; nor (ii) ~~((may a pistol or semiautomatic assault rifle be sold))~~ under any circumstances unless the purchaser is personally known to the dealer or shall present clear evidence of his or her identity.

(b) A dealer who sells or delivers any firearm in violation of RCW 9.41.080 is guilty of a class C felony. In addition to any other penalty provided for by law, the dealer is subject to mandatory permanent revocation of his or her dealer's license and permanent ineligibility for a dealer's license.

(c) The license fee for pistols shall be one hundred twenty-five dollars. The license fee for firearms other than pistols shall be one hundred twenty-five dollars. The license fee for ammunition shall be one hundred twenty-five dollars. Any dealer who obtains any license under subsection (1), (2), or (3) of this section may also obtain the remaining licenses without payment of any fee. The fees received under this section shall be deposited in the state general fund.

(9)(a) A true record ~~((in triplicate))~~ shall be made of every pistol or semiautomatic assault rifle sold, in a book kept for the purpose, the form of which may be prescribed by the director of licensing and shall be personally signed by the purchaser and by the person effecting the sale, each in the presence of the other, and shall contain the date of sale, the caliber, make, model and

manufacturer's number of the weapon, the name, address, occupation, and place of birth of the purchaser, and a statement signed by the purchaser that he or she is not ineligible under state or federal law to possess a firearm. The dealer shall retain the transfer record for six years.

~~((One copy shall within six hours be sent by certified mail to the chief of police of the municipality or the sheriff of the county of which the purchaser is a resident, or the state pursuant to RCW 9.41.090; the duplicate the dealer shall within seven days send to the director of licensing; the triplicate the dealer shall retain for six years.))~~ The dealer shall transmit the information from the firearm transfer application through secure automated firearms e-check (SAFE) to the Washington state patrol firearms background check program. The Washington state patrol firearms background check program shall transmit the application information for pistol and semiautomatic assault rifle transfer applications to the director of licensing daily. The original application shall be retained by the dealer for six years.

(10) Subsections (2) through (9) of this section shall not apply to sales at wholesale.

(11) The dealer's licenses authorized to be issued by this section are general licenses covering all sales by the licensee within the effective period of the licenses. The department shall provide a single application form for dealer's licenses and a single license form which shall indicate the type or types of licenses granted.

(12) Except as otherwise provided in ~~((RCW 9.41.090))~~ this chapter, every city, town, and political subdivision of this state is prohibited from requiring the purchaser to secure a permit to purchase or from requiring the dealer to secure an individual permit for each sale.

Sec. 9. RCW 9.41.1135 and 2020 c 28 s 4 are each amended to read as follows:

(1) Beginning on the date that is thirty days after the Washington state patrol issues a notification to dealers that a state firearms background check system is established within the Washington state patrol under RCW 43.43.580, a dealer shall use the Washington state patrol firearms background check ~~((system))~~ program to conduct background checks for all firearms transfers. A dealer may not sell or transfer a firearm to an individual unless the dealer first contacts the Washington state patrol firearms background check program for a background check to determine the eligibility of the purchaser or transferee to possess a firearm under state and federal law and the requirements and time periods established in RCW 9.41.090 and 9.41.092 have been satisfied. ~~((When an applicant applies for the purchase or transfer of a pistol or semiautomatic assault rifle, a dealer shall comply with all requirements of this chapter that apply to the sale or transfer of a pistol or semiautomatic rifle. The purchase or transfer of a firearm that is not a pistol or semiautomatic assault rifle must be processed in the same manner and under the same requirements of this chapter that apply to the sale or transfer of a pistol, except that the provisions of RCW 9.41.129, and the requirement in RCW 9.41.110(9)(b) concerning transmitting application records to the director of licensing, shall not apply to these transactions.))~~

(2) A dealer shall charge a purchaser or transferee a background check fee in an amount determined by the Washington state patrol and remit the proceeds from the fee to the Washington state patrol on a monthly basis. The background check fee does not apply to any background check conducted in connection with a pawnbroker's receipt of a pawned firearm or the redemption of a pawned firearm.

(3) This section does not apply to sales or transfers to licensed dealers or to the sale or transfer of an antique firearm.

NEW SECTION. **Sec. 10.** 2019 c 244 s 1 is repealed.

NEW SECTION. **Sec. 11.** This act takes effect January 1, 2024.

NEW SECTION. **Sec. 12.** If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2023, in the omnibus appropriations act, this act is null and void."

On page 1, line 6 of the title, after "procedures;" strike the remainder of the title and insert "amending RCW 9.41.090, 9.41.047, 9.41.092, 9.41.094, 9.41.097, 9.41.0975, 9.41.110, and 9.41.1135; adding a new section to chapter 9.41 RCW; creating a new section; repealing 2019 c 244 s 1; and providing an effective date."

MOTION

Senator Wagoner moved that the following amendment no. 0356 by Senator Wagoner be adopted:

On page 7, line 4, after "training," strike "or"

On page 7, at the beginning of line 6, after "training" insert ", or a public middle school, junior high school, or high school as part of the general curriculum"

Senator Wagoner spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Dhingra spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0356 by Senator Wagoner on page 7, line 4 to the committee striking amendment.

The motion by Senator Wagoner did not carry and amendment no. 0356 was not adopted by voice vote.

MOTION

Senator Fortunato moved that the following amendment no. 0351 by Senator Fortunato be adopted:

On page 7, line 26, strike "or" and insert "(v) Licensed armed private investigator under chapter 18.165 RCW or licensed armed security guard under 18.170 RCW; or"

Senator Fortunato spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Dhingra spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0351 by Senator Fortunato on page 7, line 26 to the committee striking amendment.

The motion by Senator Fortunato did not carry and amendment no. 0351 was not adopted by a rising vote.

MOTION

Senator Fortunato moved that the following amendment no. 0357 by Senator Fortunato be adopted:

On page 7, line 26, strike "or", and insert "(v) Member of a gun club or shooting sport organization or association including but not limited to: The international defensive pistol association, the United States practical shooting association, the international practical shooting confederation, the black rifle league, hunter education, the cowboy single action shooting society, the scholastic action shooting society, the civilian marksmanship

program, the national rifle league, action shooting international, the scholastic shooting sports foundation, USA shooting, any Olympic match athlete, or any other shooting society or club that teaches and requires gun safety for membership; or"

Senator Fortunato spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Dhingra spoke against adoption of the amendment to the committee striking amendment.

POINT OF INQUIRY

Senator Fortunato: "Will Senator Dhingra yield to a question?"

President Heck: "Senator Dhingra, Do you yield?"

Senator Dhingra: "Yes."

Senator Fortunato: "Does this bill require a certification card of any sort, or certificate?"

Senator Dhingra: "Yes, it does require that the training be consistent with the training that is under the statute, and you have to make sure or prove that that is indeed compatible. Because we want to make sure that there is consistent training, that is correct."

Senator Fortunato: "But it does not require specifically the issuance of a certificate saying that they completed this course, is that correct? It says the course have to meet this requirement, but it doesn't require a certificate?"

President Heck: "Senator Fortunato, she answered the question. Whether it was to your satisfaction or not is a judgement for you to make but we're not going to get into a back and forth."

The President declared the question before the Senate to be the adoption of amendment no. 0357 by Senator Fortunato on page 7, line 26 to the committee striking amendment.

The motion by Senator Fortunato did not carry and amendment no. 0357 was not adopted by voice vote.

MOTION

Senator Padden moved that the following amendment no. 0334 by Senator Padden be adopted:

On page 7, after line 33, insert the following:

"(5) Notwithstanding subsections (1) and (2) of this section, certification of completion of a hunter education training program established under RCW 77.32.155 shall satisfy the firearms safety training program requirement of this section."

Senators Padden and Wilson, L. spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Dhingra spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0334 by Senator Padden on page 7, after line 33 to the committee striking amendment.

The motion by Senator Padden did not carry and amendment no. 0334 was not adopted by voice vote.

MOTION

Senator Wilson, L. moved that the following amendment no. 0336 by Senator Wilson, L. be adopted:

EIGHTY NINTH DAY, APRIL 7, 2023

On page 10, line 25, after "transferee" insert "who does not provide a valid concealed pistol license"

On page 11, after line 3, insert the following:

"(3) Except as otherwise provided in this chapter, a licensed dealer may not deliver any firearm to a purchaser or transferee who provides a valid concealed pistol license until the results of all required background checks are known and the purchaser or transferee (a) Is not prohibited from owning or possessing a firearm under federal or state law and (b) does not have a voluntary waiver of firearm rights currently in effect."

Senators Wilson, L. and Fortunato spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Dhingra spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0336 by Senator Wilson, L. on page 10, line 25 to the committee striking amendment.

The motion by Senator Wilson, L. did not carry and amendment no. 0336 was not adopted by voice vote.

MOTION

Senator Padden moved that the following amendment no. 0335 by Senator Padden be adopted:

On page 17, line 2, after "**Sec. 11.**" strike all material through "2024." and insert "(1) This act takes effect on the date that the federal court of appeals for the ninth circuit issues an opinion that interprets and applies the "historical tradition of firearm regulation" test, established by the United States Supreme Court in *N.Y. State Rifle & Pistol Ass'n v. Bruen*, 142 S. Ct. 2111 (2022), to a firearm law or regulation.

(2) The attorney general's office must provide written notice of the effective date of this act to affected parties, the chief clerk of the house of representatives, the secretary of the senate, the office of the code reviser, and others as deemed appropriate by the attorney general's office."

On page 17, line 11, after "providing" strike "an" and insert "a contingent"

Senator Padden spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Dhingra spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0335 by Senator Padden on page 17, line 2 to the committee striking amendment.

The motion by Senator Padden did not carry and amendment no. 0335 was not adopted by voice vote.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Law & Justice to Engrossed Second Substitute House Bill No. 1143.

The motion by Senator Dhingra carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Dhingra, the rules were suspended, Engrossed Second Substitute House Bill No. 1143 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Dhingra, Kuderer and Nobles spoke in favor of passage of the bill.

Senators Padden, Wilson, L., and Fortunato spoke against passage of the bill.

MOTION

On motion of Senator Wagoner, Senator MacEwen was excused.

Senator Muzzall spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute House Bill No. 1143 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute House Bill No. 1143 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 28; Nays, 18; Absent, 0; Excused, 3.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Liias, Lovelett, Lovick, Mullet, Nguyen, Nobles, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, McCune, Muzzall, Padden, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

Excused: Senators MacEwen, Rivers and Van De Wege

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1143, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1577, by House Committee on Local Government (originally sponsored by Schmick)

Concerning municipal officers' beneficial interest in contracts.

The measure was read the second time.

MOTION

On motion of Senator Torres, the rules were suspended, Substitute House Bill No. 1577 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Torres and Lovelett spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1577.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1577 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators MacEwen, Rivers and Van De Wege

SUBSTITUTE HOUSE BILL NO. 1577, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Hasegawa announced a meeting of the Democratic Caucus immediately upon adjournment.

Senator Warnick announced a meeting of the Republican Caucus following adjournment would not be held.

MOTION

At 4:56 p.m., on motion of Senator Pedersen, the Senate adjourned until 9 o'clock a.m. Saturday, April 8, 2023.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

NINETIETH DAY

MORNING SESSION

Senate Chamber, Olympia
Saturday, April 8, 2023

The Senate was called to order at 9 o'clock a.m. by the President of the Senate, Lt. Governor Heck presiding. The Secretary called the roll and announced to the President that all Senators were present with the exception of Senator Nobles.

The Sergeant at Arms Color Guard consisting of Interns Mr. Brennan Miller and Mr. John Weixel, presented the Colors. Mr. Christian Biances-Delrosario, Senate Intern, led the Senate in the Pledge of Allegiance.

The prayer was offered by Reverend Dr. Troy Lynn Carr, Pacific Northwest Conference of The United Methodist Church, Tacoma.

MOTION

On motion of Senator Pedersen, the reading of the Journal of the previous day was dispensed with and it was approved.

On motion of Senator Pedersen, the Senate advanced to the third order of business.

MESSAGE FROM THE GOVERNOR
GUBERNATORIAL APPOINTMENTS

April 3, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

COURTNEY L. WOOTEN, appointed April 3, 2023, for the term ending September 30, 2025, as Member of the Edmonds Community College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9344.

MOTIONS

On motion of Senator Pedersen, the appointee listed on the Gubernatorial Appointment report was referred to the committee as designated.

On motion of Senator Pedersen, the Senate advanced to the fourth order of business.

April 7, 2023

MR. PRESIDENT:
The Speaker has signed:

- HOUSE BILL NO. 1030,
- HOUSE BILL NO. 1031,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1073,
- SUBSTITUTE HOUSE BILL NO. 1255,
- SUBSTITUTE HOUSE BILL NO. 1275,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1311,
- SUBSTITUTE HOUSE BILL NO. 1323,
- HOUSE BILL NO. 1370,
- SUBSTITUTE HOUSE BILL NO. 1590,
- HOUSE BILL NO. 1707,
- HOUSE BILL NO. 1712,
- HOUSE BILL NO. 1730,

HOUSE BILL NO. 1792,
and the same are herewith transmitted.

BERNARD DEAN, Chief Clerk

April 7, 2023

MR. PRESIDENT:
The Speaker has signed:

- SENATE BILL NO. 5066,
- SENATE BILL NO. 5070,
- SENATE BILL NO. 5084,
- SENATE BILL NO. 5131,
- ENGROSSED SECOND SUBSTITUTE
- SENATE BILL NO. 5236,
- SUBSTITUTE SENATE BILL NO. 5238,
- SUBSTITUTE SENATE BILL NO. 5286,
- SENATE BILL NO. 5390,
- SUBSTITUTE SENATE BILL NO. 5453,
- SUBSTITUTE SENATE BILL NO. 5499,
- SECOND SUBSTITUTE SENATE BILL NO. 5518,
- SUBSTITUTE SENATE BILL NO. 5542,

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

April 7, 2023

MR. PRESIDENT:
The House has passed:

- ENGROSSED SENATE BILL NO. 5015,
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5082,
- SUBSTITUTE SENATE BILL NO. 5087,
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5217,
- SENATE BILL NO. 5228,
- SENATE BILL NO. 5242,
- SENATE BILL NO. 5331,
- SENATE BILL NO. 5347,
- SUBSTITUTE SENATE BILL NO. 5415,
- SENATE BILL NO. 5452,
- SENATE BILL NO. 5531,
- ENGROSSED SECOND SUBSTITUTE
- SENATE BILL NO. 5582,
- SENATE BILL NO. 5683,

and the same are herewith transmitted.

BERNARD DEAN, Chief Clerk

MOTION

On motion of Senator Pedersen, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SHB 1850 by House Committee on Appropriations
(originally sponsored by Macri, Schmick, Tharinger, Stokesbary, Ormsby, Bergquist, Schmidt, Chopp, Berg, Bronoske and Thai)

AN ACT Relating to the hospital safety net program; amending RCW 74.60.005, 74.60.010, 74.60.020, 74.60.030, 74.60.040, 74.60.050, 74.60.080, 74.60.090, 74.60.100, 74.60.110, 74.60.120, 74.60.130, 74.60.150, 74.60.160, 74.60.170, and 74.60.900; repealing RCW 74.60.901 and 74.60.903; and providing contingent effective dates.

Referred to Committee on Ways & Means.

MOTION

MOTIONS

On motion of Senator Pedersen, the measure listed on the Introduction and First Reading report was referred to the committee as designated.

At 9:06 a.m., on motion of Senator Pedersen, the Senate was declared to be at ease subject to the call of the President.

Senator Hasegawa announced a meeting of the Democratic Caucus.

Senator Warnick announced a meeting of the Republican Caucus.

The Senate was called to order at 11:07 a.m. by President Heck.

MOTION

On motion of Senator Pedersen, the Senate advanced to the seventh order of business.

THIRD READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Salomon moved that Jeffrey Breckel, Senate Gubernatorial Appointment No. 9137, be confirmed as Chair of the Salmon Recovery Funding Board.

Senator Salomon spoke in favor of the motion.

APPOINTMENT OF JEFFREY BRECKEL

MOTION

On motion of Senator Wilson, C., Senator Nobles was excused.

The President declared the question before the Senate to be the confirmation of Jeffrey Breckel, Senate Gubernatorial Appointment No. 9137, as Chair of the Salmon Recovery Funding Board.

The Secretary called the roll on the confirmation of Jeffrey Breckel, Senate Gubernatorial Appointment No. 9137, as Chair of the Salmon Recovery Funding Board and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Nobles

Jeffrey Breckel, Senate Gubernatorial Appointment No. 9137, having received the constitutional majority was declared confirmed as Chair of the Salmon Recovery Funding Board.

THIRD READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

Senator Saldaña moved that Michelle Gonzalez, Senate Gubernatorial Appointment No. 9247, be confirmed as a member of the Pollution Control/Shorelines Hearings Board.

Senator Saldaña spoke in favor of the motion.

APPOINTMENT OF MICHELLE GONZALEZ

The President declared the question before the Senate to be the confirmation of Michelle Gonzalez, Senate Gubernatorial Appointment No. 9247, as a member of the Pollution Control/Shorelines Hearings Board.

The Secretary called the roll on the confirmation of Michelle Gonzalez, Senate Gubernatorial Appointment No. 9247, as a member of the Pollution Control/Shorelines Hearings Board and the appointment was confirmed by the following vote: Yeas, 47; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senator Schoesler

Excused: Senator Nobles

Michelle Gonzalez, Senate Gubernatorial Appointment No. 9247, having received the constitutional majority was declared confirmed as a member of the Pollution Control/Shorelines Hearings Board.

THIRD READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Randall moved that Jan Yoshiwara, Senate Gubernatorial Appointment No. 9143, be confirmed as a member of the Workforce Education Investment Accountability and Oversight Board.

Senators Randall and Holy spoke in favor of passage of the motion.

APPOINTMENT OF JAN YOSHIWARA

The President declared the question before the Senate to be the confirmation of Jan Yoshiwara, Senate Gubernatorial Appointment No. 9143, as a member of the Workforce Education Investment Accountability and Oversight Board.

The Secretary called the roll on the confirmation of Jan Yoshiwara, Senate Gubernatorial Appointment No. 9143, as a member of the Workforce Education Investment Accountability and Oversight Board and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres,

NINETIETH DAY, APRIL 8, 2023

Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Nobles

Jan Yoshiwara, Senate Gubernatorial Appointment No. 9143, having received the constitutional majority was declared confirmed as a member of the Workforce Education Investment Accountability and Oversight Board.

MOTION

On motion of Senator Pedersen, the Senate advanced to the sixth order of business.

SECOND READING

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1170, by House Committee on Appropriations (originally sponsored by Street, Couture, Berry, Ramel, Fitzgibbon, Lekanoff, Duerr, Thai and Pollet)

Improving climate resilience through updates to the state's integrated climate response strategy.

The measure was read the second time.

MOTION

Senator Short moved that the following amendment no. 0325 by Senator Short be adopted:

On page 7, after line 25, insert the following:

"NEW SECTION. Sec. 8. A new section is added to chapter 70A.05 RCW to read as follows:

Nothing in this chapter creates any new or additional regulatory authority for any state agency."

Senators Short and Nguyen spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0325 by Senator Short on page 7, after line 25 to Engrossed Second Substitute House Bill No. 1170.

The motion by Senator Short carried and amendment no. 0325 was adopted by voice vote.

MOTION

On motion of Senator Nguyen, the rules were suspended, Engrossed Second Substitute House Bill No. 1170 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Nguyen and MacEwen spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute House Bill No. 1170 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute House Bill No. 1170 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 34; Nays, 14; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Cleveland, Conway, Dhingra, Frame, Gildon, Hasegawa, Hawkins, Hunt, Kauffman, Keiser, Kuderer, Lias, Lovelett, Lovick, MacEwen, Mullet, Muzzall, Nguyen, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Braun, Dozier, Fortunato, Holy, King, McCune, Padden, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

Excused: Senator Nobles

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1170, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1085, by House Committee on Environment & Energy (originally sponsored by Mena, Bateman, Reed, Fitzgibbon, Ramel, Peterson, Pollet, Berry, Walen, Doglio, Macri, Simmons, Thai, Cortes, Kloba and Ormsby)

Reducing plastic pollution.

The measure was read the second time.

MOTION

On motion of Senator Nguyen, the rules were suspended, Substitute House Bill No. 1085 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Nguyen spoke in favor of passage of the bill.

Senator MacEwen spoke on passage of the bill.

Senator Wagoner spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1085.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1085 and the bill passed the Senate by the following vote: Yeas, 37; Nays, 11; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Frame, Gildon, Hasegawa, Hawkins, Hunt, Kauffman, Keiser, Kuderer, Lias, Lovelett, Lovick, Mullet, Muzzall, Nguyen, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Stanford, Torres, Trudeau, Valdez, Van De Wege, Warnick, Wellman, Wilson, C. and Wilson, J.

Voting nay: Senators Boehnke, Dozier, Fortunato, Holy, King, MacEwen, McCune, Padden, Short, Wagoner and Wilson, L.

Excused: Senator Nobles

SUBSTITUTE HOUSE BILL NO. 1085, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1460, by House Committee on Capital Budget (originally sponsored by Hackney, Waters, Simmons, Kloba, Pollet, Davis and Macri)

Concerning the department of natural resources land transactions, revenue distributions, and creation and management of a trust land transfer program.

The measure was read the second time.

MOTION

Senator Rolfes moved that the following committee striking amendment by the Committee on Ways & Means be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) The legislature finds that some state lands and state forestlands have a low potential for natural resource management or low income-generating potential or are inefficient for the department of natural resources to manage due to geographic location or other factors.

(2) The legislature further finds that some of these lands have high ecological values and public benefits and should be maintained in public ownership as a park, open space, nature preserve, or similar designation to benefit the people of Washington.

(3) The legislature further finds that the department of natural resources needs an effective program to transfer these lands out of trust status to the natural areas program, other public agencies, or tribes, and simultaneously acquire legislative funding to acquire productive replacement lands to improve the revenue-generating performance of the state lands and state forestlands it manages.

(4) The legislature further finds that the trust land transfer program should be established within the department of natural resources with adequate funds to cover the department's expenses for administering the program and completing trust land transfers.

(5) The legislature further finds that there exists an interest by the public and trust beneficiaries that the program be well-documented and transparent, that each potential transfer be examined by the department of natural resources to ensure it is in the best interests of the trust beneficiaries, that an external advisory committee place proposed transfers into a prioritized order using standardized criteria, that the board of natural resources approve submission of the list to the legislature, and that parcels be transferred in order of priority.

NEW SECTION. Sec. 2. (1) The department is authorized to create and manage a trust land transfer program. Real property available for the trust land transfer program is economically under-performing state land and state forestland with high ecological or public benefit and deemed appropriate for state parks, fish and wildlife habitats, natural area preserves, natural resources conservation areas, community forests, recreation, or other public purposes.

(2) Underperforming state land and state forestland is land that the department determines has limited potential to generate income in the reasonably foreseeable future due to physical, legal, or access constraints. The department may use the real property transfer authorities under this chapter and chapter 79.22 RCW, as appropriate, to complete transfers under the trust land transfer program.

(3) The department shall use legislative appropriations for approved trust land transfers to acquire replacement real property that will provide long-term, sustainable revenue to the trust beneficiaries or is otherwise desirable to be added to the affected

trust and to pay for the department's administrative expenses to complete the transfer, including the cost of department staff time, appraisals, surveys, environmental reviews, and other similar costs of the program.

(4) Transfers funded by legislative appropriation must be at fair market value, including the value of land, timber, other valuable materials, and improvements owned by the state. The legislative appropriation must be deposited in the natural resources real property replacement account created in RCW 79.17.210 and the parkland trust revolving fund established in RCW 43.30.385, as appropriate.

(5) The department shall prioritize the acquisition of working farms and forests when acquiring replacement real property for state lands transferred under this program when it can be demonstrated that the trust fiduciary obligations can be better fulfilled with these lands. The department shall endeavor to acquire replacement real property as quickly as practicable.

(6) The department shall only submit real properties for trust land transfers to the board or legislature through the process created in section 3 of this act if at least 50 percent of all previous appropriations provided after the effective date of this section for purchase of replacement lands for the trust land transfer program have been utilized to purchase replacement trust lands. The list of properties submitted to the board or legislature for possible trust land transfers through the process created in section 3 of this act may not exceed \$30,000,000 in total property value for each year the list is submitted.

NEW SECTION. Sec. 3. The department shall administer the trust land transfer program as follows:

(1) Any citizen, state and federal agencies, counties, cities, towns, tribes, nonprofit organizations, special purpose districts, public development authorities, and other political subdivisions of the state, may nominate a parcel of state land or state forestland for the trust land transfer program. The nomination must be made to the department on forms provided by the department and accompanied by the fee provided under RCW 79.02.250.

(2) The department shall perform an initial review to determine whether the transfer of a nominated parcel is in the best interest of the trust for which the land is held and whether a public agency, as defined in RCW 79.17.200, is willing to take ownership of the parcel and is capable of managing the land for the public benefit. The department may require prenomination review of parcels over 4,500 acres or parcels over an estimated appraised market value of \$15,000,000, including the value of the land, valuable materials, and improvements, if any.

(3) If the department determines through its initial review that transfer would be in the best interest of the trust for which the land is held and a public agency is willing and able to take ownership and manage the land, the department shall consult with potentially affected tribes, consistent with the department's consultation policy to identify and address cultural resource issues.

(4) Following the department's initial review and tribal consultation, the department may submit parcels to an advisory committee that shall evaluate and prioritize nominated parcels according to criteria approved by the board, including social, ecological, economic, and other values. The advisory committee may include representatives of trust beneficiaries, public agencies, tribes, overburdened communities, and vulnerable populations as defined in chapter 70A.02 RCW, and other stakeholders as determined by the department.

(5) The department, with approval of the board, shall determine the final, prioritized list of trust land transfer parcels to submit to the legislature for funding. If a legislative appropriation includes the full fair market value for the trust land transfer

NINETIETH DAY, APRIL 8, 2023

parcel, and the board determines that the transfer is in the best interest of the trust for which the land is held, the department shall complete the transfer.

Sec. 4. RCW 79.17.020 and 2013 2nd sp.s. c 19 s 7035 are each amended to read as follows:

(1) The board of county commissioners of any county and/or the mayor and city council or city commission of any city or town and/or the board shall have authority to exchange, each with the other, or with the federal forest service, the federal government or any proper agency thereof and/or with any private landowner, county land of any character, land owned by municipalities of any character, and state forestland owned by the state under the jurisdiction of the department, for real property of equal value for the purpose of consolidating and blocking up the respective landholdings of any county, municipality, the federal government, or the state of Washington or for the purpose of obtaining lands having commercial recreational leasing potential. The board shall also have the authority to exchange state forestland for the purpose of obtaining land with greater natural resource or income-producing potential, when in the best interest of the state or affected trust. State forestland exchanged under this section may not be used to reduce the publicly owned forestland base.

~~(2)((a) During the biennium ending June 30, 2013, for the purposes of maintaining working farm and forest landscapes or acquiring natural resource lands at risk of development, the department, with approval of the board of natural resources, may exchange any state land and any timber thereon for any land and proceeds of equal value, when it can be demonstrated that the trust fiduciary obligations can be better fulfilled after an exchange is completed. Proceeds may be in the form of cash or services in order to achieve the purposes established in this section. Any cash received as part of an exchange transaction shall be deposited in the forest development account to pay for administrative expenses incurred in carrying out an exchange transaction. These administrative expenses include road maintenance and abandonment expenses. The amount of proceeds received from the exchange partner may not exceed five percent of the total value of the exchange. The receipt of proceeds shall not change the character of the transaction from an exchange to a sale.~~

~~(b) During the biennium ending June 30, 2015, for the purposes of maintaining working farm and forest landscapes or acquiring natural resource lands at risk of development, the department, with approval of the board of natural resources, may exchange any state land and any timber thereon for any land and proceeds of equal value, when it can be demonstrated that the trust fiduciary obligations can be better fulfilled after an exchange is completed. Proceeds may be in the form of cash or services in order to achieve the purposes established in this section. Any cash received as part of an exchange transaction shall be deposited in the forest development account to pay for administrative expenses incurred in carrying out an exchange transaction. These administrative expenses include road maintenance and abandonment expenses. The amount of proceeds received from the exchange partner may not exceed five percent of the total value of the exchange. The receipt of proceeds shall not change the character of the transaction from an exchange to a sale.~~

~~(3))~~ Prior to executing an exchange under this section, and in addition to the public notice requirements set forth in RCW 79.17.050, the department shall consult with legislative members, other state and federal agencies, local governments, tribes, local stakeholders, conservation groups, and any other interested parties to identify and address cultural resource issues, and the

potential of the state lands proposed for exchange to be used for open space, park, school, or critical habitat purposes.

Sec. 5. RCW 79.17.210 and 2018 c 298 s 7005 are each amended to read as follows:

(1) The legislature finds that the department has a need to maintain the real property asset base it manages and needs an accounting mechanism to complete transactions without reducing the real property asset base.

(2) The natural resources real property replacement account is created in the state treasury. This account shall consist of funds, including the value of land, timber, other valuable materials, and improvements owned by the state, transferred or paid for the disposal or transfer of real property by the department under RCW 79.17.200 and the transfer of state lands or state forestlands into community forest trust lands under RCW 79.155.040. The funds in this account shall be used solely for the acquisition of replacement real property and may be spent only when, and as, authorized by legislative appropriation. ~~((During the 2013 2015 fiscal biennium, funds in the account may also be appropriated for the land purchase in section 3245, chapter 19, Laws of 2013 2nd sp. sess. under the provisions of section 3245, chapter 19, Laws of 2013 2nd sp. sess. and chapter 11, Laws of 2013 2nd sp. sess. During the 2017 2019 fiscal biennium, moneys in the account may also be appropriated for developing and constructing the pipeline in section 3061, chapter 298, Laws of 2018 under the provisions of section 7004, chapter 298, Laws of 2018.))~~

Sec. 6. RCW 79.22.060 and 2012 c 166 s 7 are each amended to read as follows:

(1) With the approval of the board, the department may directly transfer or dispose of state forestlands without public auction, if the ~~((lands))~~ transfers are:

- ~~(a) ((Consist of ten contiguous acres or less;~~
- ~~(b) Have a value of twenty five thousand dollars or less; or~~
- ~~(c) Are located in a county with a population of twenty five thousand or less and are encumbered with timber harvest deferrals, associated with wildlife species listed under the federal endangered species act, greater than thirty years in length.~~

~~(2) Disposal under this section may only occur in the following circumstances:~~

- ~~(a) Transfers in lieu of condemnation;~~
- ~~(b) Transfers to resolve trespass and property ownership disputes; or~~
- ~~(c) In counties with a population of twenty five thousand or less, transfers to public agencies.~~

~~(3))~~ In lieu of condemnation or to resolve trespass and property ownership disputes and the lands consist of 10 contiguous acres or less or have a value of \$25,000 or less; or

(b) To public agencies as defined in RCW 79.17.200.

~~(2) Real property to be transferred or disposed of under this section shall be transferred or disposed of only after appraisal and for at least fair market value, and only if the transaction is in the best interest of the state or affected trust. Valuable materials attached to lands ((transferred to public agencies under subsection (2)(c) of this section)) to be transferred under subsection (1)(b) of this section must be appraised at the fair market value without consideration of management or regulatory encumbrances associated with wildlife species listed under the federal endangered species act, if any.~~

~~((4))~~ (3)(a) Except as provided in ((b) of) this subsection, the proceeds from real property transferred or disposed of under this section shall be deposited into the parkland trust revolving fund and be solely used to buy replacement ((land within the same county as the property transferred or disposed)) forestland for the benefit of the county from which the property was

transferred or disposed and pay for the department's administrative expenses to complete the transfer, including the cost of department staff time, appraisals, surveys, environmental reviews, and other similar costs of the transfer. The legislative authority of the county from which the real property was transferred or disposed under subsection (1)(b) of this section may request in writing that the department distribute a percentage of the proceeds associated with valuable materials. Upon such a request, and subject to prior approval by the board, the department shall distribute the requested percentage of proceeds associated with valuable materials as provided in RCW 79.64.110.

(b) The proceeds from real property transferred or disposed of under ~~((subsections (1)(c) and (2)(c) of))~~ this section for the purpose of participating in the state forestland pool created under RCW 79.22.140 must be deposited into the parkland trust revolving fund and used to buy replacement forestland for the benefit of that county, as provided in RCW 79.64.110 and located within any county participating in the land pool or under a county agreement as provided in RCW 79.22.140.

(c) Except as otherwise provided in this subsection, in counties with a population of ~~((twenty five thousand))~~ 25,000 or less, the portion of the proceeds associated with valuable materials on state forestland transferred under ~~((subsections (1)(c) and (2)(c) of))~~ this section must be distributed as provided in RCW 79.64.110. If requested in writing by the legislative authority of a county participating in the state forestland pool created under RCW 79.22.140, the portion of the proceeds associated with valuable materials on state forestland transferred under ~~((subsections (1)(c) and (2)(c) of))~~ this section must be deposited in the parkland trust revolving fund and used to buy replacement forestland for the benefit of that county, as provided in RCW 79.64.110, and located within any county participating in the land pool or under a county agreement as provided in RCW 79.22.140.

Sec. 7. RCW 43.30.385 and 2014 c 32 s 2 are each amended to read as follows:

(1) The parkland trust revolving fund is to be utilized by the department for the purpose of acquiring real property, including all reasonable costs associated with these acquisitions, as a replacement for the property transferred to the state parks and recreation commission, as directed by the legislature in order to maintain the land base of the affected trusts or under RCW 79.22.060 and to receive voluntary contributions for the purpose of operating and maintaining public use and recreation facilities, including trails, managed by the department.

(2)(a) Proceeds from transfers of real property to the state parks and recreation commission or other proceeds identified from transfers of real property as directed by the legislature shall be deposited in the parkland trust revolving fund.

(b) ~~((Except as otherwise provided in this subsection, the))~~ Subject to RCW 79.22.060(3), proceeds from real property transferred or disposed under RCW 79.22.060 must be used solely to purchase replacement forestland, that must be actively managed as a working forest, ~~((within the same county as the property))~~ for the benefit of the county from which the property was transferred or disposed. ~~((If the real property was transferred under RCW 79.22.060 (1)(c) and (2)(c) from within a county participating in the state forestland pool created under RCW 79.22.140, replacement forestland may be located within any county participating in the land pool.))~~

(c) Disbursement from the parkland trust revolving fund to acquire replacement property and for operating and maintaining public use and recreation facilities shall be on the authorization of the department.

(d) The proceeds from the recreation access pass account created in RCW 79A.80.090 must be solely used for the purpose of operating and maintaining public use and recreation facilities, including trails, managed by the department.

(3) In order to maintain an effective expenditure and revenue control, the parkland trust revolving fund is subject in all respects to chapter 43.88 RCW, but no appropriation is required to permit expenditures and payment of obligations from the fund.

(4) The department is authorized to solicit and receive voluntary contributions for the purpose of operating and maintaining public use and recreation facilities, including trails, managed by the department. The department may seek voluntary contributions from individuals and organizations for this purpose. Voluntary contributions will be deposited into the parkland trust revolving fund and used solely for the purpose of public use and recreation facilities operations and maintenance. Voluntary contributions are not considered a fee for use of these facilities.

Sec. 8. RCW 79.64.110 and 2021 c 334 s 995 and 2021 c 145 s 3 are each reenacted and amended to read as follows:

(1) Any moneys derived from the lease of state forestlands or from the sale of valuable materials, oils, gases, coal, minerals, or fossils from those lands, except as provided in RCW 79.64.130, or the appraised value of these resources when transferred to a public agency under RCW 79.22.060, ~~((except as provided in RCW 79.22.060(4),))~~ must be distributed as follows:

(a) For state forestlands acquired through RCW 79.22.040 or by exchange or as replacement for lands acquired through RCW 79.22.040:

(i) The expense incurred by the state for administration, reforestation, and protection, not to exceed ~~((twenty five))~~ 25 percent, which rate of percentage shall be determined by the board, must be returned to the forest development account created in RCW 79.64.100. During the 2017-2019, 2019-2021, and 2021-2023 fiscal biennia, the board may increase the ~~((twenty five))~~ 25 percent limitation up to ~~((twenty seven))~~ 27 percent.

(ii) Any balance remaining must be paid to the county in which the land is located or, ~~((for))~~ if the land acquired under RCW 79.22.040 was exchanged, transferred, or disposed, payment must be made to the county from which the land was exchanged, transferred, or disposed. For counties participating in a land pool created under RCW 79.22.140, to each participating county proportionate to its contribution of asset value to the land pool as determined by the board. Payments made under this subsection are to be paid, distributed, and prorated ~~((, except as otherwise provided in this section,))~~ to the various funds in the same manner as general taxes are paid and distributed during the year of payment. However, ~~((in order to test county flexibility in distributing state forestland revenue,))~~ a county may in its discretion pay, distribute, and prorate payments made under this subsection of moneys derived from state forestlands acquired by exchange ~~((between July 28, 2019, and June 30, 2020))~~ or as replacement lands, for lands acquired through RCW 79.22.040, ~~((within the same county,))~~ in the same manner as general taxes are paid and distributed during the year of payment for the former state forestlands that were subject to the exchange.

(iii) Any balance remaining, paid to a county with a population of less than ~~((sixteen thousand))~~ 16,000, must first be applied to the reduction of any indebtedness existing in the current expense fund of the county during the year of payment.

(iv) With regard to moneys remaining under this subsection (1)(a), within seven working days of receipt of these moneys, the department shall certify to the state treasurer the amounts to be distributed to the counties. The state treasurer shall distribute

NINETIETH DAY, APRIL 8, 2023

funds to the counties four times per month, with no more than ~~((ten))~~ 10 days between each payment date.

(b) For state forestlands acquired through RCW 79.22.010 or by exchange or as replacement lands for lands acquired through RCW 79.22.010, except as provided in RCW 79.64.120:

(i) Fifty percent shall be placed in the forest development account.

(ii) Fifty percent shall be prorated and distributed to the state general fund, to be dedicated for the benefit of the public schools, to the county in which the land is located or, for counties participating in a land pool created under RCW 79.22.140, to each participating county proportionate to its contribution of asset value to the land pool as determined by the board, and according to the relative proportions of tax levies of all taxing districts in the county. The portion to be distributed to the state general fund shall be based on the regular school levy rate under RCW 84.52.065 (1) and (2) and the levy rate for any school district enrichment levies. With regard to the portion to be distributed to the counties, the department shall certify to the state treasurer the amounts to be distributed within seven working days of receipt of the money. The state treasurer shall distribute funds to the counties four times per month, with no more than ~~((ten))~~ 10 days between each payment date. The money distributed to the county must be paid, distributed, and prorated to the various other funds in the same manner as general taxes are paid and distributed during the year of payment.

(2) A school district may transfer amounts deposited in its debt service fund pursuant to this section into its capital projects fund as authorized in RCW 28A.320.330.

Sec. 9. RCW 79.19.020 and 2003 c 334 s 526 are each amended to read as follows:

The department, with the approval of the board, may purchase property at fair market value to be held in a land bank, which is hereby created within the department. Property so purchased shall be property which would be desirable for addition to the public lands of the state because of the potential for natural resource or income production of the property. ~~((The total acreage held in the land bank shall not exceed one thousand five hundred acres.))~~

Sec. 10. RCW 79.19.030 and 2004 c 199 s 215 are each amended to read as follows:

The department, with the approval of the board, may:

(1) Exchange property held in the land bank for any other lands of equal value administered by the department, including ~~((any))~~ state lands (held in trust) and state forestlands;

(2) Exchange property held in the land bank for property of equal or greater value which is owned publicly or privately, and which has greater potential for natural resource or income production or which could be more efficiently managed by the department, however, no power of eminent domain is hereby granted to the department; ~~((and))~~

(3) ~~((Sell property held in the land bank in the manner provided by law for the sale of state lands))~~ Except as provided in subsection (4) of this section, sell property that has been exchanged into and is held in the land bank as provided under RCW 79.11.340 without any requirement of platting and ((to)) use the proceeds to acquire property for the land bank which has greater potential for natural resource or income production or which would be more efficiently managed by the department; and

(4) If a department lessee owns and resides in a house located on land that has been exchanged into and is held in the land bank, sell the land directly to the lessee for the appraised fair market value of the land and use the proceeds of the sale as provided in subsection (3) of this section. If the lessee does not purchase the

land for the appraised fair market value, the department shall sell the land as provided under subsection (3) of this section.

Sec. 11. RCW 79.11.340 and 2003 c 334 s 399 are each amended to read as follows:

(1) Except as provided in RCW 79.10.030(2), the department shall manage and control all lands acquired by the state by escheat, deed of sale, gift, devise, or under RCW 79.19.010 through 79.19.110, except such lands that are conveyed or devised to the state for a particular purpose.

(2) ~~((When))~~ Except as provided in RCW 79.19.030(4), when the department determines to sell the lands, they ((shall)) may initially be offered for sale either at public auction or direct ((sale)) transfer to public agencies as provided in this chapter.

(3) ~~((If the lands are not sold at public auction, the))~~ The department may, with approval of the board, market the lands through persons licensed under chapter 18.85 RCW or through other commercially feasible means at a price not lower than the land's appraised value.

(4) Necessary marketing costs may be paid from the sale proceeds. For the purpose of this subsection, necessary marketing costs include reasonable costs associated with advertising the property and paying commissions.

(5) Proceeds of the sale shall be deposited into the appropriate fund in the state treasury unless the grantor in any deed or the testator in case of a devise specifies that the proceeds of the sale be devoted to a particular purpose.

Sec. 12. RCW 79.22.140 and 2012 c 166 s 3 are each amended to read as follows:

(1) The board may create a state forestland pool, to be managed in accordance with this section, if the board determines that creation of a land pool is in the best interest of the state or affected trust, based on an analysis prepared by the department under RCW 79.22.150. ~~((The land pool may not contain more than ten thousand acres of state forestland at any one time.))~~

(2) A county is eligible to participate in a land pool if the board determines it((:

(a) ~~Has a population of twenty five thousand or less; and~~

(b) ~~Has))~~ has existing state forestlands encumbered with timber harvest deferrals, associated with wildlife species listed under the federal endangered species act, more than ((thirty)) 30 years in length.

(3) All lands in the land pool are state forestlands and must be managed in the same manner and with the same responsibilities as other state forestlands. Proceeds from the state forestland pool must, except as provided in RCW 79.64.110, be distributed under RCW 79.22.010 and 79.22.040.

(4)(a) A county may participate in the land pool only if it is eligible, as determined under subsection (2) of this section, and the board receives a written request to do so by the legislative authority of that county.

(b) The board shall end any further participation of a county in the land pool if it receives a written request to do so by the legislative authority of that county. If the board receives such a request, that county's interest in the land pool as a beneficiary remains, but no new contributions of asset value may be made to the land pool on behalf of the county and no new lands may be purchased in that county for the land pool.

(5)(a) If a land pool is created by the board, the department and the participating counties must develop a funding strategy for acquiring land to include in the land pool.

(b) The department and participating counties may pursue funding for the transfer of state forestland encumbered by long-term wildlife-related harvest deferrals within the participating counties into status as a natural area preserve under chapter 79.70 RCW or a natural resources conservation area

under chapter 79.71 RCW, and use the value of the transferred land to acquire working forestlands to include in the land pool.

(c) The department and participating counties may pursue other land acquisition funding strategies.

(6) The department may acquire replacement state forestland located outside of counties participating in a state forestland pool when the department has transferred some or all of the encumbered state forestlands of the counties to natural area status under chapter 79.70 or 79.71 RCW.

(a) Counties participating in a state forestland pool that desire to have the department acquire replacement lands in a designated county not included in the state forestland pool shall provide the department an agreement entered with the designated county that meets the following requirements:

(i) The designated county shall not object to forest practices undertaken on the replacement state forestland in conformity with all applicable laws and rules;

(ii) The counties participating in the state forestland pool acknowledge that they shall pass through the payment in lieu of taxes to which they are entitled, under RCW 79.70.130 or 79.71.130, to the designated county in which replacement lands are purchased, on an acre for acre basis;

(iii) If the designated county desires to terminate the agreement, the designated county shall be required to pay the department the fair market value of the replacement forestlands, including the value of valuable materials attached to the lands, at the time of termination based on an appraisal accepted by the department and approved by the board; and

(iv) The board of county commissioners for the designated county and each county participating in the state forestland pool approves the agreement in the manner provided by RCW 42.30.060.

(b) When the department receives an agreement meeting the requirements of (a) of this subsection, the department shall make reasonable efforts to acquire working forestlands within the designated county to include in the state forestland pool.

(c) The counties participating in the state forestland pool shall pass through the payment in lieu of taxes to which they are entitled under RCW 79.70.130 or 79.71.130, based on the encumbered state forestlands within their counties transferred to natural area status, to the designated county in which the replacement state forestlands are located, on an acre for acre basis.

(d) Whenever the board of county commissioners of the county in which the replacement state forestlands are located determines to terminate the agreement described in (a) of this subsection, the board of county commissioners shall notify the department and the counties participating in the state forestland pool. The department shall transfer the replacement state forestlands to the county upon receipt of the fair market value of the lands, including the value of valuable materials attached to the lands, as determined by appraisal and approved by the board. The proceeds shall be placed in the parkland trust revolving fund and be solely used by the department to buy replacement land within the counties participating in the subject state forestland pool or another county with which the participating counties have entered an agreement under (a) of this subsection.

(e) The authority provided by this subsection to acquire replacement state forestlands located outside of the counties participating in a state forestland pool does not preclude the department from acquiring replacement lands within the counties participating in the state forestland pool as necessary to fully replace the encumbered state forestlands transferred under RCW 79.22.060(1)(b).

Sec. 13. RCW 79.19.050 and 2003 c 334 s 529 are each amended to read as follows:

~~((The legislature may authorize appropriation of funds from the forest development account or the resource management cost account for the purposes of this chapter.))~~ Income from the sale ~~((or management))~~ of property in the land bank shall be ~~((returned as a recovered expense to the forest development account or the resource management cost account))~~ deposited in the land bank account created in section 14 of this act and may be used to acquire property under RCW 79.19.020.

NEW SECTION. Sec. 14. A new section is added to chapter 79.19 RCW to read as follows:

The land bank account is created in the state treasury. To this account shall be deposited such funds as the legislature directs or appropriates. Expenditures from this account may be used only to acquire property under RCW 79.19.020. Expenditures from this account may be made only after appropriation.

NEW SECTION. Sec. 15. Sections 2 and 3 of this act are each added to chapter 79.17 RCW and codified with the subchapter heading "part 4, trust land transfer program."

On page 1, line 2 of the title, after "management;" strike the remainder of the title and insert "amending RCW 79.17.020, 79.17.210, 79.22.060, 43.30.385, 79.19.020, 79.19.030, 79.11.340, 79.22.140, and 79.19.050; reenacting and amending RCW 79.64.110; adding a new section to chapter 79.19 RCW; adding new sections to chapter 79.17 RCW; and creating a new section."

MOTION

Senator Kauffman moved that the following amendment no. 0352 by Senator Kauffman be adopted:

On page 1, line 14, after "or" insert "federally recognized Indian"

On page 3, line 8, after "towns," insert "federally recognized Indian"

On page 3, line 27, after "affected" insert "federally recognized Indian"

On page 3, line 34, after "agencies," insert "federally recognized Indian"

On page 5, line 22, after "governments," insert "federally recognized Indian"

Senators Kauffman, Salomon and Muzzall spoke in favor of adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0352 by Senator Kauffman on page 1, line 14 to the committee striking amendment.

The motion by Senator Kauffman carried and amendment no. 0352 was adopted by voice vote.

MOTION

Senator Rolfes moved that the following amendment no. 0350 by Senator Rolfes be adopted:

On page 2, line 10, after "legal," strike "or access" and insert "access, or other"

Senators Rolfes, Muzzall and Salomon spoke in favor of adoption of the amendment to the committee striking amendment.

NINETIETH DAY, APRIL 8, 2023

The President declared the question before the Senate to be the adoption of amendment no. 0350 by Senator Rolfes on page 2, line 10 to the committee striking amendment.

The motion by Senator Rolfes carried and amendment no. 0350 was adopted by voice vote.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Ways & Means as amended to Substitute House Bill No. 1460.

The motion by Senator Rolfes carried and the committee striking amendment as amended was adopted by voice vote.

MOTION

On motion of Senator Salomon, the rules were suspended, Substitute House Bill No. 1460 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Salomon, Short, Muzzall and Rolfes spoke in favor of passage of the bill.

Senator Wagoner spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1460 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1460 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 40; Nays, 8; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, Mullet, Muzzall, Nguyen, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Warnick, Wellman, Wilson, C. and Wilson, L.

Voting nay: Senators Boehnke, Dozier, Fortunato, MacEwen, McCune, Schoesler, Wagoner and Wilson, J.

Excused: Senator Nobles

SUBSTITUTE HOUSE BILL NO. 1460, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SECOND SUBSTITUTE HOUSE BILL NO. 1032, by House Committee on Appropriations (originally sponsored by Dent, Chapman, Ryu, Reed, Graham, Ramel, Pollet, Griffey, Reeves, Tharinger, Wylie, Springer, Kloba and Donaghy)

Mitigating the risk of wildfires through electric utility planning and identification of best management practices appropriate to each electric utility's circumstances.

The measure was read the second time.

MOTION

On motion of Senator MacEwen, the rules were suspended, Second Substitute House Bill No. 1032 was advanced to third

reading, the second reading considered the third and the bill was placed on final passage.

Senators MacEwen and Nguyen spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute House Bill No. 1032.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute House Bill No. 1032 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Nobles

SECOND SUBSTITUTE HOUSE BILL NO. 1032, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1216, by House Committee on Appropriations (originally sponsored by Fitzgibbon, Doglio, Berry, Reed, Simmons, Macri, Fosse and Pollet)

Concerning clean energy siting.

The measure was read the second time.

MOTION

Senator Nguyen moved that the following committee striking amendment by the Committee on Ways & Means be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** STATEMENT OF LEGISLATIVE INTENT. (1) The legislature finds that efficient and effective siting and permitting of new clean energy projects throughout Washington is necessary to: Fight climate change and achieve the state's greenhouse gas emission limits; improve air quality; grow family-wage clean energy jobs and innovative clean energy businesses that provide economic benefits across the state; and make available secure domestic sources of the clean energy products needed to transition off fossil fuels.

(2) The legislature intends to: Enable more efficient and effective siting and permitting of clean energy projects with policies and investments that protect the environment, overburdened communities, and tribal rights, interests, and resources, including cultural resources; bring benefits to the communities that host clean energy projects; and facilitate the rapid transition to clean energy that is required to avoid the worst impacts of climate change on Washington's people and places. There is no single solution for improved siting and permitting processes. Rather, a variety of efforts and investments will help

bring together state, local, tribal, and federal governments, communities, workers, clean energy project developers, and others to succeed in this essential task. The legislature intends to make biennial appropriations to support tribal review of clean energy project proposals, permit applications, and environmental reviews, as well as tribal participation in up-front planning for clean energy projects, such as nonproject environmental impact statements for clean energy projects as described in this act.

(3) Efficient and effective siting and permitting will benefit from early and meaningful community and tribal engagement, and from up-front planning including identification of areas of higher and lower levels of impact, and nonproject environmental review that identifies measures to avoid, minimize, and mitigate project impacts.

(4) Incorporating the principles and strategies identified in subsections (1), (2), and (3) of this section, the legislature intends to invest in, facilitate, and require better coordinated, faster environmental review and permitting decisions by state and local governments.

(5) Therefore, it is the intent of the legislature to support efficient, effective siting and permitting of clean energy projects through a variety of interventions, including:

(a) Establishing an interagency clean energy siting coordinating council to improve siting and permitting of clean energy projects;

(b) Creating a designation for clean energy projects of statewide significance;

(c) Creating a fully coordinated permit process for clean energy projects;

(d) Improving processes for review of clean energy projects under the state environmental policy act;

(e) Requiring preparation of separate nonproject environmental impact statements for green electrolytic and renewable hydrogen projects and colocated battery energy storage facilities, onshore utility-scale wind energy projects and colocated battery energy storage facilities, and for solar energy projects and colocated battery energy storage facilities, with the goal of preparing these nonproject reviews by June 30, 2025; and

(f) Requiring the Washington State University energy program to complete by June 30, 2025, a siting information process for pumped storage projects in Washington.

PART 1

INTERAGENCY CLEAN ENERGY SITING COORDINATING COUNCIL

NEW SECTION. Sec. 101. INTERAGENCY CLEAN ENERGY SITING COORDINATING COUNCIL. (1) The interagency clean energy siting coordinating council is created. The coordinating council is cochaired by the department of commerce and the department of ecology with participation from the following:

- (a) The office of the governor;
- (b) The energy facility site evaluation council;
- (c) The department of fish and wildlife;
- (d) The department of agriculture;
- (e) The governor's office of Indian affairs;
- (f) The department of archaeology and historic preservation;
- (g) The department of natural resources;
- (h) The department of transportation;
- (i) The utilities and transportation commission;
- (j) The governor's office for regulatory innovation and assistance;

(k) Staff from the environmental justice council; and

(l) Other state and federal agencies invited by the department of commerce and the department of ecology with key roles in siting clean energy to participate on an ongoing or ad hoc basis.

(2) The department of commerce and department of ecology shall assign staff in each agency to lead the coordinating council's work and provide ongoing updates to the governor and appropriate committees of the legislature, including those with jurisdiction over the environment, energy, or economic development policy.

(3) For purposes of this section and section 102 of this act, "coordinating council" means the interagency clean energy siting coordinating council created in this section.

NEW SECTION. Sec. 102. INTERAGENCY CLEAN ENERGY SITING COORDINATING COUNCIL DUTIES.

(1) The responsibilities of the coordinating council include, but are not limited to:

(a) Identifying actions to improve siting and permitting of clean energy projects as defined in section 201 of this act, including through review of the recommendations of the department of ecology and department of commerce's 2022 *Low Carbon Energy Facility Siting Improvement Report*, creating implementation plans and timelines, and making recommendations for needed funding or policy changes;

(b) Tracking federal government efforts to improve clean energy project siting and permitting, including potential federal funding sources, and identifying state agency actions to improve coordination across state, local, and federal processes or to pursue supportive funding;

(c) Conducting outreach to parties with interests in clean energy siting and permitting for ongoing input on how to improve state agency processes and actions;

(d) Establishing work groups as needed to focus on specific energy types such as solar, wind, battery storage, or emerging technologies, or specific geographies for clean energy project siting;

(e) The creation of advisory committees deemed necessary to inform the development of items identified in (a) through (d) of this subsection;

(f) Supporting the governor's office of Indian affairs in creating and updating annually, or when requested by a federally recognized Indian tribe, a list of contacts at federally recognized Indian tribes, applicable tribal laws on consultation from federally recognized Indian tribes, and tribal preferences regarding outreach about clean energy project siting and permitting, such as outreach by developers directly, by state government in the government-to-government relationship, or both;

(g) Supporting the department of archaeology and historic preservation, the governor's office of Indian affairs, the department of commerce, and the energy facility site evaluation council in developing and providing to clean energy project developers a training on consultation and engagement processes for federally recognized Indian tribes. The governor's office of Indian affairs must collaborate with federally recognized Indian tribes in the development of the training;

(h) Supporting the department of archaeology and historic preservation in updating the statewide predictive archaeological model to provide clean energy project developers information about where archaeological resources are likely to be found and the potential need for archaeological investigations; and

(i) Supporting and promptly providing information to the department of ecology in support of the nonproject reviews required under section 303 of this act.

(2) The coordinating council shall provide an annual report beginning October 1, 2024, to the governor and the appropriate committees of the legislature summarizing: Progress on efficient, effective, and responsible siting and permitting of clean energy projects; areas of additional work, including where clean energy

NINETIETH DAY, APRIL 8, 2023

project siting and permitting outcomes are not broadly recognized as efficient, effective, or responsible; resource needs; recommendations for future nonproject environmental impact statements for categories of clean energy projects; and any needed policy changes to help achieve the deployment of clean energy necessary to meet the state's statutory greenhouse gas emissions limits, chapter 70A.45 RCW, and the clean energy transformation act requirements, chapter 19.405 RCW, and to support achieving the state energy strategy adopted by the department of commerce.

(3) The coordinating council shall:

(a) Advise the department of commerce in:

(i) Contracting with an external, independent third party to:

(A) Carry out an evaluation of state agency siting and permitting processes for clean energy projects and related federal and state regulatory requirements, including the energy facility site evaluation council permitting process authorized in chapter 80.50 RCW;

(B) Identify successful models used in other states for the siting and permitting of projects similar to clean energy projects, including local and state government programs to prepare build ready clean energy sites; and

(C) Develop recommendations for improving these processes, including potential policy changes and funding, with the goal of more efficient, effective siting of clean energy projects; and

(ii) Reporting on the evaluation and recommendations in (a)(i) of this subsection to the governor and the legislature by July 1, 2024;

(b) Pursue development of a consolidated clean energy application similar to the joint aquatic resources permit application for, at a minimum, state permits needed for clean energy projects. The department of ecology shall lead this effort and engage with federal agencies and local governments to explore inclusion of federal and local permit applications as part of the consolidated application. The department may design a single consolidated application for multiple clean energy project types, may design separate applications for individual clean energy technologies, or may design an application for related resources. The department of ecology shall provide an update on its development of consolidated permit applications for clean energy projects to the governor and legislature by December 31, 2024. The consolidated permit application process must be available, but not required, for clean energy projects;

(c) Explore development of a consolidated permit for clean energy projects. The department of ecology shall lead this effort and, in consultation with federally recognized Indian tribes, explore options including a clean energy project permit that consolidates department of ecology permits only, or that consolidates permits from multiple state and local agencies. The permit structure must identify criteria or conditions that must be met for projects to use the consolidated permit. The department of ecology may analyze criteria or conditions as part of a nonproject review under chapter 43.21C RCW. The department of ecology shall update the legislature on its evaluation of consolidated permit options and make recommendations by October 1, 2024;

(d) Determine priorities for categories of clean energy projects to be the focus of new nonproject environmental impact statements under chapter 43.21C RCW for the legislature to fund subsequent to the nonproject environmental impact statements specified in section 302 of this act; and

(e) Consider and provide recommendations to the legislature on additional benefits that could be provided to projects designated as clean energy projects of statewide significance under section 203 of this act.

CLEAN ENERGY PROJECTS OF STATEWIDE SIGNIFICANCE AND CLEAN ENERGY COORDINATED PERMITTING PROCESS

NEW SECTION. **Sec. 201.** DEFINITIONS. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Alternative energy resource" has the same meaning as defined in RCW 80.50.020.

(2) "Alternative jet fuel" means a fuel that can be blended and used with conventional petroleum jet fuels without the need to modify aircraft engines and existing fuel distribution infrastructure and that meets the greenhouse gas emissions reduction requirements that apply to biomass-derived fuels as defined in RCW 70A.65.010. "Alternative jet fuel" includes jet fuels derived from coprocessed feedstocks at a conventional petroleum refinery.

(3) "Applicant" means a person applying to the department of commerce for designation of a development project as a clean energy project of statewide significance under this chapter.

(4)(a) "Associated facilities" means storage, transmission, handling, or other related and supporting facilities connecting a clean energy project with the existing energy supply, processing, or distribution system including, but not limited to, battery energy storage communications, controls, mobilizing or maintenance equipment, instrumentation, and other types of ancillary storage and transmission equipment, off-line storage or venting required for efficient operation or safety of the transmission system and overhead, and surface or subsurface lines of physical access for the inspection, maintenance, and safe operations of the transmission facility and new transmission lines constructed to operate at nominal voltages of at least 115,000 volts to connect a clean energy project to the northwest power grid.

(b) Common carrier railroads or motor vehicles are not associated facilities.

(5) "Clean energy product manufacturing facility" means a facility or a project at any facility that exclusively or primarily manufactures the following products or components primarily used by such products:

(a) Vehicles, vessels, and other modes of transportation that emit no exhaust gas from the onboard source of power, other than water vapor;

(b) Charging and fueling infrastructure for electric, hydrogen, or other types of vehicles that emit no exhaust gas from the onboard source of power, other than water vapor;

(c) Renewable or green electrolytic hydrogen, including preparing renewable or green electrolytic hydrogen for distribution as an energy carrier or manufacturing feedstock, or converting it to a green hydrogen carrier;

(d) Equipment and products used to produce energy from alternative energy resources;

(e) Equipment and products used to produce nonemitting electric generation as defined in RCW 19.405.020;

(f) Equipment and products used at storage facilities;

(g) Equipment and products used to improve energy efficiency;

(h) Semiconductors or semiconductor materials as defined in RCW 82.04.2404; and

(i) Projects or facility upgrades undertaken by emissions-intensive, trade-exposed industries as classified in RCW 70A.65.110 for which the facility can demonstrate expected reductions in overall facility greenhouse gas emissions faster than the rate of decline of free allowances allocated to emissions-intensive, trade-exposed industries under chapter 70A.65 RCW and assist in meeting compliance obligations under chapter 70A.65 RCW.

(6) "Clean energy project" means the following facilities together with their associated facilities:

- (a) Clean energy product manufacturing facilities;
- (b) Electrical transmission facilities;
- (c) Facilities to produce nonemitting electric generation or electric generation from renewable resources, as defined in RCW 19.405.020, except for:

(i) Hydroelectric generation that includes new diversions, new impoundments, new bypass reaches, or the expansion of existing reservoirs constructed after May 7, 2019, unless the diversions, bypass reaches, or reservoir expansions are necessary for the operation of a pumped storage facility that: (A) Does not conflict with existing state or federal fish recovery plans; and (B) complies with all local, state, and federal laws and regulations; and

(ii) Hydroelectric generation associated with facilities or persons that have been the subject of an enforcement action, penalty order, or settled any enforcement action or penalty order with any agreement to pay a penalty or pay for or conduct mitigation under chapter 90.48 or 77.55 RCW during the preceding 15 years that resulted in the payment of a penalty of at least \$100,000 or conducting mitigation with a value of at least \$100,000;

(d) Storage facilities;

(e) Facilities or projects at any facilities that exclusively or primarily process biogenic feedstocks into biofuel as defined in RCW 80.50.020;

(f) Biomass energy facilities as defined in RCW 19.405.020; or

(g) Facilities or projects at any facilities that exclusively or primarily process alternative jet fuel.

(7) "Electrical transmission facilities" has the same meaning as defined in RCW 80.50.020, except excluding electrical transmission facilities that primarily or solely serve facilities that generate electricity from fossil fuels.

(8) "Fully coordinated permit process" means a comprehensive coordinated permitting assistance approach supported by a written agreement between the project proponent, the department of ecology, and the participating agencies.

(9) "Fully coordinated project" means a clean energy project subject to the fully coordinated permit process.

(10) "Green electrolytic hydrogen" has the same meaning as defined in RCW 80.50.020.

(11) "Green hydrogen carrier" has the same meaning as defined in RCW 80.50.020.

(12) "Overburdened community" has the same meaning as defined in RCW 70A.02.010.

(13) "Permit" means any permit, license, certificate, use authorization, or other form of governmental review or approval required in order to construct, expand, or operate a project in the state of Washington.

(14) "Permit agency" means any state or local agency authorized by law to issue permits.

(15) "Project proponent" means a person, business, or any entity applying for or seeking a permit or permits in the state of Washington.

(16) "Reasonable costs" means direct and indirect expenses incurred by the department of ecology, participating agencies, or local governments in carrying out the coordinated permit process established in this chapter, including the initial assessment, environmental review, and permitting. "Reasonable costs" includes work done by agency or local government staff or consultants hired by agencies or local governments to carry out the work plan. "Reasonable costs" may also include other costs agreed to between the applicant and the department of ecology, participating agencies, or local governments.

(17) "Renewable hydrogen" has the same meaning as defined in RCW 80.50.020.

(18) "Renewable natural gas" has the same meaning as defined in RCW 80.50.020.

(19) "Renewable resource" has the same meaning as defined in RCW 80.50.020.

(20) "Storage facility" has the same meaning as defined in RCW 80.50.020.

NEW SECTION. Sec. 202. CLEAN ENERGY PROJECTS OF STATEWIDE SIGNIFICANCE—APPLICATION PROCESS. (1) The department of commerce shall develop an application for the designation of clean energy projects as clean energy projects of statewide significance.

(2) An application to the department of commerce by an applicant under this section must include:

(a) Information regarding the location of the project;

(b) Information sufficient to demonstrate that the project qualifies as a clean energy project;

(c) An explanation of how the project is expected to contribute to the state's achievement of the greenhouse gas emission limits in chapter 70A.45 RCW and is consistent with the state energy strategy adopted by the department of commerce, as well as any contribution that the project is expected to make to other state regulatory requirements for clean energy and greenhouse gas emissions, including the requirements of chapter 19.405, 70A.30, 70A.60, 70A.65, 70A.535, or 70A.540 RCW;

(d) An explanation of how the project is expected to contribute to the state's economic development goals, including information regarding the applicant's average employment in the state for the prior year, estimated new employment related to the project, estimated wages of employees related to the project, and estimated time schedules for completion and operation;

(e) A plan for engagement and information sharing with potentially affected federally recognized Indian tribes;

(f) A description of potential community benefits and impacts from the project, a plan for community engagement in the project development, and an explanation of how the applicant might use a community benefit agreement or other legal document that stipulates the benefits that the developer agrees to fund or furnish, in exchange for community support of a project; and

(g) Other information required by the department of commerce.

NEW SECTION. Sec. 203. CLEAN ENERGY PROJECTS OF STATEWIDE SIGNIFICANCE—DEPARTMENT OF COMMERCE DECISION. (1)(a) The department of commerce, in consultation with natural resources agencies and other state agencies identified as likely to have a role in siting or permitting a project, must review applications received under section 202 of this act. Within 14 business days of receiving the application, the department of commerce must mail or provide in person a written determination that the application is complete, or if the application is incomplete, an opportunity to meet with the department of commerce to determine what is necessary to make the application complete. Within seven business days after an applicant has submitted additional information identified by the department of commerce as being necessary for a complete application, the department of commerce must notify the applicant whether the application is complete or what additional information is necessary.

(b) When the application is complete, the director of the department of commerce must determine within 60 business days whether to designate an applicant's project as a clean energy project of statewide significance.

(c) A determination of completeness does not preclude the department of commerce from requesting additional information

NINETIETH DAY, APRIL 8, 2023

if new information is required or substantial changes in the proposed project occur.

(2) The department of commerce may designate a clean energy project of statewide significance taking into consideration:

- (a) Whether the project qualifies as a clean energy project;
- (b) Whether the project will: Contribute to achieving state emission reduction limits under chapter 70A.45 RCW; be consistent with the state energy strategy adopted by the department of commerce; contribute to achieving other state requirements for clean energy and greenhouse gas emissions reductions; and support the state's economic development goals;
- (c) Whether the level of applicant need for coordinated state assistance, including for siting and permitting and the complexity of the project, warrants the designation of a project;
- (d) Whether the project is proposed for an area or for a clean energy technology that has been reviewed through a nonproject environmental review process, or least-conflict siting process including, but not limited to, the processes identified in sections 303 and 306 of this act, and whether the project is consistent with the recommendations of such processes;

(e) Whether the project is anticipated to have potential near-term or long-term significant positive or adverse impacts on environmental and public health, including impacts to:

- (i) State or federal endangered species act listed species in Washington;
 - (ii) Overburdened communities; and
 - (iii) Rights, interests, and resources, including tribal cultural resources, of potentially affected federally recognized Indian tribes; and
- (f) Input received from potentially affected federally recognized Indian tribes, which the department must solicit and acknowledge the receipt of.

(3) In determining whether to approve an application, the department of commerce must consider information contained in an application under section 202 of this act demonstrating an applicant's tribal outreach and engagement, engagement with the department of archaeology and historic preservation, and engagement with the governor's office of Indian affairs.

(4)(a) The department of commerce may designate an unlimited number of projects of statewide significance that meet the criteria of this section.

(b) An applicant whose application to the department of commerce under this chapter is not successful is eligible to reapply.

NEW SECTION. Sec. 204. CLEAN ENERGY COORDINATED PERMITTING PROCESS—DEPARTMENT OF ECOLOGY DUTIES. An optional, fully coordinated permit process is established for clean energy projects that do not apply to the energy facility site evaluation council under chapter 80.50 RCW. In support of the coordinated permitting process for clean energy projects, the department of ecology must:

(1) Act as the central point of contact for the project proponent for the coordinated permitting process for projects that do not apply to the energy facility site evaluation council under chapter 80.50 RCW and communicate with the project proponent about defined issues;

(2) Conduct an initial assessment of the proposed project review and permitting actions for coordination purposes as provided in section 205 of this act;

(3) Ensure that the project proponent has been informed of all the information needed to apply for the state and local permits that are included in the coordinated permitting process;

(4) Facilitate communication between project proponents and agency staff to promote timely permit decisions and promote adherence to agreed schedules;

(5) Verify completion among participating agencies of administrative review and permit procedures, such as providing public notice;

(6) Assist in resolving any conflict or inconsistency among permit requirements and conditions;

(7) Consult with potentially affected federally recognized Indian tribes as provided in section 209 of this act in support of the coordinated permitting process;

(8) Engage with potentially affected overburdened communities as provided in section 209 of this act;

(9) Manage a fully coordinated permitting process; and

(10) Coordinate with local jurisdictions to assist with fulfilling the requirements of chapter 36.70B RCW and other local permitting processes.

NEW SECTION. Sec. 205. CLEAN ENERGY COORDINATED PERMITTING PROCESS INITIAL ASSESSMENT. (1) Upon the request of a proponent of a clean energy project, the department of ecology must conduct an initial assessment to determine the level of coordination needed, taking into consideration the complexity of the project and the experience of those expected to be involved in the project application and review process.

(2) The initial project assessment must consider the complexity, size, and need for assistance of the project and must address as appropriate:

- (a) The expected type of environmental review;
- (b) The state and local permits or approvals that are anticipated to be required for the project;
- (c) The permit application forms and other application requirements of the participating permit agencies;
- (d) The anticipated information needs and issues of concern of each participating agency; and

(e) The anticipated time required for the environmental review process under chapter 43.21C RCW and permit decisions by each participating agency, including the estimated time required to determine if the permit applications are complete, to conduct the environmental review under chapter 43.21C RCW, and conduct permitting processes for each participating agency. In determining the estimated time required, full consideration must be given to achieving the greatest possible efficiencies through any concurrent studies and any consolidated applications, hearings, and comment periods.

(3) The outcome of the initial assessment must be documented in writing, furnished to the project proponent, and be made available to the public.

(4) The initial assessment must be completed within 60 days of the clean energy project proponent's request to the department under this section, unless information on the project is not complete.

NEW SECTION. Sec. 206. CLEAN ENERGY COORDINATED PERMITTING PROCESS REQUIREMENTS AND PROCEDURES. (1) A project proponent may submit a written request to the department of ecology pursuant to section 208 of this act and a local government development agreement to support local government actions pursuant to section 207 of this act for participation in a fully coordinated permitting process. To be eligible to participate in the fully coordinated permit process:

- (a) The project proponent must:
 - (i) Enter into a cost-reimbursement agreement pursuant to section 208 of this act;
 - (ii) Provide sufficient information on the project and project site to identify probable significant adverse environmental impacts;
 - (iii) Provide information on any voluntary mitigation measures; and

(iv) Provide information on engagement actions taken by the proponent with federally recognized Indian tribes, local government, and overburdened communities; and

(b) The department of ecology must determine that the project raises complex coordination, permit processing, or substantive permit review issues.

(2) A project proponent who requests designation as a fully coordinated project must provide the department of ecology with a complete description of the project. The department of ecology may request any information from the project proponent that is necessary to make the designation under this section and may convene a meeting of the likely participating permit agencies.

(3) For a fully coordinated permitting process, the department of ecology must serve as the main point of contact for the project proponent and participating agencies with regard to coordinating the permitting process for the project as a whole. Each participating permit agency must designate a single point of contact for coordinating with the department of ecology. The department of ecology must keep a schedule identifying required procedural steps in the permitting process and highlighting substantive issues as appropriate that must be resolved in order for the project to move forward. In carrying out these responsibilities, the department of ecology must:

(a) Conduct the duties for the coordinated permitting process as described in section 205 of this act;

(b)(i) Reach out to tribal or federal jurisdictions responsible for issuing a permit for the project and invite them to participate in the coordinated permitting process or to receive periodic updates of the project;

(ii) Reach out to local jurisdictions responsible for issuing a permit for the project and inform them of their obligations under section 207 of this act.

(4) Within 30 days, or longer with agreement of the project proponent, of the date that the department of ecology determines a project is eligible for the fully coordinated permitting process, the department of ecology shall convene a work plan meeting with the project proponent, local government, and the participating permit agencies to develop a coordinated permitting process schedule. The work plan meeting agenda may include any of the following:

(a) Review of the permits that are anticipated for the project;

(b) A review of the permit application forms and other application requirements of the agencies that are participating in the coordinated permitting process;

(c) An estimation of the timelines that will be used by each participating permit agency to make permit decisions, including the estimated time periods required to determine if the permit applications are complete and to review or respond to each application or submittal of new information. In the development of this timeline, full attention must be given to achieving the maximum efficiencies possible through concurrent studies and consolidated applications, hearings, and comment periods; or

(d) An estimation of reasonable costs for the department of ecology, participating agencies, and the county, city, or town in which the project is proposed for environmental review and permitting, based on known information about the project.

(5) Each participating agency and the lead agency under chapter 43.21C RCW must send at least one representative qualified to discuss the applicability and timelines associated with all permits administered by that agency or jurisdiction to the work plan meeting. The department of ecology must notify any relevant federal agency or potentially affected federally recognized Indian tribe of the date of the meeting and invite them to participate in the process.

(6) Any accelerated time period for the consideration of a permit application or for the completion of the environmental review process under chapter 43.21C RCW must be consistent with any statute, rule, or regulation, or adopted state policy, standard, or guideline that requires the participation of other agencies, federally recognized Indian tribes, or interested persons in the application process.

(7) Upon the completion of the work plan meeting under subsection (4) of this section, the department of ecology must finalize the coordinated permitting process schedule, share it in writing with the project proponent, participating state agencies, lead agencies under chapter 43.21C RCW, and cities and counties subject to an agreement specified in section 207 of this act, and make the schedule available to the public.

(8) As part of the coordinated permit process, the developer may prepare a community benefit agreement or other similar document to identify how to mitigate potential community impacts or impacts to tribal rights and resources, including cultural resources. The agreement should include benefits in addition to jobs or tax revenues resulting from the project. Approval of any benefit agreement or other legal document stipulating the benefits that the developer agrees to fund or furnish, in exchange for community or tribal government support of the project, must be made by the local government legislative authority of the county, city, or town in which the project is proposed or by the relevant federally recognized Indian tribal government.

(9) If a lead agency under chapter 43.21C RCW, a permit agency, or the project proponent foresees, at any time, that it will be unable to meet the estimated timelines or other obligations under the schedule agreement, it must notify the department of ecology of the reasons for the delay and offer potential solutions or an amended timeline. The department of ecology must notify the participating agencies and the project proponent and, upon agreement of all parties, adjust the schedule or, if necessary, schedule another work plan meeting.

(10) The project proponent may withdraw from the coordinated permitting process by submitting to the department of ecology a written request that the process be terminated. Upon receipt of the request, the department of ecology must notify each participating agency that a coordinated permitting process is no longer applicable to the project.

(11)(a) Permitting decisions made by state and local jurisdictions under the fully coordinated permitting process in this chapter are considered final, subject to any appeals process available to applicants or other parties. Applicants utilizing the fully coordinated permitting process in this chapter are not eligible for permitting under chapter 80.50 RCW unless a substantial change is made to the proposed project.

(b) Prior to considering an application under chapter 80.50 RCW from a project applicant that has previously used the fully coordinated permitting process under this chapter for the project, the energy facility site evaluation council must determine that the project applicant has made a substantial change to the project, relative to the project as it was proposed under the fully coordinated permitting process.

NEW SECTION. Sec. 207. CLEAN ENERGY COORDINATED PERMITTING PROCESS—LOCAL JURISDICTION AGREEMENTS. (1)(a) Counties and cities with clean energy projects that are determined to be eligible for the fully coordinated permit process shall enter into an agreement with the department of ecology or with the project proponents of clean energy projects for expediting the completion of projects.

(b) For the purposes of this section, "expedite" means that a county or city will develop and implement a method to accelerate

NINETIETH DAY, APRIL 8, 2023

the process for permitting and environmental review. Expediting should not disrupt or otherwise delay the permitting and environmental review of other projects or require the county or city to incur additional costs that are not compensated.

(2) Agreements required by this section must include requirements that the county or city coordinate with the department of ecology and conduct environmental review and permitting to align with the work plan described in section 206(4) of this act and:

(a) Expedite permit processing for the design and construction of the project;

(b) Expedite environmental review processing;

(c) Expedite processing of requests for street, right-of-way, or easement vacations necessary for the construction of the project;

(d) Develop and follow a plan for consultation with potentially affected federally recognized Indian tribes; and

(e) Carry out such other actions identified by the department of ecology as needed for the fully coordinated permitting process.

NEW SECTION. Sec. 208. CLEAN ENERGY COORDINATED PERMITTING

PROCESS—COST-REIMBURSEMENT AGREEMENTS. (1) For a fully coordinated permitting process, a project proponent must enter into a cost-reimbursement agreement with the department of ecology in accordance with RCW 43.21A.690. The cost-reimbursement agreement is to recover reasonable costs incurred by the department of ecology and participating agencies in carrying out the coordinated permitting process.

(2) The cost-reimbursement agreement may include deliverables and schedules for invoicing and reimbursement.

(3) For a fully coordinated permitting process, a project proponent must enter into a development agreement with the county, city, or town in which the project is proposed, in accordance with the authorization and requirements in RCW 36.70B.170 through 36.70B.210. The development agreement must detail the obligations of the local jurisdiction and the project applicant. It must also include, but not be limited to, the process the county, city, or town will implement for meeting its obligation to expedite the application, other clarifications for project phasing, and an estimate of reasonable costs.

(4) For a fully coordinated permitting process, a project proponent may enter directly into a cost-reimbursement agreement similar to that described in subsection (1) of this section, to reimburse the costs of a federally recognized Indian tribe for reviewing and providing input on the siting and permitting of a clean energy project.

(5) If a project proponent foresees, at any time, that it will be unable to meet its obligations under the agreement, it must notify the department of ecology and state the reasons, along with proposals for resolution.

NEW SECTION. Sec. 209. CLEAN ENERGY COORDINATED PERMITTING PROCESS—TRIBAL

CONSULTATION AND OVERBURDENED COMMUNITY ENGAGEMENT. (1)(a) The department of ecology must offer early, meaningful, and individual consultation with any affected federally recognized Indian tribe on designated clean energy projects participating in the coordinated permitting process for the purpose of understanding potential impacts to tribal rights, interests, and resources, including tribal cultural resources, archaeological sites, sacred sites, fisheries, or other rights and interests in tribal lands and lands within which an Indian tribe or tribes possess rights reserved or protected by federal treaty, statute, or executive order. The consultation is independent of, and in addition to, any public participation process required by state law, or by a state agency. The goal of the consultation process is to support the coordinated permitting process by early

identification of tribal rights, interests, and resources, including tribal cultural resources, potentially affected by the project, and identifying solutions, when possible, to avoid, minimize, or mitigate any adverse effects on tribal rights, interests, or resources, including tribal cultural resources, based on environmental or permit reviews.

(b) At the earliest possible date after the initiation of the coordinated permitting process under this chapter, the department of ecology shall engage in a preapplication process with all affected federally recognized Indian tribes potentially impacted by the project.

(i) The department of ecology must notify the department of archaeology and historic preservation, the department of fish and wildlife, and all affected federally recognized Indian tribes potentially impacted by the project. The notification must include geographical location, detailed scope of the proposed project, preliminary proposed project details available to federal, state, or local governmental jurisdictions, and all publicly available materials.

(ii) The department of ecology must also offer to discuss the project with the department of archaeology and historic preservation, the department of fish and wildlife, and all affected federally recognized Indian tribes potentially impacted by the project. Any resultant discussions must include the project's impact to tribal rights, interests, and resources, including tribal cultural resources, archaeological sites, sacred sites, fisheries, or other rights and interests in tribal lands and lands within which a tribe or tribes possess rights reserved or protected by federal treaty, statute, or executive order.

(iii) All affected federally recognized Indian tribes may submit to the department of ecology a summary of tribal issues, questions, concerns, or other statements regarding the project, which must become part of the official files maintained by the department of ecology for the coordinated permitting process. The summary does not limit what issues affected federally recognized Indian tribes may raise in the consultation process.

(iv) The notification and offer to initiate discussion must be documented by the department of ecology and delivered to the department of archaeology and historic preservation, the department of fish and wildlife, and to the affected federally recognized Indian tribe or tribes. If the discussions pursuant to (b)(ii) of this subsection do not occur, the department of ecology must document the reason why the discussion or discussions did not occur.

(v) Nothing in this section may be interpreted to require the disclosure of information that is exempt from disclosure pursuant to RCW 42.56.300 or federal law, including section 304 of the national historic preservation act of 1966. Any information that is exempt from disclosure pursuant to RCW 42.56.300 or federal law, including section 304 of the national historic preservation act of 1966, shall not become part of publicly available coordinated permitting process files.

(2) The department of ecology must identify overburdened communities, as defined in RCW 70A.02.010, which may be potentially affected by clean energy projects participating in the coordinated permitting process. The department of ecology must verify these communities have been meaningfully engaged in the regulatory processes in a timely manner by participating agencies and their comments considered for determining potential impacts.

NEW SECTION. Sec. 210. MISCELLANEOUS. (1) Nothing in this chapter:

(a) Prohibits an applicant, a project proponent, a state agency, a local government, or a federally recognized Indian tribe from entering into a nondisclosure agreement to protect confidential

business information, trade secrets, financial information, or other proprietary information;

(b) Limits or affects other statutory provisions specific to any state agency related to that agency's procedures and protocols related to the identification, designation, or disclosure of information identified as confidential business information, trade secrets, financial information, or other proprietary information;

(c) Limits or affects the provisions of chapter 42.56 RCW as they apply to information or nondisclosure agreements obtained by a state agency under this chapter; or

(d) Relieves the responsible official under chapter 43.21C RCW for an action of the official's responsibilities under that chapter.

(2) The decisions by the department of commerce to designate a clean energy project of statewide significance must be made available to the public. Regardless of any exemptions otherwise set forth in RCW 42.56.270, publicly shared information must include the designee's name, a brief description of the project, the intended project location, a description of climate and economic development benefits to the state and communities therein, a tribal engagement plan, a community engagement plan, and a community benefit agreement if applicable.

(3) The department of commerce may terminate a designation of a clean energy project of statewide significance for reasons that include, but are not limited to, failure to comply with requirements of the designation or the emergence of new information that significantly alters the department of commerce's assessment of the applicant's application, project, or project proponent. The department of commerce must notify the applicant, project proponent, and the department of ecology of the termination in writing within 30 days.

(4) Nothing in this chapter affects the jurisdiction of the energy facility site evaluation council under chapter 80.50 RCW.

(5) This chapter does not limit or abridge the powers and duties granted to a participating permit agency under the law or laws that authorizes or requires the agency to issue a permit for a project. Each participating permit agency retains its authority to make all decisions on all substantive matters with regard to the respective component permit that is within its scope of its responsibility including, but not limited to, the determination of permit application completeness, permit approval or approval with conditions, or permit denial.

NEW SECTION. Sec. 211. A new section is added to chapter 80.50 RCW to read as follows:

Applicants utilizing the fully coordinated permitting process under chapter 43.--- RCW (the new chapter created in section 402 of this act) are not eligible for permitting under this chapter unless a substantial change is made to the proposed project. Prior to considering an application under this chapter from a project applicant that has previously used the fully coordinated permitting process under chapter 43.--- RCW (the new chapter created in section 402 of this act) for that project, the council must determine that the project applicant has made a substantial change to the project, relative to the project as it was proposed under the fully coordinated permitting process.

Sec. 212. RCW 80.50.140 and 1988 c 202 s 62 are each amended to read as follows:

(1)(a) The following decisions are subject to judicial review pursuant to the provisions of chapter 34.05 RCW and this section:

(i) A final decision pursuant to RCW 80.50.100 on an application for certification ~~((shall be subject to judicial review pursuant to provisions of chapter 34.05 RCW and this section))~~; or

(ii) A land use decision as defined in RCW 36.70C.020, a final decision on a permit or other similar approval required under

chapter 90.58 RCW, or any decision that would otherwise have been subject to the jurisdiction of the pollution control hearings board under RCW 43.21B.110, and which is necessary for a clean energy project as defined in section 201 of this act.

(b) Petitions for review of such a decision shall be filed in the Thurston county superior court. All petitions for review of a decision under RCW 80.50.100 or decision relating to any permit as set forth in this subsection for a clean energy project as defined in section 201 of this act shall be consolidated into a single proceeding before the Thurston county superior court. The Thurston county superior court shall certify the petition for review to the supreme court upon the following conditions:

~~((a))~~ (i) Review can be made on the administrative record;

~~((b))~~ (ii) Fundamental and urgent interests affecting the public interest and development of energy facilities are involved which require a prompt determination;

~~((c))~~ (iii) Review by the supreme court would likely be sought regardless of the determination of the Thurston county superior court; and

~~((d))~~ (iv) The record is complete for review.

The Thurston county superior court shall assign a petition for review of a decision under RCW 80.50.100 or a decision relating to any permit as set forth in this subsection (1) for a clean energy project as defined in section 201 of this act for hearing at the earliest possible date and shall expedite such petition in every way possible. If the court finds that review cannot be limited to the administrative record as set forth in ~~((subparagraph (a)))~~ (b)(i) of this subsection because there are alleged irregularities in the procedure before the council or other permitting authority not found in the record, but finds that the standards set forth in ~~((subparagraphs))~~ (b)(- (c), and (d)) (ii), (iii), and (iv) of this subsection are met, the court shall proceed to take testimony and determine such factual issues raised by the alleged irregularities and certify the petition and its determination of such factual issues to the supreme court. Upon certification, the supreme court shall assign the petition for hearing at the earliest possible date, and it shall expedite its review and decision in every way possible.

(2) Objections raised by any party in interest concerning procedural error by the council shall be filed with the council within ~~((sixty))~~ 60 days of the commission of such error, or within ~~((thirty))~~ 30 days of the first public hearing or meeting of the council at which the general subject matter to which the error is related is discussed, whichever comes later, or such objection shall be deemed waived for purposes of judicial review as provided in this section.

(3) The rules and regulations adopted by the council shall be subject to judicial review pursuant to the provisions of chapter 34.05 RCW.

Sec. 213. RCW 36.70C.030 and 2010 1st sp.s. c 7 s 38 are each amended to read as follows:

(1) This chapter replaces the writ of certiorari for appeal of land use decisions and shall be the exclusive means of judicial review of land use decisions, except that this chapter does not apply to:

(a) Judicial review of:

(i) Land use decisions made by bodies that are not part of a local jurisdiction;

(ii) Land use decisions of a local jurisdiction that are subject to review by a quasi-judicial body created by state law, such as the shorelines hearings board or the growth management hearings board;

(b) Judicial review of applications for a writ of mandamus or prohibition; ~~((c))~~

NINETIETH DAY, APRIL 8, 2023

(c) Claims provided by any law for monetary damages or compensation. If one or more claims for damages or compensation are set forth in the same complaint with a land use petition brought under this chapter, the claims are not subject to the procedures and standards, including deadlines, provided in this chapter for review of the petition. The judge who hears the land use petition may, if appropriate, preside at a trial for damages or compensation; or

(d) A land use decision relating to a clean energy project as defined in section 201 of this act and subject to the review proceedings set forth in RCW 80.50.140.

(2) The superior court civil rules govern procedural matters under this chapter to the extent that the rules are consistent with this chapter.

Sec. 214. RCW 90.58.180 and 2011 c 277 s 4 are each amended to read as follows:

(1) Any person aggrieved by the granting, denying, or rescinding of a permit on shorelines of the state pursuant to RCW 90.58.140 may seek review from the shorelines hearings board by filing a petition for review within ~~((twenty one))~~ 21 days of the date of filing of the decision as defined in RCW 90.58.140(6).

Within seven days of the filing of any petition for review with the board as provided in this section pertaining to a final decision of a local government, the petitioner shall serve copies of the petition on the department, the office of the attorney general, and the local government. The department and the attorney general may intervene to protect the public interest and ensure that the provisions of this chapter are complied with at any time within fifteen days from the date of the receipt by the department or the attorney general of a copy of the petition for review filed pursuant to this section. The shorelines hearings board shall schedule review proceedings on the petition for review without regard as to whether the period for the department or the attorney general to intervene has or has not expired.

(2) The department or the attorney general may obtain review of any final decision granting a permit, or granting or denying an application for a permit issued by a local government by filing a written petition with the shorelines hearings board and the appropriate local government within ~~((twenty one))~~ 21 days from the date the final decision was filed as provided in RCW 90.58.140(6).

(3) The review proceedings authorized in subsections (1) and (2) of this section are subject to the provisions of chapter 34.05 RCW pertaining to procedures in adjudicative proceedings. Judicial review of such proceedings of the shorelines hearings board is governed by chapter 34.05 RCW. The board shall issue its decision on the appeal authorized under subsections (1) and (2) of this section within ~~((one hundred eighty))~~ 180 days after the date the petition is filed with the board or a petition to intervene is filed by the department or the attorney general, whichever is later. The time period may be extended by the board for a period of ~~((thirty))~~ 30 days upon a showing of good cause or may be waived by the parties.

(4) Any person may appeal any rules, regulations, or guidelines adopted or approved by the department within ~~((thirty))~~ 30 days of the date of the adoption or approval. The board shall make a final decision within sixty days following the hearing held thereon.

(5) The board shall find the rule, regulation, or guideline to be valid and enter a final decision to that effect unless it determines that the rule, regulation, or guideline:

- (a) Is clearly erroneous in light of the policy of this chapter; or
- (b) Constitutes an implementation of this chapter in violation of constitutional or statutory provisions; or
- (c) Is arbitrary and capricious; or

(d) Was developed without fully considering and evaluating all material submitted to the department during public review and comment; or

(e) Was not adopted in accordance with required procedures.

(6) If the board makes a determination under subsection (5)(a) through (e) of this section, it shall enter a final decision declaring the rule, regulation, or guideline invalid, remanding the rule, regulation, or guideline to the department with a statement of the reasons in support of the determination, and directing the department to adopt, after a thorough consultation with the affected local government and any other interested party, a new rule, regulation, or guideline consistent with the board's decision.

(7) A decision of the board on the validity of a rule, regulation, or guideline shall be subject to review in superior court, if authorized pursuant to chapter 34.05 RCW. A petition for review of the decision of the shorelines hearings board on a rule, regulation, or guideline shall be filed within ~~((thirty))~~ 30 days after the date of final decision by the shorelines hearings board.

(8) The review proceedings authorized in subsections (1) and (2) of this section do not apply to any decision required under this chapter relating to a clean energy project as defined in section 201 of this act and subject to the review proceedings set forth in RCW 80.50.140.

Sec. 215. RCW 43.21B.110 and 2022 c 180 s 812 are each amended to read as follows:

(1) The hearings board shall only have jurisdiction to hear and decide appeals from the following decisions of the department, the director, local conservation districts, the air pollution control boards or authorities as established pursuant to chapter 70A.15 RCW, local health departments, the department of natural resources, the department of fish and wildlife, the parks and recreation commission, and authorized public entities described in chapter 79.100 RCW:

(a) Civil penalties imposed pursuant to RCW 18.104.155, 70A.15.3160, 70A.300.090, 70A.20.050, 70A.530.040, 70A.350.070, 70A.515.060, 70A.245.040, 70A.245.050, 70A.245.070, 70A.245.080, 70A.65.200, 70A.455.090, 76.09.170, 77.55.440, 78.44.250, 88.46.090, 90.03.600, 90.46.270, 90.48.144, 90.56.310, 90.56.330, and 90.64.102.

(b) Orders issued pursuant to RCW 18.104.043, 18.104.060, 43.27A.190, 70A.15.2520, 70A.15.3010, 70A.300.120, 70A.350.070, 70A.245.020, 70A.65.200, 86.16.020, 88.46.070, 90.14.130, 90.46.250, 90.48.120, and 90.56.330.

(c) Except as provided in RCW 90.03.210(2), the issuance, modification, or termination of any permit, certificate, or license by the department or any air authority in the exercise of its jurisdiction, including the issuance or termination of a waste disposal permit, the denial of an application for a waste disposal permit, the modification of the conditions or the terms of a waste disposal permit, or a decision to approve or deny an application for a solid waste permit exemption under RCW 70A.205.260.

(d) Decisions of local health departments regarding the grant or denial of solid waste permits pursuant to chapter 70A.205 RCW.

(e) Decisions of local health departments regarding the issuance and enforcement of permits to use or dispose of biosolids under RCW 70A.226.090.

(f) Decisions of the department regarding waste-derived fertilizer or micronutrient fertilizer under RCW 15.54.820, and decisions of the department regarding waste-derived soil amendments under RCW 70A.205.145.

(g) Decisions of local conservation districts related to the denial of approval or denial of certification of a dairy nutrient management plan; conditions contained in a plan; application of any dairy nutrient management practices, standards, methods,

and technologies to a particular dairy farm; and failure to adhere to the plan review and approval timelines in RCW 90.64.026.

(h) Any other decision by the department or an air authority which pursuant to law must be decided as an adjudicative proceeding under chapter 34.05 RCW.

(i) Decisions of the department of natural resources, the department of fish and wildlife, and the department that are reviewable under chapter 76.09 RCW, and the department of natural resources' appeals of county, city, or town objections under RCW 76.09.050(7).

(j) Forest health hazard orders issued by the commissioner of public lands under RCW 76.06.180.

(k) Decisions of the department of fish and wildlife to issue, deny, condition, or modify a hydraulic project approval permit under chapter 77.55 RCW, to issue a stop work order, to issue a notice to comply, to issue a civil penalty, or to issue a notice of intent to disapprove applications.

(l) Decisions of the department of natural resources that are reviewable under RCW 78.44.270.

(m) Decisions of an authorized public entity under RCW 79.100.010 to take temporary possession or custody of a vessel or to contest the amount of reimbursement owed that are reviewable by the hearings board under RCW 79.100.120.

(n) Decisions of the department of ecology that are appealable under RCW 70A.245.020 to set recycled minimum postconsumer content for covered products or to temporarily exclude types of covered products in plastic containers from minimum postconsumer recycled content requirements.

(o) Orders by the department of ecology under RCW 70A.455.080.

(2) The following hearings shall not be conducted by the hearings board:

(a) Hearings required by law to be conducted by the shorelines hearings board pursuant to chapter 90.58 RCW.

(b) Hearings conducted by the department pursuant to RCW 70A.15.3010, 70A.15.3070, 70A.15.3080, 70A.15.3090, 70A.15.3100, 70A.15.3110, and 90.44.180.

(c) Appeals of decisions by the department under RCW 90.03.110 and 90.44.220.

(d) Hearings conducted by the department to adopt, modify, or repeal rules.

(3) Review of rules and regulations adopted by the hearings board shall be subject to review in accordance with the provisions of the administrative procedure act, chapter 34.05 RCW.

(4) Notwithstanding subsections (1) through (3) of this section, the hearings board does not have jurisdiction to hear and decide appeals involving any matter under this section if the matter is related to a clean energy project as defined in section 201 of this act. The review proceedings set forth in RCW 80.50.140 apply to matters listed in this section but which involve clean energy projects as defined in section 201 of this act.

PART 3

PERMITTING AND ENVIRONMENTAL REVIEW PROVISIONS FOR CLEAN ENERGY PROJECTS

NEW SECTION. Sec. 301. A new section is added to chapter 43.21C RCW to read as follows:

SEPA CLEAN ENERGY FACILITIES.

(1) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Alternative energy resource" has the same meaning as defined in RCW 80.50.020.

(b) "Alternative jet fuel" has the same meaning as defined in section 201 of this act.

(c) "Associated facilities" has the same meaning as defined in section 201 of this act.

(d) "Clean energy product manufacturing facility" has the same meaning as defined in section 201 of this act.

(e) "Clean energy project" has the same meaning as defined in section 201 of this act.

(f) "Closely related proposals" means proposals that:

(i) Cannot or will not proceed unless the other proposals, or parts of proposals, are implemented simultaneously with them; or

(ii) Are interdependent parts of a larger proposal and depend on the larger proposal as their justification or for their implementation.

(g) "Green electrolytic hydrogen" has the same meaning as defined in RCW 80.50.020.

(h) "Green hydrogen carrier" has the same meaning as defined in RCW 80.50.020.

(i) "Renewable hydrogen" has the same meaning as defined in RCW 80.50.020.

(j) "Renewable natural gas" has the same meaning as defined in RCW 80.50.020.

(k) "Renewable resource" has the same meaning as defined in RCW 80.50.020.

(l) "Storage facility" has the same meaning as defined in RCW 80.50.020.

(2)(a) After the submission of an environmental checklist and prior to issuing a threshold determination that a clean energy project proposal is likely to cause a probable significant adverse environmental impact consistent with RCW 43.21C.033, the lead agency must notify the project applicant and explain in writing the basis for its anticipated determination of significance. Prior to issuing the threshold determination of significance, the lead agency must give the project applicant the option of withdrawing and revising its application and the associated environmental checklist. The lead agency shall make its threshold determination based upon the changed or clarified application and associated environmental checklist. The responsible official has no more than 30 days from the date of the resubmission of a clarified or changed application to make a threshold determination, unless the applicant makes material changes that substantially modify the impact of the proposal, in which case the responsible official must treat the resubmitted clarified or changed application as new, and is subject to the timelines established in RCW 43.21C.033.

(b) The notification required under (a) of this subsection is not an official determination by the lead agency and is not subject to appeal under this chapter.

(c) Nothing in this subsection amends the requirements of RCW 43.21C.033 as they apply to proposals that are not for clean energy projects and nothing in this subsection precludes the lead agency from allowing an applicant for a proposal that is not a clean energy project to follow application processes similar to or the same as the application processes identified in this subsection.

(3)(a) When an environmental impact statement is required, a lead agency shall prepare a final environmental impact statement for clean energy projects within 24 months of a threshold determination of a probable significant, adverse environmental impact.

(b) A lead agency may work with clean energy project applicants to set or extend a time limit longer than 24 months under (a) of this subsection, provided the:

(i) Applicant agrees to a longer time limit; and

(ii) Responsible official for the lead agency maintains an updated schedule available for public review.

(c) For all clean energy projects that require the preparation of an environmental impact statement, the lead agency shall work collaboratively with applicants and all agencies that will have

NINETIETH DAY, APRIL 8, 2023

actions requiring review under this chapter to develop a schedule that shall:

(i) Include a list of, and roles and responsibilities for, all entities that have actions requiring review under this chapter for the project;

(ii) Include a comprehensive schedule of dates by which review under this chapter will be completed, all actions requiring review under this chapter will be taken, and the public will have an opportunity to participate;

(iii) Be completed within 60 days of issuance of a determination of significance;

(iv) Be updated as needed, but no later than 30 days of missing a date on the schedule; and

(v) Be available for public review on the state environmental policy act register.

(d) A lead agency may fulfill its responsibilities under this subsection with a coordinated project plan prepared pursuant to 42 U.S.C. Sec. 4370m-2(c)(1) if it includes all dates identified under (c)(ii) of this subsection.

(e) A failure to comply with the requirements in this subsection is not subject to appeal and does not provide a basis for the invalidation of the review by an agency under this chapter. Nothing in this subsection creates any civil liability for an agency or creates a new cause of action against an agency.

(f) For clean energy projects, the provisions of this subsection are in addition to the requirements of RCW 43.21C.0311.

(4) This subsection provides clarifications on the content of review under this chapter specific to clean energy projects.

(a) In defining the proposal that is the subject of review under this chapter, a lead agency may not combine the evaluation of a clean energy project proposal with other proposals unless the:

(i) Proposals are closely related; or

(ii) Applicant agrees to combining the proposals' evaluation.

(b) An agency with authority to impose mitigation under RCW 43.21C.060 may require mitigation measures for clean energy projects only to address the environmental impacts that are attributable to and caused by a proposal.

NEW SECTION. Sec. 302. A new section is added to chapter 43.21C RCW to read as follows:

NONPROJECT ENVIRONMENTAL IMPACT STATEMENTS.

(1) The department of ecology shall prepare nonproject environmental impact statements, pursuant to RCW 43.21C.030, that assess and disclose the probable significant adverse environmental impacts, and that identify related mitigation measures, for each of the following categories of clean energy projects, and colocated battery energy storage projects that may be included in such projects:

(a) Green electrolytic or renewable hydrogen projects;

(b) Utility-scale solar energy projects, which will consider the findings of the Washington State University least-conflict solar siting process; and

(c) Onshore utility-scale wind energy projects.

(2) The scope of a nonproject environmental review shall be limited to the probable, significant adverse environmental impacts in geographic areas that are suitable for the applicable clean energy type. The department of ecology may consider standard attributes for likely development, proximity to existing transmission or complementary facilities, and planned corridors for transmission capacity construction, reconstruction, or enlargement. The nonproject review is not required to evaluate geographic areas that lack the characteristics necessary for the applicable clean energy project type.

(3)(a) The scope of nonproject environmental impact statements must consider, as appropriate, analysis of the

following probable significant adverse environmental impacts, including direct, indirect, and cumulative impacts to:

(i) Historic and cultural resources;

(ii) Species designated for protection under RCW 77.12.020 or the federal endangered species act;

(iii) Landscape scale habitat connectivity and wildlife migration corridors;

(iv) Environmental justice and overburdened communities as defined in RCW 70A.02.010;

(v) Cultural resources and elements of the environment relevant to tribal rights, interests, and resources including tribal cultural resources, and fish, wildlife, and their habitat;

(vi) Land uses, including agricultural and ranching uses; and

(vii) Military installations and operations.

(b) The nonproject environmental impact statements must identify measures to avoid, minimize, and mitigate probable significant adverse environmental impacts identified during the review. These include measures to mitigate probable significant adverse environmental impacts to elements of the environment as defined in WAC 197-11-444 as it existed as of January 1, 2023, tribal rights, interests, and resources, including tribal cultural resources, as identified in RCW 70A.65.305, and overburdened communities as defined in RCW 70A.02.010. The department of ecology shall consult with federally recognized Indian tribes and other agencies with expertise in identification and mitigation of probable, significant adverse environmental impacts including, but not limited to, the department of fish and wildlife. The department of ecology shall further specify when probable, significant adverse environmental impacts cannot be mitigated.

(4) In defining the scope of nonproject review of clean energy projects, the department of ecology shall request input from agencies, federally recognized Indian tribes, industry, stakeholders, local governments, and the public to identify the geographic areas suitable for the applicable clean energy project type, based on the climatic and geophysical attributes conducive to or required for project development. The department of ecology will provide opportunities for the engagement of tribes, overburdened communities, and stakeholders that self-identify an interest in participating in the processes.

(5) The department of ecology will offer early and meaningful consultation with any affected federally recognized Indian tribe on the nonproject review under this section for the purpose of understanding potential impacts to tribal rights and resources, including tribal cultural resources, archaeological sites, sacred sites, fisheries, or other rights and interests in tribal lands and lands within which an Indian tribe or tribes possess rights reserved or protected by federal treaty, statute, or executive order. Certain information obtained by the department of ecology under this section is exempt from disclosure consistent with RCW 42.56.300.

(6) Final nonproject environmental review documents for the clean energy projects identified in subsection (1) of this section, where applicable, shall include maps identifying probable, significant adverse environmental impacts for the resources evaluated. Maps must be prepared with the intention to illustrate probable, significant impacts, creating a tool that may be used by project proponents, tribes, and government to inform decision making. The maps may not be used in the place of surveys on specific parcels of land or input of a potentially affected federally recognized Indian tribe regarding specific parcels.

(7) Following the completion of a nonproject review subject to this section, the interagency clean energy siting coordinating council created in section 101 of this act must consider the findings and make recommendations to the legislature and governor on potential areas to designate as clean energy preferred

zones for the clean energy project technology analyzed, and any taxation, regulatory, environmental review, or other benefits that should accrue to projects in such designated preferred zones.

(8) Nothing in this section prohibits or precludes projects from being located outside areas designated as clean energy preferred zones.

NEW SECTION. Sec. 303. A new section is added to chapter 43.21C RCW to read as follows:

LEAD AGENCY USE OF NONPROJECT ENVIRONMENTAL IMPACT STATEMENT.

(1) A lead agency conducting a project-level environmental review under this chapter of a clean energy project identified in section 302(1) of this act must consider a nonproject environmental impact statement prepared pursuant to section 302 of this act in order to identify and mitigate project-level probable significant adverse environmental impacts.

(2)(a) Project-level environmental review conducted pursuant to this chapter of a clean energy project identified in section 302(1) of this act must begin with review of the applicable nonproject environmental impact statement prepared pursuant to section 302 of this act. The review must address any probable significant adverse environmental impacts associated with the proposal that were not analyzed in the nonproject environmental impact statements prepared pursuant to section 302 of this act. The review must identify any mitigation measures specific to the project for probable significant adverse environmental impacts.

(b) Lead agencies reviewing site-specific project proposals for clean energy projects under this chapter shall use the nonproject review described in this section through one of the following methods and in accordance with WAC 197-11-600, as it existed as of January 1, 2023:

(i) Use of the nonproject review unchanged, in accordance with RCW 43.21C.034, if the project does not cause any probable significant adverse environmental impact not identified in the nonproject review;

(ii) Preparation of an addendum;

(iii) Incorporation by reference; or

(iv) Preparation of a supplemental environmental impact statement.

(3) Clean energy project proposals following the recommendations developed in the nonproject environment review completed pursuant to section 302 of this act must be considered to have mitigated the probable significant adverse project-specific environmental impacts under this chapter for which recommendations were specifically developed unless the project-specific environmental review identifies project-level probable significant adverse environmental impacts not addressed in the nonproject environmental review.

NEW SECTION. Sec. 304. A new section is added to chapter 36.70B RCW to read as follows:

PROHIBITION ON DEMONSTRATION OF NEED.

During project review of a project to construct or improve facilities for the generation, transmission, or distribution of electricity, a local government may not require a project applicant to demonstrate the necessity or utility of the project other than to require, as part of a completed application under RCW 36.70B.070(2), submission of any publicly available documentation required by the federal energy regulatory commission or its delegees or the utilities and transportation commission or its delegees, or from any other federal agency with regulatory authority over the assessment of electric power transmission and distribution needs as applicable.

NEW SECTION. Sec. 305. A new section is added to chapter 36.01 RCW to read as follows:

A county may not prohibit the installation of wind and solar resource evaluation equipment necessary for the design and environmental planning of a renewable energy project.

NEW SECTION. Sec. 306. IDENTIFYING INFORMATION FOR PUMPED STORAGE SITING. (1) The Washington State University energy program shall conduct a process to identify issues and interests related to siting pumped storage projects in Washington state, to support expanded capacity to store intermittently produced renewable energy, such as from wind and solar, as part of the state's transition from fossil fuel to 100 percent clean energy. The Washington State University energy program may decide to include within the process's scope the colocation of pumped storage with wind or solar energy generation. The goal of the process is to identify and understand issues and interests of various stakeholders and federally recognized Indian tribes related to areas where pumped storage might be sited, providing useful information to developers of potential projects, and for subsequent environmental reviews under the state environmental policy act.

(2) In carrying out this process, the Washington State University energy program shall provide ample opportunities for the engagement of federally recognized Indian tribes, local governments and special purpose districts, land use and environmental organizations, and additional stakeholders that self-identify as interested in participating in the process.

(3) The Washington State University energy program must develop and make available a map and associated GIS data layers, highlighting areas identified through the process.

(4) Any information provided by tribes will help to inform the map product, but the Washington State University energy program may not include sensitive tribal information, as identified by federally recognized Indian tribes, in the publicly available map or GIS data layers. The information developed by this process and creation of the map under this section does not supplant the need for project developers to conduct early and individual outreach to federally recognized Indian tribes and other affected communities. The Washington State University energy program must take precautions to prevent disclosure of any sensitive tribal information it receives during the process, consistent with RCW 42.56.300.

(5) The pumped storage siting information process must be completed by June 30, 2025.

NEW SECTION. Sec. 307. (1)(a) The department must consult with stakeholders from rural communities, agriculture, natural resource management and conservation, and forestry to gain a better understanding of the benefits and impacts of anticipated changes in the state's energy system, including the siting of facilities under the jurisdiction of the energy facility site evaluation council, and to identify risks and opportunities for rural communities. This consultation must be conducted in compliance with the community engagement plan developed by the department under chapter 70A.02 RCW and with input from the environmental justice council, using the best recommended practices available at the time. The department must collect the best available information and learn from the lived experiences of people in rural communities, with the objective of improving state implementation of clean energy policies, including the siting of energy facilities under the jurisdiction of the energy facility site evaluation council, in ways that protect and improve life in rural Washington. The department must consult with an array of rural community members, including: Low-income community and vulnerable population members or representatives; legislators; local elected officials and staff; those involved with agriculture, forestry, and natural resource management and

NINETIETH DAY, APRIL 8, 2023

conservation; renewable energy project property owners; utilities; large energy consumers; and others.

(b) The consultation must include stakeholder meetings with at least one in eastern Washington and one in western Washington.

(c) The department's consultation with stakeholders may include, but is not limited to, the following topics:

(i) Energy facility siting under the jurisdiction of the energy facility site evaluation council, including placement of new renewable energy resources, such as wind and solar generation, pumped storage, and batteries or new nonemitting electric generation resources, and their contribution to resource adequacy;

(ii) Production of hydrogen, biofuels, and feedstocks for clean fuels;

(iii) Programs to reduce energy cost burdens on rural families and farm operations;

(iv) Electric vehicles, farm and warehouse equipment, and charging infrastructure suitable for rural use;

(v) Efforts to capture carbon or produce energy on agricultural, forest, and other rural lands, including dual use solar projects that ensure ongoing agricultural operations;

(vi) The use of wood products and forest practices that provide low-carbon building materials and renewable fuel supplies; and

(vii) The development of clean manufacturing facilities, such as solar panels, vehicles, and carbon fiber.

(2)(a) The department must complete a report on rural clean energy and resilience that takes into consideration the consultation with rural stakeholders as described in subsection (1) of this section. The report must include recommendations for how policies, projects, and investment programs, including energy facility siting through the energy facility site evaluation council, can be developed or amended to more equitably distribute costs and benefits to rural communities. The report must include an assessment of how to improve the total benefits to rural areas overall, as well as the equitable distribution of benefits and costs within rural communities.

(b) The report must include a baseline understanding of rural energy production and consumption, and collect data on their economic impacts. Specifically, the report must examine:

(i) Direct, indirect, and induced jobs in construction and operations;

(ii) Financial returns to property owners;

(iii) Effects on local tax revenues and public services, which must include whether any school districts had a net loss of resources from diminished local effort assistance payments required under chapter 28A.500 RCW and impacts to public safety, the 911 emergency communications system, mental health, criminal justice, and rural county roads;

(iv) Effects on other rural land uses, such as agriculture, natural resource management and conservation, and tourism;

(v) Geographic distribution of large energy projects previously sited or forecast to be sited in Washington;

(vi) Potential forms of economic development assistance and impact mitigation payments; and

(vii) Relevant information from the least-conflict priority solar siting pilot project in the Columbia basin of eastern and central Washington required under section 607, chapter 334, Laws of 2021.

(c) The report must include a forecast of what Washington's clean energy transition will require for siting energy projects in rural Washington. The department must gather and analyze the best available information to produce forecast scenarios.

(d) By December 1, 2024, the department must submit a final report on rural clean energy and resilience to the joint committee on energy supply, energy conservation, and energy resilience

created in RCW 44.39.010 and the appropriate policy and fiscal committees of the legislature.

(3) For the purposes of this section, "department" means the department of commerce.

Sec. 308. RCW 44.39.010 and 2005 c 299 s 1 are each amended to read as follows:

There is hereby created the joint committee on energy supply ~~((and)), energy conservation, and energy resilience.~~

Sec. 309. RCW 44.39.012 and 2005 c 299 s 4 are each amended to read as follows:

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

(1) "Committee" means the joint committee on energy supply ~~((and)), energy conservation, and energy resilience.~~

(2) "Conservation" means reduced energy consumption or energy cost, or increased efficiency in the use of energy, and activities, measures, or equipment designed to achieve such results.

NEW SECTION. Sec. 310. (1) The committee shall review the report produced by the department of commerce under section 307 of this act and consider any policy or budget recommendations to reduce impacts and increase benefits of the clean energy transition for rural communities, including mechanisms to support local tax revenues and public services.

(2) The committee must hold at least two meetings, at least one of which must be in eastern Washington. The first meeting of the committee must occur by September 30, 2023.

(3) Relevant state agencies, departments, and commissions, including the energy facility site evaluation council, shall cooperate with the committee and provide information as the chair reasonably requests.

(4) The committee shall report its findings and any recommendations to the energy facility site evaluation council and the committees of the legislature with jurisdiction over environment and energy laws by December 1, 2024. Recommendations of the committee may be made by a simple majority of committee members. In the event that the committee does not reach majority-supported recommendations, the committee may report minority findings supported by at least two members of the committee.

(5) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Alternative energy" means energy derived from an alternative energy resource specified in RCW 80.50.020(1).

(b) "Committee" means the joint committee on energy supply, energy conservation, and energy resilience created in RCW 44.39.010.

(6) This section expires June 30, 2025.

PART 4

MISCELLANEOUS PROVISIONS

NEW SECTION. Sec. 401. Sections 101 and 102 of this act constitute a new chapter in Title 43 RCW.

NEW SECTION. Sec. 402. Sections 201 through 210 of this act constitute a new chapter in Title 43 RCW.

NEW SECTION. Sec. 403. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

On page 1, line 1 of the title, after "siting," strike the remainder of the title and insert "amending RCW 80.50.140, 36.70C.030, 90.58.180, 43.21B.110, 44.39.010, and 44.39.012; adding a new section to chapter 80.50 RCW; adding new sections to chapter 43.21C RCW; adding a new section to chapter 36.70B RCW; adding a new section to chapter 36.01 RCW; adding new chapters

to Title 43 RCW; creating new sections; prescribing penalties; and providing an expiration date."

MOTION

Senator Nguyen moved that the following amendment no. 0382 by Senator Nguyen be adopted:

On page 7, beginning on line 36, after "emissions" strike all material through "RCW" on line 39 and insert "to align with the cap trajectory under chapter 70A.65 RCW, where the project does not degrade local air quality"

Beginning on page 22, line 4, strike all of sections 212 through 215

On page 40, beginning on line 2, after "RCW" strike all material through "44.39.010," on line 3 and insert "44.39.010"

Senator Nguyen spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Boehnke spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0382 by Senator Nguyen on page 7, line 36 to the committee striking amendment.

The motion by Senator Nguyen carried and amendment no. 0382 was adopted by a rising vote.

Senator Braun spoke against adoption of the committee striking amendment as amended.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Ways & Means as amended to Engrossed Second Substitute House Bill No. 1216.

The motion by Senator Nguyen carried and the committee striking amendment as amended was adopted by a rising vote.

MOTION

On motion of Senator Nguyen, the rules were suspended, Engrossed Second Substitute House Bill No. 1216 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Nguyen spoke in favor of passage of the bill.

Senators MacEwen, Boehnke and Braun spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute House Bill No. 1216 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute House Bill No. 1216 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 30; Nays, 18; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Gildon, Hasegawa, Hawkins, Hunt, Kauffman, Keiser, Kuderer, Lias, Lovelett, Lovick, Mullet, Nguyen, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Holy, King, MacEwen, McCune, Muzzall, Padden, Rivers,

Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

Excused: Senator Nobles

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1216, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1047, by House Committee on Environment & Energy (originally sponsored by Mena, Ryu, Berry, Simmons, Duerr, Goodman, Bateman, Reed, Fitzgibbon, Ramel, Doglio, Orwall, Macri, Gregerson, Thai, Stonier, Santos, Riccelli and Ormsby)

Concerning the use of toxic chemicals in cosmetic products.

The measure was read the second time.

MOTION

Senator Nguyen moved that the following committee striking amendment by the Committee on Ways & Means be adopted:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. (1) The legislature finds that certain chemicals used in cosmetic products are linked to harmful impacts on health, such as cancer, birth defects, damage to the reproductive system, organ system toxicity, and endocrine disruption. Many of these chemicals have been identified by the state of Washington as high priority chemicals of concern.

(2) In order to ensure the safety of cosmetic products and protect Washington residents from toxic exposures, the legislature intends to prohibit use of toxic chemicals found in cosmetic and personal care products and join other jurisdictions in creating a safer global standard for cosmetic products and bringing more sustainable, safer ingredients to the marketplace.

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

(1) "Cosmetic product" has the same meaning as the term "cosmetic" as defined in RCW 69.04.011.

(2) "Department" means the department of ecology.

(3) "Manufacturer" has the same meaning as defined in RCW 70A.350.010.

(4) "Ortho-phthalates" means esters of ortho-phthalic acid.

(5) "Perfluoroalkyl and polyfluoroalkyl substances" has the same meaning as defined in RCW 70A.350.010.

(6) "Small business" has the same meaning as defined in RCW 70A.500.020.

(7) "Vulnerable populations" has the same meaning as defined in RCW 70A.02.010.

NEW SECTION. Sec. 3. (1) Except as provided in subsection (3) of this section, beginning January 1, 2025, no person may manufacture, knowingly sell, offer for sale, distribute for sale, or distribute for use in this state any cosmetic product that contains any of the following intentionally added chemicals or chemical classes:

(a) Ortho-phthalates;

(b) Perfluoroalkyl and polyfluoroalkyl substances;

(c) Formaldehyde (CAS 50-00-0) and chemicals determined by the department to release formaldehyde;

NINETIETH DAY, APRIL 8, 2023

- (d) Methylene glycol (CAS 463-57-0);
 - (e) Mercury and mercury compounds (CAS 7439-97-6);
 - (f) Triclosan (CAS 3380-34-5);
 - (g) m-phenylenediamine and its salts (CAS 108-45-2); and
 - (h) o-phenylenediamine and its salts (CAS 95-54-5).
- (2) Except as provided in subsection (3) of this section, beginning January 1, 2025, no person may manufacture, knowingly sell, offer for sale, distribute for sale, or distribute for use in this state any cosmetic product that contains intentionally added lead or lead compounds (CAS 7439-92-1), lead or lead compounds at one part per million (ppm) or above, or as otherwise determined by the department through rule making.

(3) An in-state retailer in possession of cosmetic products on the date that restrictions on the sale of the products takes effect under this section may exhaust its existing stock through sales to the public until January 1, 2026.

(4) By June 1, 2024, the department, in consultation with the department of health, must use existing information to identify and assess the hazards of chemicals or chemical classes that can provide the same or similar function in cosmetic products as the chemicals or chemical classes listed in subsection (1) of this section and that can impact vulnerable populations. The department must make the information publicly available.

(5)(a) By May 2024, the department shall implement an initiative to support small businesses that manufacture cosmetic products in efforts to obtain voluntary environmental health certifications for cosmetics implemented by the United States environmental protection agency or other programs, as determined by the department, that are designed to identify cosmetic products that do not contain identified hazards consistent with processes used to identify safer alternatives under chapter 70A.350 RCW.

- (b) The initiative may include, but is not limited to, providing:
- (i) Technical assistance and support;
 - (ii) Resources for chemical hazard assessments; and
 - (iii) Resources for reformulating products.

(6)(a) By May 2024, the department shall implement an initiative to support independent cosmetologists and small businesses that provide cosmetology services, such as beauty salons, in efforts to transition to using safer cosmetic products.

- (b) The initiative may include, but is not limited to, providing:
- (i) Technical assistance and support;
 - (ii) Resources for identifying safer cosmetic products; and
 - (iii) Resources for financial incentives to eligible participants to replace cosmetic products containing toxic chemicals, disposal programs, and the use of safer products.

(7)(a) For the purposes of this section, cosmetic products do not include prescription drugs approved by the United States food and drug administration.

(b) The chemicals in subsection (1) of this section are restricted in cosmetics regardless of whether the product also contains drug ingredients regulated by the United States food and drug administration. For purposes of this section, ingredients regulated as drugs by the United States food and drug administration are not subject to the restrictions established in this section.

NEW SECTION. Sec. 4. (1) The department may adopt rules as necessary for the purpose of implementing, administering, and enforcing this chapter.

(2)(a) The department's determinations of chemicals that release formaldehyde must be adopted by rule. The department must identify a list of chemicals used in cosmetics that release formaldehyde that may be subject to restriction under this chapter. In establishing this list, the department should consider:

- (i) Estimated prevalence of use;
- (ii) Potential to reduce disproportionate exposure; and

(iii) Other information deemed relevant by the department.

(b) The department may identify for restriction an initial set of no more than 10 of the listed chemicals used in cosmetics that release formaldehyde. This restriction must take effect on or after January 1, 2026.

(c) Restrictions on the remaining listed chemicals used in cosmetics that release formaldehyde may take effect on or after January 1, 2027.

(d) The department may, but is not required to, conduct additional rule-making activities after January 1, 2027, including developing supplemental lists of chemicals that release formaldehyde and adopting additional restrictions.

(3) Prior to commencing rule making under this chapter, the department must engage with relevant stakeholders to ensure the availability of adequate expertise and input. The stakeholder process should include, but is not limited to, soliciting input from representatives from independent cosmetologists, small businesses offering cosmetology services, such as beauty salons, and small manufacturers of cosmetic products. The input received from stakeholders must be considered when adopting rules.

(4) A manufacturer that produces a product or imports or domestically distributes a product in or into Washington in violation of a requirement of this chapter, a rule adopted under this chapter, or an order issued under this chapter, is subject to a civil penalty not to exceed \$5,000 for each violation in the case of a first offense. Manufacturers who are repeat violators are subject to a civil penalty not to exceed \$10,000 for each repeat offense.

(5) Any penalty provided for in this section, and any order issued by the department under this chapter, may be appealed to the pollution control hearings board.

(6) All penalties collected under this chapter shall be deposited in the model toxics control operating account created in RCW 70A.305.180.

Sec. 5. RCW 43.21B.110 and 2022 c 180 s 812 are each amended to read as follows:

(1) The hearings board shall only have jurisdiction to hear and decide appeals from the following decisions of the department, the director, local conservation districts, the air pollution control boards or authorities as established pursuant to chapter 70A.15 RCW, local health departments, the department of natural resources, the department of fish and wildlife, the parks and recreation commission, and authorized public entities described in chapter 79.100 RCW:

(a) Civil penalties imposed pursuant to RCW 18.104.155, 70A.15.3160, 70A.300.090, 70A.20.050, 70A.530.040, 70A.350.070, 70A.515.060, 70A.245.040, 70A.245.050, 70A.245.070, 70A.245.080, 70A.65.200, 70A.455.090, section 3 of this act, 76.09.170, 77.55.440, 78.44.250, 88.46.090, 90.03.600, 90.46.270, 90.48.144, 90.56.310, 90.56.330, and 90.64.102.

(b) Orders issued pursuant to RCW 18.104.043, 18.104.060, 43.27A.190, 70A.15.2520, 70A.15.3010, 70A.300.120, 70A.350.070, 70A.245.020, 70A.65.200, section 3 of this act, 86.16.020, 88.46.070, 90.14.130, 90.46.250, 90.48.120, and 90.56.330.

(c) Except as provided in RCW 90.03.210(2), the issuance, modification, or termination of any permit, certificate, or license by the department or any air authority in the exercise of its jurisdiction, including the issuance or termination of a waste disposal permit, the denial of an application for a waste disposal permit, the modification of the conditions or the terms of a waste disposal permit, or a decision to approve or deny an application for a solid waste permit exemption under RCW 70A.205.260.

(d) Decisions of local health departments regarding the grant or denial of solid waste permits pursuant to chapter 70A.205 RCW.

(e) Decisions of local health departments regarding the issuance and enforcement of permits to use or dispose of biosolids under RCW 70A.226.090.

(f) Decisions of the department regarding waste-derived fertilizer or micronutrient fertilizer under RCW 15.54.820, and decisions of the department regarding waste-derived soil amendments under RCW 70A.205.145.

(g) Decisions of local conservation districts related to the denial of approval or denial of certification of a dairy nutrient management plan; conditions contained in a plan; application of any dairy nutrient management practices, standards, methods, and technologies to a particular dairy farm; and failure to adhere to the plan review and approval timelines in RCW 90.64.026.

(h) Any other decision by the department or an air authority which pursuant to law must be decided as an adjudicative proceeding under chapter 34.05 RCW.

(i) Decisions of the department of natural resources, the department of fish and wildlife, and the department that are reviewable under chapter 76.09 RCW, and the department of natural resources' appeals of county, city, or town objections under RCW 76.09.050(7).

(j) Forest health hazard orders issued by the commissioner of public lands under RCW 76.06.180.

(k) Decisions of the department of fish and wildlife to issue, deny, condition, or modify a hydraulic project approval permit under chapter 77.55 RCW, to issue a stop work order, to issue a notice to comply, to issue a civil penalty, or to issue a notice of intent to disapprove applications.

(l) Decisions of the department of natural resources that are reviewable under RCW 78.44.270.

(m) Decisions of an authorized public entity under RCW 79.100.010 to take temporary possession or custody of a vessel or to contest the amount of reimbursement owed that are reviewable by the hearings board under RCW 79.100.120.

(n) Decisions of the department of ecology that are appealable under RCW 70A.245.020 to set recycled minimum postconsumer content for covered products or to temporarily exclude types of covered products in plastic containers from minimum postconsumer recycled content requirements.

(o) Orders by the department of ecology under RCW 70A.455.080.

(2) The following hearings shall not be conducted by the hearings board:

(a) Hearings required by law to be conducted by the shorelines hearings board pursuant to chapter 90.58 RCW.

(b) Hearings conducted by the department pursuant to RCW 70A.15.3010, 70A.15.3070, 70A.15.3080, 70A.15.3090, 70A.15.3100, 70A.15.3110, and 90.44.180.

(c) Appeals of decisions by the department under RCW 90.03.110 and 90.44.220.

(d) Hearings conducted by the department to adopt, modify, or repeal rules.

(3) Review of rules and regulations adopted by the hearings board shall be subject to review in accordance with the provisions of the administrative procedure act, chapter 34.05 RCW.

Sec. 6. RCW 43.21B.300 and 2022 c 180 s 813 are each amended to read as follows:

(1) Any civil penalty provided in RCW 18.104.155, 70A.15.3160, 70A.205.280, 70A.300.090, 70A.20.050, 70A.245.040, 70A.245.050, 70A.245.070, 70A.245.080, 70A.65.200, 70A.455.090, section 3 of this act, 88.46.090, 90.03.600, 90.46.270, 90.48.144, 90.56.310, 90.56.330, and 90.64.102 and chapter 70A.355 RCW shall be imposed by a

notice in writing, either by certified mail with return receipt requested or by personal service, to the person incurring the penalty from the department or the local air authority, describing the violation with reasonable particularity. For penalties issued by local air authorities, within 30 days after the notice is received, the person incurring the penalty may apply in writing to the authority for the remission or mitigation of the penalty. Upon receipt of the application, the authority may remit or mitigate the penalty upon whatever terms the authority in its discretion deems proper. The authority may ascertain the facts regarding all such applications in such reasonable manner and under such rules as it may deem proper and shall remit or mitigate the penalty only upon a demonstration of extraordinary circumstances such as the presence of information or factors not considered in setting the original penalty.

(2) Any penalty imposed under this section may be appealed to the pollution control hearings board in accordance with this chapter if the appeal is filed with the hearings board and served on the department or authority 30 days after the date of receipt by the person penalized of the notice imposing the penalty or 30 days after the date of receipt of the notice of disposition by a local air authority of the application for relief from penalty.

(3) A penalty shall become due and payable on the later of:

(a) Thirty days after receipt of the notice imposing the penalty;

(b) Thirty days after receipt of the notice of disposition by a local air authority on application for relief from penalty, if such an application is made; or

(c) Thirty days after receipt of the notice of decision of the hearings board if the penalty is appealed.

(4) If the amount of any penalty is not paid to the department within 30 days after it becomes due and payable, the attorney general, upon request of the department, shall bring an action in the name of the state of Washington in the superior court of Thurston county, or of any county in which the violator does business, to recover the penalty. If the amount of the penalty is not paid to the authority within 30 days after it becomes due and payable, the authority may bring an action to recover the penalty in the superior court of the county of the authority's main office or of any county in which the violator does business. In these actions, the procedures and rules of evidence shall be the same as in an ordinary civil action.

(5) All penalties recovered shall be paid into the state treasury and credited to the general fund except those penalties imposed pursuant to RCW 18.104.155, which shall be credited to the reclamation account as provided in RCW 18.104.155(7), RCW 70A.15.3160, the disposition of which shall be governed by that provision, RCW 70A.245.040 and 70A.245.050, which shall be credited to the recycling enhancement account created in RCW 70A.245.100, RCW 70A.300.090 and section 3 of this act, which shall be credited to the model toxics control operating account created in RCW 70A.305.180, RCW 70A.65.200, which shall be credited to the climate investment account created in RCW 70A.65.250, RCW 90.56.330, which shall be credited to the coastal protection fund created by RCW 90.48.390, and RCW 70A.355.070, which shall be credited to the underground storage tank account created by RCW 70A.355.090.

NEW SECTION. Sec. 7. This chapter may be known and cited as the toxic-free cosmetics act.

NEW SECTION. Sec. 8. Sections 1 through 4 and 7 of this act constitute a new chapter in Title 70A RCW."

On page 1, line 2 of the title, after "products;" strike the remainder of the title and insert "amending RCW 43.21B.110 and 43.21B.300; adding a new chapter to Title 70A RCW; and prescribing penalties."

Senator Torres moved that the following amendment no. 0379 by Senator Torres be adopted:

On page 2, line 2, after "January 1," strike "2025" and insert "2028"

On page 2, line 17, after "January 1," strike "2025" and insert "2028"

On page 2, line 26, after "January 1," strike "2026" and insert "2029"

On page 2, line 27, after "June 1," strike "2024" and insert "2027"

On page 2, line 34, after "May" strike "2024" and insert "2027"

On page 3, line 7, after "May" strike "2024" and insert "2027"

On page 4, line 2, after "January 1," strike "2026" and insert "2029"

On page 4, line 5, after "January 1," strike "2027" and insert "2030"

On page 4, line 7, after "January 1," strike "2027" and insert "2030"

Senator Torres spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Nguyen spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0379 by Senator Torres on page 2, line 2 to the committee striking amendment.

The motion by Senator Torres did not carry and amendment no. 0379 was not adopted by voice vote.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Ways & Means to Substitute House Bill No. 1047.

The motion by Senator Nguyen carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Nguyen, the rules were suspended, Substitute House Bill No. 1047 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Nguyen spoke in favor of passage of the bill.

Senator MacEwen spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1047 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1047 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 28; Nays, 20; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Lias, Lovelett, Lovick, Mullet, Nguyen, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Muzzall,

Padden, Rivers, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

Excused: Senator Nobles

SUBSTITUTE HOUSE BILL NO. 1047, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1361, by House Committee on Appropriations (originally sponsored by Abbarno, Rule, Reeves and Gregerson)

Updating statutes related to state employment by removing obsolete language, eliminating unnecessary reports, conforming a reporting period to fiscal year, and modernizing employee pay procedures.

The measure was read the second time.

MOTION

On motion of Senator Valdez, the rules were suspended, Engrossed Substitute House Bill No. 1361 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Valdez and Wilson, J. spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 1361.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 1361 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Nobles

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1361, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1134, by House Committee on Appropriations (originally sponsored by Orwall, Bronoske, Peterson, Berry, Ramel, Leavitt, Callan, Doglio, Macri, Caldier, Simmons, Timmons, Reeves, Chopp, Lekanoff, Gregerson, Thai, Paul, Wylie, Stonier, Davis, Kloba, Riccelli, Fosse and Farivar)

Implementing the 988 behavioral health crisis response and suicide prevention system.

The measure was read the second time.

MOTION

Senator Dhingra moved that the following committee striking amendment by the Committee on Health & Long-Term Care be adopted:

On page 23, beginning on line 7, after "employees" strike all material through "contact" on line 14 and insert "on agricultural community cultural competencies for suicide prevention, which may include sharing resources with callers that are specific to members from the agricultural community. The training must prepare staff to provide appropriate assessments, interventions, and resources to members of the agricultural community. Employees may make warm transfers and referrals to a crisis hotline that specializes in working with members from the agricultural community, provided that no person contacting 988 shall be transferred or referred to another service if they are currently in crisis and in need of emotional support"

On page 23, at the beginning of line 21, strike "LGBTQ populations, and persons connected with" and insert "and LGBTQ populations. The website may also include resources for programs and services related to suicide prevention for"

Beginning on page 23, line 39, after "authority" strike all material through "contacts" on page 24, line 2

On page 24, line 6, after "calls," insert "as allowed by and in compliance with existing federal and state law governing the sharing and use of protected health information,"

On page 28, line 6, after "response;" strike "~~((and))~~" and insert "and"

On page 28, beginning on line 17, after "care" strike all material through "information" on line 22 and insert ".

(8) The department shall monitor trends in 988 crisis hotline caller data, as reported by designated 988 contact hubs under subsection (4)(b)(x) of this section, and submit an annual report to the governor and the appropriate committees of the legislature summarizing the data and trends"

On page 36, after line 6, insert the following:

"**Sec. 8.** RCW 43.06.530 and 2021 c 302 s 107 are each amended to read as follows:

(1) The governor shall appoint a 988 hotline and behavioral health crisis system coordinator to provide project coordination and oversight for the implementation and administration of the 988 crisis hotline, other requirements of chapter 302, Laws of 2021, and other projects supporting the behavioral health crisis system. The coordinator shall:

(a) Oversee the collaboration between the department of health and the health care authority in their respective roles in supporting the crisis call center hubs, providing the necessary support services for 988 callers, and establishing adequate requirements and guidance for their contractors to fulfill the requirements of chapter 302, Laws of 2021;

(b) Ensure coordination and facilitate communication between stakeholders such as crisis call center hub contractors, behavioral health administrative service organizations, county authorities, other crisis hotline centers, managed care organizations, and, in collaboration with the state (~~((enhanced))~~) 911 coordination office, with 911 emergency communications systems;

(c) Review the development of adequate and consistent training for crisis call center personnel and, in coordination with the state (~~((enhanced))~~) 911 coordination office, for 911 operators with respect to their interactions with the crisis hotline center; and

(d) Coordinate implementation of other behavioral health initiatives among state agencies and educational institutions, as appropriate, including coordination of data between agencies.

(2) This section expires June 30, (~~((2024))~~) 2028."

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

On page 41, line 16, after "Washington," insert "the Harborview behavioral health institute,"

On page 41, line 25, after "Washington" insert ", through the Harborview behavioral health institute,"

On page 41, at the beginning of line 31, strike "university" and insert "Harborview behavioral health institute may contract for all or any portion of this work. The Harborview behavioral health institute"

On page 45, line 23, after "71.24.896," insert "43.06.530,"

On page 45, line 26, after "providing" strike "an expiration date" and insert "expiration dates"

MOTION

Senator Dhingra moved that the following amendment no. 0384 by Senator Dhingra be adopted:

On page 23, beginning on line 7, after "employees" strike all material through "contact" on line 14 and insert "on agricultural community cultural competencies for suicide prevention, which may include sharing resources with callers that are specific to members from the agricultural community. The training must prepare staff to provide appropriate assessments, interventions, and resources to members of the agricultural community. Employees may make warm transfers and referrals to a crisis hotline that specializes in working with members from the agricultural community, provided that no person contacting 988 shall be transferred or referred to another service if they are currently in crisis and in need of emotional support"

On page 23, at the beginning of line 21, strike "LGBTQ populations, and persons connected with" and insert "and LGBTQ populations. The website may also include resources for programs and services related to suicide prevention for"

Beginning on page 23, line 39, after "authority" strike all material through "contacts" on page 24, line 2

On page 24, line 6, after "calls," insert "as allowed by and in compliance with existing federal and state law governing the sharing and use of protected health information,"

On page 28, line 6, after "response;" strike "~~((and))~~" and insert "and"

On page 28, beginning on line 17, after "care" strike all material through "information" on line 22 and insert ".

(8) The department shall monitor trends in 988 crisis hotline caller data, as reported by designated 988 contact hubs under subsection (4)(b)(x) of this section, and submit an annual report to the governor and the appropriate committees of the legislature summarizing the data and trends"

On page 36, after line 6, insert the following:

"**Sec. 8.** RCW 43.06.530 and 2021 c 302 s 107 are each amended to read as follows:

(1) The governor shall appoint a 988 hotline and behavioral health crisis system coordinator to provide project coordination and oversight for the implementation and administration of the 988 crisis hotline, other requirements of chapter 302, Laws of 2021, and other projects supporting the behavioral health crisis system. The coordinator shall:

(a) Oversee the collaboration between the department of health and the health care authority in their respective roles in supporting the crisis call center hubs, providing the necessary

NINETIETH DAY, APRIL 8, 2023

support services for 988 callers, and establishing adequate requirements and guidance for their contractors to fulfill the requirements of chapter 302, Laws of 2021;

(b) Ensure coordination and facilitate communication between stakeholders such as crisis call center hub contractors, behavioral health administrative service organizations, county authorities, other crisis hotline centers, managed care organizations, and, in collaboration with the state (~~(enhanced)~~) 911 coordination office, with 911 emergency communications systems;

(c) Review the development of adequate and consistent training for crisis call center personnel and, in coordination with the state (~~(enhanced)~~) 911 coordination office, for 911 operators with respect to their interactions with the crisis hotline center; and

(d) Coordinate implementation of other behavioral health initiatives among state agencies and educational institutions, as appropriate, including coordination of data between agencies.

(2) This section expires June 30, (~~(2024)~~) 2028."

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

On page 41, line 16, after "Washington," insert "the Harborview behavioral health institute,"

On page 41, line 25, after "Washington" insert ", through the Harborview behavioral health institute,"

On page 41, at the beginning of line 31, strike "university" and insert "Harborview behavioral health institute may contract for all or any portion of this work. The Harborview behavioral health institute"

On page 45, line 23, after "71.24.896," insert "43.06.530,"

On page 45, line 26, after "providing" strike "an expiration date" and insert "expiration dates"

Senators Dhingra, Rivers and Dozier spoke in favor of adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0384 by Senator Dhingra on page 23, line 7 to the committee striking amendment.

The motion by Senator Dhingra carried and amendment no. 0384 was adopted by voice vote.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Health & Long-Term Care as amended to Engrossed Second Substitute House Bill No. 1134.

The motion by Senator Dhingra carried and the committee striking amendment as amended was adopted by voice vote.

MOTION

On motion of Senator Dhingra, the rules were suspended, Engrossed Second Substitute House Bill No. 1134 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Dhingra and Wagoner spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute House Bill No. 1134 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute House Bill No. 1134 as amended by the Senate

and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Nobles

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1134, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1177, by House Committee on Community Safety, Justice, & Reentry (originally sponsored by Lekanoff, Orwall, Reed, Berry, Ramel, Callan, Doglio, Timmons, Walsh, Reeves, Chopp, Duerr, Gregerson, Taylor, Wylie, Stonier, Pollet, Davis, Kloba and Ormsby)

Creating a missing and murdered indigenous women and people cold case investigations unit.

The measure was read the second time.

MOTION

On motion of Senator Dhingra, the rules were suspended, Substitute House Bill No. 1177 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Dhingra, Muzzall and Kauffman spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1177.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1177 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Nobles

SUBSTITUTE HOUSE BILL NO. 1177, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1406, by House Committee on Human Services, Youth, & Early Learning (originally sponsored by Cortes, Senn, Berry, Ortiz-Self, Goodman, Thai, Alvarado, Simmons, Orwall, Taylor, Bateman, Lekanoff, Peterson, Ramel, Macri, Bergquist, Pollet, Reed, Ormsby, Doglio and Davis)

Concerning youth seeking housing assistance and other related services.

The measure was read the second time.

MOTION

On motion of Senator Wilson, C., the rules were suspended, Substitute House Bill No. 1406 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wilson, C. and Boehnke spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1406.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1406 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Nobles

SUBSTITUTE HOUSE BILL NO. 1406, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SECOND SUBSTITUTE HOUSE BILL NO. 1525, by House Committee on Appropriations (originally sponsored by Fosse, Lekanoff, Farivar, Shavers, Thai, Taylor, Hansen, Alvarado, Senn, Hackney, Wylie, Duerr, Leavitt, Berg, Stearns, Peterson, Macri, Berry, Cortes, Low, Schmidt, Stonier, Kloba, Robertson, Gregerson, Riccelli, Doglio, Waters, Cheney, Orwall, Connors, Ybarra, Bronoske, Dent, Morgan, Ramel, Donaghy, Goodman, Ryu, Fey, Reed, Davis, Timmons, Street, Simmons, Fitzgibbon, Christian, Santos, Rule, Abbarno, Sandlin, Chopp, Bateman, Rude, Eslick, Ormsby, Reeves, Barkis, Graham, Pollet, Ortiz-Self, Callan and Bergquist)

Concerning eligibility for working connections child care benefits for persons participating in state registered apprenticeships.

The measure was read the second time.

MOTION

Senator Wellman moved that the following committee striking amendment by the Committee on Ways & Means be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 43.216.136 and 2021 c 199 s 202 are each amended to read as follows:

(1) The department shall establish and implement policies in the working connections child care program to promote stability and quality of care for children from low-income households. These policies shall focus on supporting school readiness for young learners. Policies for the expenditure of funds constituting the working connections child care program must be consistent with the outcome measures established by the department and the standards established in this section intended to promote stability, quality, and continuity of early care and education programming.

(2) As recommended by P.L. 113-186, authorizations for the working connections child care subsidy are effective for twelve months beginning July 1, 2016.

(a) A household's 12-month authorization begins on the date that child care is expected to begin.

(b) If a newly eligible household does not begin care within 12 months of being determined eligible by the department, the household must reapply in order to qualify for subsidy.

(3)(a) The department shall establish and implement policies in the working connections child care program to allow eligibility for families with children who:

(i) In the last six months have:

(A) Received child protective services as defined and used by chapters 26.44 and 74.13 RCW;

(B) Received child welfare services as defined and used by chapter 74.13 RCW; or

(C) Received services through a family assessment response as defined and used by chapter 26.44 RCW;

(ii) Have been referred for child care as part of the family's case management as defined by RCW 74.13.020; and

(iii) Are residing with a biological parent or guardian.

(b) Families who are eligible for working connections child care pursuant to this subsection do not have to keep receiving services identified in this subsection to maintain twelve-month authorization.

(4)(a) Beginning July 1, 2021, and subject to the availability of amounts appropriated for this specific purpose, the department may not require an applicant or consumer to meet work requirements as a condition of receiving working connections child care benefits when the applicant or consumer is in a state registered apprenticeship program or is a full-time student of a community, technical, or tribal college and is enrolled in:

(i) A vocational education program that leads to a degree or certificate in a specific occupation; or

(ii) An associate degree program (~~or~~

~~(iii) A registered apprenticeship program~~).

(b) An applicant or consumer is a full-time student for the purposes of this subsection if ~~((he or she))~~ the applicant or consumer meets the college's definition of a full-time student.

(c) Nothing in this subsection is intended to change how applicants or consumers are prioritized when applicants or consumers are placed on a waitlist for working connections child care benefits.

(d) Subject to the availability of amounts appropriated for this specific purpose, the department may extend the provisions of this subsection (4) to full-time students who are enrolled in a bachelor's degree program or applied baccalaureate degree program.

NINETIETH DAY, APRIL 8, 2023

(5)(a) An applicant or consumer is eligible to receive working connections child care benefits for the care of one or more eligible children for the first 12 months of the applicant's or consumer's enrollment in a state registered apprenticeship program under chapter 49.04 RCW when:

(i) The applicant or consumer's household annual income adjusted for family size does not exceed 75 percent of the state median income at the time of application, or, beginning July 1, 2027, does not exceed 85 percent of the state median income if funds are appropriated for the purpose of RCW 43.216.1368(4);

(ii) The child receiving care is: (A) Less than 13 years of age; or (B) less than 19 years of age and either has a verified special need according to department rule or is under court supervision; and

(iii) The household meets all other program eligibility requirements.

(b) The department must adopt a copayment model for benefits granted under this subsection, which must align with any copayment identified or adopted for households with the same income level under RCW 43.216.1368.

(6)(a) The department must extend the homeless grace period, as adopted in department rule as of January 1, 2020, from a four-month grace period to a twelve-month grace period.

(b) For the purposes of this section, "homeless" means being without a fixed, regular, and adequate nighttime residence as described in the federal McKinney-Vento homeless assistance act (42 U.S.C. Sec. 11434a) as it existed on January 1, 2020.

((6)) (7) For purposes of this section, "authorization" means a transaction created by the department that allows a child care provider to claim payment for care. The department may adjust an authorization based on a household's eligibility status.

NEW SECTION. Sec. 2. If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2023, in the omnibus appropriations act, this act is null and void."

On page 1, line 3 of the title, after "apprenticeships;" strike the remainder of the title and insert "amending RCW 43.216.136; and creating a new section."

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Ways & Means to Second Substitute House Bill No. 1525.

The motion by Senator Wellman carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Wellman, the rules were suspended, Second Substitute House Bill No. 1525 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Wellman spoke in favor of passage of the bill.

Senator Hawkins spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute House Bill No. 1525 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute House Bill No. 1525 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 36; Nays, 12; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Fortunato, Frame, Gildon, Hasegawa, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, Mullet, Muzzall, Nguyen, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wellman, Wilson, C. and Wilson, J.

Voting nay: Senators Boehnke, Braun, Dozier, Hawkins, MacEwen, McCune, Padden, Schoesler, Short, Wagoner, Warnick and Wilson, L.

Excused: Senator Nobles

SECOND SUBSTITUTE HOUSE BILL NO. 1525, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 12:48 p.m., on motion of Senator Pedersen, the Senate was declared to be at ease subject to the call of the President.

AFTERNOON SESSION

The Senate was called to order at 1:30 p.m. by the President of the Senate, Lt. Governor Heck presiding.

SIGNED BY THE PRESIDENT

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

HOUSE BILL NO. 1030,
HOUSE BILL NO. 1031,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1073,
SUBSTITUTE HOUSE BILL NO. 1255,
SUBSTITUTE HOUSE BILL NO. 1275,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1311,
SUBSTITUTE HOUSE BILL NO. 1323,
HOUSE BILL NO. 1370,
SUBSTITUTE HOUSE BILL NO. 1590,
HOUSE BILL NO. 1707,
HOUSE BILL NO. 1712,
HOUSE BILL NO. 1730,
and HOUSE BILL NO. 1792.

MOTION

On motion of Senator Wilson, C., Senator Liias was excused.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1240, by House Committee on Civil Rights & Judiciary (originally sponsored by Peterson, Senn, Alvarado, Walen, Street, Springer, Simmons, Reeves, Reed, Ormsby, Kloba, Fitzgibbon, Duerr, Doglio, Berry, Bateman, Fey, Davis, Ramel, Bergquist, Fosse, Pollet, Lekanoff, Macri, Gregerson and Santos)

Establishing firearms-related safety measures to increase public safety.

The measure was read the second time.

MOTION

Senator Kuderer moved that the following committee striking amendment by the Committee on Law & Justice be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds and declares that gun violence is a threat to the public health and safety of Washingtonians. Assault weapons are civilian versions of weapons created for the military and are designed to kill humans quickly and efficiently. For this reason the legislature finds that assault weapons are "like" "M-16 rifles" and thus are "weapons most useful in military service." Assault weapons have been used in the deadliest mass shootings in the last decade. An assailant with an assault weapon can hurt and kill twice the number of people than an assailant with a handgun or nonassault rifle. This is because the additional features of an assault weapon are not "merely cosmetic"; rather, these are features that allow shooters to fire large numbers of rounds quickly. An analysis of mass shootings that result in four or more deaths found that 85 percent of those fatalities were caused by an assault weapon. The legislature also finds that this regulation is likely to have an impact on the number of mass shootings committed in Washington. Studies have shown that during the period the federal assault weapon ban was in effect, mass shooting fatalities were 70 percent less likely to occur. Moreover, the legislature finds that assault weapons are not suitable for self-defense and that studies show that assault weapons are statistically not used in self-defense. The legislature finds that assault weapons are not commonly used in self-defense and that any proliferation is not the result of the assault weapon being well-suited for self-defense, hunting, or sporting purposes. Rather, increased sales are the result of the gun industry's concerted efforts to sell more guns to a civilian market. The legislature finds that the gun industry has specifically marketed these weapons as "tactical," "hyper masculine," and "military style" in manner that overtly appeals to troubled young men intent on becoming the next mass shooter. The legislature intends to limit the prospective sale of assault weapons, while allowing existing legal owners to retain the assault weapons they currently own.

Sec. 2. RCW 9.41.010 and 2022 c 105 s 2 and 2022 c 104 s 2 are each reenacted and amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Antique firearm" means a firearm or replica of a firearm not designed or redesigned for using rim fire or conventional center fire ignition with fixed ammunition and manufactured in or before 1898, including any matchlock, flintlock, percussion cap, or similar type of ignition system and also any firearm using fixed ammunition manufactured in or before 1898, for which ammunition is no longer manufactured in the United States and is not readily available in the ordinary channels of commercial trade.

(2)(a) "Assault weapon" means:

(i) Any of the following specific firearms regardless of which company produced and manufactured the firearm:

<u>AK-47 in all forms</u>
<u>AK-74 in all forms</u>
<u>Algimec AGM-1 type semiautomatic</u>
<u>American Arms Spectre da semiautomatic carbine</u>
<u>AR15, M16, or M4 in all forms</u>
<u>AR 180 type semiautomatic</u>
<u>Argentine L.S.R. semiautomatic</u>

<u>Australian Automatic</u>
<u>Auto-Ordnance Thompson M1 and 1927 semiautomatics</u>
<u>Barrett .50 cal light semiautomatic</u>
<u>Barrett .50 cal M87</u>
<u>Barrett .50 cal M107A1</u>
<u>Barrett REC7</u>
<u>Beretta AR70/S70 type semiautomatic</u>
<u>Bushmaster Carbon 15</u>
<u>Bushmaster ACR</u>
<u>Bushmaster XM-15</u>
<u>Bushmaster MOE</u>
<u>Calico models M100 and M900</u>
<u>CETME Sporter</u>
<u>CIS SR 88 type semiautomatic</u>
<u>Colt CAR 15</u>
<u>Daewoo K-1</u>
<u>Daewoo K-2</u>
<u>Dragunov semiautomatic</u>
<u>Fabrique Nationale FAL in all forms</u>
<u>Fabrique Nationale F2000</u>
<u>Fabrique Nationale L1A1 Sporter</u>
<u>Fabrique Nationale M249S</u>
<u>Fabrique Nationale PS90</u>
<u>Fabrique Nationale SCAR</u>
<u>FAMAS .223 semiautomatic</u>
<u>Galil</u>
<u>Heckler & Koch G3 in all forms</u>
<u>Heckler & Koch HK-41/91</u>
<u>Heckler & Koch HK-43/93</u>
<u>Heckler & Koch HK94A2/3</u>
<u>Heckler & Koch MP-5 in all forms</u>
<u>Heckler & Koch PSG-1</u>
<u>Heckler & Koch SL8</u>
<u>Heckler & Koch UMP</u>
<u>Manchester Arms Commando MK-45</u>
<u>Manchester Arms MK-9</u>
<u>SAR-4800</u>
<u>SIG AMT SG510 in all forms</u>
<u>SIG SG550 in all forms</u>
<u>SKS</u>
<u>Spectre M4</u>
<u>Springfield Armory BM-59</u>
<u>Springfield Armory G3</u>
<u>Springfield Armory SAR-8</u>
<u>Springfield Armory SAR-48</u>
<u>Springfield Armory SAR-3</u>
<u>Springfield Armory M-21 sniper</u>

<u>Springfield Armory M1A</u>
<u>Smith & Wesson M&P 15</u>
<u>Sterling Mk 1</u>
<u>Sterling Mk 6/7</u>
<u>Steyr AUG</u>
<u>TNW M230</u>
<u>FAMAS F11</u>
<u>Uzi 9mm carbine/rifle</u>

(ii) A semiautomatic rifle that has an overall length of less than 30 inches;

(iii) A conversion kit, part, or combination of parts, from which an assault weapon can be assembled or from which a firearm can be converted into an assault weapon if those parts are in the possession or under the control of the same person; or

(iv) A semiautomatic, center fire rifle that has the capacity to accept a detachable magazine and has one or more of the following:

(A) A grip that is independent or detached from the stock that protrudes conspicuously beneath the action of the weapon. The addition of a fin attaching the grip to the stock does not exempt the grip if it otherwise resembles the grip found on a pistol;

(B) Thumbhole stock;

(C) Folding or telescoping stock;

(D) Forward pistol, vertical, angled, or other grip designed for use by the nonfiring hand to improve control;

(E) Flash suppressor, flash guard, flash eliminator, flash hider, sound suppressor, silencer, or any item designed to reduce the visual or audio signature of the firearm;

(F) Muzzle brake, recoil compensator, or any item designed to be affixed to the barrel to reduce recoil or muzzle rise;

(G) Threaded barrel designed to attach a flash suppressor, sound suppressor, muzzle break, or similar item;

(H) Grenade launcher or flare launcher; or

(I) A shroud that encircles either all or part of the barrel designed to shield the bearer's hand from heat, except a solid forearm of a stock that covers only the bottom of the barrel;

(v) A semiautomatic, center fire rifle that has a fixed magazine with the capacity to accept more than 10 rounds;

(vi) A semiautomatic pistol that has the capacity to accept a detachable magazine and has one or more of the following:

(A) A threaded barrel, capable of accepting a flash suppressor, forward handgrip, or silencer;

(B) A second hand grip;

(C) A shroud that encircles either all or part of the barrel designed to shield the bearer's hand from heat, except a solid forearm of a stock that covers only the bottom of the barrel; or

(D) The capacity to accept a detachable magazine at some location outside of the pistol grip;

(vii) A semiautomatic shotgun that has any of the following:

(A) A folding or telescoping stock;

(B) A grip that is independent or detached from the stock that protrudes conspicuously beneath the action of the weapon. The addition of a fin attaching the grip to the stock does not exempt the grip if it otherwise resembles the grip found on a pistol;

(C) A thumbhole stock;

(D) A forward pistol, vertical, angled, or other grip designed for use by the nonfiring hand to improve control;

(E) A fixed magazine in excess of seven rounds; or

(F) A revolving cylinder shotgun.

(b) For the purposes of this subsection, "fixed magazine" means an ammunition feeding device contained in, or permanently attached to, a firearm in such a manner that the

device cannot be removed without disassembly of the firearm action.

(c) "Assault weapon" does not include antique firearms, any firearm that has been made permanently inoperable, or any firearm that is manually operated by bolt, pump, lever, or slide action.

(3) "Assemble" means to fit together component parts.

~~((3))~~ (4) "Barrel length" means the distance from the bolt face of a closed action down the length of the axis of the bore to the crown of the muzzle, or in the case of a barrel with attachments to the end of any legal device permanently attached to the end of the muzzle.

~~((4))~~ (5) "Bump-fire stock" means a butt stock designed to be attached to a semiautomatic firearm with the effect of increasing the rate of fire achievable with the semiautomatic firearm to that of a fully automatic firearm by using the energy from the recoil of the firearm to generate reciprocating action that facilitates repeated activation of the trigger.

~~((5))~~ (6) "Crime of violence" means:

(a) Any of the following felonies, as now existing or hereafter amended: Any felony defined under any law as a class A felony or an attempt to commit a class A felony, criminal solicitation of or criminal conspiracy to commit a class A felony, manslaughter in the first degree, manslaughter in the second degree, indecent liberties if committed by forcible compulsion, kidnapping in the second degree, arson in the second degree, assault in the second degree, assault of a child in the second degree, extortion in the first degree, burglary in the second degree, residential burglary, and robbery in the second degree;

(b) Any conviction for a felony offense in effect at any time prior to June 6, 1996, which is comparable to a felony classified as a crime of violence in (a) of this subsection; and

(c) Any federal or out-of-state conviction for an offense comparable to a felony classified as a crime of violence under (a) or (b) of this subsection.

~~((6))~~ (7) "Curio or relic" has the same meaning as provided in 27 C.F.R. Sec. 478.11.

~~((7))~~ (8) "Dealer" means a person engaged in the business of selling firearms at wholesale or retail who has, or is required to have, a federal firearms license under 18 U.S.C. Sec. 923(a). A person who does not have, and is not required to have, a federal firearms license under 18 U.S.C. Sec. 923(a), is not a dealer if that person makes only occasional sales, exchanges, or purchases of firearms for the enhancement of a personal collection or for a hobby, or sells all or part of his or her personal collection of firearms.

~~((8))~~ (9) "Detachable magazine" means an ammunition feeding device that can be loaded or unloaded while detached from a firearm and readily inserted into a firearm.

(10) "Distribute" means to give out, provide, make available, or deliver a firearm or large capacity magazine to any person in this state, with or without consideration, whether the distributor is in-state or out-of-state. "Distribute" includes, but is not limited to, filling orders placed in this state, online or otherwise. "Distribute" also includes causing a firearm or large capacity magazine to be delivered in this state.

~~((9))~~ (11) "Family or household member" has the same meaning as in RCW 7.105.010.

~~((10))~~ (12) "Federal firearms dealer" means a licensed dealer as defined in 18 U.S.C. Sec. 921(a)(11).

~~((11))~~ (13) "Federal firearms importer" means a licensed importer as defined in 18 U.S.C. Sec. 921(a)(9).

~~((12))~~ (14) "Federal firearms manufacturer" means a licensed manufacturer as defined in 18 U.S.C. Sec. 921(a)(10).

~~((43))~~ (15) "Felony" means any felony offense under the laws of this state or any federal or out-of-state offense comparable to a felony offense under the laws of this state.

~~((44))~~ (16) "Felony firearm offender" means a person who has previously been convicted or found not guilty by reason of insanity in this state of any felony firearm offense. A person is not a felony firearm offender under this chapter if any and all qualifying offenses have been the subject of an expungement, pardon, annulment, certificate, or rehabilitation, or other equivalent procedure based on a finding of the rehabilitation of the person convicted or a pardon, annulment, or other equivalent procedure based on a finding of innocence.

~~((45))~~ (17) "Felony firearm offense" means:

- (a) Any felony offense that is a violation of this chapter;
- (b) A violation of RCW 9A.36.045;
- (c) A violation of RCW 9A.56.300;
- (d) A violation of RCW 9A.56.310;
- (e) Any felony offense if the offender was armed with a firearm in the commission of the offense.

~~((46))~~ (18) "Firearm" means a weapon or device from which a projectile or projectiles may be fired by an explosive such as gunpowder. "Firearm" does not include a flare gun or other pyrotechnic visual distress signaling device, or a powder-actuated tool or other device designed solely to be used for construction purposes.

~~((47))~~ (19)(a) "Frame or receiver" means a part of a firearm that, when the complete firearm is assembled, is visible from the exterior and provides housing or a structure designed to hold or integrate one or more fire control components, even if pins or other attachments are required to connect the fire control components. Any such part identified with a serial number shall be presumed, absent an official determination by the bureau of alcohol, tobacco, firearms, and explosives or other reliable evidence to the contrary, to be a frame or receiver.

(b) For purposes of this subsection, "fire control component" means a component necessary for the firearm to initiate, complete, or continue the firing sequence, including any of the following: Hammer, bolt, bolt carrier, breechblock, cylinder, trigger mechanism, firing pin, striker, or slide rails.

~~((48))~~ (20) "Gun" has the same meaning as firearm.

~~((49))~~ (21) "Import" means to move, transport, or receive an item from a place outside the territorial limits of the state of Washington to a place inside the territorial limits of the state of Washington. "Import" does not mean situations where an individual possesses a large capacity magazine or assault weapon when departing from, and returning to, Washington state, so long as the individual is returning to Washington in possession of the same large capacity magazine or assault weapon the individual transported out of state.

~~((20))~~ (21) "Intimate partner" has the same meaning as provided in RCW 7.105.010.

~~((24))~~ (22) "Large capacity magazine" means an ammunition feeding device with the capacity to accept more than 10 rounds of ammunition, or any conversion kit, part, or combination of parts, from which such a device can be assembled if those parts are in possession of or under the control of the same person, but shall not be construed to include any of the following:

- (a) An ammunition feeding device that has been permanently altered so that it cannot accommodate more than 10 rounds of ammunition;
- (b) A 22 caliber tube ammunition feeding device; or
- (c) A tubular magazine that is contained in a lever-action firearm.

~~((22))~~ (24) "Law enforcement officer" includes a general authority Washington peace officer as defined in RCW

10.93.020, or a specially commissioned Washington peace officer as defined in RCW 10.93.020. "Law enforcement officer" also includes a limited authority Washington peace officer as defined in RCW 10.93.020 if such officer is duly authorized by his or her employer to carry a concealed pistol.

~~((23))~~ (25) "Lawful permanent resident" has the same meaning afforded a person "lawfully admitted for permanent residence" in 8 U.S.C. Sec. 1101(a)(20).

~~((24))~~ (26) "Licensed collector" means a person who is federally licensed under 18 U.S.C. Sec. 923(b).

~~((25))~~ (27) "Licensed dealer" means a person who is federally licensed under 18 U.S.C. Sec. 923(a).

~~((26))~~ (28) "Loaded" means:

- (a) There is a cartridge in the chamber of the firearm;
- (b) Cartridges are in a clip that is locked in place in the firearm;
- (c) There is a cartridge in the cylinder of the firearm, if the firearm is a revolver;
- (d) There is a cartridge in the tube or magazine that is inserted in the action; or
- (e) There is a ball in the barrel and the firearm is capped or primed if the firearm is a muzzle loader.

~~((27))~~ (29) "Machine gun" means any firearm known as a machine gun, mechanical rifle, submachine gun, or any other mechanism or instrument not requiring that the trigger be pressed for each shot and having a reservoir clip, disc, drum, belt, or other separable mechanical device for storing, carrying, or supplying ammunition which can be loaded into the firearm, mechanism, or instrument, and fired therefrom at the rate of five or more shots per second.

~~((28))~~ (30) "Manufacture" means, with respect to a firearm or large capacity magazine, the fabrication, making, formation, production, or construction of a firearm or large capacity magazine, by manual labor or by machinery.

~~((29))~~ (31) "Nonimmigrant alien" means a person defined as such in 8 U.S.C. Sec. 1101(a)(15).

~~((30))~~ (32) "Person" means any individual, corporation, company, association, firm, partnership, club, organization, society, joint stock company, or other legal entity.

~~((31))~~ (33) "Pistol" means any firearm with a barrel less than 16 inches in length, or is designed to be held and fired by the use of a single hand.

~~((32))~~ (34) "Rifle" means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned, made or remade, and intended to use the energy of the explosive in a fixed metallic cartridge to fire only a single projectile through a rifled bore for each single pull of the trigger.

~~((33))~~ (35) "Sale" and "sell" mean the actual approval of the delivery of a firearm in consideration of payment or promise of payment.

~~((34))~~ (36) "Secure gun storage" means:

- (a) A locked box, gun safe, or other secure locked storage space that is designed to prevent unauthorized use or discharge of a firearm; and
- (b) The act of keeping an unloaded firearm stored by such means.

~~((35))~~ (37) "Semiautomatic" means any firearm which utilizes a portion of the energy of a firing cartridge to extract the fired cartridge case and chamber the next round, and which requires a separate pull of the trigger to fire each cartridge.

(38)(a) "Semiautomatic assault rifle" means any rifle which utilizes a portion of the energy of a firing cartridge to extract the fired cartridge case and chamber the next round, and which requires a separate pull of the trigger to fire each cartridge.

NINETIETH DAY, APRIL 8, 2023

(b) "Semiautomatic assault rifle" does not include antique firearms, any firearm that has been made permanently inoperable, or any firearm that is manually operated by bolt, pump, lever, or slide action.

~~((36))~~ (39) "Serious offense" means any of the following felonies or a felony attempt to commit any of the following felonies, as now existing or hereafter amended:

- (a) Any crime of violence;
- (b) Any felony violation of the uniform controlled substances act, chapter 69.50 RCW, that is classified as a class B felony or that has a maximum term of imprisonment of at least 10 years;
- (c) Child molestation in the second degree;
- (d) Incest when committed against a child under age 14;
- (e) Indecent liberties;
- (f) Leading organized crime;
- (g) Promoting prostitution in the first degree;
- (h) Rape in the third degree;
- (i) Drive-by shooting;
- (j) Sexual exploitation;
- (k) Vehicular assault, when caused by the operation or driving of a vehicle by a person while under the influence of intoxicating liquor or any drug or by the operation or driving of a vehicle in a reckless manner;
- (l) Vehicular homicide, when proximately caused by the driving of any vehicle by any person while under the influence of intoxicating liquor or any drug as defined by RCW 46.61.502, or by the operation of any vehicle in a reckless manner;
- (m) Any other class B felony offense with a finding of sexual motivation, as "sexual motivation" is defined under RCW 9.94A.030;
- (n) Any other felony with a deadly weapon verdict under RCW 9.94A.825;

(o) Any felony offense in effect at any time prior to June 6, 1996, that is comparable to a serious offense, or any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as a serious offense; or

(p) Any felony conviction under RCW 9.41.115.

~~((37))~~ (40) "Short-barreled rifle" means a rifle having one or more barrels less than 16 inches in length and any weapon made from a rifle by any means of modification if such modified weapon has an overall length of less than 26 inches.

~~((38))~~ (41) "Short-barreled shotgun" means a shotgun having one or more barrels less than 18 inches in length and any weapon made from a shotgun by any means of modification if such modified weapon has an overall length of less than 26 inches.

~~((39))~~ (42) "Shotgun" means a weapon with one or more barrels, designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned, made or remade, and intended to use the energy of the explosive in a fixed shotgun shell to fire through a smooth bore either a number of ball shot or a single projectile for each single pull of the trigger.

~~((40))~~ (43) "Transfer" means the intended delivery of a firearm to another person without consideration of payment or promise of payment including, but not limited to, gifts and loans. "Transfer" does not include the delivery of a firearm owned or leased by an entity licensed or qualified to do business in the state of Washington to, or return of such a firearm by, any of that entity's employees or agents, defined to include volunteers participating in an honor guard, for lawful purposes in the ordinary course of business.

~~((41))~~ (44) "Undetectable firearm" means any firearm that is not as detectable as 3.7 ounces of 17-4 PH stainless steel by walk-through metal detectors or magnetometers commonly used at airports or any firearm where the barrel, the slide or cylinder, or the frame or receiver of the firearm would not generate an image

that accurately depicts the shape of the part when examined by the types of X-ray machines commonly used at airports.

~~((42))~~ (45)(a) "Unfinished frame or receiver" means a frame or receiver that is partially complete, disassembled, or inoperable, that: (i) Has reached a stage in manufacture where it may readily be completed, assembled, converted, or restored to a functional state; or (ii) is marketed or sold to the public to become or be used as the frame or receiver of a functional firearm once finished or completed, including without limitation products marketed or sold to the public as an 80 percent frame or receiver or unfinished frame or receiver.

(b) For purposes of this subsection:

(i) "Readily" means a process that is fairly or reasonably efficient, quick, and easy, but not necessarily the most efficient, speedy, or easy process. Factors relevant in making this determination, with no single one controlling, include the following: (A) Time, i.e., how long it takes to finish the process; (B) ease, i.e., how difficult it is to do so; (C) expertise, i.e., what knowledge and skills are required; (D) equipment, i.e., what tools are required; (E) availability, i.e., whether additional parts are required, and how easily they can be obtained; (F) expense, i.e., how much it costs; (G) scope, i.e., the extent to which the subject of the process must be changed to finish it; and (H) feasibility, i.e., whether the process would damage or destroy the subject of the process, or cause it to malfunction.

(ii) "Partially complete," as it modifies frame or receiver, means a forging, casting, printing, extrusion, machined body, or similar article that has reached a stage in manufacture where it is clearly identifiable as an unfinished component part of a firearm.

~~((43))~~ (46) "Unlicensed person" means any person who is not a licensed dealer under this chapter.

~~((44))~~ (47) "Untraceable firearm" means any firearm manufactured after July 1, 2019, that is not an antique firearm and that cannot be traced by law enforcement by means of a serial number affixed to the firearm by a federal firearms manufacturer, federal firearms importer, or federal firearms dealer in compliance with all federal laws and regulations.

NEW SECTION. Sec. 3. A new section is added to chapter 9.41 RCW to read as follows:

(1) No person in this state may manufacture, import, distribute, sell, or offer for sale any assault weapon, except as authorized in this section.

(2) Subsection (1) of this section does not apply to any of the following:

(a) The manufacture, importation, distribution, offer for sale, or sale of an assault weapon by a licensed firearms manufacturer for the purposes of sale to any branch of the armed forces of the United States or the state of Washington, or to any law enforcement agency for use by that agency or its employees for law enforcement purposes, or to a person who does not reside in this state;

(b) The importation, distribution, offer for sale, or sale of an assault weapon by a dealer that is properly licensed under federal and state law for the purpose of sale to any branch of the armed forces of the United States or the state of Washington, or to a law enforcement agency in this state for use by that agency or its employees for law enforcement purposes;

(c) The distribution, offer for sale, or sale of an assault weapon to or by a dealer that is properly licensed under federal and state law where the dealer acquires the assault weapon from an individual legally authorized to possess or transfer the assault weapon for the purpose of selling or transferring the assault weapon to a person who does not reside in this state. The purpose of this section is to allow individuals who no longer wish to own an assault weapon to sell their assault weapon and is not intended

to allow Washington dealers to purchase assault weapons wholesale for the purpose of selling a stock or inventory of assault weapons online or in person to nonresidents; or

(d) The receipt of an assault weapon by a person who, on or after the effective date of this section, acquires possession of the assault weapon by operation of law upon the death of the former owner who was in legal possession of the assault weapon, provided the person in possession of the assault weapon can establish such provenance. Receipt under this subsection (2)(d) is not "distribution" under this chapter. A person who legally receives an assault weapon under this subsection (2)(d) may not sell or transfer the assault weapon to any other person in this state other than to a licensed dealer, to a federally licensed gunsmith for the purpose of service or repair, or to a law enforcement agency for the purpose of permanently relinquishing the assault weapon.

(3) For the purposes of this section, "law enforcement agency" means any (a) general authority Washington law enforcement agency as defined in RCW 10.93.020; (b) limited authority Washington law enforcement agency as defined in RCW 10.93.020; or (c) equivalent federal, state, or local law enforcement agency in the United States.

(4) A person who violates this section is guilty of a gross misdemeanor.

NEW SECTION. Sec. 4. A new section is added to chapter 9.41 RCW to read as follows:

(1) The legislature finds that manufacturing, importing, distributing, selling, or offering for sale any assault weapon in violation of section 3 of this act are matters vitally affecting the public interest for the purpose of applying the consumer protection act, chapter 19.86 RCW; are not reasonable in relation to the development and preservation of business; and constitutes an unfair or deceptive act in trade or commerce and an unfair method of competition for the purpose of applying the consumer protection act, chapter 19.86 RCW.

(2) A violation of section 3 of this act is an unfair or deceptive act or practice or unfair method of competition in the conduct of trade or commerce for purposes of the consumer protection act, chapter 19.86 RCW.

(3) Any person or entity that receives a civil investigative demand issued pursuant to RCW 19.86.110 and that has an objection to answering in whole or in part may avail themselves of the procedural protections afforded in RCW 19.86.110(8). Further, the attorney general shall not share with a law enforcement agency conducting a criminal investigation any materials or information obtained via a response to a civil investigative demand issued pursuant to RCW 19.86.110 unless such information or materials are required to be disclosed pursuant to issuance of a search warrant.

NEW SECTION. Sec. 5. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 6. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

On page 1, line 7 of the title, after "inheritors;" strike the remainder of the title and insert "reenacting and amending RCW 9.41.010; adding new sections to chapter 9.41 RCW; creating a new section; prescribing penalties; and declaring an emergency."

MOTION

Senator Wilson, L. moved that the following amendment no. 0361 by Senator Wilson, L. be adopted:

Beginning on page 1, line 3, strike all of section 1 and insert the following:

"NEW SECTION. Sec. 1. The legislature finds and declares that firearms are not a threat to the public health and safety of Washingtonians. Firearms are a tool for self-defense, hunting, and developing skills. Certain firearms were banned in the United States from 1994 to 2004, but, statistically, the ban did not result in any measurable reduction in shootings or crime. Certain of these firearms have the capability to add on attachments, such as a flash suppressor, noise suppressor, or muzzle brake. These attachments make a firearm easier for vulnerable users to use. The legislature finds that the gun industry helps people defend themselves, feed themselves in the face of an ever-uncertain food supply, and provides a valuable skill-based form of recreation. Misuse of firearms should not be a reason to punish the industry or force the firearms industry out of business. In contrast, an escalation of the misuse of firearms should trigger more vigorous investigation, prosecution, and retribution for crimes. Income inequality, poverty, a lack of education, and a lack of opportunity for vulnerable and overburdened communities are the root cause of crime. In contrast to destroying viable industries and causing law abiding citizens to choose between defenselessness or criminalization, the legislature finds that it should find ways to create firm boundaries for people who engage in criminal behavior and invest in building communities, instead of outlawing industries and self-defense."

Senator Wilson, L. spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Kuderer spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0361 by Senator Wilson, L. on page 1, line 3 to Substitute House Bill No. 1240.

The motion by Senator Wilson, L. did not carry, and amendment no. 0361 was not adopted by voice vote.

MOTION

Senator Fortunato moved that the following amendment no. 0362 by Senator Fortunato be adopted:

Beginning on page 1, line 3, strike all of section 1 and insert the following:

"NEW SECTION. Sec. 1. The legislature intends to instill a fear of firearms in the populace based off the shape and color of the firearm instead of any measurable difference in actual accuracy, capacity, or versatility. The lethal effects of the misuse of firearms are attributed to the style and shape of the firearms in addition to accessories that can be attached to the firearm. These attributes are utilized to describe the lethality of the actions of people who utilize these firearms for nefarious purposes by individuals and organizations that are strongly opposed to possession of firearms. These individuals and organizations attribute lethal characteristics to commonly used accessories and components in an effort to instill and encourage the fear of inanimate objects and detract focus from the cause of firearm violence, the mental status of the firearms user.

Violence accomplished with firearms has been exploited to create an atmosphere of fear surrounding the existence and legality of firearm possession. A desire to protect society and prevent future violence has led to a desire to ban firearms, their

NINETIETH DAY, APRIL 8, 2023

components, and accessories. Because of the strikingly similar assault weapons ban from 1994 to 2004, there is an opportunity to examine data that can support or refute claims that banning certain firearm accessories reduce the lethality of mass shootings. An examination of that evidence finds that both the federal assault weapons ban and several state assault weapons bans have had inconclusive effects on reducing violence. Many of the studies that do indicate a positive link do not take into consideration gang violence and manipulate the data to prove a reduction in violence.

In the United States, there are approximately 393 million civilian owned firearms, with roughly 20 million of those being AR-15 style firearms. In Washington state, 42 percent of Washington state residents live in households with guns and there are less than 100,000 registered firearms in the state. The legislature intends to exert control over the future purchase of a certain type of firearm without addressing the safety of the most treasured members of our society by providing school safety officers.

According to the 2018 mass shootings work group, funding school resource officers, multistage threat assessment processes implemented in education facilities, extreme risk protection orders, and increased investment in mental health professionals were the most important policy recommendations that would prevent future mass shootings. The legislature finds that this legislation which limits what law abiding citizens may possess will not protect anyone's children. Focusing on who is using firearms to commit violent crimes, why they are committing these crimes, and how to protect children would accomplish much more."

MOTION

Senator Fortunato moved that the amendment be read in full.

RULING BY THE PRESIDENT

President Heck: "Thank you Senator Fortunato. The President would just like to point out that in our rules, Rule 64, it reads 'no amendment shall be considered by the Senate until it had been sent to the Secretary's desk in writing and read by the Secretary.' You are within your rights. The secretary shall read."

The amendment was read in full.

Senators Fortunato and Padden spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Kuderer spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0362 by Senator Fortunato on page 1, line 3 to Substitute House Bill No. 1240.

The motion by Senator Fortunato did not carry and amendment no. 0362 was not adopted by voice vote.

MOTION

Senator Fortunato moved that the following amendment no. 0383 by Senator Fortunato be adopted:

Beginning on page 1, line 3, after "legislature" strike all material through "immediately." on page 15, line 4 and insert "finds that, according to the 2018 mass shootings work group, funding school resource officers, multistage threat assessment processes implemented in education facilities, and increased investment in mental health professionals were the most

important policy recommendations that would prevent future mass shootings. Instead of exerting control over the future purchase of a certain type of firearm, the legislature intends to address the safety of the most treasured members of our society by providing school safety officers. An examination of that evidence finds that both the federal assault weapons ban and several state assault weapons bans have had inconclusive effects on reducing violence. Many of the studies that do indicate a positive link do not take into consideration gang violence and manipulate the data to prove a reduction in violence. A desire to protect society and prevent future violence has led to a desire to ban firearms, their components, and accessories. The legislature finds that providing financial support for the hardening of schools will provide more safety for the most treasured members of society than an arbitrary firearms ban.

NEW SECTION. Sec. 2. The legislature hereby directs the criminal justice training commission to conduct a study on the effects, including lethality, velocity, safety for the user, and likelihood of serious injury of the following firearm accessories: (1) A grip that is independent or detached from the stock that protrudes conspicuously beneath the action of the weapon; (2) thumbhole stock; (3) folding or telescoping stock; (4) forward pistol, vertical, angled, or other grip designed for use by the nonfiring hand to improve control; (5) flash suppressor, flash guard, flash eliminator, flash hider, sound suppressor, silencer, or any item designed to reduce the visual or audio signature of the firearm; (6) muzzle brake, recoil compensator, or any item designed to be affixed to the barrel to reduce recoil or muzzle rise; (7) threaded barrel designed to attach a flash suppressor, sound 21 suppressor, muzzle break, or similar item; (8) grenade launcher or flare launcher; (9) a shroud that encircles either all or part of the barrel designed to shield the bearer's hand from heat, except a solid forearm of a stock that covers only the bottom of the barrel; and (10) the capacity to accept a detachable magazine at some location outside of the pistol grip.

The commission shall also study the length of time required to change a magazine by shooters from different demographics and with different skill levels; for example, gender, levels of experience, and law enforcement at varying levels of experience. The commission shall publish a report of the findings, including a list of military units that use AR-15 firearms in combat, by December 31, 2024.

NEW SECTION. Sec. 3. The office of the superintendent of public instruction shall develop a grant program for the security of K-12 public and private schools. The office shall adopt rules for qualifying applicants to include local law enforcement and participating schools. The rules must also provide the scope of security to be provided for participating schools, including but not limited to:

(1) The minimum number of school resource officers to be assigned to each participating school, which must be based on considerations such as student population, building access points, and school facility layout in order to provide a response time of one minute or less for a school resource officer to respond to a physical threat; and

(2) Allowing school districts to acquire structural upgrades for school facilities in order to provide enhanced security and safety including, but not limited to, design upgrades, automatic locking doors, and ballistic films on glass entries.

NEW SECTION. Sec. 4. The criminal justice training commission shall conduct a study on mental health evaluations of people in crisis and mass shootings. The study shall focus on identifying warning signs and proactive solutions for the assessment, treatment, and reduction of violence by persons with

a mental health crisis. The commission shall publish the study and distribute the study to first responders by December 31, 2024.

NEW SECTION. Sec. 5. The sum of \$50,000,000, or as much thereof as may be necessary, is appropriated for the fiscal year ending June 30, 2024, from the general fund to the office of the superintendent of public instruction to develop a grant program with local law enforcement to develop an onsite security presence of school resource officers at public and private schools to respond to any physical threat pursuant to section 3 of this act.

NEW SECTION. Sec. 6. The sum of \$50,000,000, or as much thereof as may be necessary, is appropriated for the fiscal year ending June 30, 2024, from the general fund to the office of the superintendent of public instruction to allow school districts to acquire structural upgrades for school facilities in order to provide enhanced security and safety pursuant to section 3 of this act.

NEW SECTION. Sec. 7. The sum of \$10,000,000, or as much thereof as may be necessary, is appropriated for the fiscal year ending June 30, 2024, from the general fund to the criminal justice training commission for the study of certain defined rifle accessories pursuant to section 2 of this act, and to study mental health evaluations of people in crisis pursuant to section 4 of this act."

On page 15, beginning on line 6, after "insert" strike all material through "emergency" on line 8 and insert "creating new sections; and making appropriations"

Senator Fortunato spoke in favor of adoption of the amendment to the committee striking amendment.

POINT OF ORDER

Senator Pedersen: "Mr. President, I believe that amendment 383 may be a striker to a striker, not permitted."

RULING BY THE PRESIDENT

President Heck: "Senator Pedersen, in a previous ruling the President ruled that while a striking amendment could itself be amended, an amendment which acted as a striker in whole, or, substantially, was out of order as it should more properly be viewed as a competing striker in its own right and offered as such. The amendment before us acts as a striker although the format masks that. It strikes virtually the entire committee striking amendment. The amendment, the proposed amendment would be in order should the committee striking amendment be voted down. Therefore, your point is well taken. The amendment is out of order."

Further consideration of amendment no. 0383 by Senator Fortunato was deferred.

MOTION

Senator Fortunato moved that the following amendment no. 0359 by Senator Fortunato be adopted:

Beginning on page 2, line 15, after "(2)(a)" strike all material through "(c)" on page 5, line 32, and insert "Assault weapon means a military firearm that is chambered for ammunition of reduced size or propellant charge and that has the capacity to switch between semiautomatic and fully automatic fire.

(b)"

Correct any internal references accordingly.

Senators Fortunato and Wagoner spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Trudeau spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0359 by Senator Fortunato on page 2, line 15 to the committee striking amendment.

The motion by Senator Fortunato did not carry and amendment no. 0359 was not adopted by voice vote.

MOTION

Senator Wagoner moved that the following amendment no. 0363 by Senator Wagoner be adopted:

On page 4, line 15, after "30 inches" insert ". excluding firearms specifically designed or used for youth target shooting"

Senator Wagoner spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Trudeau spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0363 by Senator Wagoner on page 4, line 15 to the committee striking amendment.

The motion by Senator Wagoner did not carry and amendment no. 0363 was not adopted by voice vote.

MOTION

Senator Wagoner moved that the following amendment no. 0364 by Senator Wagoner be adopted:

On page 4, line 32, after "firearm" insert ". This subsection does not apply to any sound suppressor, silencer, or item designed to reduce the visual or audio signature of the firearm possessed in compliance with federal law"

Senators Wagoner and Rivers spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Kuderer spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0364 by Senator Wagoner on page 4, line 32 to the committee striking amendment.

The motion by Senator Wagoner did not carry and amendment no. 0364 was not adopted by voice vote.

MOTION

Senator McCune moved that the following amendment no. 0365 by Senator McCune be adopted:

On page 5, line 6, after "rounds;" insert "or"

On page 5, beginning on line 16, after "grip" strike all material through "shotgun" on line 27

Senators McCune, Dozier and Schoesler spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Trudeau spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0365 by Senator McCune on page 5, line 6 to the committee striking amendment.

NINETIETH DAY, APRIL 8, 2023

The motion by Senator McCune did not carry and amendment no. 0365 was not adopted by voice vote.

MOTION

Senator Short moved that the following amendment no. 0358 by Senator Short be adopted:

On page 13, line 30, after "nonresidents;" strike "or"

On page 14, line 2, after "weapon" insert "; or

(e) Sales of an assault weapon to a person who has the actual approval for the delivery of a firearm in consideration of payment or promise of payment, but where delivery has not been completed because the person is subject to the mandatory waiting period pursuant to RCW 9.41.092."

POINT OF INQUIRY

Senator Short: Will the senator from the 45th District yield to a question?

President Heck: "The senator yields."

Senator Short: "Senator Dhingra, in order to make a clear record of legislative intent and for clarification on what the bill encompasses, based on inquiries my colleagues and I have received from our constituents, would an individual who is already ordered and paid for a firearm and is in the midst of the ten-day waiting period when this bill goes into effect be prohibited from receiving their firearm?"

Senator Dhingra: "Thank you Senator Short for that question. Yes, it is my understanding that the law applies to sales of assault weapons after the effective date of the law. The term sale is defined in RCW 9.41.01028 to mean the actual approval of the delivery of the firearm in consideration of payment or promise of payment. It is not the actual delivery but just the approval. If an individual has already purchased a firearm and passes a background check and other required eligibility criteria and has been approved for delivery prior to the effective date but is just waiting the mandatory ten days, then the new law would not apply for those prior purchases."

WITHDRAWAL OF AMENDMENT

On motion of Senator Short and without objection, amendment no. 0358 by Senator Short on page 13, line 30 to the committee striking amendment was withdrawn.

MOTION

Senator Wagoner moved that the following amendment no. 0366 by Senator Wagoner be adopted:

On page 13, line 30, after "nonresidents;" strike "or"

On page 14, line 2, after "weapon" insert "; or

(e) Any person on active military duty receiving orders to move to Washington state, or military retirees moving to Washington state"

Senators Wagoner and Dhingra spoke in favor of adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0366 by Senator Wagoner on page 13, line 30 to the committee striking amendment.

The motion by Senator Wagoner carried and amendment no. 0366 was adopted by voice vote.

MOTION

Senator Wagoner moved that the following amendment no. 0367 by Senator Wagoner be adopted:

On page 13, line 30, after "nonresidents;" strike "or"

On page 14, line 2, after "weapon" insert "; or

(e) Any citizen who moves into Washington state bringing their legally procured assault weapon which may be retained if the assault weapon was procured prior to the effective date of this act"

Senators Wagoner, Short, Fortunato, Rivers, Dozier and Braun spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Trudeau spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0367 by Senator Wagoner on page 13, line 30 to the committee striking amendment.

The motion by Senator Wagoner did not carry and amendment no. 0367 was not adopted by voice vote.

MOTION

Senator Padden moved that the following amendment no. 0368 by Senator Padden be adopted:

On page 13, line 30, after "nonresidents;" strike "or"

On page 14, line 2, after "weapon" insert "; or

(e) The receipt of an assault weapon by a dealer that is properly licensed under federal and state law where the dealer acquires the assault weapon under contract from a government agency. The assault weapon acquired may be sold for up to 180 days after the effective date of this section"

Senator Padden spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Dhingra spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0368 by Senator Padden on page 13, line 30 to the committee striking amendment.

The motion by Senator Padden did not carry and amendment no. 0368 was not adopted by voice vote.

MOTION

Senator Fortunato moved that the following amendment no. 0369 by Senator Fortunato be adopted:

On page 13, line 30, after "nonresidents;" strike "or"

On page 14, line 2, after "weapon" insert "; or

(e) The sale or transfer of an assault weapon acquired prior to the effective date of this section by a licensed pawnbroker"

Senator Fortunato spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Dhingra spoke against adoption of the amendment to the committee striking amendment.

WITHDRAWAL OF AMENDMENT

On motion of Senator Fortunato and without objection, amendment no. 0369 by Senator Fortunato on page 13, line 30 to the committee striking amendment was withdrawn.

MOTION

Senator Randall moved that the following amendment no. 0377 by Senator Randall be adopted:

On page 13, line 30, after "nonresidents;" strike "or"

On page 13, line 31, after "(d)" insert "The out-of-state sale or transfer of the existing stock of assault weapons owned by a licensed dealer that was acquired prior to January 1, 2023, for the limited period of 90 days after the effective date of this section; or (e)"

Correct any internal references accordingly.

Senators Randall and Wilson, L. spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Padden spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0377 by Senator Randall on page 13, line 30 to the committee striking amendment.

The motion by Senator Randall carried and amendment no. 0377 was adopted by a rising vote.

MOTION

Senator Wilson, L. moved that the following amendment no. 0370 by Senator Wilson, L. be adopted:

On page 14, after line 33, insert the following:

"**Sec. 5.** RCW 43.330A.020 and 2020 c 313 s 3 are each amended to read as follows:

(1) The Washington office of firearm safety and violence prevention is created within the department for the purposes of coordinating and promoting effective state and local efforts to reduce firearm violence.

(2) The duties of the office include, but are not limited to:

(a) Working with law enforcement agencies, county prosecutors, researchers, and public health agencies throughout the state to identify and improve upon available data sources, data collection methods, and data-sharing mechanisms. The office will also identify gaps in available data needed for ongoing analysis, policy development, and the implementation of evidence-based firearm violence intervention and prevention strategies;

(b) Working with appropriate agencies to collect and annually report data that specifically identifies the firearms used in gun-related deaths and injuries in Washington state other than suicide and self-inflicted injuries. Identification should include the specific caliber and type of firearm (e.g. 9 mm pistol, .38 revolver, .223 rifle, 12-gauge shotgun);

(c) Researching, identifying, and recommending legislative policy options to promote the implementation of statewide evidence-based firearm violence intervention and prevention strategies;

~~((e))~~ (d) Researching, identifying, and applying for nonstate funding to aid in the research, analysis, and implementation of statewide firearm violence intervention and prevention strategies;

~~((d))~~ (e) Working with the office of crime ~~((victim[s][s]))~~ victims advocacy to identify opportunities to better support

victims of firearm violence, a population that is currently underrepresented among recipients of victim services;

~~((e) Contract [Contracting][Contracting]))~~ (f) Contracting for a statewide helpline, counseling, and referral services for victims, friends, and family members impacted by gun violence and community professionals and providers who engage with them;

~~((f) Contract [Contracting][Contracting]))~~ (g) Contracting with the University of Washington to develop a best practice guide for therapy for gun violence victims;

~~((g))~~ (h) Administering the Washington firearm violence intervention and prevention grant program as outlined in RCW 43.330A.050.

(3) ~~((The))~~ Except as provided in subsection (2)(b) of this section, the office shall report to the appropriate legislative policy committees by December 1st every odd-numbered year on its progress and findings in analyzing data, developing strategies to prevent firearm violence, and recommendations for additional legislative policy options. The first report must be submitted by December 1, 2021."

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

On page 15, line 6, after "insert" insert "amending RCW 43.330A.020;"

Senators Wilson, L., Rivers, Short and Fortunato spoke in favor of adoption of the amendment to the committee striking amendment.

Senators Kuderer, Dhingra and Trudeau spoke against adoption of the amendment to the committee striking amendment.

REMARKS BY THE PRESIDENT

President Heck: "Alright. The rules require that remarks be germane to the amendment before us. The rules require that there be no questioning of intent or motive. Speakers from both sides of the aisle have bordered on violating this. Bluntly put, the gavel's going to be a little quicker. This is an emotion charged policy debate. Respect the rules, please."

The President declared the question before the Senate to be the adoption of amendment no. 0370 by Senator Wilson, L. on page 14, after line 33 to the committee striking amendment.

The motion by Senator Wilson, L. did not carry, and amendment no. 0370 was not adopted by voice vote.

MOTION

Senator Wilson, L. moved that the following amendment no. 0371 by Senator Wilson, L. be adopted:

On page 14, after line 33, insert the following:

"**NEW SECTION. Sec. 5.** A new section is added to chapter 9A.56 RCW to read as follows:

(1) A person is guilty of theft of an assault weapon from a residence, store, shop, sales outlet, or vehicle if he or she commits a theft of any assault weapon from a residence, store, shop, or sales outlet where firearms are sold, or from any vehicle.

(2) This section applies regardless of the value of the assault weapon taken in the theft.

(3) Each assault weapon taken in the theft under this section is a separate offense.

(4)(a) For the purposes of this section, "theft" has the same meaning as defined in RCW 9A.56.020.

NINETIETH DAY, APRIL 8, 2023

(b) The defense allowed against the prosecution for theft under RCW 9A.56.020 shall apply to the crime of theft of a firearm.

(5) For the purposes of this section:

(a) "Assault weapon" means any assault weapon as defined in RCW 9.41.010.

(b) "Vehicle" means any vehicle as defined in RCW 46.04.670.

(6) Theft of an assault weapon from a residence, store, shop, sales outlet, or vehicle is a class B felony.

Sec. 6. RCW 9.94A.515 and 2022 c 231 s 13 are each amended to read as follows:

TABLE 2

CRIMES INCLUDED WITHIN
EACH SERIOUSNESS LEVEL

- XVI Aggravated Murder 1 (RCW 10.95.020)
- XV Homicide by abuse (RCW 9A.32.055)
- Malicious explosion 1 (RCW 70.74.280(1))
- Murder 1 (RCW 9A.32.030)
- XIV Murder 2 (RCW 9A.32.050)
- Trafficking 1 (RCW 9A.40.100(1))
- XIII Malicious explosion 2 (RCW 70.74.280(2))
- Malicious placement of an explosive 1 (RCW 70.74.270(1))
- XII Assault 1 (RCW 9A.36.011)
- Assault of a Child 1 (RCW 9A.36.120)
- Malicious placement of an imitation device 1 (RCW 70.74.272(1)(a))
- Promoting Commercial Sexual Abuse of a Minor (RCW 9.68A.101)
- Rape 1 (RCW 9A.44.040)
- Rape of a Child 1 (RCW 9A.44.073)
- Trafficking 2 (RCW 9A.40.100(3))
- XI Manslaughter 1 (RCW 9A.32.060)
- Rape 2 (RCW 9A.44.050)
- Rape of a Child 2 (RCW 9A.44.076)
- Vehicular Homicide, by being under the influence of intoxicating liquor or any drug (RCW 46.61.520)
- Vehicular Homicide, by the operation of any vehicle in a reckless manner (RCW 46.61.520)
- X Child Molestation 1 (RCW 9A.44.083)
- Criminal Mistreatment 1 (RCW 9A.42.020)
- Indecent Liberties (with forcible compulsion) (RCW 9A.44.100(1)(a))
- Kidnapping 1 (RCW 9A.40.020)
- Leading Organized Crime (RCW 9A.82.060(1)(a))
- Malicious explosion 3 (RCW 70.74.280(3))
- Sexually Violent Predator Escape (RCW 9A.76.115)
- IX Abandonment of Dependent Person 1 (RCW 9A.42.060)
- Assault of a Child 2 (RCW 9A.36.130)
- Explosive devices prohibited (RCW 70.74.180)
- Hit and Run—Death (RCW 46.52.020(4)(a))
- Homicide by Watercraft, by being under the influence of intoxicating liquor or any drug (RCW 79A.60.050)

TABLE 2

CRIMES INCLUDED WITHIN
EACH SERIOUSNESS LEVEL

- Inciting Criminal Profiteering (RCW 9A.82.060(1)(b))
- Malicious placement of an explosive 2 (RCW 70.74.270(2))
- Robbery 1 (RCW 9A.56.200)
- Sexual Exploitation (RCW 9.68A.040)
- VIII Arson 1 (RCW 9A.48.020)
- Commercial Sexual Abuse of a Minor (RCW 9.68A.100)
- Homicide by Watercraft, by the operation of any vessel in a reckless manner (RCW 79A.60.050)
- Manslaughter 2 (RCW 9A.32.070)
- Promoting Prostitution 1 (RCW 9A.88.070)
- Theft of Ammonia (RCW 69.55.010)
- VII Air bag diagnostic systems (causing bodily injury or death) (RCW 46.37.660(2)(b))
- Air bag replacement requirements (causing bodily injury or death) (RCW 46.37.660(1)(b))
- Burglary 1 (RCW 9A.52.020)
- Child Molestation 2 (RCW 9A.44.086)
- Civil Disorder Training (RCW 9A.48.120)
- Dealing in depictions of minor engaged in sexually explicit conduct 1 (RCW 9.68A.050(1))
- Drive-by Shooting (RCW 9A.36.045)
- False Reporting 1 (RCW 9A.84.040(2)(a))
- Homicide by Watercraft, by disregard for the safety of others (RCW 79A.60.050)
- Indecent Liberties (without forcible compulsion) (RCW 9A.44.100(1) (b) and (c))
- Introducing Contraband 1 (RCW 9A.76.140)
- Malicious placement of an explosive 3 (RCW 70.74.270(3))
- Manufacture or import counterfeit, nonfunctional, damaged, or previously deployed air bag (causing bodily injury or death) (RCW 46.37.650(1)(b))
- Negligently Causing Death By Use of a Signal Preemption Device (RCW 46.37.675)
- Sell, install, or reinstall counterfeit, nonfunctional, damaged, or previously deployed airbag (RCW 46.37.650(2)(b))
- Sending, bringing into state depictions of minor engaged in sexually explicit conduct 1 (RCW 9.68A.060(1))
- Theft of an assault weapon from a residence, store, shop, sales outlet, or vehicle (section 5 of this act)
- Unlawful Possession of a Firearm in the first degree (RCW 9.41.040(1))
- Use of a Machine Gun or Bump-fire Stock in Commission of a Felony (RCW 9.41.225)
- Vehicular Homicide, by disregard for the safety of others (RCW 46.61.520)
- VI Bail Jumping with Murder 1 (RCW 9A.76.170(3)(a))

TABLE 2

CRIMES INCLUDED WITHIN
EACH SERIOUSNESS LEVEL

Bribery (RCW 9A.68.010)
 Incest 1 (RCW 9A.64.020(1))
 Intimidating a Judge (RCW 9A.72.160)
 Intimidating a Juror/Witness (RCW 9A.72.110,
 9A.72.130)
 Malicious placement of an imitation device 2 (RCW
 70.74.272(1)(b))
 Possession of Depictions of a Minor Engaged in Sexually
 Explicit Conduct 1 (RCW 9.68A.070(1))
 Rape of a Child 3 (RCW 9A.44.079)
 Theft of a Firearm (RCW 9A.56.300)
 Theft from a Vulnerable Adult 1 (RCW 9A.56.400(1))
 Unlawful Storage of Ammonia (RCW 69.55.020)
 V Abandonment of Dependent Person 2 (RCW 9A.42.070)
 Advancing money or property for extortionate extension
 of credit (RCW 9A.82.030)
 Air bag diagnostic systems (RCW 46.37.660(2)(c))
 Air bag replacement requirements (RCW
 46.37.660(1)(c))
 Bail Jumping with class A Felony (RCW
 9A.76.170(3)(b))
 Child Molestation 3 (RCW 9A.44.089)
 Criminal Mistreatment 2 (RCW 9A.42.030)
 Custodial Sexual Misconduct 1 (RCW 9A.44.160)
 Dealing in Depictions of Minor Engaged in Sexually
 Explicit Conduct 2 (RCW 9.68A.050(2))
 Domestic Violence Court Order Violation (RCW
 7.105.450, 10.99.040, 10.99.050, 26.09.300, 26.10.220,
 26.26B.050, 26.50.110, 26.52.070, or 74.34.145)
 Extortion 1 (RCW 9A.56.120)
 Extortionate Extension of Credit (RCW 9A.82.020)
 Extortionate Means to Collect Extensions of Credit
 (RCW 9A.82.040)
 Incest 2 (RCW 9A.64.020(2))
 Kidnapping 2 (RCW 9A.40.030)
 Manufacture or import counterfeit, nonfunctional,
 damaged, or previously deployed air bag (RCW
 46.37.650(1)(c))
 Perjury 1 (RCW 9A.72.020)
 Persistent prison misbehavior (RCW 9.94.070)
 Possession of a Stolen Firearm (RCW 9A.56.310)
 Rape 3 (RCW 9A.44.060)
 Rendering Criminal Assistance 1 (RCW 9A.76.070)
 Sell, install, or reinstall counterfeit, nonfunctional,
 damaged, or previously deployed airbag (RCW
 46.37.650(2)(c))
 Sending, Bringing into State Depictions of Minor
 Engaged in Sexually Explicit Conduct 2 (RCW
 9.68A.060(2))

TABLE 2

CRIMES INCLUDED WITHIN
EACH SERIOUSNESS LEVEL

Sexual Misconduct with a Minor 1 (RCW 9A.44.093)
 Sexually Violating Human Remains (RCW 9A.44.105)
 Stalking (RCW 9A.46.110)
 Taking Motor Vehicle Without Permission 1 (RCW
 9A.56.070)
 IV Arson 2 (RCW 9A.48.030)
 Assault 2 (RCW 9A.36.021)
 Assault 3 (of a Peace Officer with a Projectile Stun Gun)
 (RCW 9A.36.031(1)(h))
 Assault 4 (third domestic violence offense) (RCW
 9A.36.041(3))
 Assault by Watercraft (RCW 79A.60.060)
 Bribing a Witness/Bribe Received by Witness (RCW
 9A.72.090, 9A.72.100)
 Cheating 1 (RCW 9.46.1961)
 Commercial Bribery (RCW 9A.68.060)
 Counterfeiting (RCW 9.16.035(4))
 Driving While Under the Influence (RCW 46.61.502(6))
 Endangerment with a Controlled Substance (RCW
 9A.42.100)
 Escape 1 (RCW 9A.76.110)
 Hate Crime (RCW 9A.36.080)
 Hit and Run—Injury (RCW 46.52.020(4)(b))
 Hit and Run with Vessel—Injury Accident (RCW
 79A.60.200(3))
 Identity Theft 1 (RCW 9.35.020(2))
 Indecent Exposure to Person Under Age 14 (subsequent
 sex offense) (RCW 9A.88.010)
 Influencing Outcome of Sporting Event (RCW
 9A.82.070)
 Physical Control of a Vehicle While Under the Influence
 (RCW 46.61.504(6))
 Possession of Depictions of a Minor Engaged in Sexually
 Explicit Conduct 2 (RCW 9.68A.070(2))
 Residential Burglary (RCW 9A.52.025)
 Robbery 2 (RCW 9A.56.210)
 Theft of Livestock 1 (RCW 9A.56.080)
 Threats to Bomb (RCW 9.61.160)
 Trafficking in Stolen Property 1 (RCW 9A.82.050)
 Unlawful factoring of a credit card or payment card
 transaction (RCW 9A.56.290(4)(b))
 Unlawful transaction of health coverage as a health care
 service contractor (RCW 48.44.016(3))
 Unlawful transaction of health coverage as a health
 maintenance organization (RCW 48.46.033(3))
 Unlawful transaction of insurance business (RCW
 48.15.023(3))
 Unlicensed practice as an insurance professional (RCW

TABLE 2

CRIMES INCLUDED WITHIN
EACH SERIOUSNESS LEVEL

48.17.063(2))
Use of Proceeds of Criminal Profiteering (RCW 9A.82.080 (1) and (2))
Vehicle Prowling 2 (third or subsequent offense) (RCW 9A.52.100(3))
Vehicular Assault, by being under the influence of intoxicating liquor or any drug, or by the operation or driving of a vehicle in a reckless manner (RCW 46.61.522)
Viewing of Depictions of a Minor Engaged in Sexually Explicit Conduct 1 (RCW 9.68A.075(1))
Willful Failure to Return from Furlough (RCW 72.66.060)
III Animal Cruelty 1 (Sexual Conduct or Contact) (RCW 16.52.205(3))
Assault 3 (Except Assault 3 of a Peace Officer With a Projectile Stun Gun) (RCW 9A.36.031 except subsection (1)(h))
Assault of a Child 3 (RCW 9A.36.140)
Bail Jumping with class B or C Felony (RCW 9A.76.170(3)(c))
Burglary 2 (RCW 9A.52.030)
Communication with a Minor for Immoral Purposes (RCW 9.68A.090)
Criminal Gang Intimidation (RCW 9A.46.120)
Custodial Assault (RCW 9A.36.100)
Cyber Harassment (RCW 9A.90.120(2)(b))
Escape 2 (RCW 9A.76.120)
Extortion 2 (RCW 9A.56.130)
False Reporting 2 (RCW 9A.84.040(2)(b))
Harassment (RCW 9A.46.020)
Intimidating a Public Servant (RCW 9A.76.180)
Introducing Contraband 2 (RCW 9A.76.150)
Malicious Injury to Railroad Property (RCW 81.60.070)
Manufacture of Untraceable Firearm with Intent to Sell (RCW 9.41.190)
Manufacture or Assembly of an Undetectable Firearm or Untraceable Firearm (RCW 9.41.325)
Mortgage Fraud (RCW 19.144.080)
Negligently Causing Substantial Bodily Harm By Use of a Signal Preemption Device (RCW 46.37.674)
Organized Retail Theft 1 (RCW 9A.56.350(2))
Perjury 2 (RCW 9A.72.030)
Possession of Incendiary Device (RCW 9.40.120)
Possession of Machine Gun, Bump-Fire Stock, Undetectable Firearm, or Short-Barreled Shotgun or Rifle (RCW 9.41.190)
Promoting Prostitution 2 (RCW 9A.88.080)
Retail Theft with Special Circumstances 1 (RCW

TABLE 2

CRIMES INCLUDED WITHIN
EACH SERIOUSNESS LEVEL

9A.56.360(2))
Securities Act violation (RCW 21.20.400)
Tampering with a Witness (RCW 9A.72.120)
Telephone Harassment (subsequent conviction or threat of death) (RCW 9.61.230(2))
Theft of Livestock 2 (RCW 9A.56.083)
Theft with the Intent to Resell 1 (RCW 9A.56.340(2))
Trafficking in Stolen Property 2 (RCW 9A.82.055)
Unlawful Hunting of Big Game 1 (RCW 77.15.410(3)(b))
Unlawful Imprisonment (RCW 9A.40.040)
Unlawful Misbranding of Fish or Shellfish 1 (RCW 77.140.060(3))
Unlawful possession of firearm in the second degree (RCW 9.41.040(2))
Unlawful Taking of Endangered Fish or Wildlife 1 (RCW 77.15.120(3)(b))
Unlawful Trafficking in Fish, Shellfish, or Wildlife 1 (RCW 77.15.260(3)(b))
Unlawful Use of a Nondesignated Vessel (RCW 77.15.530(4))
Vehicular Assault, by the operation or driving of a vehicle with disregard for the safety of others (RCW 46.61.522)
Willful Failure to Return from Work Release (RCW 72.65.070)
II Commercial Fishing Without a License 1 (RCW 77.15.500(3)(b))
Computer Trespass 1 (RCW 9A.90.040)
Counterfeiting (RCW 9.16.035(3))
Electronic Data Service Interference (RCW 9A.90.060)
Electronic Data Tampering 1 (RCW 9A.90.080)
Electronic Data Theft (RCW 9A.90.100)
Engaging in Fish Dealing Activity Unlicensed 1 (RCW 77.15.620(3))
Escape from Community Custody (RCW 72.09.310)
Failure to Register as a Sex Offender (second or subsequent offense) (RCW 9A.44.130 prior to June 10, 2010, and RCW 9A.44.132)
Health Care False Claims (RCW 48.80.030)
Identity Theft 2 (RCW 9.35.020(3))
Improperly Obtaining Financial Information (RCW 9.35.010)
Malicious Mischief 1 (RCW 9A.48.070)
Organized Retail Theft 2 (RCW 9A.56.350(3))
Possession of Stolen Property 1 (RCW 9A.56.150)
Possession of a Stolen Vehicle (RCW 9A.56.068)
Retail Theft with Special Circumstances 2 (RCW 9A.56.360(3))

TABLE 2

CRIMES INCLUDED WITHIN
EACH SERIOUSNESS LEVEL

Scrap Processing, Recycling, or Supplying Without a License (second or subsequent offense) (RCW 19.290.100)

Theft 1 (RCW 9A.56.030)

Theft of a Motor Vehicle (RCW 9A.56.065)

Theft of Rental, Leased, Lease-purchased, or Loaned Property (valued at \$5,000 or more) (RCW 9A.56.096(5)(a))

Theft with the Intent to Resell 2 (RCW 9A.56.340(3))

Trafficking in Insurance Claims (RCW 48.30A.015)

Unlawful factoring of a credit card or payment card transaction (RCW 9A.56.290(4)(a))

Unlawful Participation of Non-Indians in Indian Fishery (RCW 77.15.570(2))

Unlawful Practice of Law (RCW 2.48.180)

Unlawful Purchase or Use of a License (RCW 77.15.650(3)(b))

Unlawful Trafficking in Fish, Shellfish, or Wildlife 2 (RCW 77.15.260(3)(a))

Unlicensed Practice of a Profession or Business (RCW 18.130.190(7))

Voyeurism 1 (RCW 9A.44.115)

I Attempting to Elude a Pursuing Police Vehicle (RCW 46.61.024)

False Verification for Welfare (RCW 74.08.055)

Forgery (RCW 9A.60.020)

Fraudulent Creation or Revocation of a Mental Health Advance Directive (RCW 9A.60.060)

Malicious Mischief 2 (RCW 9A.48.080)

Mineral Trespass (RCW 78.44.330)

Possession of Stolen Property 2 (RCW 9A.56.160)

Reckless Burning 1 (RCW 9A.48.040)

Spotlighting Big Game 1 (RCW 77.15.450(3)(b))

Suspension of Department Privileges 1 (RCW 77.15.670(3)(b))

Taking Motor Vehicle Without Permission 2 (RCW 9A.56.075)

Theft 2 (RCW 9A.56.040)

Theft from a Vulnerable Adult 2 (RCW 9A.56.400(2))

Theft of Rental, Leased, Lease-purchased, or Loaned Property (valued at \$750 or more but less than \$5,000) (RCW 9A.56.096(5)(b))

Transaction of insurance business beyond the scope of licensure (RCW 48.17.063)

Unlawful Fish and Shellfish Catch Accounting (RCW 77.15.630(3)(b))

Unlawful Issuance of Checks or Drafts (RCW 9A.56.060)

Unlawful Possession of Fictitious Identification (RCW 9A.56.320)

TABLE 2

CRIMES INCLUDED WITHIN
EACH SERIOUSNESS LEVEL

Unlawful Possession of Instruments of Financial Fraud (RCW 9A.56.320)

Unlawful Possession of Payment Instruments (RCW 9A.56.320)

Unlawful Possession of a Personal Identification Device (RCW 9A.56.320)

Unlawful Production of Payment Instruments (RCW 9A.56.320)

Unlawful Releasing, Planting, Possessing, or Placing Deleterious Exotic Wildlife (RCW 77.15.250(2)(b))

Unlawful Trafficking in Food Stamps (RCW 9.91.142)

Unlawful Use of Food Stamps (RCW 9.91.144)

Unlawful Use of Net to Take Fish 1 (RCW 77.15.580(3)(b))

Unlawful Use of Prohibited Aquatic Animal Species (RCW 77.15.253(3))

Vehicle Prowl 1 (RCW 9A.52.095)

Violating Commercial Fishing Area or Time 1 (RCW 77.15.550(3)(b))

Sec. 7. RCW 9.94A.589 and 2020 c 276 s 1 are each amended to read as follows:

(1)(a) Except as provided in (b), (c), or (d) of this subsection, whenever a person is to be sentenced for two or more current offenses, the sentence range for each current offense shall be determined by using all other current and prior convictions as if they were prior convictions for the purpose of the offender score: PROVIDED, That if the court enters a finding that some or all of the current offenses encompass the same criminal conduct then those current offenses shall be counted as one crime. Sentences imposed under this subsection shall be served concurrently. Consecutive sentences may only be imposed under the exceptional sentence provisions of RCW 9.94A.535. "Same criminal conduct," as used in this subsection, means two or more crimes that require the same criminal intent, are committed at the same time and place, and involve the same victim. This definition applies in cases involving vehicular assault or vehicular homicide even if the victims occupied the same vehicle.

(b) Whenever a person is convicted of two or more serious violent offenses arising from separate and distinct criminal conduct, the standard sentence range for the offense with the highest seriousness level under RCW 9.94A.515 shall be determined using the offender's prior convictions and other current convictions that are not serious violent offenses in the offender score and the standard sentence range for other serious violent offenses shall be determined by using an offender score of zero. The standard sentence range for any offenses that are not serious violent offenses shall be determined according to (a) of this subsection. All sentences imposed under this subsection (1)(b) shall be served consecutively to each other and concurrently with sentences imposed under (a) of this subsection. Even if the court orders the confinement terms to run consecutively to each other, the terms of community custody shall run concurrently to each other, unless the court expressly orders the community custody terms to run consecutively to each other.

(c) If an offender is convicted under RCW 9.41.040 for unlawful possession of a firearm in the first or second degree and

NINETIETH DAY, APRIL 8, 2023

for ~~((the))~~ one or more of the following felony crimes ~~((of theft))~~:
(i) Theft of a firearm; or (ii) theft of an assault weapon from a residence, store, shop, sales outlet, or vehicle (section 5 of this act); or (iii) possession of a stolen firearm, ((or both,)) the standard sentence range for each of these current offenses shall be determined by using all other current and prior convictions, except other current convictions for the felony crimes listed in this subsection (1)(c), as if they were prior convictions. The offender shall serve consecutive sentences for each conviction of the felony crimes listed in this subsection (1)(c), and for each firearm unlawfully possessed.

(d) All sentences imposed under RCW 46.61.502(6), 46.61.504(6), or 46.61.5055(4) shall be served consecutively to any sentences imposed under RCW 46.20.740 and 46.20.750.

(2)(a) Whenever a person while under sentence for conviction of a felony commits another felony and is sentenced to another term of confinement, the latter term of confinement shall not begin until expiration of all prior terms of confinement. However, any terms of community custody shall run concurrently to each other, unless the court pronouncing the current sentence expressly orders that they be served consecutively.

(b) Whenever a second or later felony conviction results in consecutive community custody with conditions not currently in effect, under the prior sentence or sentences of community custody, the court may require that the conditions of community custody contained in the second or later sentence begin during the immediate term of community custody and continue throughout the duration of the consecutive term of community custody.

(3) Subject to subsections (1) and (2) of this section, whenever a person is sentenced for a felony that was committed while the person was not under sentence for conviction of a felony, the sentence shall run concurrently with any felony sentence which has been imposed by any court in this or another state or by a federal court subsequent to the commission of the crime being sentenced unless the court pronouncing the current sentence expressly orders that the confinement terms be served consecutively to each other. Even if the court orders the confinement terms to run consecutively to each other, the terms of community custody shall run concurrently to each other, unless the court expressly orders the community custody terms to run consecutively to each other.

(4) Whenever any person granted probation under RCW 9.95.210 or 9.92.060, or both, has the probationary sentence revoked and a prison sentence imposed, that sentence shall run consecutively to any sentence imposed pursuant to this chapter, unless the court pronouncing the subsequent sentence expressly orders that they be served concurrently.

(5) In the case of consecutive sentences, all periods of total confinement shall be served before any partial confinement, community restitution, community supervision, or any other requirement or conditions of any of the sentences. Except for exceptional sentences as authorized under RCW 9.94A.535, if two or more sentences that run consecutively include periods of community supervision, the aggregate of the community supervision period shall not exceed twenty-four months."

Re-number the remaining sections consecutively and correct any internal references accordingly.

On page 15, line 6, after "insert" insert "amending RCW 9.94A.515 and 9.94A.589;"

On page 15, line 7, after "RCW;" insert "adding a new section to chapter 9A.56 RCW;"

Senators Wilson, L., Fortunato and Short spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Dhingra spoke against adoption of the amendment to the committee striking amendment.

POINT OF ORDER

Senator Braun: "The testimony, the speech by my good friend from the 45th does not seem to be related to this bill. It seems to be informing about an entirely different issue."

RULING BY THE PRESIDENT

President Heck: "Senator Dhingra, the President reminds you to please restrict your remarks to the amendment pending before the Senate."

The President declared the question before the Senate to be the adoption of amendment no. 0371 by Senator Wilson, L. on page 14, after line 33 to the committee striking amendment.

The motion by Senator Wilson, L. did not carry, and amendment no. 0371 was not adopted by voice vote.

POINT OF ORDER

Senator Padden: "Thank you Mr. President., Mr. President, I can't tell, my hearing isn't perfect, but it seems to me some of the voice votes may be coming from off the floor. And I just would ask that you remind folks that only members of the Senate can vote. Thank you."

RULING BY THE PRESIDENT

President Heck: "Senator Padden, the President did not hear votes coming from off the floor but your point is well taken. Only members of the senate can vote and in fact they must step in from the wings in order to do so. Please be reminded."

MOTION

Senator Wilson, L. moved that the following amendment no. 0372 by Senator Wilson, J. be adopted:

On page 14, after line 33, insert the following:
"NEW SECTION. Sec. 5. A new section is added to chapter 82.04 RCW to read as follows:

(1) In computing the tax imposed under this chapter, a credit is allowed to a firearms dealer. The credit is equal to the net loss on an assault weapon.

(2) The credit under this section only applies to assault weapons owned by a firearms dealer as of the effective date of this section.

(3) The credit may not exceed the tax otherwise due under this chapter for the tax reporting period. Unused credit may be carried over and used in subsequent tax reporting periods.

(4) For the purpose of this section, the following definitions apply:

(a) "Acquisition cost" means the total cost a person recognizes for accounting purposes to acquire an assault weapon for resale; however, "acquisition cost" also includes shipping and transportation costs related to transporting assault weapons out-of-state for resale.

(b) "Assault weapon" has the same meaning as provided in RCW 9.41.010.

(c) "Firearms dealer" means a person engaged in the business of selling firearms at wholesale or retail.

(d) "Net loss" means the amount by which the acquisition cost of an assault weapon exceeds the sales price of an assault

weapon. In the case of an assault weapon that is not sold, "net loss" means the acquisition cost."

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

On page 15, line 7, after "9.41 RCW;" insert "adding a new section to chapter 82.04 RCW;"

Senator Wilson, J. spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Trudeau spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0372 by Senator Wilson, J. on page 14, after line 33 to the committee striking amendment.

The motion by Senator Wilson, L. did not carry and amendment no. 0372 was not adopted by voice vote.

MOTION

Senator Wagoner moved that the following amendment no. 0373 by Senator Wagoner be adopted:

On page 14, after line 33, insert the following:

"NEW SECTION. Sec. 5. (1) The joint legislative audit and review committee shall conduct a study of the effectiveness of this act in reducing violent crimes, firearm wounds and death in Washington state. The office of the superintendent of public instruction and the Washington association of sheriffs and police chiefs shall provide advice and assistance to the committee's effort to collect information from school districts, law enforcement, and emergency first responders.

(2) By January 1, 2028, and in compliance with RCW 43.01.036, the joint legislative audit and review committee must provide a report to the appropriate committees of the legislature that describes the results of the study.

(3) This section expires January 1, 2028."

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

On page 15, beginning on line 7, after "RCW;" strike all material through "penalties" and insert "creating new sections; prescribing penalties; providing an expiration date"

Senator Wagoner spoke in favor of adoption of the amendment to the committee striking amendment.

Senators Kuderer and Dozier spoke against adoption of the amendment to the committee striking amendment.

POINT OF ORDER

Senator Pedersen: "I think we are really travelling far afield from the amendment."

RULING BY THE PRESIDENT

President Heck: "Senator Pedersen, the President thinks tempers are getting short. The President thinks that we are actually being less tolerant of one another than we ordinarily are. I think again, members on both sides of the aisle, have strayed. But not significantly different from in past debates. Our tolerance of that seems to be a lot less today. So, the President is going to respectfully ask, first of all the President is going to respectfully remind you what he said on day one, 'to please extend grace and patience to one another.' I am going to ask you that especially to do that today. This is a tough one. Take a deep breath. And

Senator Dozier, get to your point more quickly sir. Please proceed."

Senators Wagoner and Wilson, L. spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0373 by Senator Wagoner on page 14, after line 33 to the committee striking amendment.

The motion by Senator Wagoner did not carry and amendment no. 0373 was not adopted by voice vote.

MOTION

Senator Rivers moved that the following amendment no. 0378 by Senator Rivers be adopted:

On page 14, after line 33, insert the following:

"NEW SECTION. Sec. 5. A new section is added to chapter 9.41 RCW to read as follows:

(1) It is unlawful for a person, in the commission or furtherance of a felony, to discharge a stolen assault weapon or to menace or threaten with a stolen assault weapon, another person.

(2) A violation of this section shall be punished as a class A felony under chapter 9A.20 RCW.

Sec. 6. RCW 9.94A.515 and 2022 c 231 s 13 are each amended to read as follows:

TABLE 2

CRIMES INCLUDED WITHIN
EACH SERIOUSNESS LEVEL

XVI Aggravated Murder 1 (RCW 10.95.020)

Use of a Stolen Assault Weapon in Commission of a Felony (section 5 of this act)

XV Homicide by abuse (RCW 9A.32.055)

Malicious explosion 1 (RCW 70.74.280(1))

Murder 1 (RCW 9A.32.030)

XIV Murder 2 (RCW 9A.32.050)

Trafficking 1 (RCW 9A.40.100(1))

XIII Malicious explosion 2 (RCW 70.74.280(2))

Malicious placement of an explosive 1 (RCW 70.74.270(1))

XII Assault 1 (RCW 9A.36.011)

Assault of a Child 1 (RCW 9A.36.120)

Malicious placement of an imitation device 1 (RCW 70.74.272(1)(a))

Promoting Commercial Sexual Abuse of a Minor (RCW 9.68A.101)

Rape 1 (RCW 9A.44.040)

Rape of a Child 1 (RCW 9A.44.073)

Trafficking 2 (RCW 9A.40.100(3))

XI Manslaughter 1 (RCW 9A.32.060)

Rape 2 (RCW 9A.44.050)

Rape of a Child 2 (RCW 9A.44.076)

Vehicular Homicide, by being under the influence of intoxicating liquor or any drug (RCW 46.61.520)

Vehicular Homicide, by the operation of any vehicle in a reckless manner (RCW 46.61.520)

TABLE 2

CRIMES INCLUDED WITHIN
EACH SERIOUSNESS LEVEL

- X Child Molestation 1 (RCW 9A.44.083)
- Criminal Mistreatment 1 (RCW 9A.42.020)
- Indecent Liberties (with forcible compulsion) (RCW 9A.44.100(1)(a))
- Kidnapping 1 (RCW 9A.40.020)
- Leading Organized Crime (RCW 9A.82.060(1)(a))
- Malicious explosion 3 (RCW 70.74.280(3))
- Sexually Violent Predator Escape (RCW 9A.76.115)
- IX Abandonment of Dependent Person 1 (RCW 9A.42.060)
- Assault of a Child 2 (RCW 9A.36.130)
- Explosive devices prohibited (RCW 70.74.180)
- Hit and Run—Death (RCW 46.52.020(4)(a))
- Homicide by Watercraft, by being under the influence of intoxicating liquor or any drug (RCW 79A.60.050)
- Inciting Criminal Profiteering (RCW 9A.82.060(1)(b))
- Malicious placement of an explosive 2 (RCW 70.74.270(2))
- Robbery 1 (RCW 9A.56.200)
- Sexual Exploitation (RCW 9.68A.040)
- VIII Arson 1 (RCW 9A.48.020)
- Commercial Sexual Abuse of a Minor (RCW 9.68A.100)
- Homicide by Watercraft, by the operation of any vessel in a reckless manner (RCW 79A.60.050)
- Manslaughter 2 (RCW 9A.32.070)
- Promoting Prostitution 1 (RCW 9A.88.070)
- Theft of Ammonia (RCW 69.55.010)
- VII Air bag diagnostic systems (causing bodily injury or death) (RCW 46.37.660(2)(b))
- Air bag replacement requirements (causing bodily injury or death) (RCW 46.37.660(1)(b))
- Burglary 1 (RCW 9A.52.020)
- Child Molestation 2 (RCW 9A.44.086)
- Civil Disorder Training (RCW 9A.48.120)
- Dealing in depictions of minor engaged in sexually explicit conduct 1 (RCW 9.68A.050(1))
- Drive-by Shooting (RCW 9A.36.045)
- False Reporting 1 (RCW 9A.84.040(2)(a))
- Homicide by Watercraft, by disregard for the safety of others (RCW 79A.60.050)
- Indecent Liberties (without forcible compulsion) (RCW 9A.44.100(1) (b) and (c))
- Introducing Contraband 1 (RCW 9A.76.140)
- Malicious placement of an explosive 3 (RCW 70.74.270(3))
- Manufacture or import counterfeit, nonfunctional, damaged, or previously deployed air bag (causing bodily injury or death) (RCW 46.37.650(1)(b))
- Negligently Causing Death By Use of a Signal

TABLE 2

CRIMES INCLUDED WITHIN
EACH SERIOUSNESS LEVEL

- Preemption Device (RCW 46.37.675)
- Sell, install, or reinstall counterfeit, nonfunctional, damaged, or previously deployed airbag (RCW 46.37.650(2)(b))
- Sending, bringing into state depictions of minor engaged in sexually explicit conduct 1 (RCW 9.68A.060(1))
- Unlawful Possession of a Firearm in the first degree (RCW 9.41.040(1))
- Use of a Machine Gun or Bump-fire Stock in Commission of a Felony (RCW 9.41.225)
- Vehicular Homicide, by disregard for the safety of others (RCW 46.61.520)
- VI Bail Jumping with Murder 1 (RCW 9A.76.170(3)(a))
- Bribery (RCW 9A.68.010)
- Incest 1 (RCW 9A.64.020(1))
- Intimidating a Judge (RCW 9A.72.160)
- Intimidating a Juror/Witness (RCW 9A.72.110, 9A.72.130)
- Malicious placement of an imitation device 2 (RCW 70.74.272(1)(b))
- Possession of Depictions of a Minor Engaged in Sexually Explicit Conduct 1 (RCW 9.68A.070(1))
- Rape of a Child 3 (RCW 9A.44.079)
- Theft of a Firearm (RCW 9A.56.300)
- Theft from a Vulnerable Adult 1 (RCW 9A.56.400(1))
- Unlawful Storage of Ammonia (RCW 69.55.020)
- V Abandonment of Dependent Person 2 (RCW 9A.42.070)
- Advancing money or property for extortionate extension of credit (RCW 9A.82.030)
- Air bag diagnostic systems (RCW 46.37.660(2)(c))
- Air bag replacement requirements (RCW 46.37.660(1)(c))
- Bail Jumping with class A Felony (RCW 9A.76.170(3)(b))
- Child Molestation 3 (RCW 9A.44.089)
- Criminal Mistreatment 2 (RCW 9A.42.030)
- Custodial Sexual Misconduct 1 (RCW 9A.44.160)
- Dealing in Depictions of Minor Engaged in Sexually Explicit Conduct 2 (RCW 9.68A.050(2))
- Domestic Violence Court Order Violation (RCW 7.105.450, 10.99.040, 10.99.050, 26.09.300, 26.10.220, 26.26B.050, 26.50.110, 26.52.070, or 74.34.145)
- Extortion 1 (RCW 9A.56.120)
- Extortionate Extension of Credit (RCW 9A.82.020)
- Extortionate Means to Collect Extensions of Credit (RCW 9A.82.040)
- Incest 2 (RCW 9A.64.020(2))
- Kidnapping 2 (RCW 9A.40.030)
- Manufacture or import counterfeit, nonfunctional,

TABLE 2

CRIMES INCLUDED WITHIN
EACH SERIOUSNESS LEVEL

damaged, or previously deployed air bag (RCW 46.37.650(1)(c))

Perjury 1 (RCW 9A.72.020)

Persistent prison misbehavior (RCW 9.94.070)

Possession of a Stolen Firearm (RCW 9A.56.310)

Rape 3 (RCW 9A.44.060)

Rendering Criminal Assistance 1 (RCW 9A.76.070)

Sell, install, or reinstall counterfeit, nonfunctional, damaged, or previously deployed airbag (RCW 46.37.650(2)(c))

Sending, Bringing into State Depictions of Minor Engaged in Sexually Explicit Conduct 2 (RCW 9.68A.060(2))

Sexual Misconduct with a Minor 1 (RCW 9A.44.093)

Sexually Violating Human Remains (RCW 9A.44.105)

Stalking (RCW 9A.46.110)

Taking Motor Vehicle Without Permission 1 (RCW 9A.56.070)

IV Arson 2 (RCW 9A.48.030)

Assault 2 (RCW 9A.36.021)

Assault 3 (of a Peace Officer with a Projectile Stun Gun) (RCW 9A.36.031(1)(h))

Assault 4 (third domestic violence offense) (RCW 9A.36.041(3))

Assault by Watercraft (RCW 79A.60.060)

Bribing a Witness/Bribe Received by Witness (RCW 9A.72.090, 9A.72.100)

Cheating 1 (RCW 9.46.1961)

Commercial Bribery (RCW 9A.68.060)

Counterfeiting (RCW 9.16.035(4))

Driving While Under the Influence (RCW 46.61.502(6))

Endangerment with a Controlled Substance (RCW 9A.42.100)

Escape 1 (RCW 9A.76.110)

Hate Crime (RCW 9A.36.080)

Hit and Run—Injury (RCW 46.52.020(4)(b))

Hit and Run with Vessel—Injury Accident (RCW 79A.60.200(3))

Identity Theft 1 (RCW 9.35.020(2))

Indecent Exposure to Person Under Age 14 (subsequent sex offense) (RCW 9A.88.010)

Influencing Outcome of Sporting Event (RCW 9A.82.070)

Physical Control of a Vehicle While Under the Influence (RCW 46.61.504(6))

Possession of Depictions of a Minor Engaged in Sexually Explicit Conduct 2 (RCW 9.68A.070(2))

Residential Burglary (RCW 9A.52.025)

TABLE 2

CRIMES INCLUDED WITHIN
EACH SERIOUSNESS LEVEL

Robbery 2 (RCW 9A.56.210)

Theft of Livestock 1 (RCW 9A.56.080)

Threats to Bomb (RCW 9.61.160)

Trafficking in Stolen Property 1 (RCW 9A.82.050)

Unlawful factoring of a credit card or payment card transaction (RCW 9A.56.290(4)(b))

Unlawful transaction of health coverage as a health care service contractor (RCW 48.44.016(3))

Unlawful transaction of health coverage as a health maintenance organization (RCW 48.46.033(3))

Unlawful transaction of insurance business (RCW 48.15.023(3))

Unlicensed practice as an insurance professional (RCW 48.17.063(2))

Use of Proceeds of Criminal Profiteering (RCW 9A.82.080 (1) and (2))

Vehicle Prowling 2 (third or subsequent offense) (RCW 9A.52.100(3))

Vehicular Assault, by being under the influence of intoxicating liquor or any drug, or by the operation or driving of a vehicle in a reckless manner (RCW 46.61.522)

Viewing of Depictions of a Minor Engaged in Sexually Explicit Conduct 1 (RCW 9.68A.075(1))

Willful Failure to Return from Furlough (RCW 72.66.060)

III Animal Cruelty 1 (Sexual Conduct or Contact) (RCW 16.52.205(3))

Assault 3 (Except Assault 3 of a Peace Officer With a Projectile Stun Gun) (RCW 9A.36.031 except subsection (1)(h))

Assault of a Child 3 (RCW 9A.36.140)

Bail Jumping with class B or C Felony (RCW 9A.76.170(3)(c))

Burglary 2 (RCW 9A.52.030)

Communication with a Minor for Immoral Purposes (RCW 9.68A.090)

Criminal Gang Intimidation (RCW 9A.46.120)

Custodial Assault (RCW 9A.36.100)

Cyber Harassment (RCW 9A.90.120(2)(b))

Escape 2 (RCW 9A.76.120)

Extortion 2 (RCW 9A.56.130)

False Reporting 2 (RCW 9A.84.040(2)(b))

Harassment (RCW 9A.46.020)

Intimidating a Public Servant (RCW 9A.76.180)

Introducing Contraband 2 (RCW 9A.76.150)

Malicious Injury to Railroad Property (RCW 81.60.070)

Manufacture of Untraceable Firearm with Intent to Sell (RCW 9.41.190)

TABLE 2

CRIMES INCLUDED WITHIN
EACH SERIOUSNESS LEVEL

Manufacture or Assembly of an Undetectable Firearm or Untraceable Firearm (RCW 9A.41.325)
Mortgage Fraud (RCW 19.144.080)
Negligently Causing Substantial Bodily Harm By Use of a Signal Preemption Device (RCW 46.37.674)
Organized Retail Theft 1 (RCW 9A.56.350(2))
Perjury 2 (RCW 9A.72.030)
Possession of Incendiary Device (RCW 9.40.120)
Possession of Machine Gun, Bump-Fire Stock, Undetectable Firearm, or Short-Barreled Shotgun or Rifle (RCW 9.41.190)
Promoting Prostitution 2 (RCW 9A.88.080)
Retail Theft with Special Circumstances 1 (RCW 9A.56.360(2))
Securities Act violation (RCW 21.20.400)
Tampering with a Witness (RCW 9A.72.120)
Telephone Harassment (subsequent conviction or threat of death) (RCW 9.61.230(2))
Theft of Livestock 2 (RCW 9A.56.083)
Theft with the Intent to Resell 1 (RCW 9A.56.340(2))
Trafficking in Stolen Property 2 (RCW 9A.82.055)
Unlawful Hunting of Big Game 1 (RCW 77.15.410(3)(b))
Unlawful Imprisonment (RCW 9A.40.040)
Unlawful Misbranding of Fish or Shellfish 1 (RCW 77.140.060(3))
Unlawful possession of firearm in the second degree (RCW 9.41.040(2))
Unlawful Taking of Endangered Fish or Wildlife 1 (RCW 77.15.120(3)(b))
Unlawful Trafficking in Fish, Shellfish, or Wildlife 1 (RCW 77.15.260(3)(b))
Unlawful Use of a Nondesignated Vessel (RCW 77.15.530(4))
Vehicular Assault, by the operation or driving of a vehicle with disregard for the safety of others (RCW 46.61.522)
Willful Failure to Return from Work Release (RCW 72.65.070)
II Commercial Fishing Without a License 1 (RCW 77.15.500(3)(b))
Computer Trespass 1 (RCW 9A.90.040)
Counterfeiting (RCW 9.16.035(3))
Electronic Data Service Interference (RCW 9A.90.060)
Electronic Data Tampering 1 (RCW 9A.90.080)
Electronic Data Theft (RCW 9A.90.100)
Engaging in Fish Dealing Activity Unlicensed 1 (RCW 77.15.620(3))
Escape from Community Custody (RCW 72.09.310)

TABLE 2

CRIMES INCLUDED WITHIN
EACH SERIOUSNESS LEVEL

Failure to Register as a Sex Offender (second or subsequent offense) (RCW 9A.44.130 prior to June 10, 2010, and RCW 9A.44.132)
Health Care False Claims (RCW 48.80.030)
Identity Theft 2 (RCW 9.35.020(3))
Improperly Obtaining Financial Information (RCW 9.35.010)
Malicious Mischief 1 (RCW 9A.48.070)
Organized Retail Theft 2 (RCW 9A.56.350(3))
Possession of Stolen Property 1 (RCW 9A.56.150)
Possession of a Stolen Vehicle (RCW 9A.56.068)
Retail Theft with Special Circumstances 2 (RCW 9A.56.360(3))
Scrap Processing, Recycling, or Supplying Without a License (second or subsequent offense) (RCW 19.290.100)
Theft 1 (RCW 9A.56.030)
Theft of a Motor Vehicle (RCW 9A.56.065)
Theft of Rental, Leased, Lease-purchased, or Loaned Property (valued at \$5,000 or more) (RCW 9A.56.096(5)(a))
Theft with the Intent to Resell 2 (RCW 9A.56.340(3))
Trafficking in Insurance Claims (RCW 48.30A.015)
Unlawful factoring of a credit card or payment card transaction (RCW 9A.56.290(4)(a))
Unlawful Participation of Non-Indians in Indian Fishery (RCW 77.15.570(2))
Unlawful Practice of Law (RCW 2.48.180)
Unlawful Purchase or Use of a License (RCW 77.15.650(3)(b))
Unlawful Trafficking in Fish, Shellfish, or Wildlife 2 (RCW 77.15.260(3)(a))
Unlicensed Practice of a Profession or Business (RCW 18.130.190(7))
Voyeurism 1 (RCW 9A.44.115)
I Attempting to Elude a Pursuing Police Vehicle (RCW 46.61.024)
False Verification for Welfare (RCW 74.08.055)
Forgery (RCW 9A.60.020)
Fraudulent Creation or Revocation of a Mental Health Advance Directive (RCW 9A.60.060)
Malicious Mischief 2 (RCW 9A.48.080)
Mineral Trespass (RCW 78.44.330)
Possession of Stolen Property 2 (RCW 9A.56.160)
Reckless Burning 1 (RCW 9A.48.040)
Spotlighting Big Game 1 (RCW 77.15.450(3)(b))
Suspension of Department Privileges 1 (RCW 77.15.670(3)(b))
Taking Motor Vehicle Without Permission 2 (RCW

TABLE 2
CRIMES INCLUDED WITHIN
EACH SERIOUSNESS LEVEL

9A.56.075)
Theft 2 (RCW 9A.56.040)
Theft from a Vulnerable Adult 2 (RCW 9A.56.400(2))
Theft of Rental, Leased, Lease-purchased, or Loaned Property (valued at \$750 or more but less than \$5,000) (RCW 9A.56.096(5)(b))
Transaction of insurance business beyond the scope of licensure (RCW 48.17.063)
Unlawful Fish and Shellfish Catch Accounting (RCW 77.15.630(3)(b))
Unlawful Issuance of Checks or Drafts (RCW 9A.56.060)
Unlawful Possession of Fictitious Identification (RCW 9A.56.320)
Unlawful Possession of Instruments of Financial Fraud (RCW 9A.56.320)
Unlawful Possession of Payment Instruments (RCW 9A.56.320)
Unlawful Possession of a Personal Identification Device (RCW 9A.56.320)
Unlawful Production of Payment Instruments (RCW 9A.56.320)
Unlawful Releasing, Planting, Possessing, or Placing Deleterious Exotic Wildlife (RCW 77.15.250(2)(b))
Unlawful Trafficking in Food Stamps (RCW 9.91.142)
Unlawful Use of Food Stamps (RCW 9.91.144)
Unlawful Use of Net to Take Fish 1 (RCW 77.15.580(3)(b))
Unlawful Use of Prohibited Aquatic Animal Species (RCW 77.15.253(3))
Vehicle Prowl 1 (RCW 9A.52.095)
Violating Commercial Fishing Area or Time 1 (RCW 77.15.550(3)(b))"

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

On page 15, line 6, after "insert" insert "amending RCW 9.94A.515;"

Senator Rivers spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Dhingra spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0378 by Senator Rivers on page 14, after line 33 to the committee striking amendment.

The motion by Senator Rivers did not carry and amendment no. 0378 was not adopted by a rising vote.

MOTION

Senator Padden moved that the following amendment no. 0374 by Senator Padden be adopted:

On page 15, beginning on line 1, strike all of section 6 and insert the following:

"**NEW SECTION. Sec. 6.** (1) This act takes effect on the date that the federal court of appeals for the ninth circuit issues an opinion that interprets and applies the "historical tradition of firearm regulation" test, established by the United States supreme court in *N.Y. State Rifle & Pistol Ass'n v. Bruen*, 142 S. Ct. 2111 (2022), to a firearm law or regulation.

(2) The attorney general's office shall provide written notice of the effective date of this act to affected parties, the chief clerk of the house of representatives, the secretary of the senate, the office of the code reviser, and others as deemed appropriate by the attorney general's office."

On page 15, line 8, after "and" strike "declaring an emergency" and insert "providing a contingent effective date"

Senator Padden spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Dhingra spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0374 by Senator Padden on page 15, line 1 to the committee striking amendment.

The motion by Senator Padden did not carry and amendment no. 0374 was not adopted by voice vote.

MOTION

Senator McCune moved that the following amendment no. 0376 by Senator McCune be adopted:

On page 15, beginning on line 1, strike all of section 6

On page 15, line 8, after "section;" strike all material through "emergency" and insert "and prescribing penalties"

Senators McCune, Wagoner, Wilson, L., Fortunato and Short spoke in favor of adoption of the amendment to the committee striking amendment.

Senators Kuderer and Dhingra spoke against adoption of the amendment to the committee striking amendment.

MOTION

Senator Short demanded a roll call.

The President declared that one-sixth of the members supported the demand, and the demand was sustained.

The President declared the question before the Senate to be the adoption of the amendment by Senator McCune on page 15, line 1 to the committee striking amendment.

ROLL CALL

The Secretary called the roll on the adoption of the amendment by Senator McCune and the amendment was not adopted by the following vote: Yeas, 22; Nays, 26; Absent, 0; Excused, 1.

Voting yea: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Mullet, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Van De Wege, Wagoner, Warnick, Wilson, J. and Wilson, L.

Voting nay: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Liias, Lovelett, Lovick, Nguyen, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Wellman and Wilson, C.

MOTION

Senator Gildon moved that the following amendment no. 0360 by Senator Gildon be adopted:

On page 15, line 1, after "Sec. 6." strike all material through "immediately" on line 4 and insert "Sections 2, 4, and 5 of this act are necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and take effect immediately"

Senator Gildon spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Dhingra spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0360 by Senator Gildon on page 15, line 1 to the committee striking amendment.

The motion by Senator Gildon did not carry and amendment no. 0360 was not adopted by voice vote.

MOTION

Senator Padden moved that the following amendment no. 0375 by Senator Padden be adopted:

On page 15, line 1, after "Sec. 6." strike "This" and insert "Except for section 3 of this act which takes effect the later of October 31, 2023, or 180 days after the effective date of this act, this"

On page 15, line 8, after "penalties;" insert "providing an effective date;"

Senator Padden spoke in favor of adoption of the amendment to the committee striking amendment.

WITHDRAWAL OF AMENDMENT

On motion of Senator Padden and without objection, amendment no. 0375 by Senator Padden on page 15, line 1 to Substitute House Bill No. 1240 was withdrawn.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Law & Justice as amended to Substitute House Bill No. 1240.

The motion by Senator Kuderer carried and the committee striking amendment as amended was adopted by voice vote.

MOTION

On motion of Senator Kuderer, the rules were suspended, Substitute House Bill No. 1240 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Kuderer, Lias and Lovelett spoke in favor of passage of the bill.

Senators Wagoner, Muzzall, Boehnke, Schoesler, Wilson, J., Warnick and Wilson, L. spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1240 as amended by the Senate.

The Secretary called the roll on the final passage of Substitute House Bill No. 1240 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 27; Nays, 21; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Lias, Lovelett, Lovick, Mullet, Nguyen, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Van De Wege, Wagoner, Warnick, Wilson, J. and Wilson, L.

Excused: Senator Nobles

SUBSTITUTE HOUSE BILL NO. 1240, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1763, by Representatives Eslick, Leavitt, Senn, Callan, Schmidt and Pollet

Ensuring completion of conditional scholarship obligations and reducing penalties for excusable incomplete obligations.

The measure was read the second time.

MOTION

On motion of Senator Randall, the rules were suspended, House Bill No. 1763 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Randall and Holy spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1763.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1763 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Nobles

HOUSE BILL NO. 1763, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SIGNED BY THE PRESIDENT

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

ENGROSSED SENATE BILL NO. 5015,
ENGROSSED SUBSTITUTE SENATE BILL NO. 5082,
SUBSTITUTE SENATE BILL NO. 5087,
ENGROSSED SUBSTITUTE SENATE BILL NO. 5217,
SENATE BILL NO. 5228,
SENATE BILL NO. 5242,
SENATE BILL NO. 5331,
SENATE BILL NO. 5347,
SUBSTITUTE SENATE BILL NO. 5415,
SENATE BILL NO. 5452,
SENATE BILL NO. 5531,
ENGROSSED SECOND SUBSTITUTE
SENATE BILL NO. 5582,
and SENATE BILL NO. 5683.

SARAH BANNISTER, Secretary of the Senate

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1766, by House Committee on Civil Rights & Judiciary (originally sponsored by Griffey, Davis, Senn, Dent, Callan and Cheney)

Creation of a hope card program.

The measure was read the second time.

MOTION

On motion of Senator Padden, the rules were suspended, Engrossed Substitute House Bill No. 1766 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Padden spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 1766.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 1766 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Nobles

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1766, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 5:01 p.m., on motion of Senator Pedersen, the Senate adjourned until 10 o'clock a.m. Monday, April 10, 2023.

NINETY SECOND DAY

MORNING SESSION

Senate Chamber, Olympia
Monday, April 10, 2023

The Senate was called to order at 10:00 o'clock a.m. by the President of the Senate, Lt. Governor Heck presiding. The Secretary called the roll and announced to the President that all senators were present.

The Sergeant at Arms Color Guard consisting of Pages Miss Brigitte Petersen and Mr. Liam Krol, presented the Colors. Page Miss Monica Gupta led the Senate in the Pledge of Allegiance.

The prayer was offered by Senator Rebecca Saldaña, 37th Legislative District, Seattle.

MOTION

On motion of Senator Pedersen, the reading of the Journal of the previous day was dispensed with and it was approved.

On motion of Senator Pedersen, the Senate advanced to the fourth order of business.

MESSAGE FROM THE HOUSE

April 7, 2023

MR. PRESIDENT:

The House has passed:

SUBSTITUTE HOUSE BILL NO. 1851,
and the same is herewith transmitted.

BERNARD DEAN, Chief Clerk

MOTION

On motion of Senator Pedersen, the Senate advanced to the eighth order of business.

MOTION

Senator Saldaña moved adoption of the following resolution:

SENATE RESOLUTION
8641

By Senators Saldaña, Conway, Hasegawa, Kuderer, Torres, and Wagoner

WHEREAS, On October 25, 1913, Larry Itliong was born in San Nicolas, Pangasinan, which was a territory of the United States at that time; and

WHEREAS, At 15 years of age, Larry immigrated to the United States and despite only receiving formal education up to the sixth grade, taught himself about law and soon became involved in political and labor organizing; and

WHEREAS, Larry became a farmworker and worked in canneries and agricultural fields across the country, putting labor organizing lessons into practice; and

WHEREAS, In 1965, Larry Itliong led the "Great Delano Grape Strike" as a means to protest the working conditions of agricultural workers, specifically highlighting their low wages and physically detrimental working environment, a strike that set the stage for a civil rights struggle and a movement to achieve justice for farmworkers; and

WHEREAS, In 1966, Larry Itliong led the Agricultural Workers Organizing Committee, which merged with the National

Farm Workers Association led by Cesar Chavez and Dolores Huerta, thereby creating the United Farm Workers Union — a union that organized marches, national consumer boycotts, and fasts, which attracted national headlines, gained labor contracts with higher wages, and improved working conditions for thousands of agricultural workers; and

WHEREAS, In 1970, Larry Itliong founded and became the president of the Filipino American Political Association, the first national political Filipino American organization in the country; and

WHEREAS, Cesar Chavez, Dolores Huerta, Larry Itliong, and the United Farm Workers continue to inspire farmworkers in Washington state to organize and advocate for a more just world;

NOW, THEREFORE, BE IT RESOLVED, That the Washington state Senate recognize and celebrate the historical contributions of individuals like Larry Itliong in our efforts to achieve a more equitable, just, and fair labor and economic system; and

BE IT FURTHER RESOLVED, That the Washington state Senate encourage the people of Washington state to celebrate the countless social, political, economic, and cultural contributions Filipino Americans have established in Washington state and across the country.

Senator Saldaña spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8641.

The motion by Senator Saldaña carried and the resolution was adopted by voice vote.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced The Honorable Sofia Aragon, Mayor, City of Burien, and representatives of the Filipina, Latina, labor and farmworker communities who were seated in the gallery.

MOTION

At 10:14 a.m., on motion of Senator Pedersen, the Senate was declared to be at ease subject to the call of the President.

Senator Hasegawa announced a meeting of the Democratic Caucus immediately following the meeting of the Committee on Rules.

Senator Short announced a meeting of the Republican Caucus immediately following the meeting of the Committee on Rules.

The Senate was called to order at 1:38 p.m. by the President of the Senate, Lt. Governor Heck presiding.

MOTION

On motion of Senator Pedersen, the Senate reverted to the seventh order of business.

THIRD READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Liias moved that Nicole M. Grant, Senate Gubernatorial Appointment No. 9277, be confirmed as a member of the Transportation Commission.

Senator Liias spoke in favor of the motion.

APPOINTMENT OF NICOLE M. GRANT

The President declared the question before the Senate to be the confirmation of Nicole M. Grant, Senate Gubernatorial Appointment No. 9277, as a member of the Transportation Commission.

The Secretary called the roll on the confirmation of Nicole M. Grant, Senate Gubernatorial Appointment No. 9277, as a member of the Transportation Commission and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 1; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Absent: Senator Rolfes

Nicole M. Grant, Senate Gubernatorial Appointment No. 9277, having received the constitutional majority was declared confirmed as a member of the Transportation Commission.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Stanford moved that Eileen Sullivan, Senate Gubernatorial Appointment No. 9280, be confirmed as a member of the Lottery Commission.

Senator Stanford spoke in favor of the motion.

APPOINTMENT OF EILEEN SULLIVAN

The President declared the question before the Senate to be the confirmation of Eileen Sullivan, Senate Gubernatorial Appointment No. 9280, as a member of the Lottery Commission.

The Secretary called the roll on the confirmation of Eileen Sullivan, Senate Gubernatorial Appointment No. 9280, as a member of the Lottery Commission and the appointment was confirmed by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Eileen Sullivan, Senate Gubernatorial Appointment No. 9280, having received the constitutional majority was declared confirmed as a member of the Lottery Commission.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Rolfes moved that Matthew V. Randazzo, Senate Gubernatorial Appointment No. 9332, be confirmed as a member of the Board of Tax Appeals.

Senator Rolfes spoke in favor of the motion.

APPOINTMENT OF MATTHEW V. RANDAZZO

The President declared the question before the Senate to be the confirmation of Matthew V. Randazzo, Senate Gubernatorial Appointment No. 9332, as a member of the Board of Tax Appeals.

The Secretary called the roll on the confirmation of Matthew V. Randazzo, Senate Gubernatorial Appointment No. 9332, as a member of the Board of Tax Appeals and the appointment was confirmed by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Matthew V. Randazzo, Senate Gubernatorial Appointment No. 9332, having received the constitutional majority was declared confirmed as a member of the Board of Tax Appeals.

MOTION

On motion of Senator Pedersen, the Senate reverted to the sixth order of business.

SECOND READING

HOUSE BILL NO. 1046, by Representatives Walen, Leavitt, Ryu, Bateman, Peterson, Doglio, Reeves, Wylie, Bergquist, Springer, Kloba, Santos and Ormsby

Expanding housing supply by supporting the ability of public housing authorities to finance affordable housing developments by rebenchmarking area median income limits.

The measure was read the second time.

MOTION

On motion of Senator Kuderer, the rules were suspended, House Bill No. 1046 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Kuderer and Fortunato spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1046.

ROLL CALL

NINETY SECOND DAY, APRIL 10, 2023

The Secretary called the roll on the final passage of House Bill No. 1046 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

HOUSE BILL NO. 1046, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced students from Blaine Middle School who were seated in the gallery, guests of Senator Shewmake.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1074, by House Committee on Housing (originally sponsored by Thai, Macri, Simmons, Ryu, Ramel, Peterson, Lekanoff, Alvarado, Pollet, Cortes, Gregerson, Kloba, Davis and Ormsby)

Addressing documentation and processes governing landlords' claims for damage to residential premises.

The measure was read the second time.

MOTION

Senator Gildon moved that the following amendment no. 0389 by Senator Gildon be adopted:

On page 9, line 2, after "premises" insert "by all tenants and any remaining occupants that the landlord is required to notify under RCW 59.18.650(3)"

Senators Gildon, Wagoner and Fortunato spoke in favor of adoption of the amendment.

Senator Kuderer spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0389 by Senator Gildon on page 9, line 2 to Substitute House Bill No. 1074.

The motion by Senator Gildon did not carry and amendment no. 0389 was not adopted by voice vote.

MOTION

Senator Mullet moved that the following amendment no. 0380 by Senator Mullet be adopted:

On page 10, line 36, after "documentation" insert "equivalent to that required in subsection (1) of this section"

Senators Mullet and Kuderer spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0380 by Senator Mullet on page 10, line 36 to Substitute House Bill No. 1074.

The motion by Senator Mullet carried and amendment no. 0380 was adopted by voice vote.

MOTION

On motion of Senator Kuderer, the rules were suspended, Substitute House Bill No. 1074 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Kuderer spoke in favor of passage of the bill.

Senators Fortunato and Gildon spoke against passage of the bill.

MOTION

On motion of Senator Dozier, Senator Wagoner was excused.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1074 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1074 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 29; Nays, 19; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Lias, Lovelett, Lovick, Mullet, Nguyen, Nobles, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Warnick, Wilson, J. and Wilson, L.

Excused: Senator Wagoner

SUBSTITUTE HOUSE BILL NO. 1074, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1771, by Representatives Donaghy, Gregerson, Ramel, Morgan, Fosse, Reed, Ormsby, Doglio, Peterson and Pollet

Concerning relocation assistance for tenants of closed or converted manufactured/mobile home parks.

The measure was read the second time.

MOTION

Senator Kuderer moved that the following committee striking amendment by the Committee on Housing be adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 59.21.010 and 2019 c 390 s 2 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Assignee" means an individual or entity who has agreed to advance allowable relocation assistance expenses in exchange for the assignment and transfer of a right to reimbursement from the fund.

(2) "Department" means the department of commerce.

(3) "Director" means the director of the department of commerce.

(4) "Fund" means the manufactured/mobile home park relocation fund established under RCW 59.21.050.

(5) "Landlord" or "park-owner" means the owner of the manufactured/mobile home park that is being closed at the time relocation assistance is provided.

(6) "Low-income household" means a single person, family, or unrelated persons living together whose adjusted income is less than ~~((eighty))~~ 80 percent of the median family income, adjusted for household size, for the county where the manufactured/mobile home is located.

(7) "Manufactured/mobile home park" or "park" means real property that is rented or held out for rent to others for the placement of two or more manufactured/mobile homes for the primary purpose of production of income, except where the real property is rented or held out for rent for seasonal recreational purpose only and is not intended for year-round occupancy.

(8) "Relocate" means to do one of the following:

(a) Remove a manufactured/mobile home from a manufactured/mobile home park being closed and reinstall it in another location; ~~((or))~~

(b) Remove a manufactured/mobile home from a manufactured/mobile home park being closed and demolish and dispose of it and secure other housing; or

(c) Remove a manufactured/mobile home from a manufactured/mobile home park being closed by selling or gifting the home to a third party and secure other housing.

(9) "Relocation assistance" means the monetary assistance provided under this chapter, including reimbursement for the costs of relocation as well as cash assistance provided to allow the tenant to secure new housing.

(10) "Tenant" means a person that owns a manufactured/mobile home located on a rented lot in a manufactured/mobile home park.

(11) "Third party" means a person or persons who purchase or are gifted a tenant's home, with the condition they are responsible for removing the home on or prior to the park closure date and relocate the home under subsection (8)(a) or (b) of this section. The third party is not entitled to relocation assistance related to relocation of the purchased or gifted home.

Sec. 2. RCW 59.21.021 and 2021 c 28 s 2 are each amended to read as follows:

(1) If a manufactured/mobile home park is, or is scheduled to be ~~((to))~~ closed or converted to another use, eligible tenants shall be entitled to relocation assistance on a first-come, first-serve basis. The department shall give priority for distribution of relocation assistance to eligible tenants residing in parks that are closed as a result of park-owner fraud or as a result of health and safety concerns as determined by the local board of health. Payments shall be made upon the department's verification of eligibility, subject to the availability of remaining funds.

(2) Eligibility for relocation assistance funds is limited to low-income households in manufactured/mobile home parks that are, or are scheduled to be, closed or converted to another use.

(3) Eligible tenants are entitled to financial assistance from the fund, up to a maximum of \$17,000 for a multisection home and up to a maximum of \$11,000 for a single-section home. The department shall distribute relocation assistance for each eligible tenant as follows:

(a) \$12,000 for a multisection home and \$8,000 for a single-section home shall be disbursed in the form of cash assistance to help the tenant relocate the home or secure alternative housing; and

(b) The remainder of the total assistance shall be disbursed once the tenant has transferred the title to the park-owner, relocated the home, or demolished and disposed of the home. The tenant must either transfer title of the manufactured/mobile home to the park-owner, relocate, or demolish and dispose of the home ~~((within 90 days of receiving the assistance under (a) of this subsection))~~ by the park closure date to receive the remainder of the assistance. A tenant who removes the tenant's home on or before the park closure date and reinstalls the home in another location within 12 months after the closure date is eligible to receive the remainder of the assistance.

(4) In the event that the tenant does not relocate or demolish and dispose of the home ~~((within 90 days of receiving assistance from the fund))~~ by the park closure date, the park-owner may seek reimbursement from the fund in the amount of \$4,000 for a multisection home and \$2,500 for a single-section home.

(a) To receive such reimbursement, the park-owner must provide documentation to the department demonstrating costs incurred for demolition and disposal of the home.

(b) The park-owner may seek reimbursement for additional costs incurred for demolition and disposal of the home up to an additional \$4,500 for a multisection home and \$3,000 for a single-section home from the portion of the relocation fund to which park-owners must contribute pursuant to RCW 59.30.050.

(5) Any individual or organization may apply to receive relocation assistance from the fund, for use in combination with funds from public or private sources, toward relocation of tenants eligible under this section, with agreement from the tenant.

(6) The legislature intends the cash assistance provided under subsection (3) of this section to be considered a one-time direct grant payment that shall be excluded from household income calculations for purposes of determining the eligibility of the recipient for benefits or assistance under any state program financed in whole or in part with state funds.

Sec. 3. RCW 59.21.040 and 1998 c 124 s 4 are each amended to read as follows:

A tenant is not entitled to relocation assistance under this chapter if: (1) The tenant has given notice to the landlord of his or her intent to vacate the park and terminate the tenancy before any written notice of closure pursuant to RCW 59.20.080(1)(e) has been given; (2) the tenant purchased a mobile home already situated in the park or moved a mobile home into the park after a written notice of closure pursuant to RCW 59.20.090 has been given and the person received actual prior notice of the change or closure; or (3) the tenant receives assistance from an outside source that exceeds the maximum amounts of assistance to which a person is entitled under RCW 59.21.021(3), except that a tenant receiving relocation assistance from a landlord pursuant to RCW 59.20.080 remains eligible for the maximum amounts of assistance under this chapter. However, no tenant may be denied relocation assistance under subsection (1) of this section if the tenant has remained on the premises and continued paying rent for a period of at least six months after giving notice of intent to vacate and before receiving formal notice of a closure or change of use."

On page 1, line 2 of the title, after "parks;" strike the remainder of the title and insert "and amending RCW 59.21.010, 59.21.021, and 59.21.040."

NINETY SECOND DAY, APRIL 10, 2023

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Housing to House Bill No. 1771.

The motion by Senator Kuderer carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Kuderer, the rules were suspended, House Bill No. 1771 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Kuderer and Fortunato spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1771.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1771 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Wagoner

HOUSE BILL NO. 1771, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SECOND SUBSTITUTE HOUSE BILL NO. 1013, by House Committee on Appropriations (originally sponsored by Maycumber, Santos, Ybarra, Stonier, Dent, Goodman, Tharinger, Riccelli, Lekanoff, Rude, Walen, Robertson, Mosbrucker, Berry, Stokesbary, Fey, Harris, McClintock, Bronoske, Waters, Duerr, Hackney, Klicker, Kretz, Couture, Barnard, Walsh, Chapman, Griffey, Chopp, Leavitt, Ryu, Low, Barkis, Simmons, Schmidt, Sandlin, Bateman, Reed, Graham, Christian, Timmons, Pollet, Street, Rule, Connors, Cortes, Callan, Doglio, Orwall, Caldier, Reeves, Wylie, Bergquist, Thai, Kloba, Cheney and Ormsby)

Establishing regional apprenticeship programs.

The measure was read the second time.

MOTION

On motion of Senator Wellman, the rules were suspended, Second Substitute House Bill No. 1013 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wellman, Hawkins and Short spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute House Bill No. 1013.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute House Bill No. 1013 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SECOND SUBSTITUTE HOUSE BILL NO. 1013, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SECOND SUBSTITUTE HOUSE BILL NO. 1009, by House Committee on Appropriations (originally sponsored by Leavitt, Barkis, Ryu, Paul, Donaghy, Slatter, Simmons, Low, Volz, Schmidt, Christian, Lekanoff, Griffey, Doglio, Robertson, Orwall, Caldier, Reeves, Bronoske, Bergquist, Shavers, Riccelli and Ormsby)

Concerning military spouse employment.

The measure was read the second time.

MOTION

Senator Conway moved that the following committee striking amendment by the Committee on Ways & Means be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. This act may be known and cited as the military spouse employment act.

NEW SECTION. Sec. 2. The legislature finds that the lives of military spouses are dominated by frequent deployments and relocations, and one-third of military families move each year. Many military families depend on two incomes, and military spouses tend to be better educated than the civilian population, with approximately 34 to 50 percent working in fields that require a professional license. The length of time to credential after a move is a significant employment barrier, with one study finding 20 percent of military spouses waited at least 10 months for a license after moving to a new state. This wait contributes to higher rates of unemployment or underemployment for military spouses when compared to their civilian counterparts. Given the fiscal and economic constraints of military families and the readiness considerations of the department of defense, the legislature intends to help alleviate the career turmoil military spouses face while serving in our state.

NEW SECTION. Sec. 3. A new section is added to chapter 18.340 RCW to read as follows:

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

(1) "Authority" means any agency, board, commission, or other authority for issuance of a license, certificate, registration, or permit under this title. "Authority" does not include the department of labor and industries, or the department of financial

institutions with respect to escrow agent licensure under chapter 18.44 RCW.

(2) "License" means a license, certificate, registration, or permit to perform professional services.

Sec. 4. RCW 18.340.020 and 2011 2nd sp.s. c 5 s 2 are each amended to read as follows:

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

~~(2) To the extent resources are available:))~~

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

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

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

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

(b) The procedure must include a process for issuing the person a license ~~((certificate, registration, or permit, if, in the opinion of the authority, the requirements for licensure, certification, registration, or obtaining a permit of such other state are substantially equivalent to that required in Washington))~~ within 30 days of receiving a completed application. A completed application means that the authority has received all supporting materials, related application fees, fingerprints, and required documentation associated with a criminal background check.

~~((e)) (2) Each authority in this title shall develop a method and adopt rules to authorize a person who meets the criteria in ((a)(i) through (iii) of) this ((subsection)) section to perform services regulated by the authority in Washington by issuing the person a temporary license ~~((certificate, registration, or permit))~~ within 30 days of receiving a completed application. A completed application means that the authority has received a copy of the certificate issued by the other state for a certificated education professional, related application fees, fingerprints, and required documentation associated with a criminal background check. The license may be issued for a limited period of time of no less than 180 days to allow the person to perform services regulated by the authority while completing any specific additional requirements of the profession that were not required in the other state in which the person is licensed, certified, or registered, or has a permit.~~

(3) Nothing in this section requires the authority to issue a ((temporary)) license ~~((certificate, registration, or permit))~~ if the standards of the other state are substantially unequal to Washington standards.

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

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

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

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

NEW SECTION. Sec. 5. A new section is added to chapter 18.340 RCW to read as follows:

(1) Each authority must identify a contact or coordinator within the authority to assist military spouse applicants and licensees.

(2) Each authority must provide training to each board or commission member on the culture of military spouses, the military spouse experience, and issues related to military spouse career paths. Board or commission members appointed on or before October 1, 2023, must complete the training by January 1, 2024. Board or commission members appointed after October 1, 2023, must complete the training within 90 days after appointment. The department of veterans affairs shall create an internet-based training that may be used by each authority to satisfy this requirement.

(3) Each authority is encouraged to:

(a) Appoint a military spouse to serve on its licensing board or commission;

(b) Conduct a review of the authority's licensing application process for military spouses and identify barriers to military spouse employment; and

(c) Review licensing fees and related expenses and identify possible ways to reduce costs for military spouses.

NEW SECTION. Sec. 6. A new section is added to chapter 18.340 RCW to read as follows:

(1) The employment security department, the department of health, the department of licensing, and the department of veterans affairs shall each maintain a military spouse assistance web page containing, at a minimum:

(a) Each authority's rules and procedures, including any required fees, related to the licensing of military spouses;

(b) Contact information for each authority's military spouse contact or coordinator; and

(c) Links to the military spouse assistance web pages of other agencies.

(2) A direct link to the agency's military spouse assistance web page must be displayed on the agency's home page.

NEW SECTION. Sec. 7. A new section is added to chapter 28A.410 RCW to read as follows:

The agency responsible for educator certification shall, as set forth in chapter 18.340 RCW:

(1) Adopt rules for expedited professional certification for military spouses;

(2) Identify a contact or coordinator to assist military spouse applicants and licensees;

(3) Provide training to each board member on the culture of military spouses, the military spouse experience, and issues related to military spouse career paths; and

(4) Maintain a military spouse assistance web page.

NEW SECTION. Sec. 8. A new section is added to chapter 43.60A RCW to read as follows:

(1) The department, the employment security department, and the department of commerce shall consult local chambers of commerce, associate development organizations, and businesses to initiate a demonstration campaign to increase military spouse employment. This campaign may include partnerships with chambers of commerce that result in business owners sharing, with the local chamber of commerce, information on the number of military spouses employed and the local chambers of commerce providing this information to the department.

(2) Participants in the campaign are encouraged to work with the Washington state military transition council and county veterans' advisory boards under RCW 73.08.035.

(3) Funding for the campaign shall be established from existing resources.

NINETY SECOND DAY, APRIL 10, 2023

(4) For the purposes of this section, "military spouse" means any person married or previously married to a military service member, irrespective of the length of the marriage, during the military service member's service in any branch of the United States armed forces as an active duty service member, reservist, or national guard member.

NEW SECTION. **Sec. 9.** A new section is added to chapter 38.42 RCW to read as follows:

(1) The spouse of a service member may terminate an employment contract without penalty at any time after the service member receives military service orders for a permanent change of station if:

(a) The spouse provides written notice, including email, to the employer of the termination under this section; and

(b) The spouse provides written proof to the employer of the official orders showing that the service member has received military orders for a permanent change of station.

(2) Termination of an employment contract under this section is effective on the day notice is given under subsection (1) of this section or on a date mutually agreed to by the parties to the employment contract.

(3) An employer may not impose any penalty for termination of an employment contract under this section.

(4) For purposes of this section:

(a) "Employment contract" means a contract that establishes the terms of employment or other professional relationship with the spouse of a service member. "Employment contract" does not include an independent contractor agreement.

(b) "Penalty" means any fee or cost or liability for breach of contract or any other adverse consequence imposed by the employer. "Penalty" does not include any requirements established by state or federal law.

(5) This section applies prospectively only and not retroactively. It applies only to employment contracts entered into on or after the effective date of this section.

(6) Nothing in this section shall be construed as altering the terms, conditions, or practices contained in any collective bargaining agreement in effect on the effective date of this section until the expiration date of such agreement.

Sec. 10. RCW 73.04.150 and 2017 c 184 s 1 are each amended to read as follows:

(1) There is hereby created a joint committee on veterans' and military affairs. The committee shall consist of: (a) Eight members of the senate appointed by the president of the senate, four of whom shall be members of the majority party and four of whom shall be members of the minority party; and (b) eight members of the house of representatives appointed by the speaker, four of whom shall be members of the majority party and four of whom shall be members of the minority party. Members of the committee shall be appointed before the close of the 2005 legislative session, and before the close of each regular session during an odd-numbered year thereafter.

(2) Each member's term of office shall run from the close of the session in which he or she was appointed until the close of the next regular session held in an odd-numbered year. If a successor is not appointed during a session, the member's term shall continue until the member is reappointed or a successor is appointed. The term of office for a committee member who does not continue as a member of the senate or house of representatives shall cease upon the convening of the next session of the legislature during an odd-numbered year after the member's appointment, or upon the member's resignation, whichever is earlier. Vacancies on the committee shall be filled by appointment in the same manner as described in subsection (1) of this section. All such vacancies shall be filled from the same

political party and from the same house as the member whose seat was vacated.

(3) The committee shall establish an executive committee of four members, two of whom are members of the senate and two of whom are members of the house of representatives. The executive committee shall appoint one cochair from the two executive committee members who are senators and one cochair from the two executive committee members who are representatives. The two cochairs shall be from different political parties and their terms of office shall run from the close of the session in which they are appointed until the close of the next regular session in an odd-numbered year. The executive committee is responsible for performing all general administrative and personnel duties assigned to it in the rules and procedures adopted by the joint committee, as well as other duties delegated to it by the joint committee.

(4) The joint committee on veterans' and military affairs has the following powers and duties:

(a) To study veterans' issues, active military forces issues, and national guard and reserve component issues, and make recommendations to the legislature; and

(b) To study structure and administration of the department of veterans affairs and the military department, and make recommendations to the legislature.

(5) The joint committee shall adopt rules and procedures for its orderly operation. The joint committee may create subcommittees to perform duties under this section.

(6) The regulating authorities for the department of licensing ~~((and)), the department of health, and the professional educator standards board~~ shall file reports to the legislature ~~((biennially and the Washington state military transition council))~~ annually beginning January 1, ~~((2018))~~ 2024, and appear annually before the joint committee on veterans' and military affairs, to provide updates on progress in their efforts to implement the requirements of chapter 18.340 RCW, chapter 32, Laws of 2011, ~~((and))~~ chapter 351, Laws of 2011 ~~((By January 1, 2018, the department of labor and industries and the professional educator standards board must each submit a report to the legislature, including an assessment on how its licensing, certification, and apprenticeship programs apply training and experience acquired by military members and their spouses outside of Washington, and recommendations about whether such programs should be included in the reporting schedule within this subsection)), and section 6 of this act.~~

NEW SECTION. **Sec. 11.** Section 4 of this act takes effect October 1, 2023."

On page 1, line 1 of the title, after "employment;" strike the remainder of the title and insert "amending RCW 18.340.020 and 73.04.150; adding new sections to chapter 18.340 RCW; adding a new section to chapter 28A.410 RCW; adding a new section to chapter 43.60A RCW; adding a new section to chapter 38.42 RCW; creating new sections; and providing an effective date."

Senator Conway spoke in favor of adoption of the committee striking amendment.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Ways & Means to Second Substitute House Bill No. 1009.

The motion by Senator Conway carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Conway, the rules were suspended, Second Substitute House Bill No. 1009 as amended by the Senate

was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Conway and King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute House Bill No. 1009 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute House Bill No. 1009 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SECOND SUBSTITUTE HOUSE BILL NO. 1009, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1804, by House Committee on Appropriations (originally sponsored by Steele)

Concerning eligibility for participation in the public employees' benefits board for retired or disabled employees of counties, municipalities, and other political subdivisions.

The measure was read the second time.

MOTION

Senator Rolfes moved that the following committee striking amendment by the Committee on Ways & Means be adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 41.05.080 and 2018 c 260 s 15 are each amended to read as follows:

(1) Under the qualifications, terms, conditions, and benefits set by the public employees' benefits board:

(a)(i) Retired or disabled state employees, retired or disabled school employees, retired or disabled employees of (~~county, municipal, or other political subdivisions, or retired or disabled employees of tribal governments~~) employer groups covered by this chapter may continue their participation in insurance plans and contracts after retirement or disablement.

(ii) The retired or disabled employees of employer groups whose contractual agreement with the authority terminates may continue their participation in insurance plans and contracts after the contractual agreement is terminated. The retired or disabled employees of employer groups whose contractual agreement with the authority terminates are not eligible for any subsidy provided under RCW 41.05.085;

(b) Separated employees may continue their participation in insurance plans and contracts if participation is selected immediately upon separation from employment;

(c) Surviving spouses, surviving state registered domestic partners, and dependent children of emergency service personnel killed in the line of duty may participate in insurance plans and contracts.

(2) Rates charged surviving spouses and surviving state registered domestic partners of emergency service personnel killed in the line of duty, retired or disabled employees, separated employees, spouses, or dependent children who are not eligible for parts A and B of medicare shall be based on the experience of the community-rated risk pool established under RCW 41.05.022.

(3) Rates charged to surviving spouses and surviving state registered domestic partners of emergency service personnel killed in the line of duty, retired or disabled employees, separated employees, spouses, or children who are eligible for parts A and B of medicare shall be calculated from a separate experience risk pool comprised only of individuals eligible for parts A and B of medicare; however, the premiums charged to medicare-eligible retirees and disabled employees shall be reduced by the amount of the subsidy provided under RCW 41.05.085, except as provided in subsection (1)(a)(ii) of this section.

(4) Surviving spouses, surviving state registered domestic partners, and dependent children of emergency service personnel killed in the line of duty and retired or disabled and separated employees shall be responsible for payment of premium rates developed by the authority which shall include the cost to the authority of providing insurance coverage including any amounts necessary for reserves and administration in accordance with this chapter. These self pay rates will be established based on a separate rate for the employee, the spouse, state registered domestic partners, and the children.

(5) The term "retired state employees" for the purpose of this section shall include but not be limited to members of the legislature whether voluntarily or involuntarily leaving state office.

NEW SECTION. **Sec. 2.** A new section is added to chapter 41.05 RCW to read as follows:

(1) Employer groups that enter into a contractual agreement with the authority after the effective date of this section and whose contractual agreement with the authority is subsequently terminated, shall make a one-time payment as calculated in subsection (2) of this section to the authority for each of the employer group's retired or disabled employees who continue their participation in insurance plans and contracts under RCW 41.05.080(1)(a)(ii).

(2) For each of the employer group's retired or disabled employees who will be continuing their participation, the authority shall determine the one-time payment amount by calculating the difference in cost between the rate charged to retired or disabled employees under RCW 41.05.080(2) and the actuarially determined value of the medical benefits for retired and disabled employees who are not eligible for parts A and B of medicare, and then multiplying that difference by the number of months until the retired or disabled employee would become eligible for medicare.

(3) Employer groups shall not be entitled to any refund of the amount paid to the authority under this section.

NEW SECTION. **Sec. 3.** A new section is added to chapter 41.05 RCW to read as follows:

Any retired or disabled employee whose participation in insurance plans or contracts under RCW 41.05.080(1)(a)(i) ended due to the termination of the contractual agreement between the

NINETY SECOND DAY, APRIL 10, 2023

authority and an employer group on or before January 1, 2023, must be allowed to return and participate in insurance plans and contracts as described in RCW 41.05.080(1)(a)(ii) so long as the retired or disabled employee notifies the health care authority in writing by December 31, 2023, after which participation will begin on the first day of the month following the date the authority receives the retired or disabled employee's written notice.

NEW SECTION. Sec. 4. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

On page 1, line 3 of the title, after "subdivisions;" strike the remainder of the title and insert "amending RCW 41.05.080; adding new sections to chapter 41.05 RCW; and declaring an emergency."

Senator Rolfes spoke in favor of adoption of the committee striking amendment.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Ways & Means to Substitute House Bill No. 1804.

The motion by Senator Rolfes carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Rolfes, the rules were suspended, Substitute House Bill No. 1804 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Rolfes and Wilson, L. spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1804 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1804 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SUBSTITUTE HOUSE BILL NO. 1804, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SECOND SUBSTITUTE HOUSE BILL NO. 1204, by House Committee on Appropriations (originally sponsored by Callan, Eslick, Leavitt, Bateman, Kloba, Reed, Simmons, Doglio, Goodman, Ortiz-Self, McEntire, Davis and Pollet)

Implementing the family connections program.

The measure was read the second time.

MOTION

On motion of Senator Kauffman, the rules were suspended, Second Substitute House Bill No. 1204 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Kauffman and Boehnke spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute House Bill No. 1204.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute House Bill No. 1204 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SECOND SUBSTITUTE HOUSE BILL NO. 1204, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1329, by House Committee on Environment & Energy (originally sponsored by Mena, Alvarado, Berry, Duerr, Leavitt, Morgan, Ramel, Ryu, Senn, Simmons, Timmons, Kloba, Bateman, Slatter, Orwall, Reed, Lekanoff, Gregerson, Doglio, Tharinger, Cortes, Donaghy, Pollet, Callan, Fosse, Macri, Davis and Stonier)

Preventing utility shutoffs for nonpayment during extreme heat.

The measure was read the second time.

MOTION

Senator MacEwen moved that the following striking amendment no. 0396 by Senator MacEwen be adopted:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. A new section is added to chapter 23.86 RCW to read as follows:

(1) As used in this section, any locally regulated utility as defined in RCW 23.86.400 may not effect, due to lack of payment, an involuntary termination of electric utility service to any residential user, including tenants of metered apartment buildings and residents of mobile homes, on any day for which the national weather service issues a publicly available notice that the heat risk is at a level 2 (orange), level 3 (red), or level 4 (magenta) for the area in which the residential user's address is located.

(2)(a) A residential user at whose dwelling electric utility service has been disconnected for lack of payment may request that the locally regulated utility reconnect service on any day for which the national weather service issues a publicly available notice that the heat risk is at a level 2 (orange), level 3 (red), or level 4 (magenta) for the area in which the residential user's address is located. The locally regulated utility shall inform all customers in the notice of disconnection of the ability to seek reconnection and provide clear and specific information on how to make that request, including how to contact the utility.

(b) Upon receipt of a request made pursuant to (a) of this subsection, the locally regulated utility shall promptly make a reasonable attempt to reconnect service to the dwelling. The locally regulated utility, in connection with a request made pursuant to (a) of this subsection, shall provide the residential user with information regarding the availability of bill assistance, options for payment plans, and other financial resources from community action agencies, the utility, or other sources to assist the residential customer with payment of utility bills. If a utility requires a payment plan, customer income verification shall be by self-attestation or through a community action agency.

(3) On an annual basis, each locally regulated utility with more than 25,000 retail electric customers in Washington must submit a report to the department of commerce that includes the total number of disconnections that occurred on each day for which the national weather service issues a publicly available notice that the heat risk is at a level 2 (orange), level 3 (red), or level 4 (magenta). Locally regulated utilities with fewer than 25,000 retail electric customers in Washington must provide similar information upon request by the department.

(a) Subject to availability, each locally regulated utility must provide any other information related to utility disconnections that is requested by the department.

(b) The information required in this subsection must be submitted in a form, timeline, and manner as prescribed by the department.

NEW SECTION. Sec. 2. A new section is added to chapter 24.06 RCW to read as follows:

(1) As used in this section, any locally regulated utility as defined in RCW 24.06.600 may not effect, due to lack of payment, an involuntary termination of electric utility service to any residential user, including tenants of metered apartment buildings and residents of mobile homes, on any day for which the national weather service issues a publicly available notice that the heat risk is at a level 2 (orange), level 3 (red), or level 4 (magenta) for the area in which the residential user's address is located.

(2)(a) A residential user at whose dwelling electric utility service has been disconnected for lack of payment may request that the locally regulated utility reconnect service on any day for which the national weather service issues a publicly available notice that the heat risk is at a level 2 (orange), level 3 (red), or level 4 (magenta) for the area in which the residential user's address is located. The locally regulated utility shall inform all customers in the notice of disconnection of the ability to seek reconnection and provide clear and specific information on how to make that request, including how to contact the utility.

(b) Upon receipt of a request made pursuant to (a) of this subsection, the locally regulated utility shall promptly make a reasonable attempt to reconnect service to the dwelling. The locally regulated utility, in connection with a request made pursuant to (a) of this subsection, shall provide the residential user with information regarding the availability of bill assistance, options for payment plans, and other financial resources from community action agencies, the utility, or other sources to assist

the residential customer with payment of utility bills. If a utility requires a payment plan, customer income verification shall be by self-attestation or through a community action agency.

(3) On an annual basis, each locally regulated utility with more than 25,000 retail electric customers in Washington must submit a report to the department of commerce that includes the total number of disconnections that occurred on each day for which the national weather service issues a publicly available notice that the heat risk is at a level 2 (orange), level 3 (red), or level 4 (magenta). Locally regulated utilities with fewer than 25,000 retail electric customers in Washington must provide similar information upon request by the department.

(a) Subject to availability, each locally regulated utility must provide any other information related to utility disconnections that is requested by the department.

(b) The information required in this subsection must be submitted in a form, timeline, and manner as prescribed by the department.

NEW SECTION. Sec. 3. A new section is added to chapter 35.21 RCW to read as follows:

(1) A city or town, including a code city, that owns or operates an electric or water utility may not effect, due to lack of payment, an involuntary termination of utility service to any residential user, including tenants of metered apartment buildings and residents of mobile homes, on any day for which the national weather service issues a publicly available notice that the heat risk is at a level 2 (orange), level 3 (red), or level 4 (magenta) for the area in which the residential user's address is located.

(2)(a) A residential user at whose dwelling utility service has been disconnected for lack of payment may request that the utility reconnect service on any day for which the national weather service issues a publicly available notice that the heat risk is at a level 2 (orange), level 3 (red), or level 4 (magenta) for the area in which the residential user's address is located. The utility shall inform all customers in the notice of disconnection of the ability to seek reconnection and provide clear and specific information on how to make that request, including how to contact the utility.

(b) Upon receipt of a request made pursuant to (a) of this subsection, the utility shall promptly make a reasonable attempt to reconnect service to the dwelling. The utility, in connection with a request made pursuant to (a) of this subsection, shall provide the residential user with information regarding the availability of bill assistance, options for payment plans, and other financial resources from community action agencies, the utility, or other sources to assist the residential customer with payment of utility bills. If a utility requires a payment plan, customer income verification shall be by self-attestation or through a community action agency.

(3) On an annual basis, each city or town, including a code city, that owns or operates an electric or water utility with more than 25,000 retail electric customers or 2,500 water customers in Washington must submit a report to the department of commerce that includes the total number of disconnections that occurred on each day for which the national weather service issues a publicly available notice that the heat risk is at a level 2 (orange), level 3 (red), or level 4 (magenta). Utilities with fewer than 25,000 retail electric customers or 2,500 water customers in Washington must provide similar information upon request by the department.

(a) Subject to availability, each utility must provide any other information related to utility disconnections that is requested by the department.

(b) The information required in this subsection must be submitted in a form, timeline, and manner as prescribed by the department.

NINETY SECOND DAY, APRIL 10, 2023

Sec. 4. RCW 54.16.285 and 1995 c 399 s 144 are each amended to read as follows:

(1) A district providing utility service for residential space heating shall not terminate such utility service between November 15 through March 15 if the customer:

(a) Notifies the utility of the inability to pay the bill (~~(including a security deposit)~~). This notice should be provided within five business days of receiving a payment overdue notice unless there are extenuating circumstances. If the customer fails to notify the utility within five business days and service is terminated, the customer can, by ~~((paying reconnection charges, if any, and))~~ fulfilling the requirements of this section, receive the protections of this chapter;

(b) Provides self-certification of household income for the prior ~~((twelve))~~ 12 months to a grantee of the department of ~~((community, trade, and economic development))~~ commerce which administers federally funded energy assistance programs. The grantee shall determine that the household income does not exceed the maximum allowed for eligibility under the state's plan for low-income energy assistance under 42 U.S.C. 8624 and shall provide a dollar figure that is seven percent of household income. The grantee may verify information provided in the self-certification;

(c) Has applied for home heating assistance from applicable government and private sector organizations and certifies that any assistance received will be applied to the current bill and future utility bills;

(d) Has applied for low-income weatherization assistance to the utility or other appropriate agency if such assistance is available for the dwelling;

(e) Agrees to a payment plan and agrees to maintain the payment plan. The plan will be designed both to pay the past due bill by the following October 15 and to pay for continued utility service. If the past due bill is not paid by the following October 15, the customer shall not be eligible for protections under this chapter until the past due bill is paid. The plan shall not require monthly payments in excess of seven percent of the customer's monthly income plus one-twelfth of any arrearage accrued from the date application is made and thereafter during November 15 through March 15. A customer may agree to pay a higher percentage during this period, but shall not be in default unless payment during this period is less than seven percent of monthly income plus one-twelfth of any arrearage accrued from the date application is made and thereafter. If assistance payments are received by the customer subsequent to implementation of the plan, the customer shall contact the utility to reformulate the plan; and

(f) Agrees to pay the moneys owed even if ~~((he or she moves. (2))~~ the customer moves.

(2) The utility shall:

(a) Include in any notice that an account is delinquent and that service may be subject to termination, a description of the customer's duties in this section;

(b) Assist the customer in fulfilling the requirements under this section;

(c) Be authorized to transfer an account to a new residence when a customer who has established a plan under this section moves from one residence to another within the same utility service area;

(d) Be permitted to disconnect service if the customer fails to honor the payment program except on the days indicated in subsection (5) of this section. Utilities may continue to disconnect service for those practices authorized by law other than for nonpayment as provided for in this section. Customers who qualify for payment plans under this section who default on their

payment plans and are disconnected can be reconnected and maintain the protections afforded under this chapter by paying ~~((reconnection charges, if any, and by paying))~~ all amounts that would have been due and owing under the terms of the applicable payment plan, absent default, on the date on which service is reconnected; and

(e) Advise the customer in writing at the time it disconnects service that it will restore service if the customer contacts the utility and fulfills the other requirements of this section.

(3) All districts providing utility service for residential space heating shall offer residential customers the option of a budget billing or equal payment plan. The budget billing or equal payment plan shall be offered low-income customers eligible under the state's plan for low-income energy assistance prepared in accordance with 42 U.S.C. 8624(C)(1) without limiting availability to certain months of the year, without regard to the length of time the customer has occupied the premises, and without regard to whether the customer is the tenant or owner of the premises occupied.

(4) An agreement between the customer and the utility, whether oral or written, shall not waive the protections afforded under this chapter.

(5) A district providing electric or water utility service to residential customers may not effect, due to lack of payment, an involuntary termination of utility service to any residential user, including tenants of metered apartment buildings and residents of mobile homes, on any day for which the national weather service issues a publicly available notice that the heat risk is at a level 2 (orange), level 3 (red), or level 4 (magenta) for the area in which the residential user's address is located.

(6)(a) A residential user at whose dwelling utility service has been disconnected for lack of payment may request that the district reconnect service on any day for which the national weather service issues a publicly available notice that the heat risk is at a level 2 (orange), level 3 (red), or level 4 (magenta) for the area in which the residential user's address is located. The district shall inform all customers in the notice of disconnection of the ability to seek reconnection and provide clear and specific information on how to make that request, including how to contact the district.

(b) Upon receipt of a request made pursuant to (a) of this subsection, the district shall promptly make a reasonable attempt to reconnect service to the dwelling. The district, in connection with a request made pursuant to (a) of this subsection, shall provide the residential user with information regarding the availability of bill assistance, options for payment plans, and other financial resources from community action agencies, the district, or other sources to assist the residential customer with payment of utility bills. If a district requires a payment plan, customer income verification shall be by self-attestation or through a community action agency.

(7) On an annual basis, each district with more than 25,000 retail electric customers or 2,500 water customers in Washington must submit a report to the department of commerce that includes the total number of disconnections that occurred on each day for which the national weather service issues a publicly available notice that the heat risk is at a level 2 (orange), level 3 (red), or level 4 (magenta). Districts with fewer than 25,000 retail electric customers or 2,500 water customers in Washington must provide similar information upon request by the department.

(a) Subject to availability, each district must provide any other information related to utility disconnections that is requested by the department.

(b) The information required in this subsection must be submitted in a form, timeline, and manner as prescribed by the department.

Sec. 5. RCW 57.08.081 and 2003 c 394 s 6 are each amended to read as follows:

(1) Subject to RCW 57.08.005(~~((6))~~) (7), the commissioners of any district shall provide for revenues by fixing rates and charges for furnishing sewer and drainage service and facilities to those to whom service is available or for providing water, such rates and charges to be fixed as deemed necessary by the commissioners, so that uniform charges will be made for the same class of customer or service and facility. Rates and charges may be combined for the furnishing of more than one type of sewer or drainage service and facilities.

(2) In classifying customers of such water, sewer, or drainage system, the board of commissioners may in its discretion consider any or all of the following factors: The difference in cost to various customers; the location of the various customers within and without the district; the difference in cost of maintenance, operation, repair, and replacement of the various parts of the system; the different character of the service furnished various customers; the quantity and quality of the service and facility furnished; the time of its use; the achievement of water conservation goals and the discouragement of wasteful practices; capital contributions made to the system including but not limited to assessments; and any other matters which present a reasonable difference as a ground for distinction. Rates shall be established as deemed proper by the commissioners and as fixed by resolution and shall produce revenues sufficient to take care of the costs of maintenance and operation, revenue bond and warrant interest and principal amortization requirements, and all other charges necessary for efficient and proper operation of the system. Prior to furnishing services, a district may require a deposit to guarantee payment for services. However, failure to require a deposit does not affect the validity of any lien authorized by this section.

(3) The commissioners shall enforce collection of connection charges, and rates and charges for water supplied against property owners connecting with the system or receiving such water, and for sewer and drainage services charged against property to which and its owners to whom the service is available, such charges being deemed charges against the property served, by addition of penalties of not more than ten percent thereof in case of failure to pay the charges at times fixed by resolution. The commissioners may provide by resolution that where either connection charges or rates and charges for services supplied are delinquent for any specified period of time, the district shall certify the delinquencies to the auditor of the county in which the real property is located, and the charges and any penalties added thereto and interest thereon at the rate of not more than the prime lending rate of the district's bank plus four percentage points per year shall be a lien against the property upon which the service was received, subject only to the lien for general taxes.

(4) The district may, at any time after the connection charges or rates and charges for services supplied or available and penalties are delinquent for a period of (~~(sixty)~~) 60 days, bring suit in foreclosure by civil action in the superior court of the county in which the real property is located. The court may allow, in addition to the costs and disbursements provided by statute, attorneys' fees, title search and report costs, and expenses as it adjudges reasonable. The action shall be in rem, and may be brought in the name of the district against an individual or against all of those who are delinquent in one action. The laws and rules of the court shall control as in other civil actions.

(5) In addition to the right to foreclose provided in this section, the district may also cut off all or part of the service after charges for water or sewer service supplied or available are delinquent for a period of (~~(thirty)~~) 30 days, except on the days indicated in subsection (8) of this section.

(6) A district may determine how to apply partial payments on past due accounts.

(7) A district may provide a real property owner or the owner's designee with duplicate bills for service to tenants, or may notify an owner or the owner's designee that a tenant's service account is delinquent. However, if an owner or the owner's designee notifies the district in writing that a property served by the district is a rental property, asks to be notified of a tenant's delinquency, and has provided, in writing, a complete and accurate mailing address, the district shall notify the owner or the owner's designee of a tenant's delinquency at the same time and in the same manner the district notifies the tenant of the tenant's delinquency or by mail. When a district provides a real property owner or the owner's designee with duplicates of tenant utility service bills or notice that a tenant's utility account is delinquent, the district shall notify the tenant that it is providing the duplicate bills or delinquency notice to the owner or the owner's designee. After January 1, 1999, if a district fails to notify the owner of a tenant's delinquency after receiving a written request to do so and after receiving the other information required by this subsection (7), the district shall have no lien against the premises for the tenant's delinquent and unpaid charges.

(8) A district providing water utility service to residential customers may not effect, due to lack of payment, an involuntary termination of utility service to any residential user, including tenants of metered apartment buildings and residents of mobile homes, on any day for which the national weather service issues a publicly available notice that the heat risk is at a level 2 (orange), level 3 (red), or level 4 (magenta) for the area in which the residential user's address is located.

(9)(a) A residential user at whose dwelling utility service has been disconnected for lack of payment may request that the district reconnect service on any day for which the national weather service issues a publicly available notice that the heat risk is at a level 2 (orange), level 3 (red), or level 4 (magenta) for the area in which the residential user's address is located. The district shall inform all customers in the notice of disconnection of the ability to seek reconnection and provide clear and specific information on how to make that request, including how to contact the district.

(b) Upon receipt of a request made pursuant to (a) of this subsection, the district shall promptly make a reasonable attempt to reconnect service to the dwelling. The district, in connection with a request made pursuant to (a) of this subsection, shall provide the residential user with information regarding the availability of bill assistance, options for payment plans, and other financial resources from community action agencies, the district, or other sources to assist the residential customer with payment of utility bills. If a district requires a payment plan, customer income verification shall be by self-attestation or through a community action agency.

(10) On an annual basis, each district with more than 25,000 retail electric customers or 2,500 water customers in Washington must submit a report to the department of commerce that includes the total number of disconnections that occurred on each day for which the national weather service issues a publicly available notice that the heat risk is at a level 2 (orange), level 3 (red), or level 4 (magenta). Districts with fewer than 2,500 water customers in Washington must provide similar information upon request by the department.

NINETY SECOND DAY, APRIL 10, 2023

(a) Subject to availability, each district must provide any other information related to utility disconnections that is requested by the department.

(b) The information required in this subsection must be submitted in a form, timeline, and manner as prescribed by the department.

Sec. 6. RCW 80.28.010 and 2011 c 214 s 11 are each amended to read as follows:

(1) All charges made, demanded or received by any gas company, electrical company, wastewater company, or water company for gas, electricity or water, or for any service rendered or to be rendered in connection therewith, shall be just, fair, reasonable and sufficient. Reasonable charges necessary to cover the cost of administering the collection of voluntary donations for the purposes of supporting the development and implementation of evergreen community management plans and ordinances under RCW 80.28.300 must be deemed as prudent and necessary for the operation of a utility.

(2) Every gas company, electrical company, wastewater company, and water company shall furnish and supply such service, instrumentalities and facilities as shall be safe, adequate and efficient, and in all respects just and reasonable.

(3) All rules and regulations issued by any gas company, electrical company, wastewater company, or water company, affecting or pertaining to the sale or distribution of its product or service, must be just and reasonable.

(4) Utility service for residential space heating shall not be terminated between November 15 through March 15 if the customer:

(a) ~~Notifies the utility of the inability to pay the bill (including a security deposit).~~ This notice should be provided within five business days of receiving a payment overdue notice unless there are extenuating circumstances. If the customer fails to notify the utility within five business days and service is terminated, the customer can, by ~~((paying reconnection charges, if any, and))~~ fulfilling the requirements of this section, receive the protections of this chapter;

(b) Provides self-certification of household income for the prior twelve months to a grantee of the department of commerce, which administers federally funded energy assistance programs. The grantee shall determine that the household income does not exceed the maximum allowed for eligibility under the state's plan for low-income energy assistance under 42 U.S.C. 8624 and shall provide a dollar figure that is seven percent of household income. The grantee may verify information provided in the self-certification;

(c) Has applied for home heating assistance from applicable government and private sector organizations and certifies that any assistance received will be applied to the current bill and future utility bills;

(d) Has applied for low-income weatherization assistance to the utility or other appropriate agency if such assistance is available for the dwelling;

(e) Agrees to a payment plan and agrees to maintain the payment plan. The plan will be designed both to pay the past due bill by the following October 15th and to pay for continued utility service. If the past due bill is not paid by the following October 15, the customer is not eligible for protections under this chapter until the past due bill is paid. The plan may not require monthly payments in excess of seven percent of the customer's monthly income plus one-twelfth of any arrearage accrued from the date application is made and thereafter during November 15 through March 15. A customer may agree to pay a higher percentage during this period, but shall not be in default unless payment during this period is less than seven percent of monthly income

plus one-twelfth of any arrearage accrued from the date application is made and thereafter. If assistance payments are received by the customer subsequent to implementation of the plan, the customer shall contact the utility to reformulate the plan; and

(f) Agrees to pay the moneys owed even if ~~((he or she moves. (5)))~~ the customer moves.

(5) The utility shall:

(a) Include in any notice that an account is delinquent and that service may be subject to termination, a description of the customer's duties in this section;

(b) Assist the customer in fulfilling the requirements under this section;

(c) Be authorized to transfer an account to a new residence when a customer who has established a plan under this section moves from one residence to another within the same utility service area;

(d) Be permitted to disconnect service if the customer fails to honor the payment program except on the days indicated in subsection (8) of this section. Utilities may continue to disconnect service for those practices authorized by law other than for nonpayment as provided for in this subsection. Customers who qualify for payment plans under this section who default on their payment plans and are disconnected can be reconnected and maintain the protections afforded under this chapter by paying ~~((reconnection charges, if any, and by paying))~~ all amounts that would have been due and owing under the terms of the applicable payment plan, absent default, on the date on which service is reconnected; and

(e) Advise the customer in writing at the time it disconnects service that it will restore service if the customer contacts the utility and fulfills the other requirements of this section.

(6) A payment plan implemented under this section is consistent with RCW 80.28.080.

(7) Every gas company and electrical company shall offer residential customers the option of a budget billing or equal payment plan. The budget billing or equal payment plan shall be offered low-income customers eligible under the state's plan for low-income energy assistance prepared in accordance with 42 U.S.C. 8624(C)(1) without limiting availability to certain months of the year, without regard to the length of time the customer has occupied the premises, and without regard to whether the customer is the tenant or owner of the premises occupied.

(8)(a) Every electrical company and water company must have and must abide by the terms of a tariff approved by the commission that prohibits the electrical company or water company from effecting, due to lack of payment, an involuntary termination of electric or water utility service to any residential user, including tenants of metered apartment buildings and residents of mobile homes, on any day for which the national weather service issues a publicly available notice that the heat risk is at a level 2 (orange), level 3 (red), or level 4 (magenta) for the area in which the residential user's address is located.

(b) Nothing in this subsection (8) limits the authority of the commission to prohibit an electrical company or water company from terminating electric or water utility service in accordance with an approved tariff, rule, or order, in circumstances independent of the weather.

(9)(a) A residential user at whose dwelling electric or water utility service has been disconnected for lack of payment may request that the utility reconnect service on any day for which the national weather service issues a publicly available notice that the heat risk is at a level 2 (orange), level 3 (red), or level 4 (magenta) for the area in which the residential user's address is located. The utility shall, through a process approved by the commission,

inform all customers in the notice of disconnection of the ability to seek reconnection and provide clear and specific information on how to make that request, including how to contact the utility.

(b) Upon receipt of a request made pursuant to (a) of this subsection, the utility shall promptly make a reasonable attempt to reconnect service to the dwelling. The utility, in connection with a request made pursuant to (a) of this subsection, shall provide the residential user with information regarding the availability of bill assistance, options for payment plans, and other financial resources from community action agencies, the utility, or other sources to assist the residential customer with payment of utility bills. If a utility requires a payment plan, customer income verification shall be by self-attestation or through a community action agency.

(10) Every gas company, electrical company, wastewater company, and water company shall construct and maintain such facilities in connection with the manufacture and distribution of its product, or provision of its services, as will be efficient and safe to its employees and the public.

~~((9))~~ (11) An agreement between the customer and the utility, whether oral or written, does not waive the protections afforded under this chapter.

~~((40))~~ (12) In establishing rates or charges for water service, water companies as defined in RCW 80.04.010 may consider the achievement of water conservation goals and the discouragement of wasteful water use practices.

(13) On an annual basis, each utility must submit a report to the commission that includes the total number of electric or water disconnections that occurred on each day for which the national weather service issues a publicly available notice that the heat risk is at a level 2 (orange), level 3 (red), or level 4 (magenta).

Sec. 7. RCW 87.03.015 and 2017 c 63 s 1 are each amended to read as follows:

(1) Any irrigation district, operating and maintaining an irrigation system, in addition to other powers conferred by law, shall have authority:

~~((4))~~ (a) To purchase and sell electric power to the inhabitants of the irrigation district for the purposes of irrigation and domestic use; to finance, acquire, construct, own, and lease dams, canals, plants, transmission lines, and other power equipment and the necessary property and rights therefor and to operate, improve, repair, and maintain the same, for the generation and transmission of electrical energy for use in the operation of pumping plants and irrigation systems of the district and for sale to the inhabitants of the irrigation district for the purposes of irrigation and domestic use; and, as a further and separate grant of authority and in furtherance of a state purpose and policy of developing hydroelectric capability in connection with irrigation facilities, to construct, finance, acquire, own, lease, operate, improve, repair, and maintain, alone or jointly with other irrigation districts, boards of control, municipal or quasi-municipal corporations or cooperatives authorized to engage in the business of distributing electricity, electrical companies subject to the jurisdiction of the utilities and transportation commission, private commercial or industrial entities that construct or operate electric power generation or transmission facilities, or private commercial or industrial entities that acquire electric power for their own use or resale, hydroelectric facilities including but not limited to dams, canals, plants, transmission lines, other power equipment, and the necessary property and rights therefor, located within or outside the district, for the purpose of utilizing for the generation of electricity, water power made available by and as a part of the irrigation water storage, conveyance, and distribution facilities, waste ways, and drainage water facilities which serve irrigation

districts, and to sell any and all the electric energy generated at any such hydroelectric facilities or the irrigation district's share of such energy, to municipal or quasi-municipal corporations or cooperatives authorized to engage in the business of distributing electricity, electrical companies subject to the jurisdiction of the utilities and transportation commission, private commercial or industrial entities that acquire electric power for their own use or resale, or other irrigation districts, and on such terms and conditions as the board of directors shall determine. No contract entered into under this subsection (1)(a) by the board of directors of any irrigation district for the sale of electrical energy from such hydroelectric facility for a period longer than forty years from the date of commercial operation of such hydroelectric facility shall be binding on the district until ratified by a majority vote of the electors of the district at an election therein, called, held, and canvassed for that purpose in the same manner as that provided by law for district bond elections.

~~((2))~~ (b) To construct, repair, purchase, maintain, or lease a system for the sale or lease of water to the owners of irrigated lands within the district for domestic purposes.

~~((3))~~ (c) To construct, repair, purchase, lease, acquire, operate and maintain a system of drains, sanitary sewers, and sewage disposal or treatment plants as herein provided.

~~((4))~~ (d) To assume, as principal or guarantor, any indebtedness to the United States under the federal reclamation laws, on account of district lands.

~~((5))~~ (e) To maintain, repair, construct, and reconstruct ditches, laterals, pipe lines, and other water conduits used or to be used in carrying water for irrigation of lands located within the boundaries of a city or town, or for the domestic use of the residents of a city or town where the owners of land within such city or town shall use such works to carry water to the boundaries of such city or town for irrigation, domestic, or other purposes within such city or town, and to charge to such city or town the pro rata proportion of the cost of such maintenance, repair, construction, and reconstruction work in proportion to the benefits received by the lands served and located within the boundaries of such city or town, and if such cost is not paid, then and in that event said irrigation district shall have the right to prevent further water deliveries through such works to the lands located within the boundaries of such city or town until such charges have been paid.

~~((6))~~ (f) To acquire, install, and maintain as a part of the irrigation district's water system the necessary water mains and fire hydrants to make water available for firefighting purposes; and in addition any such irrigation district shall have the authority to repair, operate, and maintain such hydrants and mains.

~~((7))~~ (g) To enter into contracts with other irrigation districts, boards of control, municipal or quasi-municipal corporations or cooperatives authorized to engage in the business of distributing electricity, electrical companies subject to the jurisdiction of the utilities and transportation commission, private commercial or industrial entities that construct or operate electric power generation or transmission facilities, or private commercial or industrial entities that acquire electric power for their own use or resale, to jointly finance, acquire, lease, construct, own, operate, improve, repair, and maintain irrigation water, domestic water, drainage and sewerage works, and electrical power works to the same extent as authorized by (a) of this subsection ~~((1) of this section)),~~ or portions of such works. If an irrigation district enters into a contract or agreement under this subsection (1)(g) to create a legal entity or undertaking with an investor-owned utility or a private commercial or industrial entity, that contract or agreement must provide that the irrigation district be severally liable only for its own acts and not jointly or severally liable for the acts,

NINETY SECOND DAY, APRIL 10, 2023

omissions, or obligations of an investor-owned utility or a private commercial or industrial entity. No money or property supplied by any irrigation district for the planning, financing, acquisition, construction, operation, or maintenance of any common facility may be credited or otherwise applied to the account of any investor-owned utility or private commercial or industrial entity therein, nor may the undivided share of any irrigation district in any common facility be charged, directly or indirectly, with any debt or obligation of any investor-owned utility or private commercial or industrial entity or be subject to any lien as a result thereof. No action in connection with a common facility may be binding upon any irrigation district unless authorized or approved by resolution of its board.

~~((8))~~ (h) To acquire from a water-sewer district wholly within the irrigation district's boundaries, by a conveyance without cost, the water-sewer district's water system and to operate the same to provide water for the domestic use of the irrigation district residents. As a part of its acceptance of the conveyance the irrigation district must agree to relieve the water-sewer district of responsibility for maintenance and repair of the system. Any such water-sewer district is authorized to make such a conveyance if all indebtedness of the water-sewer district, except local improvement district bonds, has been paid and the conveyance has been approved by a majority of the water-sewer district's voters voting at a general or special election.

~~((9))~~ (i) To approve and condition placement of hydroelectric generation facilities by entities other than the district on water conveyance facilities operated or maintained by the district.

(2) An irrigation district providing electric or water utility service to residential customers may not effect, due to lack of payment, an involuntary termination of utility service to any residential users, including tenants of metered apartment buildings and residents of mobile homes, on any day for which the national weather service issues a publicly available notice that the heat risk is at a level 2 (orange), level 3 (red), or level 4 (magenta) for the area in which the residential user's address is located.

(a)(i) A residential user at whose dwelling electric or water utility service has been disconnected for lack of payment may request that the irrigation district reconnect service on any day for which the national weather service issues a publicly available notice that the heat risk is at a level 2 (orange), level 3 (red), or level 4 (magenta) for the area in which the residential user's address is located. The irrigation district shall inform all customers in the notice of disconnection of the ability to seek reconnection and provide clear and specific information on how to make that request, including how to contact the irrigation district.

(ii) Upon receipt of a request made pursuant to (a)(i) of this subsection, the irrigation district shall promptly make a reasonable attempt to reconnect service to the dwelling. The irrigation district, in connection with a request made pursuant to (a)(i) of this subsection, shall provide the residential user with information regarding the availability of bill assistance, options for payment plans, and other financial resources from community action agencies, the district, or other sources to assist the residential customer with payment of utility bills. If a district requires a payment plan, customer income verification shall be by self-attestation or through a community action agency.

(b) On an annual basis, each irrigation district with more than 25,000 retail electric customers or 2,500 water customers in Washington must submit a report to the department of commerce that includes the total number of disconnections that occurred on each day for which the national weather service issues a publicly available notice that the heat risk is at a level 2 (orange), level 3

(red), or level 4 (magenta). Irrigation districts with fewer than 25,000 retail electric customers or 2,500 water customers in Washington must provide similar information upon request by the department.

(i) Subject to availability, each irrigation district must provide any other information related to utility disconnections that is requested by the department.

(ii) The information required in this subsection (2)(b) must be submitted in a form, timeline, and manner as prescribed by the department.

(3) This section shall not be construed as in any manner abridging any other powers of an irrigation district conferred by law.

Sec. 8. RCW 59.18.060 and 2013 c 35 s 1 are each amended to read as follows:

The landlord will at all times during the tenancy keep the premises fit for human habitation, and shall in particular:

(1) Maintain the premises to substantially comply with any applicable code, statute, ordinance, or regulation governing their maintenance or operation, which the legislative body enacting the applicable code, statute, ordinance or regulation could enforce as to the premises rented if such condition endangers or impairs the health or safety of the tenant;

(2) Maintain the structural components including, but not limited to, the roofs, floors, walls, chimneys, fireplaces, foundations, and all other structural components, in reasonably good repair so as to be usable;

(3) Keep any shared or common areas reasonably clean, sanitary, and safe from defects increasing the hazards of fire or accident;

(4) Provide a reasonable program for the control of infestation by insects, rodents, and other pests at the initiation of the tenancy and, except in the case of a single-family residence, control infestation during tenancy except where such infestation is caused by the tenant;

(5) Except where the condition is attributable to normal wear and tear, make repairs and arrangements necessary to put and keep the premises in as good condition as it by law or rental agreement should have been, at the commencement of the tenancy;

(6) Provide reasonably adequate locks and furnish keys to the tenant;

(7) Maintain and safeguard with reasonable care any master key or duplicate keys to the dwelling unit;

(8) Maintain all electrical, plumbing, heating, and other facilities and appliances supplied by him or her in reasonably good working order;

(9) Maintain the dwelling unit in reasonably weathertight condition;

(10) Except in the case of a single-family residence, provide and maintain appropriate receptacles in common areas for the removal of ashes, rubbish, and garbage, incidental to the occupancy and arrange for the reasonable and regular removal of such waste;

(11) Provide facilities adequate to supply heat and water and hot water as reasonably required by the tenant;

(a) The landlord may not effect an involuntary termination of electric utility or water service due to lack of payment to any tenant on any day for which the national weather service issues a publicly available notice that the heat risk is at a level 2 (orange), level 3 (red), or level 4 (magenta) for the area in which the tenant's address is located.

(b)(i) A tenant at whose dwelling electric or water utility service has been disconnected for lack of payment may request that the landlord reconnect service on any day for which the

national weather service issues a publicly available notice that the heat risk is at a level 2 (orange), level 3 (red), or level 4 (magenta) for the area in which the tenant's address is located. The landlord shall inform all tenants in the notice of disconnection of the ability to seek reconnection and provide clear and specific information on how to make that request, including how to contact the landlord.

(ii) Upon receipt of a request made pursuant to (b)(i) of this subsection, the landlord shall promptly make a reasonable attempt to reconnect service to the dwelling. The landlord, in connection with a request made pursuant to (b)(i) of this subsection, shall provide the tenant with information regarding the availability of bill assistance, options for payment plans, and other financial resources from community action agencies, the utility, or other sources to assist the tenant with payment of utility bills. If a landlord requires a payment plan, tenant income verification shall be by self-attestation or through a community action agency;

(12)(a) Provide a written notice to all tenants disclosing fire safety and protection information. The landlord or his or her authorized agent must provide a written notice to the tenant that the dwelling unit is equipped with a smoke detection device as required in RCW 43.44.110. The notice shall inform the tenant of the tenant's responsibility to maintain the smoke detection device in proper operating condition and of penalties for failure to comply with the provisions of RCW 43.44.110(3). The notice must be signed by the landlord or the landlord's authorized agent and tenant with copies provided to both parties. Further, except with respect to a single-family residence, the written notice must also disclose the following:

(i) Whether the smoke detection device is hard-wired or battery operated;

(ii) Whether the building has a fire sprinkler system;

(iii) Whether the building has a fire alarm system;

(iv) Whether the building has a smoking policy, and what that policy is;

(v) Whether the building has an emergency notification plan for the occupants and, if so, provide a copy to the occupants;

(vi) Whether the building has an emergency relocation plan for the occupants and, if so, provide a copy to the occupants; and

(vii) Whether the building has an emergency evacuation plan for the occupants and, if so, provide a copy to the occupants.

(b) The information required under this subsection may be provided to a tenant in a multifamily residential building either as a written notice or as a checklist that discloses whether the building has fire safety and protection devices and systems. The checklist shall include a diagram showing the emergency evacuation routes for the occupants.

(c) The written notice or checklist must be provided to new tenants at the time the lease or rental agreement is signed;

(13) Provide tenants with information provided or approved by the department of health about the health hazards associated with exposure to indoor mold. Information may be provided in written format individually to each tenant, or may be posted in a visible, public location at the dwelling unit property. The information must detail how tenants can control mold growth in their dwelling units to minimize the health risks associated with indoor mold. Landlords may obtain the information from the department's website or, if requested by the landlord, the department must mail the information to the landlord in a printed format. When developing or changing the information, the department of health must include representatives of landlords in the development process. The information must be provided by the landlord to new tenants at the time the lease or rental agreement is signed;

(14) The landlord and his or her agents and employees are immune from civil liability for failure to comply with subsection (13) of this section except where the landlord and his or her agents and employees knowingly and intentionally do not comply with subsection (13) of this section; and

(15) Designate to the tenant the name and address of the person who is the landlord by a statement on the rental agreement or by a notice conspicuously posted on the premises. The tenant shall be notified immediately of any changes in writing, which must be either (a) delivered personally to the tenant or (b) mailed to the tenant and conspicuously posted on the premises. If the person designated in this section does not reside in the state where the premises are located, there shall also be designated a person who resides in the county who is authorized to act as an agent for the purposes of service of notices and process, and if no designation is made of a person to act as agent, then the person to whom rental payments are to be made shall be considered such agent. Regardless of such designation, any owner who resides outside the state and who violates a provision of this chapter is deemed to have submitted himself or herself to the jurisdiction of the courts of this state and personal service of any process may be made on the owner outside the state with the same force and effect as personal service within the state. Any summons or process served out-of-state must contain the same information and be served in the same manner as personal service of summons or process served within the state, except the summons or process must require the party to appear and answer within ~~((sixty))~~ 60 days after such personal service out of the state. In an action for a violation of this chapter that is filed under chapter 12.40 RCW, service of the notice of claim outside the state must contain the same information and be served in the same manner as required under chapter 12.40 RCW, except the date on which the party is required to appear must not be less than ~~((sixty))~~ 60 days from the date of service of the notice of claim.

No duty shall devolve upon the landlord to repair a defective condition under this section, nor shall any defense or remedy be available to the tenant under this chapter, where the defective condition complained of was caused by the conduct of such tenant, his or her family, invitee, or other person acting under his or her control, or where a tenant unreasonably fails to allow the landlord access to the property for purposes of repair. When the duty imposed by subsection (1) of this section is incompatible with and greater than the duty imposed by any other provisions of this section, the landlord's duty shall be determined pursuant to subsection (1) of this section.

Sec. 9. RCW 59.20.070 and 2019 c 342 s 4 are each amended to read as follows:

A landlord shall not:

(1) Deny any tenant the right to sell such tenant's mobile home, manufactured home, or park model within a park, or prohibit, in any manner, any tenant from posting on the tenant's manufactured/mobile home or park model, or on the rented mobile home lot, a commercially reasonable "for sale" sign or any similar sign designed to advertise the sale of the manufactured/mobile home or park model. In addition, a landlord shall not require the removal of the mobile home, manufactured home, or park model from the park because of the sale thereof. Requirements for the transfer of the rental agreement are in RCW 59.20.073. Nothing in this subsection prohibits a landlord from enforcing reasonable rules or restrictions regarding the placement of "for sale" signs on the tenant's manufactured/mobile home or park model, or on the rented mobile home lot, if (a) the main purpose of the rules or restrictions is to protect the safety of park tenants or residents and (b) the rules or restrictions comply with RCW 59.20.045. The landlord may restrict the number of "for

NINETY SECOND DAY, APRIL 10, 2023

sale" signs on the lot to two and may restrict the size of the signs to conform to those in common use by home sale businesses;

(2) Restrict the tenant's freedom of choice in purchasing goods or services but may reserve the right to approve or disapprove any exterior structural improvements on a mobile home space: PROVIDED, That door-to-door solicitation in the mobile home park may be restricted in the rental agreement. Door-to-door solicitation does not include public officials, housing and low-income assistance organizations, or candidates for public office meeting or distributing information to tenants in accordance with subsection (3) or (4) of this section;

(3) Prohibit the distribution of information or meetings by tenants of the mobile home park to discuss mobile home living and affairs, including political caucuses or forums for or speeches of public officials or candidates for public office, meetings with housing and low-income assistance organizations, or meetings of organizations that represent the interest of tenants in the park, held in a tenant's home or any of the park community or recreation halls if these halls are open for the use of the tenants, conducted at reasonable times and in an orderly manner on the premises, nor penalize any tenant for participation in such activities;

(4) Prohibit a public official, housing and low-income assistance organization, or candidate for public office from meeting with or distributing information to tenants in their individual mobile homes, manufactured homes, or park models, nor penalize any tenant for participating in these meetings or receiving this information;

(5) Evict a tenant, terminate a rental agreement, decline to renew a rental agreement, increase rental or other tenant obligations, decrease services, or modify park rules in retaliation for any of the following actions on the part of a tenant taken in good faith:

(a) Filing a complaint with any federal, state, county, or municipal governmental authority relating to any alleged violation by the landlord of an applicable statute, regulation, or ordinance;

(b) Requesting the landlord to comply with the provision of this chapter or other applicable statute, regulation, or ordinance of the state, county, or municipality;

(c) Filing suit against the landlord for any reason;

(d) Participation or membership in any homeowners association or group;

(6) Charge to any tenant a utility fee in excess of actual utility costs or intentionally cause termination or interruption of any tenant's utility services, including water, heat, electricity, or gas, except when an interruption of a reasonable duration is required to make necessary repairs;

(7)(a) Effect an involuntary termination of electric utility or water service due to lack of payment to any tenant on any day for which the national weather service issues a publicly available notice that the heat risk is at a level 2 (orange), level 3 (red), or level 4 (magenta) for the area in which the tenant's address is located.

(b)(i) A tenant at whose dwelling electric or water utility service has been disconnected for lack of payment may request that the landlord reconnect service on any day for which the national weather service issues a publicly available notice that the heat risk is at a level 2 (orange), level 3 (red), or level 4 (magenta) for the area in which the tenant's address is located. The landlord shall inform all tenants in the notice of disconnection of the ability to seek reconnection and provide clear and specific information on how to make that request, including how to contact the landlord.

(ii) Upon receipt of a request made pursuant to (b)(i) of this subsection, the landlord shall promptly make a reasonable attempt to reconnect service to the dwelling. The landlord, in connection with a request made pursuant to (b)(i) of this subsection, shall provide the tenant with information regarding the availability of bill assistance, options for payment plans, and other financial resources from community action agencies, the utility, or other sources to assist the tenant with payment of utility bills. If a landlord requires a payment plan, tenant income verification shall be by self-attestation or through a community action agency;

(8) Remove or exclude a tenant from the premises unless this chapter is complied with or the exclusion or removal is under an appropriate court order; or

~~((8))~~ (9) Prevent the entry or require the removal of a mobile home, manufactured home, or park model for the sole reason that the mobile home has reached a certain age. Nothing in this subsection shall limit a landlord's right to exclude or expel a mobile home, manufactured home, or park model for any other reason, including but not limited to, failure to comply with fire, safety, and other provisions of local ordinances and state laws relating to mobile homes, manufactured homes, and park models, as long as the action conforms to this chapter or any other relevant statutory provision."

On page 1, line 2 of the title, after "heat;" strike the remainder of the title and insert "amending RCW 54.16.285, 57.08.081, 80.28.010, 87.03.015, 59.18.060, and 59.20.070; adding a new section to chapter 23.86 RCW; adding a new section to chapter 24.06 RCW; and adding a new section to chapter 35.21 RCW."

Senator MacEwen spoke in favor of adoption of the striking amendment.

Senator Nguyen spoke against adoption of the striking amendment.

The President declared the question before the Senate to be the adoption of striking amendment no. 0396 by Senator MacEwen to Engrossed Substitute House Bill No. 1329.

The motion by Senator MacEwen did not carry and striking amendment no. 0396 was not adopted by voice vote.

MOTION

On motion of Senator Nguyen, the rules were suspended, Engrossed Substitute House Bill No. 1329 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Nguyen spoke in favor of passage of the bill.

Senator MacEwen spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 1329.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 1329 and the bill passed the Senate by the following vote: Yeas, 29; Nays, 20; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Lias, Lovelett, Lovick, Mullet, Nguyen, Nobles, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Muzzall,

Padden, Rivers, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1329, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1521, by House Committee on Labor & Workplace Standards (originally sponsored by Bronoske, Stonier, Wylie, Berry and Pollet)

Concerning the duties of industrial insurance self-insured employers and third-party administrators.

The measure was read the second time.

MOTION

Senator Mullet moved that the following amendment no. 0386 by Senator Mullet be adopted:

- On page 2, line 30, after "self-insured" insert "municipal"
- On page 2, line 30, after "and" insert "their"
- On page 2, line 33, after "self-insured" insert "municipal"
- On page 2, line 33, after "or" insert "their"
- On page 3, line 8, after "department, the" insert "municipal"
- On page 3, line 8, after "or" strike "the" and insert "their"
- On page 3, line 9, after "the" insert "municipal"
- On page 3, line 9, after "or" insert "their"
- On page 3, line 16, after "order the" insert "municipal"

Senators Mullet and King spoke in favor of adoption of the amendment.

Senators Keiser, Kuderer, Hasegawa and Conway spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0386 by Senator Mullet on page 2, line 30 to Substitute House Bill No. 1521.

The motion by Senator Mullet carried and amendment no. 0386 was adopted by voice vote.

MOTION

Senator Keiser moved that the following amendment no. 0393 by Senators Keiser and Mullet be adopted:

On page 3, after line 19, insert the following:

"(6) For the purposes of this section, "municipal" means any counties, cities, towns, port districts, water-sewer districts, school districts, metropolitan park districts, fire districts, public hospital districts, regional fire protection service authorities, education service districts, or such other units of local government.

Sec. 4. RCW 51.14.080 and 1986 c 57 s 7 are each amended to read as follows:

(1) Certification of a self-insurer shall be withdrawn by the director upon one or more of the following grounds:

((4)) (a) The employer no longer meets the requirements of a self-insurer; or

((2)) (b) The self-insurer's deposit is insufficient; or

((3)) (c) The self-insurer intentionally or repeatedly induces employees to fail to report injuries, induces claimants to treat injuries in the course of employment as off-the-job injuries, persuades claimants to accept less than the compensation due, or

unreasonably makes it necessary for claimants to resort to proceedings against the employer to obtain compensation; or

((4)) (d) The self-insurer habitually fails to comply with rules and regulations of the director regarding reports or other requirements necessary to carry out the purposes of this title; or

((5)) (e) The self-insurer habitually engages in a practice of arbitrarily or unreasonably refusing employment to applicants for employment or discharging employees because of nondisabling bodily conditions; or

((6)) (f) The self-insurer fails to pay an insolvency assessment under the procedures established pursuant to RCW 51.14.077; or

(g) For a self-insured municipal employer, the self-insurer has been found to have violated the self-insurer's duty of good faith and fair dealing three times within a three-year period. For purposes of determining whether there have been three violations within a three-year period, the director must use the date of the department's order. Any subsequent order of the department, board of industrial insurance appeals, or courts affirming a violation occurred relates back to the date of the department's order.

(2) The director may delay withdrawing the certification of the self-insured municipal employer while the employer has an enforceable contract with a licensed third-party administrator that may not be legally terminated. However, the self-insured municipal employer may not renew or extend the contract.

(3) For the purposes of this section, "municipal" has the same meaning as defined in section 3(6) of this act."

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

On page 1, line 3 of the title, after "51.48.080" strike "and 51.48.017" and insert ", 51.48.017, and 51.14.080"

Senators Keiser, King and Mullet spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0393 by Senators Keiser and Mullet on page 3, after line 19 to Substitute House Bill No. 1521.

The motion by Senator Keiser carried and amendment no. 0393 was adopted by voice vote.

MOTION

Senator Keiser moved that the following amendment no. 0395 by Senator Kuderer be adopted:

On page 3, after line 19, insert the following:

"NEW SECTION. Sec. 4. A new section is added to chapter 51.14 RCW to read as follows:

Nothing in this act shall be interpreted as allowing a private cause of action outside of the original jurisdiction of the department of labor and industries to assess penalties and rights to appeal as provided in this title."

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

On page 1, line 3 of the title, after "adding" strike "a new section" and insert "new sections"

Senators Kuderer and King spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0395 by Senator Kuderer on page 3, after line 19 to Substitute House Bill No. 1521.

The motion by Senator Keiser carried and amendment no. 0395 was adopted by voice vote.

MOTION

On motion of Senator Keiser, the rules were suspended, Substitute House Bill No. 1521 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Keiser and King spoke in favor of passage of the bill. Senator Hasegawa spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1521 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1521 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 32; Nays, 17; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Braun, Cleveland, Dhingra, Frame, Holy, Kauffman, Keiser, King, Lias, Lovick, MacEwen, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wagoner, Wellman, Wilson, C. and Wilson, J.

Voting nay: Senators Boehnke, Conway, Dozier, Fortunato, Gildon, Hasegawa, Hawkins, Hunt, Kuderer, Lovelett, McCune, Padden, Schoesler, Short, Torres, Warnick and Wilson, L.

SUBSTITUTE HOUSE BILL NO. 1521, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

PERSONAL PRIVILEGE

Senator Fortunato: "I want to apologize to the body for doing this in the middle of the day but it's really just been brought to our attention that three weeks ago in King County a sheriff deputy was shot during the time of an eviction. He's still in Harborview, still in Intensive Care. So, if we could just take a short little moment of silence for him and his recovery. I'd appreciate it Mr. President."

[The Senate observed a moment of silence for King County Sheriff's Detective David Easterly who was severely injured while in the line of duty. Detective Easterly was released from the hospital on May 5, 2023.]

SECOND READING

SECOND SUBSTITUTE HOUSE BILL NO. 1728, by House Committee on Appropriations (originally sponsored by Donaghy, Rule, Reeves, Morgan, Ramel, Reed and Leavitt)

Creating a statewide resiliency program.

The measure was read the second time.

MOTION

On motion of Senator Valdez, the rules were suspended, Second Substitute House Bill No. 1728 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Valdez spoke in favor of passage of the bill. Senator Wilson, J. spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute House Bill No. 1728.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute House Bill No. 1728 and the bill passed the Senate by the following vote: Yeas, 29; Nays, 20; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Lias, Lovelett, Lovick, Mullet, Nguyen, Nobles, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

SECOND SUBSTITUTE HOUSE BILL NO. 1728, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1334, by Representatives Hutchins, Simmons, Couture and Ramel

Addressing the access of certain aquatic lands by a public transportation benefit area.

The measure was read the second time.

MOTION

On motion of Senator Randall, the rules were suspended, House Bill No. 1334 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Randall, Muzzall and MacEwen spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1334.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1334 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

HOUSE BILL NO. 1334, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1019, by House Committee on Agriculture and Natural Resources (originally sponsored by Dent, Chapman, Ryu, Corry, Sandlin, Reeves, Springer, Schmick and Davis)

Creating the pesticide advisory board.

The measure was read the second time.

MOTION

Senator Salomon moved that the following committee striking amendment by the Committee on Agriculture, Water, Natural Resources & Parks be adopted:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. The legislature finds that agency decisions related to the regulation of pesticides benefit from robust community and stakeholder engagement. The legislature intends to create a formal and permanent advisory board to advise the department of agriculture on any or all problems relating to the use and application of pesticides in the state, with the exception of matters covered by the pesticide application safety committee.

NEW SECTION. Sec. 2. A new section is added to chapter 17.21 RCW to read as follows:

(1) The pesticide advisory board is established to advise the director on any or all problems relating to the use and application of pesticides in the state except for matters covered by the pesticide application safety committee created in RCW 70.104.110, with members as provided in this subsection.

(a) Voting members:

(i) One pesticide applicator licensed to operate agricultural aerial apparatus;

(ii) One licensed pest control consultant, or one licensed pesticide dealer or pesticide dealer manager;

(iii) One member representing the agricultural chemical industry;

(iv) One agricultural producer;

(v) The department's pesticide management division assistant director or the assistant director's designee;

(vi) One toxicologist or pesticide investigations manager from the department of health;

(vii) The department of labor and industries' division of occupational safety and health assistant director or the assistant director's designee;

(viii) One member representing the environmental community;

(ix) One representative from a federally recognized Indian tribe or an interested tribe that does not regulate pesticides;

(x) One farmworker advocate;

(xi) One migrant farmworker;

(xii) One at-large member as determined by the director; and

(xiii) One member representing the household and commercial products association.

(b) Nonvoting members:

(i) The director of the following agencies or the director's designees:

(A) The department of labor and industries;

(B) The department of fish and wildlife;

(C) The department of ecology; and

(D) The liquor and cannabis board;

(ii) The commissioner of public lands or the commissioner's designee;

(iii) The commissioner of the employment security department or the commissioner's designee;

(iv) The environmental health specialist from the department of health;

(v) One entomologist in public service;

(vi) One toxicologist in public service;

(vii) One member from the national pesticide information center;

(viii) One pesticide coordinator from Washington State University;

(ix) One agricultural health network advisor from the Pacific Northwest agricultural safety and health center;

(x) The department's pollinator health coordinator, apiarist, or both;

(xi) One commercial beekeeper;

(xii) One member representing the United States environmental protection agency region 10;

(xiii) One member representing the department of transportation with expertise in vegetation management;

(xiv) One member representing the noxious weed control board; and

(xv) One member representing an organization made up of agricultural producers, timber producers, wood preservers, and others whose mission includes supporting the science behind the responsible use of pesticides in both agriculture and forestry.

(2) The director shall appoint each member of the pesticide advisory board for terms of four years. Members may be appointed for successive four-year terms at the discretion of the director. The terms must be staggered so that approximately one-fourth of the terms expire on June 30th of each calendar year. In making appointments, the director shall seek nominations from affected agricultural and environmental groups. The director may remove any member of the pesticide advisory board prior to the expiration of his or her term of appointment for cause.

(3) The director shall attempt to fill any vacancy on the pesticide advisory board within 30 days for the remainder of its term.

(4) The director, in consultation with the pesticide advisory board, shall form work groups that include individuals with the appropriate expertise to inform the board on issues relating to specific pesticides or uses. Work groups created under this subsection may include individuals who are not members of the pesticide advisory board.

NEW SECTION. Sec. 3. A new section is added to chapter 17.21 RCW to read as follows:

The pesticide advisory board established in section 2 of this act shall elect a chair from among its membership. The pesticide advisory board shall meet from time to time at the call of the director, chair of the board, or a majority of the board."

On page 1, line 1 of the title, after "board;" strike the remainder of the title and insert "adding new sections to chapter 17.21 RCW; and creating a new section."

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Agriculture, Water, Natural Resources & Parks to Engrossed Substitute House Bill No. 1019.

The motion by Senator Salomon carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Salomon, the rules were suspended, Engrossed Substitute House Bill No. 1019 as amended by the

NINETY SECOND DAY, APRIL 10, 2023

Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Salomon and Muzzall spoke in favor of passage of the bill.

Senators Saldaña and Hunt spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 1019 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 1019 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 33; Nays, 16; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, King, Lovick, MacEwen, McCune, Mullet, Muzzall, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Salomon, Schoesler, Shewmake, Short, Torres, Van De Wege, Wagoner, Warnick, Wilson, J. and Wilson, L.

Voting nay: Senators Conway, Dhingra, Hunt, Kauffman, Keiser, Kuderer, Liias, Lovelett, Nguyen, Rolfes, Saldaña, Stanford, Trudeau, Valdez, Wellman and Wilson, C.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1019, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1394, by House Committee on Human Services, Youth, & Early Learning (originally sponsored by Senn, Goodman, Simmons, Lekanoff and Doglio)

Creating a developmentally appropriate response to youth who commit sexual offenses.

The measure was read the second time.

MOTION

On motion of Senator Frame, the rules were suspended, Engrossed Substitute House Bill No. 1394 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Frame spoke in favor of passage of the bill.

Senator Boehnke spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 1394.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 1394 and the bill passed the Senate by the following vote: Yeas, 28; Nays, 21; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Liias, Lovelett, Lovick, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Stanford, Trudeau, Valdez, Warnick, Wellman, Wilson, C. and Wilson, J.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Mullet, Muzzall, Padden, Rolfes, Schoesler, Shewmake, Short, Torres, Van De Wege, Wagoner and Wilson, L.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1394, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1779, by House Committee on Environment & Energy (originally sponsored by Mosbrucker, Dye and Pollet)

Reducing toxic air pollution that threatens human health.

The measure was read the second time.

MOTION

Senator MacEwen moved that the following committee striking amendment by the Committee on Environment, Energy & Technology be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds that carbon monoxide poisoning kills at least 430 people in the United States every year and 50,000 people seek medical care to treat the adverse effects of carbon monoxide poisoning. Carbon monoxide gas is odorless and colorless, making it difficult for people to protect themselves and detect an issue that can cause sudden illness, death, and lifelong disability. Washington state has already enacted requirements for carbon monoxide alarms in residences. Therefore, the legislature intends to direct state agencies to collaborate on a study of what Washington state is doing to prevent carbon monoxide poisoning from sources outside of the home and what the state might reasonably do to keep people safe.

NEW SECTION. Sec. 2. (1) By September 1, 2023, the department of health must convene an interagency carbon monoxide work group consisting of representatives of the department of ecology, the Washington state patrol, and the office of the attorney general. The interagency carbon monoxide work group must nominate a chair and the chair may designate up to two additional participants with subject matter expertise to participate on the work group.

(2) The purpose of the interagency carbon monoxide work group is to produce a report regarding current and recommended future state agency activities to:

(a) Prevent carbon monoxide poisoning from sources outside of the home;

(b) Increase awareness of carbon monoxide among the most at-risk populations;

(c) Collect data on the number of incidents of carbon monoxide poisoning and their causes in Washington, in order to track the reduction of such incidents over time; and

(d) Identify any opportunities to seek federal grants or other sources of funding available for public awareness campaigns related to carbon monoxide harm avoidance.

(3) The interagency carbon monoxide work group must submit a report to the appropriate committees of the legislature and the governor by December 1, 2024, that contains recommendations

on new policy changes and other actions that could be taken to reduce carbon monoxide poisoning in Washington.

(4) This section expires July 1, 2026.

NEW SECTION. **Sec. 3.** This act may be known and cited as Mary's law."

On page 1, beginning on line 2 of the title, after "health;" strike the remainder of the title and insert "creating new sections; and providing an expiration date."

Senator Nguyen spoke in favor of adoption of the committee striking amendment.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Environment, Energy & Technology to Substitute House Bill No. 1779.

The motion by Senator MacEwen carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator MacEwen, the rules were suspended, Substitute House Bill No. 1779 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators MacEwen and Nguyen spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1779 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1779 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SUBSTITUTE HOUSE BILL NO. 1779, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SECOND SUBSTITUTE HOUSE BILL NO. 1122, by House Committee on Appropriations (originally sponsored by Doglio, Berry, Reed, Ramel, Simmons, Reeves, Lekanoff, Bergquist, Kloba, Pollet, Donaghy, Fosse and Ormsby)

Granting Washington management service employees the right to collectively bargain.

The measure was read the second time.

MOTION

On motion of Senator Hunt, the rules were suspended, Second Substitute House Bill No. 1122 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hunt and King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute House Bill No. 1122.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute House Bill No. 1122 and the bill passed the Senate by the following vote: Yeas, 40; Nays, 9; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Stanford, Torres, Trudeau, Valdez, Van De Wege, Warnick, Wellman, Wilson, C. and Wilson, J.

Voting nay: Senators Boehnke, Braun, Dozier, McCune, Padden, Schoesler, Short, Wagoner and Wilson, L.

SECOND SUBSTITUTE HOUSE BILL NO. 1122, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1527, by Representatives Wylie, Sandlin, Duerr, Barnard, Connors, Chapman, Waters, Springer, Harris and Gregerson

Making technical corrections to the local tax increment financing program.

The measure was read the second time.

MOTION

Senator Stanford moved that the following committee striking amendment by the Committee on Business, Financial Services, Gaming & Trade be adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 39.114.010 and 2021 c 207 s 1 are each amended to read as follows:

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

(1) "Assessed value of real property" means the valuation of taxable real property as placed on the last completed assessment roll prepared pursuant to Title 84 RCW.

(2) "Increment area" means the geographic area within which regular property tax revenues are to be apportioned to pay public improvement costs, as authorized under this chapter.

(3) "Increment value" means 100 percent of any increase in the true and fair value of real property in an increment area that is placed on the tax rolls after the increment area ~~((is created))~~ takes effect. The increment value shall not be less than zero.

(4) "Local government" means any city, town, county, port district, or any combination thereof.

NINETY SECOND DAY, APRIL 10, 2023

(5) "Ordinance" means any appropriate method of taking legislative action by a local government, including a resolution adopted by a port district organized under Title 53 RCW.

(6) "Public improvement costs" means the costs of:

(a) Design, planning, acquisition, required permitting, required environmental studies and mitigation, seismic studies or surveys, archaeological studies or surveys, land surveying, site acquisition, including appurtenant rights and site preparation, construction, reconstruction, rehabilitation, improvement, expansion, and installation of public improvements, and other directly related costs;

(b) Relocating, maintaining, and operating property pending construction of public improvements;

(c) Relocating utilities as a result of public improvements;

(d) Financing public improvements, including capitalized interest for up to six months following completion of construction, legal and other professional services, taxes, insurance, principal and interest costs on general indebtedness issued to finance public improvements, and any necessary debt service reserves;

(e) Expenses incurred in revaluing real property for the purpose of determining the tax allocation base value by a county assessor under chapter 84.41 RCW and expenses incurred by a county treasurer under chapter 84.56 RCW in apportioning the taxes and complying with this chapter and other applicable law. For purposes of this subsection (6)(e), "expenses incurred" means actual staff and software costs directly related to the implementation and ongoing administration of increment areas under this chapter; and

(f) Administrative expenses and feasibility studies reasonably necessary and related to these costs, including related costs that may have been incurred before adoption of the ordinance authorizing the public improvements and the use of tax increment financing to fund the costs of the public improvements.

(7) "Public improvements" means:

(a) Infrastructure improvements owned by a state or local government within or outside of and serving the increment area ~~((that include))~~ and real property owned or acquired by a local government within the increment area including:

(i) Street and road construction;

(ii) Water and sewer system construction, expansion, and improvements;

(iii) Sidewalks and other nonmotorized transportation improvements and streetlights;

(iv) Parking, terminal, and dock facilities;

(v) Park and ride facilities or other transit facilities;

(vi) Park and community facilities and recreational areas;

(vii) Stormwater and drainage management systems;

(viii) Electric, broadband, or rail service;

(ix) Mitigation of brownfields; or

(b) Expenditures for any of the following purposes:

(i) Purchasing, rehabilitating, retrofitting for energy efficiency, and constructing housing for the purpose of creating or preserving long-term affordable housing;

(ii) Purchasing, rehabilitating, retrofitting for energy efficiency, and constructing child care facilities serving children and youth that are low-income, homeless, or in foster care;

(iii) Providing maintenance and security for the public improvements; ~~((ø))~~

(iv) Historic preservation activities authorized under RCW 35.21.395; or

(v) Relocation and construction of a government-owned facility, with written permission from the agency owning the facility and the office of financial management.

(8) "Real property" means:

(a) Real property as defined in RCW 84.04.090; and

(b) Privately owned or used improvements located on publicly owned land that are subject to property taxation or leasehold excise tax.

(9) "Regular property taxes" means regular property taxes as defined in RCW 84.04.140, except: (a) Regular property taxes levied by port districts or public utility districts to the extent necessary for the payments of principal and interest on general obligation debt; and (b) regular property taxes levied by the state for the support of the common schools under RCW 84.52.065. Regular property taxes do not include excess property tax levies that are exempt from the aggregate limits for junior and senior taxing districts as provided in RCW 84.52.043. "Regular property taxes" does not include excess property taxes levied by local school districts.

~~((9))~~ (10) "Tax allocation base value" means the assessed value of real property located within an increment area for taxes imposed in the year in which the increment area ~~((is first designated))~~ takes effect.

~~((10))~~ (11) "Tax allocation revenues" means those revenues derived from the imposition of regular property taxes on the increment value.

~~((11))~~ (12) "Taxing district" means a governmental entity that levies or has levied for it regular property taxes upon real property located within a proposed or approved increment area.

Sec. 2. RCW 39.114.020 and 2021 c 207 s 2 are each amended to read as follows:

(1) A local government may designate an increment area under this chapter and use the tax allocation revenues to pay public improvement costs, subject to the following conditions:

(a) The local government must adopt an ordinance designating an increment area within its boundaries and describing the public improvements proposed to be paid for, or financed with, tax allocation revenues;

(b) The local government may not designate increment area boundaries such that the entirety of its territory falls within an increment area;

(c) The increment area may not have an assessed valuation of more than \$200,000,000 or more than 20 percent of the sponsoring jurisdiction's total assessed valuation, whichever is less, when the ordinance is passed. If a sponsoring jurisdiction creates two increment areas, the total combined assessed valuation in both of the two increment areas may not equal more than \$200,000,000 or more than 20 percent of the sponsoring jurisdiction's total assessed valuation, whichever is less, when the ordinances are passed creating the increment areas;

(d) A local government can create no more than two active increment areas at any given time and they may not physically overlap by including the same land in more than one increment area at any time;

(e) The ordinance must set a sunset date for the increment area, which may be no more than 25 years after the first year in which tax allocation revenues are collected from the increment area;

(f) The ordinance must identify the public improvements to be financed and indicate whether the local government intends to issue bonds or other obligations, payable in whole or in part, from tax allocation revenues to finance the public improvement costs, and must estimate the maximum amount of obligations contemplated;

(g) The ordinance must provide that the increment area takes effect on June 1st following the adoption of the ordinance in (a) of this subsection;

(h) The sponsoring jurisdiction may not add additional public improvements to the project after adoption of the ordinance creating the increment area or change the boundaries of the

increment area. The sponsoring jurisdiction may expand, alter, or add to the original public improvements when doing so is necessary to assure the originally approved improvements can be constructed or operated;

(i) The ordinance must impose a deadline by which commencement of construction of the public improvements shall begin, which deadline must be at least five years into the future and for which extensions shall be made available for good cause; and

(j) The local government must make a finding that:

(i) The public improvements proposed to be paid or financed with tax allocation revenues are expected to encourage private development within the increment area and to increase the assessed value of real property within the increment area;

(ii) Private development that is anticipated to occur within the increment area as a result of the proposed public improvements will be permitted consistent with the permitting jurisdiction's applicable zoning and development standards;

(iii) The private development would not reasonably be expected to occur solely through private investment within the reasonably foreseeable future without the proposed public improvements; and

(iv) The increased assessed value within the increment area that could reasonably be expected to occur without the proposed public improvements would be less than the increase in the assessed value estimated to result from the proposed development with the proposed public improvements.

(2) In considering whether to designate an increment area, the legislative body of the local government must prepare a project analysis that shall include, but need not be limited to, the following:

(a) A statement of objectives of the local government for the designated increment area;

(b) A statement as to the property within the increment area, if any, that the local government may intend to acquire;

(c) The duration of the increment area;

(d) Identification of all parcels to be included in the area;

(e) A description of the expected private development within the increment area, including a comparison of scenarios with the proposed public improvements and without the proposed public improvements;

(f) A description of the public improvements, estimated public improvement costs, and the estimated amount of bonds or other obligations expected to be issued to finance the public improvement costs and repaid with tax allocation revenues;

(g) The assessed value of real property listed on the tax roll as certified by the county assessor under RCW 84.52.080 from within the increment area and an estimate of the increment value and tax allocation revenues expected to be generated;

(h) An estimate of the job creation reasonably expected to result from the public improvements and the private development expected to occur in the increment area; and

(i) An assessment of any impacts and any necessary mitigation to address the impacts identified on the following:

(i) Affordable and low-income housing;

(ii) The local business community;

(iii) The local school districts; and

(iv) The local fire service.

(3) The local government may charge a private developer, who agrees to participate in creating the increment area, a fee sufficient to cover the cost of the project analysis and establishing the increment area, including staff time, professionals and consultants, and other administrative costs related to establishing the increment area.

(4) Nothing in this section prohibits a local government from entering into an agreement under chapter 39.34 RCW with another local government for the administration or other activities related to tax increment financing authorized under this section.

(5) If the project analysis indicates that an increment area will impact at least 20 percent of the assessed value in a fire protection district or regional fire protection service authority, or the fire service agency's annual report demonstrates an increase in the level of service directly related to the increment area, the local government must negotiate a mitigation plan with the fire protection district or regional fire protection service authority to address level of service issues in the increment area.

(6) The local government may reimburse the assessor and treasurer for their costs as provided in RCW 39.114.010(6)(e).

(7) Prior to the adoption of an ordinance authorizing creation of an increment area, the local government must:

(a) Hold at least two public briefings for the community solely on the tax increment project that include the description of the increment area, the public improvements proposed to be financed with the tax allocation revenues, and a detailed estimate of tax revenues for the participating local governments and taxing districts, including the amounts allocated to the increment public improvements. The briefings must be announced at least two weeks prior to the date being held, including publishing in a legal newspaper of general circulation and posting information on the local government website and all local government social media sites; and

(b) Submit the project analysis to the office of the treasurer for review and consider any comments that the treasurer may provide upon completion of their review of the project analysis as provided under this subsection. The treasurer must complete the review within 90 days of receipt of the project analysis and may consult with other agencies and outside experts as necessary. Upon completing their review, the treasurer must promptly provide to the local government any comments regarding suggested revisions or enhancements to the project analysis that the treasurer deems appropriate based on the requirements in subsection (2) of this section.

Sec. 3. RCW 39.114.040 and 2021 c 207 s 4 are each amended to read as follows:

The local government designating the increment area must:

(1) Publish notice in a legal newspaper of general circulation within the jurisdiction of the local government at least two weeks before the date on which the ordinance authorizing creation of an increment area is adopted that describes the public improvements, describes the boundaries of the increment area, and identifies the location and times where the ordinance and other public information concerning the public improvement may be inspected; and

(2) Deliver a certified copy of the adopted ordinance to the county treasurer, the county assessor, and the governing body of each taxing district within which the increment area is located at the respective addresses specified pursuant to RCW 42.56.040 within 10 days of the date on which the ordinance was adopted.

Sec. 4. RCW 39.114.050 and 2021 c 207 s 5 are each amended to read as follows:

Apportionment of taxes shall be as follows:

(1) Commencing in the calendar year immediately following the ~~((passage of the ordinance))~~ calendar year in which the increment area takes effect in accordance with RCW 39.114.020, the county treasurer shall distribute receipts from regular property taxes imposed on real property located in the increment area as follows:

(a) Each taxing district shall receive that portion of its regular property taxes produced by the rate of tax levied by or for the

NINETY SECOND DAY, APRIL 10, 2023

taxing district on the tax allocation base value for that increment area;

(b) The local government that designated the increment area shall be entitled to receive an additional amount equal to the amount derived from the regular property taxes levied by or for each taxing district upon the increment value within the increment area. The local government that designated the increment area shall receive no more than is needed to pay or repay costs directly associated with the public improvements identified in the approved ordinance and may agree to receive less than the full amount of this portion, as long as bond debt service, reserve, and other bond covenant requirements are satisfied, in which case the balance of these tax receipts shall be allocated to the taxing districts that imposed regular property taxes, or have regular property taxes imposed for them, in the increment area for collection that year in proportion to their regular tax levy rates for collection that year. The local government may request that the treasurer transfer this additional portion of the property taxes to its designated agent. The portion of the tax receipts distributed to the local government or its agent under this subsection (1)(b) may only be expended to finance public improvement costs associated with the public improvements financed in whole or in part by tax increment financing; and

(c) This section shall not apply to any receipts from the regular property taxes levied by:

(i) The state for the support of the common schools under RCW 84.52.065;

(ii) Local school district excess levies; and

(iii) Port districts or public utility districts specifically for the purpose of making required payments of principal and interest or general indebtedness.

(2) The apportionment of tax allocation revenues must cease when the taxing district certifies to the county assessor in writing that tax allocation revenues are no longer necessary or obligated to pay public improvement costs, but in no event shall the apportionment of tax allocation revenues continue beyond the sunset date established pursuant to RCW 39.114.020(1)(e). Any excess tax allocation revenues and earnings on the tax allocation revenues remaining at the time the apportionment of tax receipts terminates must be returned to the county treasurer and distributed to the taxing districts that imposed regular property taxes, or had regular property taxes imposed for it, in the increment area for collection that year, in proportion to the rates of their regular property tax levies for collection that year.

(3) The apportionment and distribution of portions of the regular property taxes levied by or for each taxing district upon the increment value within the increment area pursuant to and subject to the requirements of this chapter is declared to be a public purpose of and benefit each such taxing district.

(4) The apportionment and distribution of portions of the regular property taxes levied by or for each taxing district upon the increment value within the increment area pursuant to this section shall not affect or be deemed to affect the rate of taxes levied by or within any such taxing district or the consistency of any such levies with the uniformity requirement of Article VII, section 1 of the state Constitution.

(5)(a) For a local government having a designated increment area under this chapter as of the effective date of this section, the county assessor must adjust the tax allocation base value for that increment area to include the assessed value of any privately owned improvements located on publicly owned land for taxes imposed in the year in which the increment area was first designated. However, no adjustment is required if the increment area does not include any privately owned improvements located

on publicly owned land subject to property taxation as of the date the increment area became effective.

(b) The adjusted tax allocation base value under this subsection (5) does not impact any apportionment and distribution under this section occurring in calendar years before calendar year 2024.

Sec. 5. RCW 84.55.015 and 2014 c 4 s 2 are each amended to read as follows:

If a taxing district has not levied since 1985 and elects to restore a regular property tax levy subject to applicable statutory limitations then such first restored levy must be set so that the regular property tax payable does not exceed the amount which was last levied, plus an additional dollar amount calculated by multiplying the property tax rate which is proposed to be restored, or the maximum amount which could be lawfully levied in the year such a restored levy is proposed, by the increase in assessed value in the district since the last levy resulting from:

(1) New construction;

(2) Increases in assessed value due to construction of wind turbine, solar, biomass, and geothermal facilities, if such facilities generate electricity and the property is not included elsewhere under this section for purposes of providing an additional dollar amount. The property may be classified as real or personal property;

(3) Improvements to property; ~~((and))~~

(4) Any increase in the assessed value of state-assessed property; and

(5) Any increase in the assessed value of real property, as defined in RCW 39.114.010, within an increment area as designated by any local government in RCW 39.114.020 if the increase is not included elsewhere under this section. This subsection does not apply to levies by the state or by port districts or public utility districts for the purpose of making required payments of principal and interest on general indebtedness.

Sec. 6. RCW 84.55.020 and 2014 c 4 s 3 are each amended to read as follows:

Notwithstanding the limitation set forth in RCW 84.55.010, the first levy for a taxing district created from consolidation of similar taxing districts must be set so that the regular property taxes payable in the following year do not exceed the limit factor multiplied by the sum of the amount of regular property taxes lawfully levied for each component taxing district in the highest of the three most recent years in which such taxes were levied for such district plus the additional dollar amount calculated by multiplying the regular property tax rate of each component district for the preceding year by the increase in assessed value in each component district resulting from:

(1) New construction;

(2) Increases in assessed value due to construction of wind turbine, solar, biomass, and geothermal facilities, if such facilities generate electricity and the property is not included elsewhere under this section for purposes of providing an additional dollar amount. The property may be classified as real or personal property;

(3) Improvements to property; ~~((and))~~

(4) Any increase in the assessed value of state-assessed property; and

(5) Any increase in the assessed value of real property, as defined in RCW 39.114.010, within an increment area as designated by any local government under RCW 39.114.020 if the increase is not included elsewhere under this section. This subsection does not apply to levies by the state or by port districts and public utility districts for the purpose of making required payments of principal and interest on general indebtedness.

Sec. 7. RCW 84.55.030 and 2014 c 4 s 4 are each amended to read as follows:

For the first levy for a taxing district following annexation of additional property, the limitation set forth in RCW 84.55.010 must be increased by an amount equal to the aggregate assessed valuation of the newly annexed property as shown by the current completed and balanced tax rolls of the county or counties within which such property lies, multiplied by the dollar rate that would have been used by the annexing unit in the absence of such annexation, plus the additional dollar amount calculated by multiplying the regular property tax levy rate of that annexing taxing district for the preceding year by the increase in assessed value in the annexing district resulting from:

- (1) New construction;
- (2) Increases in assessed value due to construction of wind turbine, solar, biomass, and geothermal facilities, if such facilities generate electricity and the property is not included elsewhere under this section for purposes of providing an additional dollar amount. The property may be classified as real or personal property;
- (3) Improvements to property; ~~(and)~~
- (4) Any increase in the assessed value of state-assessed property; and
- (5) Any increase in the assessed value of real property, as defined in RCW 39.114.010, within an increment area as designated by any local government in RCW 39.114.020 if the increase is not included elsewhere under this section. This subsection does not apply to levies by the state or by port districts or public utility districts for the purpose of making required payments of principal and interest on general indebtedness.

NEW SECTION. Sec. 8. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

On page 1, line 11 of the title, after "84.55.010;" strike the remainder of the title and insert "amending RCW 39.114.010, 39.114.020, 39.114.040, 39.114.050, 84.55.015, 84.55.020, and 84.55.030; and declaring an emergency."

MOTION

Senator Stanford moved that the following amendment no. 0268 by Senator Stanford be adopted:

Beginning on page 9, line 28, strike all of section 5
Renumber the remaining sections consecutively and correct any internal references accordingly.
On page 12, line 7, after "39.114.050," strike "84.55.015,"

Senator Stanford spoke in favor of adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0268 by Senator Stanford on page 9, line 28 to the committee striking amendment.

The motion by Senator Stanford carried and amendment no. 0268 was adopted by voice vote.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Business, Financial Services, Gaming & Trade as amended to House Bill No. 1527.

The motion by Senator Stanford carried and the committee striking amendment as amended was adopted by voice vote.

MOTION

On motion of Senator Stanford, the rules were suspended, House Bill No. 1527 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Stanford and Dozier spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1527 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1527 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

HOUSE BILL NO. 1527, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1469, by House Committee on Civil Rights & Judiciary (originally sponsored by Hansen, Thai, Chopp, Fitzgibbon, Simmons, Berry, Slatter, Santos, Ryu, Street, Gregerson, Goodman, Peterson, Tharinger, Ramel, Macri, Ormsby, Reeves, Senn, Doglio, Riccelli, Alvarado, Bateman, Morgan, Callan, Bergquist and Pollet)

Concerning access to reproductive health care services and gender-affirming treatment in Washington state.

The measure was read the second time.

MOTION

Senator McCune moved that the following amendment no. 0399 by Senator McCune be adopted:

On page 1, line 19, after "products" insert "for individuals 18 years of age or older"

Senators McCune and Fortunato spoke in favor of adoption of the amendment.

Senator Trudeau spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0399 by Senator McCune on page 1, line 19 to Engrossed Substitute House Bill No. 1469.

The motion by Senator McCune did not carry and amendment no. 0399 was not adopted by voice vote.

MOTION

Senator Rivers moved that the following amendment no. 0403 by Senator Rivers be adopted:

NINETY SECOND DAY, APRIL 10, 2023

On page 15, at the beginning of line 15, strike "(1)"

On page 16, beginning on line 1, strike all of subsections (2) and (3)

Senator Rivers spoke in favor of adoption of the amendment.

WITHDRAWAL OF AMENDMENT

On motion of Senator Rivers and without objection, amendment no. 0403 by Senator Rivers on page 15, line 15 to Engrossed Substitute House Bill No. 1469 was withdrawn.

MOTION

Senator Padden moved that the following amendment no. 0398 by Senator Padden be adopted:

Beginning on page 22, line 11, strike all of section 14

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

Senator Padden spoke in favor of adoption of the amendment.

Senator Trudeau spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0398 by Senator Padden on page 22, line 11 to Engrossed Substitute House Bill No. 1469.

The motion by Senator Padden did not carry and amendment no. 0398 was not adopted by voice vote.

MOTION

Senator Padden moved that the following amendment no. 0397 by Senator Padden be adopted:

On page 28, beginning on line 7, strike all of section 20 and insert the following:

"NEW SECTION. Sec. 20. (1) This act takes effect when the Washington state supreme court rules that this act does not violate the full faith and credit clause of the United States Constitution.

(2) The attorney general's office must provide written notice of the effective date of this act to affected parties, the chief clerk of the house of representatives, the secretary of the senate, the office of the code reviser, and others deemed appropriate by attorney general's office."

On page 1, beginning on line 5 of the title, after "and" strike "declaring an emergency" and insert "providing a contingent effective date"

Senator Padden spoke in favor of adoption of the amendment.

Senator Trudeau spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0397 by Senator Padden on page 28, line 7 to Engrossed Substitute House Bill No. 1469.

The motion by Senator Padden did not carry and amendment no. 0397 was not adopted by voice vote.

MOTION

On motion of Senator Trudeau, the rules were suspended, Engrossed Substitute House Bill No. 1469 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Trudeau and Kauffman spoke in favor of passage of the bill.

Senators Padden, McCune and Fortunato spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 1469.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 1469 and the bill passed the Senate by the following vote: Yeas, 29; Nays, 20; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Liias, Lovelett, Lovick, Mullet, Nguyen, Nobles, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1469, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1715, by House Committee on Appropriations (originally sponsored by Davis, Mosbrucker, Duerr, Gr andffey, Walen, Lekanoff, Morgan, Callan, Ramel, Thai, Rule, Ryu, Kloba, Chopp, Pollet, Chapman, Mena, Cortes, Eslick, Bergquist, Fey)

Enacting comprehensive protections for victims of domestic violence and other violence involving family members or intimate partners.

The measure was read the second time.

MOTION

Senator Dhingra moved that the following committee striking amendment by the Committee on Ways & Means be adopted:

Strike everything after the enacting clause and insert the following:

"Part I. Electronic Monitoring with Victim Notification Technology

NEW SECTION. Sec. 101. A new section is added to chapter 2.56 RCW to read as follows:

(1) By December 1, 2023, the administrative office of the courts must adopt rules:

(a) Establishing standards for the operation of electronic monitoring with victim notification technology by monitoring agencies, with the goal of implementing best practices to improve victim safety;

(b) Establishing protocols for implementing court orders that include electronic monitoring with victim notification, including protocols for the installation and removal of monitoring devices to ensure uninterrupted monitoring services following release from detainment or incarceration; and

(c) Establishing any additional requirements necessary to promote compliance with RCW 2.56.260 and 9.94A.736, which may include, but not be limited to, training requirements for court

officials, peace officers, 911 dispatchers, local corrections officers and staff, and other appropriate practitioners.

(2) In developing the rules required under this section, the administrative office of the courts must solicit input from courts of general and limited jurisdiction, local governments, monitoring agencies, and statewide associations representing law enforcement leaders, prosecutors, the department of corrections, domestic violence victims, and domestic violence agencies.

(3) The administrative office of the courts must develop a model policy on electronic monitoring with victim notification technology based on best practices where the technology is being currently used in Washington. Each law enforcement agency in the state must adopt its own policy based on the model policy.

(4) For the purposes of this section:

(a) "Electronic monitoring" has the meaning provided in RCW 9.94A.030; and

(b) "Monitoring agency" has the meaning provided in RCW 9.94A.736.

Part II. Access to Counsel

NEW SECTION. Sec. 201. A new section is added to chapter 2.53 RCW to read as follows:

The legislature recognizes: The authority of tribes to exercise tribal court civil jurisdiction in domestic violence matters; that tribal courts and tribal programs serve residents of this state; that consistent with tribal sovereignty and the centennial accord, the state of Washington does not have the authority to direct tribal court practices or direct that counsel be appointed in tribal court civil protection proceedings; and that provisions of chapter 7.105 RCW do not apply in tribal courts. Where consistent with tribal justice system rules and practices, and upon agreement with individual tribal courts or justice systems, the state should support the provision of indigenous-informed, culturally appropriate legal support for indigenous survivors of domestic violence in tribal court domestic violence protection proceedings. To this end, and subject to appropriations for this purpose, the office of civil legal aid shall coordinate with the Indian policy advisory council at the department of social and health services and representatives of tribal justice systems to develop a plan and implementation schedule to provide indigenous-informed, culturally appropriate legal support for survivors in tribal court domestic violence protection proceedings. The office of civil legal aid shall submit the plan along with fiscal projections for its implementation to the appropriate legislative committees by December 1, 2024.

Part III. Civil Proceedings

Sec. 301. RCW 7.105.155 and 2022 c 268 s 10 are each amended to read as follows:

When service is to be completed under this chapter by a law enforcement officer:

(1) The clerk of the court shall have a copy of any order issued under this chapter, the confidential information form, as well as the petition for a protection order and any supporting materials, electronically forwarded on or before the next judicial day to the law enforcement agency in the county or municipality where the respondent resides, as specified in the order, for service upon the respondent. If the respondent has moved from that county or municipality and personal service is not required, the law enforcement agency specified in the order may serve the order;

(2) Service of an order issued under this chapter must take precedence over the service of other documents by law enforcement unless they are of a similar emergency nature;

(3) Where personal service is required, the first attempt at service must occur within 24 hours of receiving the order from the court (~~whenever practicable, but not more than five days after receiving the order~~) unless an emergency situation renders

the service infeasible. If the first attempt is not successful, no fewer than two additional attempts should be made to serve the order, particularly for respondents who present heightened risk of lethality or other risk of physical harm to the petitioner or petitioner's family or household members. All attempts at service must be documented on a proof of service form and submitted to the court in a timely manner;

(4) If service cannot be completed within 10 calendar days, the law enforcement officer shall notify the petitioner. The petitioner shall provide information sufficient to permit notification. Law enforcement shall continue to attempt to complete service unless otherwise directed by the court. In the event that the petitioner does not provide a service address for the respondent or there is evidence that the respondent is evading service, the law enforcement officer shall use law enforcement databases to assist in locating the respondent;

(5) If the respondent is in a protected person's presence at the time of contact for service, the law enforcement officer should take reasonable steps to separate the parties when possible prior to completing the service or inquiring about or collecting firearms. When the order requires the respondent to vacate the parties' shared residence, law enforcement shall take reasonable steps to ensure that the respondent has left the premises and is on notice that (~~his or her~~) the respondent's return is a violation of the terms of the order. The law enforcement officer shall provide the respondent with copies of all forms with the exception of the confidential information form completed by the protected party and the proof of service form;

(6) Any law enforcement officer who serves a protection order on a respondent with the knowledge that the respondent requires special assistance due to a disability, brain injury, or impairment shall make a reasonable effort to accommodate the needs of the respondent to the extent practicable without compromise to the safety of the petitioner;

(7) Proof of service must be submitted to the court on the proof of service form. The form must include the date and time of service and each document that was served in order for the service to be complete, along with any details such as conduct at the time of service, threats, or avoidance of service, as well as statements regarding possession of firearms, including any denials of ownership despite positive purchase history, active concealed pistol license, or sworn statements in the petition that allege the respondent's access to, or possession of, firearms; or

(8) If attempts at service were not successful, the proof of service form or the form letter showing that the order was not served, and stating the reason it was not served, must be returned to the court by the next judicial day following the last unsuccessful attempt at service. Each attempt at service must be noted and reflected in computer aided dispatch records, with the date, time, address, and reason service was not completed.

Sec. 302. RCW 7.105.255 and 2022 c 268 s 15 are each amended to read as follows:

(1) To help ensure familiarity with the unique nature of protection order proceedings, and an understanding of trauma-informed practices and best practices in the use of new technologies for remote hearings, judicial officers, including persons who serve as judicial officers pro tempore, should receive evidence-based training on procedural justice, trauma-informed practices, gender-based violence dynamics, coercive control, elder abuse, juvenile sex offending, teen dating violence, domestic violence homicide prevention, and requirements and best practices for the surrender of weapons before presiding over protection order hearings. Trainings should be provided on an ongoing basis as best practices, research on trauma, and legislation continue to evolve. As a method of continuous

NINETY SECOND DAY, APRIL 10, 2023

training, court commissioners, including pro tempore commissioners, shall be notified by the presiding judge or court administrator upon revision of any decision made under this chapter.

(2) The administrative office of the courts shall develop training for judicial officers on the topics listed in subsection (1) of this section, which must be provided free of charge to judicial officers.

NEW SECTION. Sec. 303. A new section is added to chapter 7.105 RCW to read as follows:

(1) Because of the potential for error in protection order proceedings and the danger associated with firearm access in domestic violence situations, in any proceeding in which the court enters a temporary protection order that includes a temporary order to surrender and prohibit weapons, and after the hearing the court denies the petition for a full protection order, the order to surrender and prohibit weapons must remain in effect until the period for a petitioner to file a motion for reconsideration or revision has passed. If a motion for reconsideration or revision is filed, the order to surrender and prohibit weapons must remain in effect until the motion for reconsideration or revision is resolved.

(2) The court must notify the petitioner verbally and provide the petitioner with written information at the hearing in which the court denies the petition for a full protection order explaining the procedures and timelines for filing a motion for reconsideration or a motion for revision. The information must also include contact information for civil legal aid organizations that may assist the petitioner with a motion for reconsideration or a motion for revision.

(3) Subsection (1) of this section does not apply if allowing the order to surrender and prohibit weapons to remain in effect would be manifestly unjust including, but not limited to, situations where the court finds the temporary protection order was entirely without merit, the petitioner was engaged in abusive use of litigation, or the petitioner was exerting coercive control, as defined in RCW 7.105.010, over the respondent.

Part IV. Domestic Violence Protections

Sec. 401. RCW 10.99.033 and 2019 c 367 s 2 are each amended to read as follows:

(1) All training relating to the handling of domestic violence complaints by law enforcement officers must stress enforcement of criminal laws in domestic situations, availability of community resources, and protection of the victim. Law enforcement agencies and community organizations with expertise in the issue of domestic violence shall cooperate in all aspects of such training.

(2) The criminal justice training commission shall implement by July 28, 2019, a course of instruction for the training of law enforcement officers in Washington in the handling of domestic violence complaints. The basic law enforcement curriculum of the criminal justice training commission must include at least twenty hours of basic training instruction on the law enforcement response to domestic violence. The course of instruction, the learning and performance objectives, and the standards for the training must be developed by the commission and focus on enforcing the criminal laws, safety of the victim, and holding the perpetrator accountable for the violence. The curriculum must include training on the extent and prevalence of domestic violence, the importance of criminal justice intervention, techniques for responding to incidents that minimize the likelihood of officer injury and that promote victim safety, trauma-informed investigation and interviewing skills, evidence gathering and report writing, assistance to and services for victims and children, domestic violence homicide prevention, the

intersection of firearms and domestic violence, best practices for serving and enforcing protection orders, best practices for implementation and enforcement of orders to surrender and prohibit weapons and extreme risk protection orders, the impacts that trauma may have on domestic violence victims, understanding the risks of traumatic brain injury posed by domestic violence, verification and enforcement of court orders, liability, and any additional provisions that are necessary to carry out the intention of this subsection.

(3) The criminal justice training commission shall develop and update annually an in-service training program to familiarize law enforcement officers with domestic violence laws. The program must include techniques for handling incidents of domestic violence that minimize the likelihood of injury to the officer and that promote the safety of all parties. The program must also include training on domestic violence homicide prevention, the intersection of firearms and domestic violence, best practices for serving and enforcing protection orders, and assistance to and services for victims and children. The commission shall make the training program available to all law enforcement agencies in the state.

(4) Development of the training in subsections (2) and (3) of this section must be conducted in conjunction with agencies having a primary responsibility for serving victims of domestic violence with emergency shelter and other services, and representatives to the statewide organization providing training and education to these organizations and to the general public.

Sec. 402. RCW 10.99.040 and 2021 c 215 s 122 are each amended to read as follows:

(1) Because of the serious nature of domestic violence, the court in domestic violence actions:

(a) Shall not dismiss any charge or delay disposition because of concurrent dissolution or other civil proceedings;

(b) Shall not require proof that either party is seeking a dissolution of marriage prior to instigation of criminal proceedings;

(c) Shall waive any requirement that the victim's location be disclosed to any person, other than the attorney of a criminal defendant, upon a showing that there is a possibility of further violence: PROVIDED, That the court may order a criminal defense attorney not to disclose to ~~((his or her))~~ the attorney's client the victim's location; and

(d) Shall identify by any reasonable means on docket sheets those criminal actions arising from acts of domestic violence; and

(e) Shall not deny issuance of a no-contact order based on the existence of an applicable civil protection order preventing the defendant from contacting the victim.

(2)(a) Because of the likelihood of repeated violence directed at those who have been victims of domestic violence in the past, when any person charged with or arrested for a crime involving domestic violence is released from custody before arraignment or trial on bail or personal recognizance, the court authorizing the release may prohibit that person from having any contact with the victim. The jurisdiction authorizing the release shall determine whether that person should be prohibited from having any contact with the victim. If there is no outstanding restraining or ~~((protective))~~ protection order prohibiting that person from having contact with the victim, the court authorizing release may issue, by telephone, a no-contact order prohibiting the person charged or arrested from having contact with the victim or from knowingly coming within, or knowingly remaining within, a specified distance of a location.

(b) In issuing the order, the court shall consider the provisions of RCW 9.41.800, and shall order the defendant to surrender, and prohibit the person from possessing, all firearms, dangerous

weapons, and any concealed pistol license as required in RCW 9.41.800.

(c) The no-contact order shall also be issued in writing as soon as possible, and shall state that it may be extended as provided in subsection (3) of this section. By January 1, 2011, the administrative office of the courts shall develop a pattern form for all no-contact orders issued under this chapter. A no-contact order issued under this chapter must substantially comply with the pattern form developed by the administrative office of the courts.

(3)(a) At the time of arraignment the court shall determine whether a no-contact order shall be issued or extended. So long as the court finds probable cause, the court may issue or extend a no-contact order even if the defendant fails to appear at arraignment. The no-contact order shall terminate if the defendant is acquitted or the charges are dismissed.

(b) In issuing the order, the court shall consider all information documented in the incident report concerning the person's possession of and access to firearms and whether law enforcement took temporary custody of firearms at the time of the arrest. The court may as a condition of release prohibit the defendant from possessing or accessing firearms and order the defendant to immediately surrender all firearms and any concealed pistol license to a law enforcement agency upon release.

(c) If a no-contact order is issued or extended, the court may also include in the conditions of release a requirement that the defendant submit to electronic monitoring as defined in RCW 9.94A.030. If electronic monitoring is ordered, the court shall specify who shall provide the monitoring services, and the terms under which the monitoring shall be performed. Upon conviction, the court may require as a condition of the sentence that the defendant ~~((reimburse the providing agency for))~~ pay the costs of the electronic monitoring. If a defendant enters into a deferred prosecution or stipulated order of continuance, the applicable order or agreement may require the defendant pay the costs of the electronic monitoring.

(4)(a) Willful violation of a court order issued under subsection (2), (3), or (7) of this section is punishable under RCW 7.105.450.

(b) The written order releasing the person charged or arrested shall contain the court's directives and shall bear the legend: "Violation of this order is a criminal offense under chapter 7.105 RCW and will subject a violator to arrest; any assault, drive-by shooting, or reckless endangerment that is a violation of this order is a felony. You can be arrested even if any person protected by the order invites or allows you to violate the order's prohibitions. You have the sole responsibility to avoid or refrain from violating the order's provisions. Only the court can change the order."

(c) A certified copy of the order shall be provided to the victim.

(5) If a no-contact order has been issued prior to charging, that order shall expire at arraignment or within seventy-two hours if charges are not filed.

(6) Whenever a no-contact order is issued, modified, or terminated under subsection (2) or (3) of this section, the clerk of the court shall forward a copy of the order on or before the next judicial day to the appropriate law enforcement agency specified in the order. Upon receipt of the copy of the order the law enforcement agency shall enter the order for one year or until the expiration date specified on the order into any computer-based criminal intelligence information system available in this state used by law enforcement agencies to list outstanding warrants. Entry into the computer-based criminal intelligence information system constitutes notice to all law enforcement agencies of the existence of the order. The order is fully enforceable in any jurisdiction in the state. Upon receipt of notice that an order has

been terminated under subsection (3) of this section, the law enforcement agency shall remove the order from the computer-based criminal intelligence information system.

(7) All courts shall develop policies and procedures by January 1, 2011, to grant victims a process to modify or rescind a no-contact order issued under this chapter. The administrative office of the courts shall develop a model policy to assist the courts in implementing the requirements of this subsection.

Part V. Firearms and Dangerous Weapons

Sec. 501. RCW 9.41.340 and 2020 c 29 s 5 are each amended to read as follows:

(1)(a) Each law enforcement agency shall develop a notification protocol that ~~((allows))~~ :

(i) Allows a family or household member or intimate partner to use an incident or case number to request to be notified when a law enforcement agency returns a privately owned firearm to the individual from whom it was obtained or to an authorized representative of that person; and

(ii) Requires notification to any person identified in a no-contact order, restraining order, or protection order and any identified victim of the crime that resulted in the firearm surrender.

~~((a))~~ (b)(i) Notification may be made via telephone, email, text message, or another method that allows notification to be provided without unnecessary delay.

~~((b))~~ (ii) If a law enforcement agency is in possession of more than one privately owned firearm from ~~((a single person))~~ an individual, notification relating to the return of one firearm shall be considered notification for all privately owned firearms for that person.

(2) A law enforcement agency shall not provide notification to any party other than ~~((a family or household member or intimate partner who has an incident or case number and who has requested to be notified pursuant to this section or))~~ another criminal justice agency or as authorized or required under subsection (1) of this section.

(3) The information provided by a family or household member or intimate partner pursuant to chapter 130, Laws of 2015, including the existence of the request for notification, is not subject to public disclosure pursuant to chapter 42.56 RCW.

(4) An appointed or elected official, public employee, or public agency as defined in RCW 4.24.470, or combination of units of local government and its employees, as provided in RCW 36.28A.010, are immune from civil liability for damages for any release of information or the failure to release information related to this section, so long as the release or failure was without gross negligence.

(5) An individual who knowingly makes a request for notification under this section based on false information may be held liable under RCW 9A.76.175.

Sec. 502. RCW 9.41.345 and 2020 c 29 s 6 are each amended to read as follows:

(1) Before a law enforcement agency returns a privately owned firearm, the law enforcement agency must:

(a) Confirm that the individual to whom the firearm will be returned is the individual from whom the firearm was obtained or an authorized representative of that person;

(b) Confirm that the individual to whom the firearm will be returned is eligible to possess a firearm pursuant to RCW 9.41.040;

(c) Ensure that the firearm is not otherwise required to be held in custody or otherwise prohibited from being released; ~~((and))~~

(d) Ensure that ~~((twenty four hours))~~ five business days have elapsed from the time the firearm was obtained by law enforcement ~~((unless the firearm was seized in connection with a~~

NINETY SECOND DAY, APRIL 10, 2023

~~domestic violence call pursuant to RCW 10.99.030, in which case the law enforcement agency must ensure that five business days have elapsed from the time the firearm was obtained); and~~

(e) If a family or household member or intimate partner has requested notification, provide notice to the family or household member or intimate partner who has requested notification within one business day of verifying that the requirements in (a) through (c) of this subsection have been met.

(2)(a) Once the requirements in subsections (1) and (3) of this section have been met, a law enforcement agency must release a firearm to the individual from whom it was obtained or an authorized representative of that person upon request without unnecessary delay.

(b)(i) If a firearm cannot be returned because it is required to be held in custody or is otherwise prohibited from being released, a law enforcement agency must provide written notice to the individual from whom it was obtained within five business days of the individual requesting return of ~~((his or her))~~ the firearm and specify the reason the firearm must be held in custody.

(ii) Notification may be made via email, text message, mail service, or personal service. For methods other than personal service, service shall be considered complete once the notification is sent.

~~(3) If ((a family or household member or intimate partner has requested to be notified pursuant to RCW 9.41.340))~~ notification is required under subsection (1)(e) of this section, a law enforcement agency must~~((:~~

~~(a) Provide notice to the family or household member or intimate partner within one business day of verifying that the requirements in subsection (1) of this section have been met; and~~

~~(b) Hold))~~ hold the firearm in custody for ~~((seventy-two hours))~~ five business days from the time notification has been provided or information has been entered.

(4)(a) A law enforcement agency may not return a concealed pistol license that has been surrendered to, or impounded by, the law enforcement agency for any reason to the licensee until the law enforcement agency determines the licensee is eligible to possess a firearm under state and federal law and meets the other eligibility requirements for a concealed pistol license under RCW 9.41.070.

(b) A law enforcement agency must release a concealed pistol license to the licensee without unnecessary delay, and in no case longer than five business days, after the law enforcement agency determines the requirements of (a) of this subsection have been met.

(5) The provisions of chapter 130, Laws of 2015 and subsection (4) of this section shall not apply to circumstances where a law enforcement officer has momentarily obtained a firearm or concealed pistol license from an individual and would otherwise immediately return the firearm or concealed pistol license to the individual during the same interaction.

Sec. 503. RCW 9.41.801 and 2022 c 268 s 30 are each amended to read as follows:

(1) Because of the heightened risk of lethality to petitioners when respondents to protection orders become aware of court involvement and continue to have access to firearms, and the frequency of noncompliance with court orders prohibiting possession of firearms, law enforcement and judicial processes must emphasize swift and certain compliance with court orders prohibiting access, possession, and ownership of all firearms.

(2) A law enforcement officer serving a protection order, no-contact order, or restraining order that includes an order to surrender all firearms, dangerous weapons, and a concealed pistol license under RCW 9.41.800 shall inform the respondent that the order is effective upon service and the respondent must

immediately surrender all firearms and dangerous weapons in the respondent's custody, control, or possession and any concealed pistol license issued under RCW 9.41.070, and conduct any search permitted by law for such firearms, dangerous weapons, and concealed pistol license. The law enforcement officer shall take possession of all firearms, dangerous weapons, and any concealed pistol license belonging to the respondent that are surrendered, in plain sight, or discovered pursuant to a lawful search. If the order is entered in open court and the respondent appears in person, the respondent shall be provided a copy and further service is not required. If the respondent refuses to receive a copy, an agent of the court may indicate on the record that the respondent refused to receive a copy of the order. If the respondent appears remotely for the hearing, or leaves the hearing before a final ruling is issued or order signed, and the court believes the respondent has sufficient notice such that additional service is not necessary, the order must recite that the respondent appeared before the court, has actual notice of the order, the necessity for further service is waived, and proof of service of the order is not necessary. The court shall enter the service and receipt into the record. A copy of the order and service shall be transmitted immediately to law enforcement. The respondent must immediately surrender all firearms, dangerous weapons, and any concealed pistol license in a safe manner to the control of the local law enforcement agency on the day of the hearing at which the respondent was present in person or remotely. Alternatively, if personal service by a law enforcement officer is not possible, and the respondent did not appear in person or remotely at the hearing, the respondent shall surrender the firearms in a safe manner to the control of the local law enforcement agency within 24 hours of being served with the order by alternate service.

(3) At the time of surrender, a law enforcement officer taking possession of firearms, dangerous weapons, and any concealed pistol license shall issue a receipt identifying all firearms, dangerous weapons, and any concealed pistol license that have been surrendered and provide a copy of the receipt to the respondent. The law enforcement agency shall file the original receipt with the court within 24 hours after service of the order and retain a copy of the receipt, electronically whenever electronic filing is available.

(4) Upon the sworn statement or testimony of the petitioner or of any law enforcement officer alleging that the respondent has failed to comply with the surrender of firearms or dangerous weapons as required by an order issued under RCW 9.41.800 or 10.99.100, the court shall determine whether probable cause exists to believe that the respondent has failed to surrender all firearms and dangerous weapons in their possession, custody, or control. If probable cause exists that a crime occurred, the court shall issue a warrant describing the firearms or dangerous weapons and authorizing a search of the locations where the firearms and dangerous weapons are reasonably believed to be and the seizure of all firearms and dangerous weapons discovered pursuant to such search.

(5) If a person other than the respondent claims title to any firearms or dangerous weapons surrendered pursuant to this section, and the person is determined by the law enforcement agency to be the lawful owner of the firearm or dangerous weapon, the firearm or dangerous weapon shall be returned to the lawful owner, provided that:

(a) The firearm or dangerous weapon is removed from the respondent's access, custody, control, or possession and the lawful owner agrees by written document signed under penalty of perjury to store the firearm or dangerous weapon in a manner

such that the respondent does not have access to or control of the firearm or dangerous weapon;

(b) The firearm or dangerous weapon is not otherwise unlawfully possessed by the owner; and

(c) The requirements of RCW 9.41.345 are met.

(6)(a) Courts shall develop procedures to verify timely and complete compliance with orders to surrender and prohibit weapons under RCW 9.41.800 or 10.99.100, including compliance review hearings to be held as soon as possible upon receipt from law enforcement of proof of service. ~~((A compliance review hearing is not required if the court can otherwise enter findings on the record or enter written findings that the proof of surrender or declaration of nonsurrender))~~ For any case where the court has indication that the respondent has in the respondent's possession, custody, or control firearms, dangerous weapons, or a concealed pistol license, a compliance review hearing shall be held. A compliance review hearing may be waived by the court or held at a later date if the information attested to by the person subject to the order, along with verification from law enforcement and any other relevant evidence, makes a sufficient showing that the person has timely and completely surrendered all firearms and dangerous weapons in the person's custody, control, or possession, and any concealed pistol license issued under RCW 9.41.070, to a law enforcement agency, and the court is able to make a finding of compliance. If the court does not have a sufficient record before it on which to make such a finding, the court must set a review hearing to occur as soon as possible ~~((at which the))~~ and service by law enforcement shall be prioritized to minimize the time during which the respondent could access their firearms, dangerous weapons, or concealed pistol license. The respondent must be present and provide proof of compliance with the court's order. Courts shall make available forms that petitioners may complete and submit to the court in response to a respondent's declaration of whether the respondent has surrendered weapons.

(b) In making its findings regarding compliance, the court shall also consider any department of licensing and Washington state patrol firearm records; for criminal cases, the police report and any documentation of firearms, or their recovery pursuant to RCW 10.99.030(3)(a); and for civil protection order cases, the protection order narrative, any sections of the protection order petition that specifically reference or inquire about firearms and other dangerous weapons, any attachments to the protection order petition, any affidavits from law enforcement or the petitioner in response to a respondent's declaration regarding firearm surrender, or other relevant evidence regarding firearms, dangerous weapons, or a concealed pistol license in the person's custody, control, or possession.

(c) If the court is considering waiving or delaying the compliance review hearing, the petitioner, law enforcement, or the state or city attorney may request that the compliance hearing be held, if there is reasonable suspicion to believe that the respondent has not surrendered all firearms, dangerous weapons, and any concealed pistol license, or is otherwise out of compliance with the court's order.

(7)(a) If a court finds at the compliance review hearing, or any other hearing where compliance with the order to surrender and prohibit weapons is addressed, that there is probable cause to believe the respondent was aware of and failed to fully comply with the order, failed to appear at the compliance review hearing, or violated the order after the court entered findings of compliance, pursuant to its authority under chapter 7.21 RCW, the court may issue an arrest warrant and initiate a contempt proceeding to impose remedial sanctions on its own motion, or upon the motion of the prosecutor, city attorney, or the

petitioner's counsel, and issue an order requiring the respondent to appear, with additional sanctions for failure to appear, provide proof of compliance with the order, and show cause why the respondent should not be held in contempt of court.

(b) If the respondent is not present in court at the compliance review hearing or if the court issues an order to appear and show cause after a compliance review hearing, the clerk of the court shall electronically transmit a copy of the order to show cause to the law enforcement agency where the respondent resides for personal service or service in the manner provided in the civil rules of superior court or applicable statute. Law enforcement shall also serve a copy of the order to show cause on the petitioner, either electronically or in person, at no cost.

(c) The order to show cause served upon the respondent shall state the date, time, and location of the hearing and shall include a warning that the respondent may be held in contempt of court if the respondent fails to promptly comply with the terms of the order to surrender and prohibit weapons and a warning that an arrest warrant could be issued if the respondent fails to appear on the date and time provided in the order.

(d)(i) At the show cause hearing, the respondent must be present and provide proof of compliance with the underlying court order to surrender and prohibit weapons and demonstrate why the relief requested should not be granted.

(ii) The court shall take judicial notice of the receipt filed with the court by the law enforcement agency pursuant to subsection (3) of this section. The court shall also provide sufficient notice to the law enforcement agency of the hearing. Upon receiving notice pursuant to this subsection, a law enforcement agency must:

(A) Provide the court with a complete list of firearms and other dangerous weapons surrendered by the respondent or otherwise belonging to the respondent that are in the possession of the law enforcement agency; and

(B) Provide the court with verification that any concealed pistol license issued to the respondent has been surrendered and ~~((the))~~ an agency with authority to revoke the license has been notified.

(iii) If the law enforcement agency has a reasonable suspicion that the respondent is not in full compliance with the terms of the order, the law enforcement agency must submit the basis for its belief to the court, and may do so through the filing of a declaration.

(e) If the court finds the respondent in contempt, the court may impose remedial sanctions designed to ensure swift compliance with the order to surrender and prohibit weapons.

(f) The court may order a respondent found in contempt of the order to surrender and prohibit weapons to pay for any losses incurred by a party in connection with the contempt proceeding, including reasonable attorneys' fees, service fees, and other costs. The costs of the proceeding shall not be borne by the petitioner.

(8)(a) To help ensure that accurate and comprehensive information about firearms compliance is provided to judicial officers, a representative from either the prosecuting attorney's office or city attorney's office, or both, from the relevant jurisdiction may appear and be heard or submit written information at any hearing that concerns compliance with an order to surrender and prohibit weapons ~~((issued in connection with another type of protection order))~~.

(b) Either the prosecuting attorney's office or city attorney's office, or both, from the relevant jurisdiction may designate an advocate or a staff person from their office who is not an attorney to appear on behalf of their office. Such appearance does not constitute the unauthorized practice of law.

(9)(a) ~~((An order to surrender and prohibit weapons issued pursuant to RCW 9.41.800 must state that the))~~ The act of

NINETY SECOND DAY, APRIL 10, 2023

voluntarily surrendering firearms or weapons, ~~((or))~~ providing testimony relating to the surrender of firearms or weapons, ~~((pursuant to such an order,))~~ or complying with an order to surrender and prohibit weapons issued pursuant to RCW 9.41.800 or 10.99.100, and any information directly or indirectly derived from such act or testimony, may not be used against the ~~((respondent))~~ person subject to the order in any criminal prosecution under this chapter, chapter 7.105 RCW, or RCW 9A.56.310, or in any criminal prosecution pursuant to which such order to surrender and prohibit weapons was issued, except a prosecution for perjury, giving a false statement, or otherwise failing to comply with the order. Every such order issued subsequent to the effective date of this section shall contain language consistent with the statutory immunity set forth in this subsection.

(b) If a person subject to such an order invokes the privilege against self-incrimination at the time of issuance of the order or at a subsequent hearing, the court may afford the person subject to the order an opportunity to demonstrate that compliance with the surrender provision of the order would expose that person to a realistic threat of self-incrimination in a subsequent or pending criminal proceeding. The court may conduct this portion of the proceeding ex parte or receive evidence in camera, without the presence of the prosecuting attorney, after the court conducts an analysis under *State v. Bone-Club*, 128 wn.2d 254, and concludes that the courtroom may be closed.

(c) If the person subject to the order establishes such a realistic threat of self-incrimination regarding possible criminal prosecution that is not addressed by the immunity from prosecution set forth in (a) of this subsection, the court shall afford the relevant prosecuting attorney an opportunity to offer an immunity agreement tailored specifically to the firearms or weapons implicated by the potential self-incrimination. To achieve the purposes of this section, any immunity offered should be narrowly tailored to address any realistic threat of self-incrimination while ensuring that any other firearms not implicated are surrendered.

(d) Any immunity from prosecution beyond the immunity set forth in (a) of this subsection, may only be extended by the prosecuting attorney. If the prosecuting attorney declines to extend immunity such that the person subject to the order cannot fully comply with its surrender provision without facing a realistic threat of self-incrimination, the court's order must provide for the surrender of every firearm, dangerous weapon, and concealed pistol license that does not implicate a realistic threat of self-incrimination. The order's prohibitions regarding accessing, purchasing, receiving, or attempting to purchase or receive, any firearms or other dangerous weapons, or concealed pistol license, remain in effect.

(e) Nothing in this section shall be interpreted as diminishing the requirement that the person subject to the order fully comply with the order issued by the court. The burden remains on the person subject to the order to prove compliance.

~~((b))~~ (10) To provide relevant information to the court to determine compliance with the order, the court may allow the prosecuting attorney or city attorney to question the respondent regarding compliance.

~~((10))~~ (11) All law enforcement agencies must have policies and procedures to provide for the acceptance, storage, and return of firearms, dangerous weapons, and concealed pistol licenses that a court requires must be surrendered under RCW 9.41.800. A law enforcement agency holding any firearm or concealed pistol license that has been surrendered under RCW 9.41.800 shall comply with the provisions of RCW 9.41.340 and 9.41.345

before the return of the firearm or concealed pistol license to the owner or individual from whom it was obtained.

~~((11))~~ (12) The administrative office of the courts shall create a statewide pattern form to assist the courts in ensuring timely and complete compliance in a consistent manner with orders issued under this chapter. The administrative office of the courts shall report annually on the number of ex parte and full orders issued under this chapter by each court, ~~((the degree of compliance, and the number of firearms obtained, and may make recommendations regarding additional procedures))~~ the type of protection order, no contact order, restraining order, or criminal charge with which the order was issued, the duration of the order, the period of time from issuance of the order until the court's finding of compliance, any violations, the nature of the violations, any sanctions imposed, the number of firearms obtained pursuant to each order, whether subsequent orders were issued involving the same respondent, and may make recommendations regarding additional procedures, training, or data collection and reporting to enhance compliance and victim safety.

Sec. 504. RCW 9.41.804 and 2014 c 111 s 5 are each amended to read as follows:

~~((A party ordered))~~ (1) To prove full compliance with the court's order to surrender firearms, dangerous weapons, and ~~((his or her))~~ any concealed pistol license under RCW 9.41.800 the person subject to the order must file with the clerk of the court ~~((a))~~: (a) A completed proof of surrender and receipt form ~~((or a declaration of nonsurrender form within five judicial days of the entry of the order));~~ (b) a declaration that the person has no firearms, dangerous weapons, or concealed pistol license; or (c) other evidence sufficient to establish full and timely compliance with the order.

(2) The verification of compliance required in subsection (1) of this section must be provided to the court within 48 hours of service of the order, unless the order is pursuant to a criminal proceeding. In a criminal proceeding, if the person subject to the order is in custody, proof of compliance must be provided to the court before the person subject to the order is released from custody; otherwise, proof of compliance must be provided before the conclusion of the sentencing hearing. If the court finds that surrender of all firearms, dangerous weapons, and any concealed pistol license is not possible prior to release or prior to the conclusion of the hearing, then arrangements for surrender shall be made and approved by the court before the person's release from custody or before the conclusion of the sentencing hearing, and the court shall order a law enforcement officer to accompany the person to the location where the firearms, dangerous weapons, and concealed pistol license are located so that they are surrendered directly to the law enforcement officer. Surrender to local law enforcement shall occur in a safe manner and proof of compliance provided by law enforcement to the court within 24 hours of either the person's release from custody or the conclusion of the sentencing hearing.

(3) By December 30, 2023, the administrative office of the courts shall develop and distribute any new or updated forms necessary to implement subsections (1) and (2) of this section, and other sections of this act where a form needs to be created or updated.

Sec. 505. RCW 7.105.340 and 2022 c 268 s 19 are each amended to read as follows:

(1) Upon the issuance of any extreme risk protection order under this chapter, including a temporary extreme risk protection order, the court shall:

(a) Order the respondent to surrender to the local law enforcement agency all firearms in the respondent's custody, control, or possession, or subject to the respondent's immediate

possession or control, and any concealed pistol license issued under RCW 9.41.070; and

(b) Other than for ex parte temporary protection orders, direct law enforcement to revoke any concealed pistol license issued to the respondent.

(2) The court may, at the same time it issues an order pursuant to this section, also issue an order authorizing the search for and seizure of any firearm, dangerous weapon, or concealed pistol license, if there is probable cause to find that the person subject to the court's order issued pursuant to this section is violating the order by refusing to comply after being served with the order. The court's order authorizing such search and seizure must state with specificity the location and scope of the search and seizure authorized.

(3) The law enforcement officer serving any extreme risk protection order under this chapter, including a temporary extreme risk protection order, shall request that the respondent immediately surrender all firearms in ((his or her)) the respondent's custody, control, or possession, and any concealed pistol license issued under RCW 9.41.070, and conduct any search permitted by law for such firearms. The law enforcement officer shall take possession of all firearms belonging to the respondent that are surrendered, in plain sight, or discovered pursuant to a lawful search. If the order is entered in open court and the respondent appears in person, the respondent must be provided a copy and further service is not required. If the respondent refuses to accept a copy, an agent of the court may indicate on the record that the respondent refused to accept a copy of the order. If the respondent appears remotely for the hearing, or leaves the hearing before a final ruling is issued or order signed, and the court believes the respondent has sufficient notice such that additional service is not necessary, the order must recite that the respondent appeared before the court, has actual notice of the order, the necessity for further service is waived, and proof of service of the order is not necessary. The court shall enter the service and receipt into the record. A copy of the order and service must be transmitted immediately to law enforcement. The respondent must immediately surrender all firearms and any concealed pistol license, not previously surrendered, in a safe manner to the control of the local law enforcement agency on the day of the hearing at which the respondent was present in person or remotely. If the respondent is in custody, arrangements to recover the firearms must be made prior to release. Alternatively, if personal service by a law enforcement officer is not possible, and the respondent did not appear in person or remotely at the hearing, the respondent shall surrender the firearms in a safe manner to the control of the local law enforcement agency within 24 hours of being served with the order by alternate service.

((3)) (4) At the time of surrender, a law enforcement officer taking possession of a firearm or concealed pistol license shall issue a receipt identifying all firearms that have been surrendered and provide a copy of the receipt to the respondent. Within 72 hours after service of the order, the officer serving the order shall file the original receipt with the court and shall ensure that ((his or her)) the officer's law enforcement agency retains a copy of the receipt.

((4)) (5) Upon the sworn statement or testimony of the petitioner or of any law enforcement officer alleging that the respondent has failed to comply with the surrender of firearms as required by an order issued under this chapter, the court shall determine whether probable cause exists to believe that the respondent has failed to surrender all firearms in ((his or her)) the respondent's possession, custody, or control. If probable cause for a violation of the order exists, the court shall issue a warrant describing the firearms and authorizing a search of the locations

where the firearms are reasonably believed to be and the seizure of any firearms discovered pursuant to such search.

((5)) (6) If a person other than the respondent claims title to any firearms surrendered pursuant to this section, and that person is determined by the law enforcement agency to be the lawful owner of the firearm, the firearm must be returned to that person, provided that:

(a) The firearm is removed from the respondent's custody, control, or possession, and the lawful owner provides written verification to the court regarding how the lawful owner will safely store the firearm in a manner such that the respondent does not have access to, or control of, the firearm for the duration of the order;

(b) The court advises the lawful owner of the penalty for failure to do so; and

(c) The firearm is not otherwise unlawfully possessed by the owner.

((6)) (7) Upon the issuance of a one-year extreme risk protection order, the court shall order a new compliance review hearing date and require the respondent to appear not later than three judicial days from the issuance of the order. The court shall require a showing that the respondent has surrendered any firearms in the respondent's custody, control, or possession, and any concealed pistol license issued under RCW 9.41.070 to a law enforcement agency. The compliance review hearing is not required upon a satisfactory showing on which the court can otherwise enter findings on the record that the respondent has timely and completely surrendered all firearms in the respondent's custody, control, or possession, and any concealed pistol license issued under RCW 9.41.070 to a law enforcement agency, and is in compliance with the order. If the court does not have a sufficient record before it on which to make such a finding, the court must set a review hearing to occur as soon as possible, at which the respondent must be present and provide proof of compliance with the court's order.

((7)) (8)(a) If a court finds at the compliance review hearing, or any other hearing where compliance with the order is addressed, that there is probable cause to believe the respondent was aware of, and failed to fully comply with, the order, failed to appear at the compliance review hearing, or violated the order after the court entered findings of compliance, pursuant to its authority under chapter 7.21 RCW, the court may initiate a contempt proceeding on its own motion, or upon the motion of the prosecutor, city attorney, or the petitioner's counsel, to impose remedial sanctions, and issue an order requiring the respondent to appear, provide proof of compliance with the order, and show cause why the respondent should not be held in contempt of court.

(b) If the respondent is not present in court at the compliance review hearing or if the court issues an order to appear and show cause after a compliance review hearing, the clerk of the court shall electronically transmit a copy of the order to show cause to the law enforcement agency where the respondent resides for personal service or service in the manner provided in the civil rules of superior court or applicable statute.

(c) The order to show cause served upon the respondent shall state the date, time, and location of the hearing, and shall include a warning that the respondent may be held in contempt of court if the respondent fails to promptly comply with the terms of the extreme risk protection order and a warning that an arrest warrant could be issued if the respondent fails to appear on the date and time provided in the order to show cause.

(d)(i) At the show cause hearing, the respondent must be present and provide proof of compliance with the extreme risk

NINETY SECOND DAY, APRIL 10, 2023

protection order and demonstrate why the relief requested should not be granted.

(ii) The court shall take judicial notice of the receipt filed with the court by the law enforcement agency pursuant to subsection ~~((3))~~ (4) of this section. The court shall also provide sufficient notice to the law enforcement agency of the hearing. Upon receiving notice pursuant to this subsection, a law enforcement agency must:

(A) Provide the court with a complete list of firearms surrendered by the respondent or otherwise belonging to the respondent that are in the possession of the law enforcement agency; and

(B) Provide the court with verification that any concealed pistol license issued to the respondent has been surrendered and that a law enforcement agency with authority to revoke the license has been notified.

(iii) If the law enforcement agency has a reasonable suspicion that the respondent is not in full compliance with the terms of the order, the law enforcement agency must submit the basis for its belief to the court, and may do so through the filing of an affidavit.

(e) If the court finds the respondent in contempt, the court may impose remedial sanctions designed to ensure swift compliance with the order to surrender and prohibit weapons.

(f) The court may order a respondent found in contempt of the order to pay for any losses incurred by a party in connection with the contempt proceeding, including reasonable attorneys' fees, service fees, and other costs. The costs of the proceeding must not be borne by the petitioner.

~~((8))~~ (9)(a) To help ensure that accurate and comprehensive information about firearms compliance is provided to judicial officers, a representative from either the prosecuting attorney's office or city attorney's office, or both, from the relevant jurisdiction may appear and be heard or submit written information at any hearing that concerns compliance with an extreme risk protection order.

(b) Either the prosecuting attorney's office or city attorney's office, or both, from the relevant jurisdiction may designate an advocate or a staff person from their office who is not an attorney to appear on behalf of their office. Such appearance does not constitute the unauthorized practice of law.

~~((9))~~ (10)(a) An extreme risk protection order must state that the act of voluntarily surrendering firearms, or providing testimony relating to the surrender of firearms, pursuant to such an order, may not be used against the respondent in any criminal prosecution under this chapter, chapter 9.41 RCW, or RCW 9A.56.310.

(b) To provide relevant information to the court to determine compliance with the order, the court may allow the prosecuting attorney or city attorney to question the respondent regarding compliance.

~~((10))~~ (11) All law enforcement agencies must develop and implement policies and procedures regarding the acceptance, storage, and return of firearms required to be surrendered under this chapter. Any surrendered firearms must be handled and stored properly to prevent damage or degradation in appearance or function, and the condition of the surrendered firearms documented, including by digital photograph. A law enforcement agency holding any surrendered firearm or concealed pistol license shall comply with the provisions of RCW 9.41.340 and 9.41.345 before the return of the firearm or concealed pistol license to the owner or individual from whom it was obtained.

Sec. 506. RCW 10.21.050 and 2018 c 276 s 5 are each amended to read as follows:

The judicial officer in any felony, misdemeanor, or gross misdemeanor case must, in determining whether there are conditions of release that will reasonably assure the safety of any other person and the community, take into account the available information concerning:

(1) The nature and circumstances of the offense charged, including whether the offense is a crime of violence;

(2) The weight of the evidence against the defendant; and

(3) The history and characteristics of the defendant, including:

(a) The ~~((person's))~~ defendant's character, physical and mental condition, family ties, employment, financial resources, length of residence in the community, community ties, past conduct, history relating to drug or alcohol abuse, criminal history, and record concerning appearance at court proceedings;

(b) Whether, at the time of the current offense or arrest, the defendant was on community supervision, probation, parole, or on other release pending trial, sentencing, appeal, or completion of sentence for an offense under federal, state, or local law; ~~((and))~~

(c) The nature and seriousness of the danger to any person or the community that would be posed by the defendant's release; and

(d) The defendant's firearms history, including purchase history, any concealed pistol license history, and the requirements of RCW 9.41.800 regarding issuance of an order to surrender and prohibit weapons.

Part VI. Residential Protections

Sec. 601. RCW 40.24.030 and 2022 c 231 s 5 are each amended to read as follows:

(1)(a) An adult person, a parent or guardian acting on behalf of a minor, or a guardian acting on behalf of an incapacitated person, ~~((as defined in RCW 11.88.010,))~~ (b) any election official as described in RCW 9A.90.120 who is a target for threats or harassment prohibited under RCW 9A.90.120(2)(b) (iii) or (iv), and any ~~((family members))~~ person residing with ~~((him or her))~~ the election official, and (c) any criminal justice participant as defined in RCW 9A.46.020 who is a target for threats or harassment prohibited under RCW 9A.46.020(2)(b) (iii) or (iv) and any criminal justice participant as defined in RCW 9A.90.120 who is a target for threats or harassment prohibited under RCW 9A.90.120(2)(b) (iii) or (iv), and any ~~((family members))~~ person residing with ~~((him or her))~~ the criminal justice participant, may apply to the secretary of state to have an address designated by the secretary of state serve as the person's address or the address of the minor or incapacitated person. The secretary of state shall approve an application if it is filed in the manner and on the form prescribed by the secretary of state and if it contains:

(i) A sworn statement, under penalty of perjury, by the applicant that the applicant has good reason to believe (A) that the applicant, or the minor or incapacitated person on whose behalf the application is made, is a victim of domestic violence, sexual assault, trafficking, or stalking and that the applicant fears for ~~((his or her))~~ the applicant's safety or ~~((his or her))~~ the applicant's children's safety, or the safety of the minor or incapacitated person on whose behalf the application is made; ~~((s))~~ (B) that the applicant, as an election official as described in RCW 9A.90.120, is a target for threats or harassment prohibited under RCW 9A.90.120(2)(b) (iii) or (iv); or (C) that the applicant, as a criminal justice participant as defined in RCW 9A.46.020, is a target for threats or harassment prohibited under RCW 9A.46.020(2)(b) (iii) or (iv), or that the applicant, as a criminal justice participant as defined in RCW 9A.90.120 is a target for threats or harassment prohibited under RCW 9A.90.120(2)(b) (iii) or (iv);

(ii) If applicable, a sworn statement, under penalty of perjury, by the applicant, that the applicant has reason to believe they are a victim of (A) domestic violence, sexual assault, or stalking perpetrated by an employee of a law enforcement agency, or (B) threats or harassment prohibited under RCW 9A.90.120(2)(b) (iii) or (iv) or 9A.46.020(2)(b) (iii) or (iv);

(iii) A designation of the secretary of state as agent for purposes of service of process and for the purpose of receipt of mail;

(iv) The residential address and any telephone number where the applicant can be contacted by the secretary of state, which shall not be disclosed because disclosure will increase the risk of (A) domestic violence, sexual assault, trafficking, or stalking, or (B) threats or harassment prohibited under RCW 9A.90.120(2)(b) (iii) or (iv) or 9A.46.020(2)(b) (iii) or (iv);

(v) The signature of the applicant and of any individual or representative of any office designated in writing under RCW 40.24.080 who assisted in the preparation of the application, and the date on which the applicant signed the application.

(2) Applications shall be filed with the office of the secretary of state.

(3) Upon filing a properly completed application, the secretary of state shall certify the applicant as a program participant. Applicants shall be certified for four years following the date of filing unless the certification is withdrawn or invalidated before that date. The secretary of state shall by rule establish a renewal procedure.

(4)(a) During the application process, the secretary of state shall provide each applicant a form to direct the department of licensing to change the address of registration for vehicles or vessels solely or jointly registered to the applicant and the address associated with the applicant's driver's license or identicaid to the applicant's address as designated by the secretary of state upon certification in the program. The directive to the department of licensing is only valid if signed by the applicant. The directive may only include information required by the department of licensing to verify the applicant's identity and ownership information for vehicles and vessels. This information is limited to the:

- (i) Applicant's full legal name;
- (ii) Applicant's Washington driver's license or identicaid number;
- (iii) Applicant's date of birth;
- (iv) Vehicle identification number and license plate number for each vehicle solely or jointly registered to the applicant; and
- (v) Hull identification number or vessel document number and vessel decal number for each vessel solely or jointly registered to the applicant.

(b) Upon certification of the applicants, the secretary of state shall transmit completed and signed directives to the department of licensing.

(c) Within 30 days of receiving a completed and signed directive, the department of licensing shall update the applicant's address on registration and licensing records.

(d) Applicants are not required to sign the directive to the department of licensing to be certified as a program participant.

(5) A person who knowingly provides false or incorrect information upon making an application or falsely attests in an application that disclosure of the applicant's address would endanger (a) the applicant's safety or the safety of the applicant's children or the minor or incapacitated person on whose behalf the application is made, (b) the safety of any election official as described in RCW 9A.90.120 who is a target for threats or harassment prohibited under RCW 9A.90.120(2)(b) (iii) or (iv), or (c) the safety of any criminal justice participant as defined in

RCW 9A.46.020 who is a target for threats or harassment prohibited under RCW 9A.46.020(2)(b) (iii) or (iv) or of any criminal justice participant as defined in RCW 9A.90.120 who is a target for threats or harassment prohibited under RCW 9A.90.120(2)(b) (iii) or (iv), or any family members residing with ~~(him or her)~~ the criminal justice participant, shall be punished under RCW 40.16.030 or other applicable statutes.

Sec. 602. RCW 42.17A.710 and 2019 c 428 s 36 are each amended to read as follows:

(1) The statement of financial affairs required by RCW 42.17A.700 shall disclose the following information for the reporting individual and each member of the reporting individual's immediate family:

- (a) Occupation, name of employer, and business address;
- (b) Each bank account, savings account, and insurance policy in which a direct financial interest was held that exceeds twenty thousand dollars at any time during the reporting period; each other item of intangible personal property in which a direct financial interest was held that exceeds two thousand dollars during the reporting period; the name, address, and nature of the entity; and the nature and highest value of each direct financial interest during the reporting period;
- (c) The name and address of each creditor to whom the value of two thousand dollars or more was owed; the original amount of each debt to each creditor; the amount of each debt owed to each creditor as of the date of filing; the terms of repayment of each debt; and the security given, if any, for each such debt. Debts arising from a "retail installment transaction" as defined in chapter 63.14 RCW (retail installment sales act) need not be reported;

(d) Every public or private office, directorship, and position held as trustee; except that an elected official or executive state officer need not report the elected official's or executive state officer's service on a governmental board, commission, association, or functional equivalent, when such service is part of the elected official's or executive state officer's official duties;

(e) All persons for whom any legislation, rule, rate, or standard has been prepared, promoted, or opposed for current or deferred compensation. For the purposes of this subsection, "compensation" does not include payments made to the person reporting by the governmental entity for which the person serves as an elected official or state executive officer or professional staff member for the person's service in office; the description of such actual or proposed legislation, rules, rates, or standards; and the amount of current or deferred compensation paid or promised to be paid;

(f) The name and address of each governmental entity, corporation, partnership, joint venture, sole proprietorship, association, union, or other business or commercial entity from whom compensation has been received in any form of a total value of two thousand dollars or more; the value of the compensation; and the consideration given or performed in exchange for the compensation;

(g) The name of any corporation, partnership, joint venture, association, union, or other entity in which is held any office, directorship, or any general partnership interest, or an ownership interest of ten percent or more; the name or title of that office, directorship, or partnership; the nature of ownership interest; and:

- (i) With respect to a governmental unit in which the official seeks or holds any office or position, if the entity has received compensation in any form during the preceding twelve months from the governmental unit, the value of the compensation and the consideration given or performed in exchange for the compensation; and
- (ii) the name of each governmental unit, corporation, partnership, joint venture, sole proprietorship,

NINETY SECOND DAY, APRIL 10, 2023

association, union, or other business or commercial entity from which the entity has received compensation in any form in the amount of ten thousand dollars or more during the preceding twelve months and the consideration given or performed in exchange for the compensation. As used in (g)(ii) of this subsection, "compensation" does not include payment for water and other utility services at rates approved by the Washington state utilities and transportation commission or the legislative authority of the public entity providing the service. With respect to any bank or commercial lending institution in which is held any office, directorship, partnership interest, or ownership interest, it shall only be necessary to report either the name, address, and occupation of every director and officer of the bank or commercial lending institution and the average monthly balance of each account held during the preceding twelve months by the bank or commercial lending institution from the governmental entity for which the individual is an official or candidate or professional staff member, or all interest paid by a borrower on loans from and all interest paid to a depositor by the bank or commercial lending institution if the interest exceeds two thousand four hundred dollars;

(h) A list, including legal or other sufficient descriptions as prescribed by the commission, of all real property in the state of Washington, the assessed valuation of which exceeds ten thousand dollars in which any direct financial interest was acquired during the preceding calendar year, and a statement of the amount and nature of the financial interest and of the consideration given in exchange for that interest;

(i) A list, including legal or other sufficient descriptions as prescribed by the commission, of all real property in the state of Washington, the assessed valuation of which exceeds ten thousand dollars in which any direct financial interest was divested during the preceding calendar year, and a statement of the amount and nature of the consideration received in exchange for that interest, and the name and address of the person furnishing the consideration;

(j) A list, including legal or other sufficient descriptions as prescribed by the commission, of all real property in the state of Washington, the assessed valuation of which exceeds ten thousand dollars in which a direct financial interest was held. If a description of the property has been included in a report previously filed, the property may be listed, for purposes of this subsection (1)(j), by reference to the previously filed report;

(k) A list, including legal or other sufficient descriptions as prescribed by the commission, of all real property in the state of Washington, the assessed valuation of which exceeds twenty thousand dollars, in which a corporation, partnership, firm, enterprise, or other entity had a direct financial interest, in which corporation, partnership, firm, or enterprise a ten percent or greater ownership interest was held;

(l) A list of each occasion, specifying date, donor, and amount, at which food and beverage in excess of fifty dollars was accepted under RCW 42.52.150(5);

(m) A list of each occasion, specifying date, donor, and amount, at which items specified in RCW 42.52.010(9) (d) and (f) were accepted; and

(n) Such other information as the commission may deem necessary in order to properly carry out the purposes and policies of this chapter, as the commission shall prescribe by rule.

(2)(a) When judges, prosecutors, sheriffs, participants in the address confidentiality program under RCW 40.24.030, or their immediate family members are required to disclose real property that is the personal residence of the judge, prosecutor, ~~((or))~~ sheriff, or address confidentiality program participant, the

requirements of subsection (1)(h) through (k) of this section may be satisfied for that property by substituting:

(i) The city or town;

(ii) The type of residence, such as a single-family or multifamily residence, and the nature of ownership; and

(iii) Such other identifying information the commission prescribes by rule for the mailing address where the property is located.

(b) Nothing in this subsection relieves the judge, prosecutor, or sheriff of any other applicable obligations to disclose potential conflicts or to recuse oneself.

(3)(a) Where an amount is required to be reported under subsection (1)(a) through (m) of this section, it may be reported within a range as provided in (b) of this subsection.

(b)

Code A	Less than thirty thousand dollars;
Code B	At least thirty thousand dollars, but less than sixty thousand dollars;
Code C	At least sixty thousand dollars, but less than one hundred thousand dollars;
Code D	At least one hundred thousand dollars, but less than two hundred thousand dollars;
Code E	At least two hundred thousand dollars, but less than five hundred thousand dollars;
Code F	At least five hundred thousand dollars, but less than seven hundred and fifty thousand dollars;
Code G	At least seven hundred fifty thousand dollars, but less than one million dollars; or
Code H	One million dollars or more.

(c) An amount of stock may be reported by number of shares instead of by market value. No provision of this subsection may be interpreted to prevent any person from filing more information or more detailed information than required.

(4) Items of value given to an official's or employee's spouse, domestic partner, or family member are attributable to the official or employee, except the item is not attributable if an independent business, family, or social relationship exists between the donor and the spouse, domestic partner, or family member.

Sec. 603. RCW 9.41.800 and 2022 c 268 s 29 are each amended to read as follows:

(1) Any court when entering an order authorized under chapter 7.105 RCW, RCW 9A.40.102, 9A.44.210, 9A.46.080, 9A.88.160, 10.99.040, 10.99.045, 26.09.050, 26.09.060, 26.26B.020, ~~((or))~~ 26.26A.470, or 46.61.5055 shall, upon a showing by a preponderance of the evidence, that a party has: Used, displayed, or threatened to use a firearm or other dangerous weapon in a felony, or is ineligible to possess a firearm under the provisions of RCW 9.41.040:

(a) Require that the party immediately surrender all firearms and other dangerous weapons;

(b) Require that the party immediately surrender any concealed pistol license issued under RCW 9.41.070;

(c) Prohibit the party from accessing, having ~~((in his or her))~~ custody or control, possessing, purchasing, receiving, or attempting to purchase or receive, any firearms or other dangerous weapons;

(d) Prohibit the party from obtaining or possessing a concealed pistol license;

(e) Other than for ex parte temporary protection orders, unless the ex parte temporary protection order was reissued after the party received noticed and had an opportunity to be heard, direct

law enforcement to revoke any concealed pistol license issued to the party.

(2) During any period of time that the party is subject to a court order issued under chapter 7.105, 9A.46, 10.99, 26.09, 26.26A, or 26.26B RCW that:

(a) Was issued after a hearing of which the party received actual notice, and at which the party had an opportunity to participate, whether the court then issues a full order or reissues a temporary order. If the court enters an agreed order by the parties without a hearing, such an order meets the requirements of this subsection;

(b) Restrains the party from harassing, stalking, or threatening an intimate partner of the party, the protected person, or child of the intimate partner, party, or protected person, or engaging in other conduct that would place an intimate partner or protected person in reasonable fear of bodily injury to the intimate partner, protected person, or child; and

(c)(i) Includes a finding that the party represents a credible threat to the physical safety of the intimate partner, protected person, or child; or

(ii) By its terms, explicitly prohibits the use, attempted use, or threatened use of physical force against the intimate partner, protected person, or child that would reasonably be expected to cause bodily injury, the court shall:

(A) Require that the party immediately surrender all firearms and other dangerous weapons;

(B) Require that the party immediately surrender a concealed pistol license issued under RCW 9.41.070;

(C) Prohibit the party from accessing, having (~~in his or her~~) custody or control, possessing, purchasing, receiving, or attempting to purchase or receive, any firearms or other dangerous weapons; and

(D) Prohibit the party from obtaining or possessing a concealed pistol license.

(3) The court may order temporary surrender and prohibit the purchase of all firearms and other dangerous weapons, and any concealed pistol license, without notice to the other party if it finds, on the basis of the moving affidavit or other evidence, that irreparable injury could result if an order is not issued until the time for response has elapsed.

(4) In addition to the provisions of subsections (1) and (3) of this section, the court may enter an order requiring a party to comply with the provisions in subsection (1) of this section if it finds that the possession of a firearm or other dangerous weapon by any party presents a serious and imminent threat to public health or safety, or to the health or safety of any individual.

(5) The requirements of subsections (1) and (4) of this section may be for a period of time less than the duration of the order.

(6) The court shall require the party to surrender all firearms and other dangerous weapons in (~~his or her immediate~~) the party's custody, control, or possession ((or control)), or subject to (~~his or her~~) the party's immediate possession or control, and any concealed pistol license issued under RCW 9.41.070, to the local law enforcement agency. (~~Law enforcement officers shall use law enforcement databases to assist in locating the party in situations where the protected person does not know where the party lives or where there is evidence that the party is trying to evade service.~~) The court may, at the same time it issues an order pursuant to this section, also issue an order authorizing the search for and seizure of any firearm, dangerous weapon, or concealed pistol license, if there is probable cause to find that the party subject to the court's order issued pursuant to this section is violating the order by refusing to comply after being served with the order. The court's order authorizing such search and seizure

must state with specificity the location and scope of the search and seizure authorized.

(7) If the court enters a protection order, restraining order, or no-contact order that includes an order to surrender firearms, dangerous weapons, and any concealed pistol license under this section:

(a) The order must be served by a law enforcement officer; (~~and~~)

(b) Law enforcement must immediately ensure entry of the order to surrender and prohibit weapons and the revocation of any concealed pistol license is made into the appropriate databases making the party ineligible to possess firearms and a concealed pistol license; and

(c) Law enforcement officers shall use law enforcement databases to assist in locating the party in situations where the protected person does not know where the party lives or where there is evidence that the party is trying to evade service.

Part VII. Statewide Resources

NEW SECTION. Sec. 701. A new section is added to chapter 43.330 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the department shall administer a pilot program to implement domestic violence high risk teams. A domestic violence high risk team must, at a minimum, include the following four elements:

(a) Early identification of the most dangerous cases through evidence-based lethality assessments;

(b) Increased access to supportive services for high-risk victims;

(c) Increased perpetrator monitoring and accountability; and

(d) A coordinated response to high-risk cases through a multidisciplinary team.

(2) A domestic violence program must be the lead or co-lead of the domestic violence high risk teams.

Part VIII. Law Enforcement

NEW SECTION. Sec. 801. A new section is added to chapter 43.101 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the commission must provide ongoing specialized, intensive, and integrative training for persons responsible for investigating domestic violence cases involving intimate partners. The training must be based on a victim-centered, trauma-informed approach to responding to domestic violence. Among other subjects, the training must include content on the neurobiology of trauma and trauma-informed interviewing, counseling, and investigative techniques.

(2) The training must: Be based on research-based practices and standards; offer participants an opportunity to practice interview skills and receive feedback from instructors; minimize the trauma of all persons who are interviewed during investigations; provide methods of reducing the number of investigative interviews necessary whenever possible; assure, to the extent possible, that investigative interviews are thorough, objective, and complete; recognize needs of special populations; recognize the nature and consequences of domestic violence victimization; require investigative interviews to be conducted in a manner most likely to permit the interviewed persons the maximum emotional comfort under the circumstances; address record retention and retrieval; address documentation of investigative interviews; and educate investigators on the best practices for notifying victims of significant events in the investigative process.

(3) In developing the training, the commission must seek advice from the Washington association of sheriffs and police

NINETY SECOND DAY, APRIL 10, 2023

chiefs, organizations representing victims of domestic violence, and experts on domestic violence and the neurobiology of trauma. The commission must consult with the Washington association of prosecuting attorneys in an effort to design training containing consistent elements for all professionals engaged in interviewing and interacting with domestic violence victims in the criminal legal system.

(4) The commission must develop the training and begin offering it by January 1, 2025. Officers assigned to regularly investigate domestic violence must complete the training within one year of being assigned or by July 1, 2026, whichever is later.

Sec. 802. RCW 10.31.100 and 2021 c 215 s 118 are each amended to read as follows:

A police officer having probable cause to believe that a person has committed or is committing a felony shall have the authority to arrest the person without a warrant. A police officer may arrest a person without a warrant for committing a misdemeanor or gross misdemeanor only when the offense is committed in the presence of an officer, except as provided in subsections (1) through (11) of this section.

(1) Any police officer having probable cause to believe that a person has committed or is committing a misdemeanor or gross misdemeanor, involving physical harm or threats of harm to any person or property or the unlawful taking of property or involving the use or possession of cannabis, or involving the acquisition, possession, or consumption of alcohol by a person under the age of twenty-one years under RCW 66.44.270, or involving criminal trespass under RCW 9A.52.070 or 9A.52.080, shall have the authority to arrest the person.

(2) A police officer shall arrest and take into custody, pending release on bail, personal recognizance, or court order, a person without a warrant when the officer has probable cause to believe that:

(a) A domestic violence protection order, a sexual assault protection order, a stalking protection order, or a vulnerable adult protection order has been issued, of which the person has knowledge, under chapter 7.105 RCW, or an order has been issued, of which the person has knowledge, under RCW 26.44.063, or chapter 9A.40, 9A.46, 9A.88, 10.99, 26.09, ~~((26.10,))~~ 26.26A, 26.26B, or 74.34 RCW, or any of the former chapters 7.90, 7.92, and 26.50 RCW, restraining the person and the person has violated the terms of the order restraining the person from acts or threats of violence, or restraining the person from going onto the grounds of, or entering, a residence, workplace, school, or day care, or prohibiting the person from knowingly coming within, or knowingly remaining within, a specified distance of a location, a protected party's person, or a protected party's vehicle, or requiring the person to submit to electronic monitoring, or, in the case of an order issued under RCW 26.44.063, imposing any other restrictions or conditions upon the person;

(b) An extreme risk protection order has been issued against the person under chapter 7.105 RCW or former RCW 7.94.040, the person has knowledge of the order, and the person has violated the terms of the order prohibiting the person from having in ~~((his or her))~~ the person's custody or control, purchasing, possessing, accessing, or receiving a firearm or concealed pistol license;

(c) A foreign protection order, as defined in RCW 26.52.010, or a Canadian domestic violence protection order, as defined in RCW 26.55.010, has been issued of which the person under restraint has knowledge and the person under restraint has violated a provision of the foreign protection order or the Canadian domestic violence protection order prohibiting the person under restraint from contacting or communicating with

another person, or excluding the person under restraint from a residence, workplace, school, or day care, or prohibiting the person from knowingly coming within, or knowingly remaining within, a specified distance of a location, a protected party's person, or a protected party's vehicle, or a violation of any provision for which the foreign protection order or the Canadian domestic violence protection order specifically indicates that a violation will be a crime; or

(d) The person is eighteen years or older and within the preceding four hours has assaulted a family or household member or intimate partner as defined in RCW 10.99.020 and the officer believes: (i) A felonious assault has occurred; (ii) an assault has occurred which has resulted in bodily injury to the victim, whether the injury is observable by the responding officer or not; or (iii) that any physical action has occurred which was intended to cause another person reasonably to fear imminent serious bodily injury or death. Bodily injury means physical pain, illness, or an impairment of physical condition. When the officer has probable cause to believe that family or household members or intimate partners have assaulted each other, the officer is not required to arrest both persons. The officer shall arrest the person whom the officer believes to be the primary ~~((physical))~~ aggressor. In making this determination, the officer shall make every reasonable effort to consider: (A) The intent to protect victims of domestic violence under RCW 10.99.010; (B) the comparative extent of injuries inflicted or serious threats creating fear of physical injury; and (C) the history of domestic violence of each person involved, including whether the conduct was part of an ongoing pattern of abuse.

(3) Any police officer having probable cause to believe that a person has committed or is committing a violation of any of the following traffic laws shall have the authority to arrest the person:

(a) RCW 46.52.010, relating to duty on striking an unattended car or other property;

(b) RCW 46.52.020, relating to duty in case of injury to, or death of, a person or damage to an attended vehicle;

(c) RCW 46.61.500 or 46.61.530, relating to reckless driving or racing of vehicles;

(d) RCW 46.61.502 or 46.61.504, relating to persons under the influence of intoxicating liquor or drugs;

(e) RCW 46.61.503 or 46.25.110, relating to persons having alcohol or THC in their system;

(f) RCW 46.20.342, relating to driving a motor vehicle while operator's license is suspended or revoked;

(g) RCW 46.61.5249, relating to operating a motor vehicle in a negligent manner.

(4) A law enforcement officer investigating at the scene of a motor vehicle accident may arrest the driver of a motor vehicle involved in the accident if the officer has probable cause to believe that the driver has committed, in connection with the accident, a violation of any traffic law or regulation.

(5)(a) A law enforcement officer investigating at the scene of a motor vessel accident may arrest the operator of a motor vessel involved in the accident if the officer has probable cause to believe that the operator has committed, in connection with the accident, a criminal violation of chapter 79A.60 RCW.

(b) A law enforcement officer investigating at the scene of a motor vessel accident may issue a citation for an infraction to the operator of a motor vessel involved in the accident if the officer has probable cause to believe that the operator has committed, in connection with the accident, a violation of any boating safety law of chapter 79A.60 RCW.

(6) Any police officer having probable cause to believe that a person has committed or is committing a violation of RCW 79A.60.040 shall have the authority to arrest the person.

(7) An officer may act upon the request of a law enforcement officer, in whose presence a traffic infraction was committed, to stop, detain, arrest, or issue a notice of traffic infraction to the driver who is believed to have committed the infraction. The request by the witnessing officer shall give an officer the authority to take appropriate action under the laws of the state of Washington.

(8) Any police officer having probable cause to believe that a person has committed or is committing any act of indecent exposure, as defined in RCW 9A.88.010, may arrest the person.

(9) A police officer may arrest and take into custody, pending release on bail, personal recognizance, or court order, a person without a warrant when the officer has probable cause to believe that an antiharassment protection order has been issued of which the person has knowledge under chapter 7.105 RCW or former chapter 10.14 RCW and the person has violated the terms of that order.

(10) Any police officer having probable cause to believe that a person has, within twenty-four hours of the alleged violation, committed a violation of RCW 9A.50.020 may arrest such person.

(11) A police officer having probable cause to believe that a person illegally possesses or illegally has possessed a firearm or other dangerous weapon on private or public elementary or secondary school premises shall have the authority to arrest the person.

For purposes of this subsection, the term "firearm" has the meaning defined in RCW 9.41.010 and the term "dangerous weapon" has the meaning defined in RCW 9.41.250 and 9.41.280(1) (c) through (e).

(12) A law enforcement officer having probable cause to believe that a person has committed a violation under RCW 77.15.160(5) may issue a citation for an infraction to the person in connection with the violation.

(13) A law enforcement officer having probable cause to believe that a person has committed a criminal violation under RCW 77.15.809 or 77.15.811 may arrest the person in connection with the violation.

(14) Except as specifically provided in subsections (2), (3), (4), and (7) of this section, nothing in this section extends or otherwise affects the powers of arrest prescribed in Title 46 RCW.

(15) No police officer may be held criminally or civilly liable for making an arrest pursuant to subsection (2) or (9) of this section if the police officer acts in good faith and without malice.

(16)(a) Except as provided in (b) of this subsection, a police officer shall arrest and keep in custody, until release by a judicial officer on bail, personal recognizance, or court order, a person without a warrant when the officer has probable cause to believe that the person has violated RCW 46.61.502 or 46.61.504 or an equivalent local ordinance and the police officer: (i) Has knowledge that the person has a prior offense as defined in RCW 46.61.5055 within ten years; or (ii) has knowledge, based on a review of the information available to the officer at the time of arrest, that the person is charged with or is awaiting arraignment for an offense that would qualify as a prior offense as defined in RCW 46.61.5055 if it were a conviction.

(b) A police officer is not required to keep in custody a person under (a) of this subsection if the person requires immediate medical attention and is admitted to a hospital.

Sec. 803. RCW 36.28A.410 and 2021 c 215 s 147 are each amended to read as follows:

(1)(a) Subject to the availability of amounts appropriated for this specific purpose, the Washington association of sheriffs and police chiefs shall create and operate a statewide automated

protected person notification system to automatically notify a registered person via the registered person's choice of telephone or email when a respondent subject to a court order specified in (b) of this subsection has attempted to purchase or acquire a firearm and been denied based on a background check or completed and submitted firearm purchase or transfer application that indicates the respondent is ineligible to possess a firearm under state or federal law. The system must permit a person to register for notification, or a registered person to update the person's registration information, for the statewide automated protected person notification system by calling a toll-free telephone number or by accessing a public website.

(b) The notification requirements of this section apply to any court order issued under chapter 7.105 RCW or former chapter 7.92 RCW, RCW 9A.46.080, 10.99.040, 10.99.045, 26.09.050, 26.09.060, 26.10.040, 26.26A.470, or 26.26B.020, any of the former RCW 7.90.090, 10.14.080, 26.10.115, 26.50.060, and 26.50.070, any foreign protection order filed with a Washington court pursuant to chapter 26.52 RCW, and any Canadian domestic violence protection order filed with a Washington court pursuant to chapter 26.55 RCW, where the order prohibits the respondent from possessing firearms or where by operation of law the respondent is ineligible to possess firearms during the term of the order. The notification requirements of this section apply even if the respondent has notified the Washington state patrol that ~~(he or she)~~ the respondent has appealed a background check denial under RCW 43.43.823.

(c) The statewide automated protected person notification system must interface with the Washington state patrol, the administrative office of the courts, and any court not contributing data to the administrative office of the courts in real time.

(2) An appointed or elected official, public employee, or public agency as defined in RCW 4.24.470, or combination of units of government and its employees, as provided in RCW 36.28A.010, are immune from civil liability for damages for any release of information or the failure to release information related to the statewide automated protected person notification system in this section, so long as the release or failure to release was without gross negligence. The immunity provided under this subsection applies to the release of relevant and necessary information to other public officials, public employees, or public agencies, and to the general public.

(3) Information and records prepared, owned, used, or retained by the Washington association of sheriffs and police chiefs pursuant to chapter 261, Laws of 2017, including information a person submits to register and participate in the statewide automated protected person notification system, are exempt from public inspection and copying under chapter 42.56 RCW.

NEW SECTION. Sec. 804. A new section is added to chapter 2.56 RCW to read as follows:

The administrative office of the courts shall work with the Washington association of sheriffs and police chiefs to develop and maintain an interface to the statewide automated victim information and notification system created under RCW 36.28A.040 and the statewide automated protected person notification system created under RCW 36.28A.410 to provide notifications per RCW 36.28A.040, 36.28A.410, and 7.105.105, and chapter 9.41 RCW. The interface shall provide updated information not less than once per hour, 24 hours per day, seven days per week, without exception.

Part IX. Miscellaneous

NEW SECTION. Sec. 901. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NINETY SECOND DAY, APRIL 10, 2023

NEW SECTION. Sec. 902. If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2023, in the omnibus appropriations act, this act is null and void."

On page 1, line 3 of the title, after "partners;" strike the remainder of the title and insert "amending RCW 7.105.155, 7.105.255, 10.99.033, 10.99.040, 9.41.340, 9.41.345, 9.41.801, 9.41.804, 7.105.340, 10.21.050, 40.24.030, 42.17A.710, 9.41.800, 10.31.100, and 36.28A.410; adding new sections to chapter 2.56 RCW; adding a new section to chapter 2.53 RCW; adding a new section to chapter 7.105 RCW; adding a new section to chapter 43.330 RCW; adding a new section to chapter 43.101 RCW; and creating a new section."

MOTION

Senator Dhingra moved that the following amendment no. 0381 by Senator Dhingra be adopted:

On page 1, beginning on line 6, after "(1)" strike all material through "standards" on line 8 and insert "By June 1, 2024, the Washington courts' board for judicial administration must develop model standards:

(a) Establishing best practices"

On page 1, line 10, after "goal of" strike "implementing best practices to improve" and insert "improving"

On page 1, line 22, after "developing the" strike "rules" and insert "standards"

On page 1, at the beginning of line 23, strike "administrative office of the courts" and insert "Washington courts' board for judicial administration"

On page 1, line 28, after "(3) The" strike "administrative office of the courts" and insert "Washington courts' board for judicial administration"

On page 2, line 25, after "advisory" strike "council" and insert "committee"

Senator Dhingra spoke in favor of adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0381 by Senator Dhingra on page 1, line 6 to the committee striking amendment.

The motion by Senator Dhingra carried and amendment no. 0381 was adopted by voice vote.

WITHDRAWAL OF AMENDMENT

On motion of Senator Salomon and without objection, amendment no. 0405 by Senator Salomon on page 3, line 19 to Engrossed Second Substitute House Bill No. 1715 was withdrawn.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Ways & Means as amended to Engrossed Second Substitute House Bill No. 1715.

The motion by Senator Dhingra carried and the committee striking amendment as amended was adopted by voice vote.

MOTION

On motion of Senator Dhingra, the rules were suspended, Engrossed Second Substitute House Bill No. 1715 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Dhingra spoke in favor of passage of the bill.

Senator Wilson, L. spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute House Bill No. 1715 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute House Bill No. 1715 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 38; Nays, 11; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Frame, Gildon, Hasegawa, Hawkins, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Dozier, Fortunato, Holy, McCune, Padden, Short, Wagoner, Warnick, Wilson, J. and Wilson, L.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1715, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1498, by House Committee on Agriculture and Natural Resources (originally sponsored by Dye, Dent, Christian, Schmidt, Eslick, Graham and Volz)

Concerning aviation assurance funding in response to wildland fires.

The measure was read the second time.

MOTION

Senator Salomon moved that the following committee striking amendment by the Committee on Agriculture, Water, Natural Resources & Parks be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) Local and tribal fire departments in the state of Washington serve as frontline responders to wildland fires. The fire chief of each local fire department with jurisdiction over wildland fires is tasked with making rapid decisions, especially during the summer months when weather conditions can cause fires to rapidly enlarge. Flashy fuels, especially during times of low humidity, can be ignited by a single spark and erupt into a rapidly moving incident that can quickly destroy rangelands, ripe dryland crops, and timberlands.

(2) Local fire departments need immediate access to local aviation resources that are certified to fly and drop fire retardants and water to suppress or extinguish wildland fires quickly. The use of aviation assets has proven to be a valuable tool to prevent many wildland fires from growing large and requiring the response of state mobilization and prevent the deployment of

state and federal fire agencies and their mobilization partner agencies.

(3) Further, the strategic use of aviation assets in initial attack, or at times when conditions on the ground may warrant additional air support, can prevent fires from becoming uncontrollable. Local fire departments that use aviation assets on initial attack can prevent most fires from requiring a state mobilization. Providing financial assurances for local fire departments to deploy aviation assets will provide greater protection to our state's natural resources, air quality, and communities.

(4) The legislature intends to provide suppression funding to the department of natural resources to support local fire departments in the use of aviation resources certified and trained to operate in wildland fires and drop fire retardant or water to suppress or extinguish fires as an initial attack strategy. Deployment and air operations command will be conducted at the direction of trained air operations commanders.

(5) The legislature intends to authorize the department of natural resources to provide aviation resources to local fire departments statewide for use during the initial attack of wildland fires in order to provide assurance that local fire departments will have sufficient financial capacity to effectively control wildland fires throughout the length of the fire season. Having assurance that local fire departments can afford to use aircraft under conditions that would warrant their use and at the discretion of the local fire department chief will incentivize the use of aircraft more quickly in order to rapidly suppress the fire and minimize damage to lands, resources, and structures, while protecting regional air quality.

NEW SECTION. Sec. 2. A new section is added to chapter 76.04 RCW to read as follows:

(1) The department shall prepare and submit, consistent with RCW 43.01.036, an appendix on aviation usage by local fire departments for initial attack as a part of its annual wildfire report to the standing committees of the legislature with jurisdiction over wildland firefighting. The department shall submit the report by December 1st of each year. The report must address, at a minimum, the following topics:

(a) The dollar value of funding utilized by local fire departments for initial attack aviation during the year;

(b) The specific local fire departments that utilized this funding during the year;

(c) The wildland fires on which suppression funding was utilized to provide local fire departments initial attack aviation resources during the year, including names, locations, and sizes of fires, and amount of funding utilized on each of the fires; and

(d) A review of lessons learned related to aviation use by local fire departments for initial attack based on the preceding fire season, along with recommendations for future improvements to the wildland fire response process based on the lessons learned.

(2) The department shall consult with the state fire defense committee, fire service representatives, and the state fire marshal's office annually to review aviation program performance and determine aviation needs for the following fire year.

NEW SECTION. Sec. 3. A new section is added to chapter 76.04 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the department must use suppression funding to assist local fire departments with aerial fire response capabilities during the critical initial attack phase of fighting a wildland fire.

(2) The department must use suppression funding to assist local fire departments with initial attacks that meet the following requirements:

(a) The local fire department must have entered into a response agreement with the department;

(b) The local fire department must provide documentation to the department that personnel have received training regarding the use of aviation assets in initial attack and criteria to use for determining when to call for aviation assets;

(c) The aviation assets used in initial attack must come from a list of private contractors approved by the department on exclusive use or call-when-needed agreements based upon the annual review of aviation response and aviation needs required in section 2(2) of this act;

(d) Local fire departments must make direct requests to the appropriate coordination center, including the central Washington interagency coordination center, the northeast Washington interagency coordination center, the Blue Mountain interagency coordination center, or the department of natural resources coordination center, in order to ensure the safe coordination of all aircraft; and

(e) Upon receiving a request for aviation assets under this section, the coordinating agency must notify the director of fire protection or that individual's designee to ensure operational knowledge of a potential future request to invoke the fire service mobilization plan under RCW 43.43.960.

NEW SECTION. Sec. 4. (1) The department of natural resources shall convene a work group composed of wildfire aviation subject matter experts, fire service representatives from the Washington fire chiefs association, the Washington state council of firefighters, the Washington state firefighters' association, the Washington state fire commissioners association, wildland fire management staff, and other partners to evaluate the costs and benefits of a state certification program for aircraft and pilots used in wildfire suppression.

(2) The department of natural resources shall include the findings of the work group in a report to be submitted to the wildfire advisory committee and appropriate committees of the legislature by December 1, 2025.

NEW SECTION. Sec. 5. This act expires July 1, 2027."

On page 1, line 2 of the title, after "fires;" strike the remainder of the title and insert "adding new sections to chapter 76.04 RCW; creating new sections; and providing an expiration date."

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Agriculture, Water, Natural Resources & Parks to Engrossed Substitute House Bill No. 1498.

The motion by Senator Salomon carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Salomon, the rules were suspended, Engrossed Substitute House Bill No. 1498 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Salomon and Muzzall spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 1498 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 1498 as amended by the Senate and the

NINETY SECOND DAY, APRIL 10, 2023

bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1498, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1188, by House Committee on Appropriations (originally sponsored by Senn, Taylor, Reed, Leavitt, Callan, Macri, Simmons, Timmons, Chopp, Lekanoff, Couture, Gregerson, Thai, Wylie, Stonier, Schmick, Santos, Pollet, Kloba, Eslick and Ormsby)

Concerning individuals with developmental disabilities that have also received child welfare services.

The measure was read the second time.

MOTION

Senator Wilson, C. moved that the following committee striking amendment by the Committee on Ways & Means be adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 43.88C.010 and 2022 c 219 s 2 are each amended to read as follows:

(1) The caseload forecast council is hereby created. The council shall consist of two individuals appointed by the governor and four individuals, one of whom is appointed by the chairperson of each of the two largest political caucuses in the senate and house of representatives. The chair of the council shall be selected from among the four caucus appointees. The council may select such other officers as the members deem necessary.

(2) The council shall employ a caseload forecast supervisor to supervise the preparation of all caseload forecasts. As used in this chapter, "supervisor" means the caseload forecast supervisor.

(3) Approval by an affirmative vote of at least five members of the council is required for any decisions regarding employment of the supervisor. Employment of the supervisor shall terminate after each term of three years. At the end of the first year of each three-year term the council shall consider extension of the supervisor's term by one year. The council may fix the compensation of the supervisor. The supervisor shall employ staff sufficient to accomplish the purposes of this section.

(4) The caseload forecast council shall oversee the preparation of and approve, by an affirmative vote of at least four members, the official state caseload forecasts prepared under RCW 43.88C.020. If the council is unable to approve a forecast before a date required in RCW 43.88C.020, the supervisor shall submit the forecast without approval and the forecast shall have the same effect as if approved by the council.

(5) A councilmember who does not cast an affirmative vote for approval of the official caseload forecast may request, and the supervisor shall provide, an alternative forecast based on assumptions specified by the member.

(6) Members of the caseload forecast council shall serve without additional compensation but shall be reimbursed for travel expenses in accordance with RCW 44.04.120 while attending sessions of the council or on official business authorized by the council. Nonlegislative members of the council shall be reimbursed for travel expenses in accordance with RCW 43.03.050 and 43.03.060.

(7) "Caseload," as used in this chapter, means:

(a) The number of persons expected to meet entitlement requirements and require the services of public assistance programs, state correctional institutions, state correctional noninstitutional supervision, state institutions for juvenile offenders, the common school system, long-term care, medical assistance, foster care, and adoption support;

(b) The number of students who are eligible for the Washington college bound scholarship program and are expected to attend an institution of higher education as defined in RCW 28B.92.030;

(c) The number of students who are eligible for the Washington college grant program under RCW 28B.92.200 and 28B.92.205 and are expected to attend an institution of higher education as defined in RCW 28B.92.030; and

(d) The number of children who are eligible, as defined in RCW 43.216.505, to participate in, and the number of children actually served by, the early childhood education and assistance program.

(8) The caseload forecast council shall forecast the temporary assistance for needy families and the working connections child care programs as a courtesy.

(9) By January 1, 2023, the caseload forecast council shall present the number of individuals who are assessed as eligible for and have requested a service through the individual and family services waiver and the basic plus waiver administered by the developmental disabilities administration as a courtesy. The caseload forecast council shall be presented with the service request list as defined in RCW 71A.10.020 to aid in development of this information.

(10) Beginning with the official forecast submitted in November 2022 and subject to the availability of amounts appropriated for this specific purpose, the caseload forecast council shall forecast the number of individuals who are assessed as eligible for and have requested supported living services, a service through the core waiver, an individual and family services waiver, and the basic plus waiver administered by the developmental disabilities administration as a courtesy. The caseload forecast council shall be presented with the service request list as defined in RCW 71A.10.020 to aid in development of this information.

(11) As a courtesy, beginning with the official forecast submitted in November 2022, the caseload forecast council shall forecast the number of individuals who are expected to reside in state-operated living alternatives administered by the developmental disabilities administration.

(12) The caseload forecast council shall forecast youth participating in the extended foster care program pursuant to RCW 74.13.031 separately from other children who are residing in foster care and who are under eighteen years of age.

(13) The caseload forecast council shall forecast the number of youth expected to receive behavioral rehabilitation services while involved in the foster care system and the number of screened in reports of child abuse or neglect.

(14) The caseload forecast council shall forecast the number of individuals who are functionally and financially eligible for medicaid waiver services administered by the developmental disabilities administration who also meet the criteria outlined in RCW 71A.12.370 and are expected to utilize a medicaid waiver service.

(15) Unless the context clearly requires otherwise, the definitions provided in RCW 43.88.020 apply to this chapter.

~~((15))~~ (16) During the 2021-2023 fiscal biennium, and beginning with the November 2021 forecast, the caseload forecast council shall produce an unofficial forecast of the long-term caseload for juvenile rehabilitation as a courtesy.

Sec. 2. RCW 43.88.058 and 2021 c 334 s 1904 are each amended to read as follows:

For the purposes of this chapter, expenditures for the following ~~((foster care, adoption support and related services, and child protective))~~ services must be forecasted and budgeted as maintenance level costs:

- (1) Behavioral rehabilitation services placements;
- (2) Social worker and related staff to receive, refer, and respond to screened-in reports of child abuse or neglect ~~((except in fiscal year 2024))~~;
- (3) Court-ordered parent-child and sibling visitations delivered by contractors; ~~((and))~~
- (4) Those activities currently being treated as maintenance level costs for budgeting or forecasting purposes on June 7, 2018, including, but not limited to: (a) Adoption support and other adoption-related expenses; (b) foster care maintenance payments; (c) child-placing agency management fees; (d) support goods such as clothing vouchers; (e) child aides; and (f) child care for children in foster or relative placements when the caregiver is at work or in school; and

(5) Developmental disability waiver slots that are anticipated to be utilized by individuals eligible for a medicaid waiver service under RCW 71A.12.370.

Sec. 3. RCW 71A.24.005 and 2009 c 194 s 1 are each amended to read as follows:

(1) The legislature recognizes that the number of children who have developmental disabilities along with intense behaviors is increasing, and more families are seeking out-of-home placement for their children.

(2) The legislature intends to create services and to develop supports for these children, family members, and others involved in the children's lives to avoid disruption to families ~~((and eliminate))~~, help prevent the need for out-of-home placement, and supplement the child welfare services a child may be receiving from the department of children, youth, and families.

(3) The legislature directs the department to maintain a federal waiver through which services may be provided to allow children with developmental disabilities and intense behaviors to maintain permanent and stable familial relationships. The legislature intends for these services to be locally based and offered as early as possible to avoid family disruption and out-of-home placement, but also offered to children in out-of-home placement when necessary.

Sec. 4. RCW 71A.24.010 and 2009 c 194 s 2 are each amended to read as follows:

(1) To the extent funding is appropriated for this purpose, intensive behavior support services may be provided by the department, directly or by contract, to children who have developmental disabilities and intense behaviors and to their families.

(2) The department shall be the lead administrative agency for children's intensive behavior support services and shall:

(a) Collaborate with appropriate parties to develop and implement the intensive in-home support services program within the division of developmental disabilities;

(b) Use best practices and evidence-based practices;

(c) Provide coordination and planning for the implementation and expansion of intensive in-home services;

(d) Contract for the provision of intensive in-home and planned out-of-home services;

(e) Monitor and evaluate services to determine whether the program meets standards identified in the service contracts;

(f) Collect data regarding the number of families served, and costs and outcomes of the program;

(g) Adopt appropriate rules to implement the program;

(h) License out-of-home respite placements on a timely basis; and

(i) Maintain an appropriate staff-to-client ratio.

(3) A child may receive intensive behavior support services when the department has determined that:

(a) The child is under the age of twenty-one;

(b) The child has a developmental disability and has been determined eligible for these services;

(c) The child/family acuity scores are high enough in the assessment conducted by the division of developmental disabilities to indicate the child's behavior puts the child or family at significant risk or is very likely to require an out-of-home placement;

(d) The child meets eligibility for the home and community-based care waiver;

(e) The child resides in his or her family home or is ~~((temporarily))~~ in an out-of-home placement ~~((with a plan to return home))~~; and

(f) The family agrees to participate in the program and complete the care and support steps outlined in the completed individual support plan ~~((; and~~

~~((g) The family is not subject to an unresolved child protective services referral)).~~

NEW SECTION. Sec. 5. A new section is added to chapter 71A.12 RCW to read as follows:

(1) No later than January 1, 2024, the department shall submit to the federal government a request for approval to modify eligibility requirements for the services provided through a medicaid waiver administered by the department to include eligible individuals as specified in RCW 71A.12.370. To the extent consistent with federal law and federal funding requirements, the department shall provide services to eligible individuals as specified in RCW 71A.12.370 through a medicaid waiver administered by the department beginning no later than December 1, 2024.

(2)(a) The legislature recognizes that children and youth with developmental disabilities who are subject to a dependency have unique support needs. To this end, the legislature intends to explore establishing a new medicaid waiver for this population.

(b) By December 1, 2025, the department shall submit a report to the governor and the appropriate committees of the legislature on the feasibility of establishing a new medicaid waiver tailored to meet the needs of dependent children and youth with developmental disabilities who are age 20 or younger and who meet the criteria identified in RCW 71A.12.370(1) and cannot be adequately served through one of the five medicaid waivers administered by the department as of the effective date of this section. The services provided in this waiver shall supplement, and not supplant, the child welfare services and supports a child or youth is entitled to or receives under Title IV-E of the social security act from the department of children, youth, and families,

NINETY SECOND DAY, APRIL 10, 2023

and may not duplicate services or supports available through other funding sources. The report must include:

(i) A comprehensive list and description of the services anticipated to be included in the new waiver and the associated costs by each age group;

(ii) Information on approaches taken by other states to serve children and youth in dependencies with developmental disabilities; and

(iii) Information on the outcome of services being provided under the amended waivers referenced in subsection (1) of this section.

(3) The department shall be the lead administrative agency for the waiver design for dependent children and youth and shall collaborate with the department of children, youth, and families and other relevant stakeholders to identify the services and supports currently provided to dependent children and youth and identify services and supports that will supplement supports already provided. The department of children, youth, and families shall provide to the department all information and data that is necessary for the department to determine eligibility for services, to provide appropriate and timely services and supports to qualifying children and youth, to implement and maintain compliance with federal funding requirements, and to complete design of the new waiver.

Sec. 6. RCW 71A.12.370 and 2021 c 56 s 4 are each amended to read as follows:

~~((When there is funded capacity for services))~~ (1) Services provided through a medicaid waiver administered by the department, ((and)) to the extent consistent with federal law and federal funding requirements, ((priority for that waiver)) shall be provided to eligible individuals who ((exited)) meet the following criteria on or after the effective date of this section:

(a)(i) Are subject to a dependency;

(ii) Are receiving extended foster care services as defined in RCW 74.13.020; or

(iii) Exited a dependency ((proceeding under chapter 13.34 RCW within the last two years)) or discontinued extended foster care services as defined in RCW 74.13.020; and

(b) Will begin receiving waiver services prior to the individual's 25th birthday.

(2) Persons meeting the criteria in subsection (1) of this section who are receiving services under the children's intensive behavioral support services waiver under RCW 71A.24.010 must be immediately transferred to a different waiver without a break in waiver coverage when, based on their age, they no longer qualify for the waiver under which they have been receiving services.

(3) For purposes of this section, a "dependency" includes both a dependency under chapter 13.34 RCW and circumstances in which an Indian child is in the custody of a federally recognized Indian tribe as defined in RCW 43.376.010 or the tribe's placing agency.

NEW SECTION. Sec. 7. If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2023, in the omnibus appropriations act, this act is null and void."

On page 1, line 2 of the title, after "services;" strike the remainder of the title and insert "amending RCW 43.88C.010, 43.88.058, 71A.24.005, 71A.24.010, and 71A.12.370; adding a new section to chapter 71A.12 RCW; and creating a new section."

Senator Boehnke spoke in favor of adoption of the committee striking amendment.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Ways & Means to Engrossed Second Substitute House Bill No. 1188.

The motion by Senator Wilson, C. carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Wilson, C., the rules were suspended, Engrossed Second Substitute House Bill No. 1188 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wilson, C. and Boehnke spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute House Bill No. 1188 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute House Bill No. 1188 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1188, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1501, by House Committee on Community Safety, Justice, & Reentry (originally sponsored by Steele, Caldier, Santos, Leavitt, Schmidt, Eslick, Orwall, Reeves and Graham)

Authorizing additional counseling services for immediate family members of homicide victims.

The measure was read the second time.

MOTION

On motion of Senator Boehnke, the rules were suspended, Substitute House Bill No. 1501 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Boehnke, Wilson, C. and Hawkins spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1501.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1501 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SUBSTITUTE HOUSE BILL NO. 1501, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 4:53 p.m., on motion of Senator Pedersen, the Senate was declared to be at ease for the purposes of a brief break for the officers and staff at the rostrum.

The Senate was called to order at 4:58 p.m. by the President of the Senate, Lt. Governor Heck presiding.

SECOND READING

SECOND SUBSTITUTE HOUSE BILL NO. 1447, by House Committee on Appropriations (originally sponsored by Peterson, Gregerson, Berry, Taylor, Simmons, Ortiz-Self, Ryu, Reed, Kloba, Doglio, Ormsby, Thai, Fosse, Pollet, Macri, Alvarado and Leavitt)

Strengthening the ability of assistance programs to meet foundational needs of children, adults, and families.

The measure was read the second time.

MOTION

Senator Wilson, C. moved that the following committee striking amendment by the Committee on Ways & Means be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 74.04.005 and 2020 c 136 s 1 are each amended to read as follows:

For the purposes of this title, unless the context indicates otherwise, the following definitions shall apply:

(1) "Aged, blind, or disabled assistance program" means the program established under RCW 74.62.030.

(2) "Applicant" means any person who has made a request, or on behalf of whom a request has been made, to any county or local office for assistance.

(3) "Authority" means the health care authority.

(4) "County or local office" means the administrative office for one or more counties or designated service areas.

(5) "Department" means the department of social and health services.

(6) "Director" means the director of the health care authority.

(7) "Essential needs and housing support program" means the program established in RCW 43.185C.220.

(8) "Federal aid assistance" means the specific categories of assistance for which provision is made in any federal law existing or hereafter passed by which payments are made from the federal government to the state in aid or in respect to payment by the state for public assistance rendered to any category of needy persons for which provision for federal funds or aid may from time to time be made, or a federally administered needs-based program.

(9) "Income" means:

(a) All appreciable gains in real or personal property (cash or kind) or other assets, which are received by or become available for use and enjoyment by an applicant or recipient during the month of application or after applying for or receiving public assistance. The department may by rule and regulation exempt income received by an applicant for or recipient of public assistance which can be used by him or her to decrease his or her need for public assistance or to aid in rehabilitating him or her or his or her dependents, but such exemption shall not, unless otherwise provided in this title, exceed the exemptions of resources granted under this chapter to an applicant for public assistance. In addition, for cash assistance the department may disregard income pursuant to RCW 74.08A.230 and 74.12.350.

(b) If, under applicable federal requirements, the state has the option of considering property in the form of lump sum compensatory awards or related settlements received by an applicant or recipient as income or as a resource, the department shall consider such property to be a resource.

(10) "Need" means the difference between the applicant's or recipient's standards of assistance for himself or herself and the dependent members of his or her family, as measured by the standards of the department, and value of all nonexempt resources and nonexempt income received by or available to the applicant or recipient and the dependent members of his or her family.

(11) "Public assistance" or "assistance" means public aid to persons in need thereof for any cause, including services, medical care, assistance grants, disbursing orders, work relief, benefits under RCW 74.62.030 and 43.185C.220, and federal aid assistance.

(12) "Recipient" means any person receiving assistance and in addition those dependents whose needs are included in the recipient's assistance.

(13) "Resource" means any asset, tangible or intangible, owned by or available to the applicant at the time of application, which can be applied toward meeting the applicant's need, either directly or by conversion into money or its equivalent. The department may by rule designate resources that an applicant may retain and not be ineligible for public assistance because of such resources. Exempt resources shall include, but are not limited to:

(a) A home that an applicant, recipient, or their dependents is living in, including the surrounding property;

(b) Household furnishings and personal effects;

(c) One motor vehicle, other than a motor home, that is used and useful (~~having an equity value not to exceed ten thousand dollars~~);

(d) A motor vehicle necessary to transport a household member with a physical disability. This exclusion is limited to one vehicle per person with a physical disability;

(e) Retirement funds, pension plans, and retirement accounts;

(f) All other resources, including any excess of values exempted, not to exceed (~~six thousand dollars~~) \$8,000 or other limit as set by the department, to be consistent with limitations on resources and exemptions necessary for federal aid assistance;

NINETY SECOND DAY, APRIL 10, 2023

~~((F))~~ (g) Applicants for or recipients of benefits under RCW 74.62.030 and 43.185C.220 shall have their eligibility based on resource limitations consistent with the temporary assistance for needy families program rules adopted by the department; and

~~((G))~~ (h) If an applicant for or recipient of public assistance possesses property and belongings in excess of the ceiling value, such value shall be used in determining the need of the applicant or recipient, except that: (i) The department may exempt resources or income when the income and resources are determined necessary to the applicant's or recipient's restoration to independence, to decrease the need for public assistance, or to aid in rehabilitating the applicant or recipient or a dependent of the applicant or recipient; and (ii) the department may provide grant assistance for a period not to exceed nine months from the date the agreement is signed pursuant to this section to persons who are otherwise ineligible because of excess real property owned by such persons when they are making a good faith effort to dispose of that property if:

(A) The applicant or recipient signs an agreement to repay the lesser of the amount of aid received or the net proceeds of such sale;

(B) If the owner of the excess property ceases to make good faith efforts to sell the property, the entire amount of assistance may become an overpayment and a debt due the state and may be recovered pursuant to RCW 43.20B.630;

(C) Applicants and recipients are advised of their right to a fair hearing and afforded the opportunity to challenge a decision that good faith efforts to sell have ceased, prior to assessment of an overpayment under this section; and

(D) At the time assistance is authorized, the department files a lien without a sum certain on the specific property.

(14) "Secretary" means the secretary of social and health services.

(15) "Standards of assistance" means the level of income required by an applicant or recipient to maintain a level of living specified by the department.

(16)(a) "Victim of human trafficking" means a noncitizen and any qualifying family members who have:

(i) Filed or are preparing to file an application for T nonimmigrant status with the appropriate federal agency pursuant to 8 U.S.C. Sec. 1101(a)(15)(T), as it existed on January 1, 2020;

(ii) Filed or are preparing to file an application with the appropriate federal agency for status pursuant to 8 U.S.C. Sec. 1101(a)(15)(U), as it existed on January 1, 2020; or

(iii) Been harmed by either any violation of chapter 9A.40 or 9.68A RCW, or both, or by substantially similar crimes under federal law or the laws of any other state, and who:

(A) Are otherwise taking steps to meet the conditions for federal benefits eligibility under 22 U.S.C. Sec. 7105, as it existed on January 1, 2020; or

(B) Have filed or are preparing to file an application with the appropriate federal agency for status under 8 U.S.C. Sec. 1158.

(b)(i) "Qualifying family member" means:

(A) A victim's spouse and children; and

(B) When the victim is under ~~((twenty one))~~ 21 years of age, a victim's parents and unmarried siblings under the age of ~~((eighteen))~~ 18.

(ii) "Qualifying family member" does not include a family member who has been charged with or convicted of attempt, conspiracy, solicitation, or commission of any crime referenced in this subsection or described under 8 U.S.C. Sec. 1101(a)(15)(T) or (U) as either existed on January 1, 2020, when the crime is against a spouse who is a victim of human trafficking or against the child of a victim of human trafficking.

(17) For purposes of determining eligibility for public assistance and participation levels in the cost of medical care, the department shall exempt restitution payments made to people of Japanese and Aleut ancestry pursuant to the Civil Liberties Act of 1988 and the Aleutian and Pribilof Island Restitution Act passed by congress, P.L. 100-383, including all income and resources derived therefrom.

(18) In the construction of words and phrases used in this title, the singular number shall include the plural, the masculine gender shall include both the feminine and neuter genders, and the present tense shall include the past and future tenses, unless the context thereof shall clearly indicate to the contrary.

Sec. 2. RCW 74.08A.010 and 2022 c 24 s 1 are each amended to read as follows:

(1) A family that includes an adult who has received temporary assistance for needy families for ~~((sixty))~~ 60 months after July 27, 1997, shall be ineligible for further temporary assistance for needy families assistance.

(2) For the purposes of applying the rules of this section, the department shall count any month in which an adult family member received a temporary assistance for needy families cash assistance grant unless the assistance was provided when the adult family member was a minor child and not the head of the household or married to the head of the household.

~~(3) ((The department shall adopt regulations to apply the sixty month time limit to households in which a parent is in the home and ineligible for temporary assistance for needy families. Any regulations shall be consistent with federal funding requirements.~~

~~(4))~~ The department shall refer recipients who require specialized assistance to appropriate department programs, crime victims' programs through the department of commerce, or the crime victims' compensation program of the department of labor and industries.

~~((5)(a))~~ (4) The department shall add to adopted rules related to temporary assistance for needy families time limit extensions, the following criteria by which the department shall exempt a recipient and the recipient's family from the application of subsection (1) of this section:

~~((+))~~ (a) By reason of hardship, including when:

~~((A))~~ (i) The recipient's family includes a child or youth who is without a fixed, regular, and adequate nighttime residence as described in the federal McKinney-Vento homeless assistance act (Title 42 U.S.C., chapter 119, subchapter VI, part B) as it existed on January 1, 2020;

~~((B))~~ (ii) The recipient received temporary assistance for needy families during a month on or after March 1, 2020, when Washington state's unemployment rate as published by the Washington employment security department was equal to or greater than seven percent, and the recipient is otherwise eligible for temporary assistance for needy families except that they have exceeded 60 months. The extension provided for under this subsection ~~((S))~~ (4)(a)((+)(B)) (ii) is equal to the number of months that the recipient received temporary assistance for needy families during a month on or after March 1, 2020, when the unemployment rate was equal to or greater than seven percent, and is applied sequentially to any other hardship extensions that may apply under this subsection ~~((S))~~ (4) or in rule; or

~~((C))~~ (iii) Beginning July 1, 2022, the Washington state unemployment rate most recently published by the Washington employment security department is equal to or greater than seven percent; or

~~((+))~~ (b) If the family includes an individual who meets the family violence options of section 402(A)(7) of Title IVA of the federal social security act as amended by P.L. 104-193.

~~((b) Policies related to circumstances under which a recipient will be exempted from the application of subsection (1) or (3) of this section shall treat adults receiving benefits on their own behalf, and parents receiving benefits on behalf of their child similarly, unless required otherwise under federal law.~~

~~((6)) (5) The department shall not exempt a recipient and his or her family from the application of subsection (1) ((or (3))) of this section until after the recipient has received ((fifty-two)) 52 months of assistance under this chapter.~~

~~((7)) (6) The department shall provide transitional food assistance for a period of five months to a household that ceases to receive temporary assistance for needy families assistance and is not in sanction status. If necessary, the department shall extend the household's basic food certification until the end of the transition period.~~

~~((8)) (7) The department may adopt rules specifying which published employment security department unemployment rates to use for the purposes of subsection ((5)) (4)(a)((i)(B) and (C)) (ii) and (iii) of this section.~~

Sec. 3. RCW 74.08A.010 and 2022 c 98 s 1 and 2022 c 24 s 1 are each reenacted and amended to read as follows:

(1) A family that includes an adult who has received temporary assistance for needy families for ~~((sixty))~~ 60 months after July 27, 1997, shall be ineligible for further temporary assistance for needy families assistance.

(2) For the purposes of applying the rules of this section, the department shall count any month in which an adult family member received a temporary assistance for needy families cash assistance grant unless the assistance was provided when the adult family member was a minor child and not the head of the household or married to the head of the household.

~~(3) ((The department shall adopt regulations to apply the sixty month time limit to households in which a parent is in the home and ineligible for temporary assistance for needy families. Any regulations shall be consistent with federal funding requirements.~~

~~(4))~~ The department shall refer recipients who require specialized assistance to appropriate department programs, crime victims' programs through the department of commerce, or the crime victims' compensation program of the department of labor and industries.

~~((5)(a)) (4) The department shall add to adopted rules related to temporary assistance for needy families time limit extensions, the following criteria by which the department shall exempt a recipient and the recipient's family from the application of subsection (1) of this section:~~

~~((i)) (a) By reason of hardship, including when:~~

~~((A)) (i) The recipient's family includes a child or youth who is without a fixed, regular, and adequate nighttime residence as described in the federal McKinney-Vento homeless assistance act (Title 42 U.S.C., chapter 119, subchapter VI, part B) as it existed on January 1, 2020;~~

~~((B)) (ii) The recipient received temporary assistance for needy families during a month on or after March 1, 2020, when Washington state's unemployment rate as published by the Washington employment security department was equal to or greater than seven percent, and the recipient is otherwise eligible for temporary assistance for needy families except that they have exceeded 60 months. The extension provided for under this subsection ((5)) (4)(a)((i)(B)) (ii) is equal to the number of months that the recipient received temporary assistance for needy families during a month on or after March 1, 2020, when the unemployment rate was equal to or greater than seven percent, and is applied sequentially to any other hardship extensions that may apply under this subsection ((5)) (4) or in rule; or~~

~~((C)) (iii) Beginning July 1, 2022, the Washington state unemployment rate most recently published by the Washington employment security department is equal to or greater than seven percent; or~~

~~((ii)) (b) If the family includes an individual who meets the family violence options of section 402(A)(7) of Title IVA of the federal social security act as amended by P.L. 104-193.~~

~~((b) Policies related to circumstances under which a recipient will be exempted from the application of subsection (1) or (3) of this section shall treat adults receiving benefits on their own behalf, and parents receiving benefits on behalf of their child similarly, unless required otherwise under federal law.~~

~~((6)) (5) The department shall not exempt a recipient and his or her family from the application of subsection (1) ((or (3))) of this section until after the recipient has received ((fifty-two)) 52 months of assistance under this chapter.~~

~~((7)) (6) The department shall provide transitional food assistance for a period of five months to a household that ceases to receive temporary assistance for needy families assistance and is not in full-family sanction status. If a member of a household has been sanctioned but the household is still receiving benefits, the remaining eligible household members may receive transitional food assistance. If necessary, the department shall extend the household's basic food certification until the end of the transition period.~~

~~((8)) (7) The department may adopt rules specifying which published employment security department unemployment rates to use for the purposes of subsection ((5)) (4)(a)((i)(B) and (C)) (ii) and (iii) of this section.~~

Sec. 4. RCW 74.08A.015 and 2021 c 239 s 3 are each amended to read as follows:

All families who have received temporary assistance for needy families since March 1, 2020, are eligible for the extension under RCW 74.08A.010((5)) (4)(a)((i)(B)) (ii), regardless of whether they are current recipients. Eligible families shall only receive temporary assistance for needy families benefits that accrue after July 25, 2021.

Sec. 5. RCW 74.08A.230 and 1997 c 58 s 308 are each amended to read as follows:

(1) In addition to their monthly benefit payment, a family may earn and keep the first \$250 of the family's earnings in addition to one-half of (its) the family's remaining earnings during every month it is eligible to receive assistance under this section.

(2) In no event may a family be eligible for temporary assistance for needy families if its monthly gross earned income exceeds the maximum earned income level as set by the department. In calculating a household's gross earnings, the department shall disregard the earnings of a minor child who is:

(a) A full-time student; or

(b) A part-time student carrying at least half the normal school load and working fewer than ~~((thirty-five))~~ 35 hours per week.

Sec. 6. RCW 74.08A.250 and 2019 c 343 s 5 are each amended to read as follows:

Unless the context clearly requires otherwise, as used in this chapter, "work activity" means:

(1) Unsubsidized paid employment in the private or public sector;

(2) Subsidized paid employment in the private or public sector, including employment through the state or federal work-study program for a period not to exceed ~~((twenty-four))~~ 24 months;

(3) Work experience, including:

(a) An internship or practicum, that is paid or unpaid and is required to complete a course of vocational training or to obtain a license or certificate in a high-demand occupation, as determined

NINETY SECOND DAY, APRIL 10, 2023

by the employment security department. No internship or practicum shall exceed ~~((twelve))~~ 12 months; or

(b) Work associated with the refurbishing of publicly assisted housing, if sufficient paid employment is not available;

(4) On-the-job training;

(5) Job search and job readiness assistance;

(6) Community service programs, including a recipient's voluntary service at a child care or preschool facility licensed under chapter 43.216 RCW or an elementary school in which his or her child is enrolled;

(7) Vocational educational training, not to exceed ~~((twelve))~~ 12 months with respect to any individual except that this ~~((twelve-month))~~ 12-month limit may be increased to ~~((twenty-four))~~ 24 months subject to funding appropriated specifically for this purpose;

(8) Job skills training directly related to employment;

(9) Education directly related to employment, in the case of a recipient who has not received a high school diploma or a high school equivalency certificate as provided in RCW 28B.50.536;

(10) Satisfactory attendance at secondary school or in a course of study leading to a high school equivalency certificate as provided in RCW 28B.50.536, in the case of a recipient who has not completed secondary school or received such a certificate;

(11) The provision of child care services to an individual who is participating in a community service program;

(12) Internships, that shall be paid or unpaid work experience performed by an intern in a business, industry, or government or nongovernmental agency setting;

(13) Practicums, which include any educational program in which a student is working under the close supervision of a professional in an agency, clinic, or other professional practice setting for purposes of advancing their skills and knowledge;

(14) Services required by the recipient under RCW 74.08.025(2) and 74.08A.010~~((4))~~ (3) to become employable;

(15) Financial literacy activities designed to be effective in assisting a recipient in becoming self-sufficient and financially stable; and

(16) Parent education services or programs that support development of appropriate parenting skills, life skills, and employment-related competencies.

Sec. 7. RCW 74.08A.270 and 2017 3rd sp.s. c 21 s 2 are each amended to read as follows:

(1) Good cause reasons for failure to participate in WorkFirst program components include situations where: (a) ~~((Situations where the))~~ The recipient is a parent or other relative personally providing care for a child under the age of six years, and formal or informal child care, or day care for an incapacitated individual living in the same home as a dependent child, is necessary for an individual to participate or continue participation in the program or accept employment, and such care is not available, and the department fails to provide such care; ((or)) (b) the recipient is a parent with a child under the age of two years; or (c) the recipient is experiencing a hardship as defined by the department in rule.

(2) A parent claiming a good cause exemption from WorkFirst participation under subsection (1)(b) of this section may be required to participate in one or more of the following, up to a maximum total of twenty hours per week, if such treatment, services, or training is indicated by the comprehensive evaluation or other assessment:

(a) Mental health treatment;

(b) Alcohol or drug treatment;

(c) Domestic violence services; or

(d) Parenting education or parenting skills training, if available.

(3) The department shall: (a) Work with a parent claiming a good cause exemption under subsection (1)(b) of this section to identify and access programs and services designed to improve parenting skills and promote child well-being, including but not limited to home visitation programs and services; and (b) provide information on the availability of home visitation services to temporary assistance for needy families caseworkers, who shall inform clients of the availability of the services. If desired by the client, the caseworker shall facilitate appropriate referrals to providers of home visitation services.

(4) Nothing in this section shall prevent a recipient from participating in the WorkFirst program on a voluntary basis.

(5) A parent is eligible for a good cause exemption under subsection (1)(b) of this section for a maximum total of ~~((twenty-four))~~ 24 months over the parent's lifetime.

NEW SECTION. Sec. 8. If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2023, in the omnibus appropriations act, this act is null and void.

NEW SECTION. Sec. 9. Section 2 of this act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect July 1, 2023.

NEW SECTION. Sec. 10. Section 2 of this act expires January 1, 2024.

NEW SECTION. Sec. 11. Section 3 of this act takes effect January 1, 2024.

NEW SECTION. Sec. 12. Section 1 of this act takes effect February 1, 2024.

NEW SECTION. Sec. 13. Section 5 of this act takes effect August 1, 2024."

On page 1, line 3 of the title, after "families;" strike the remainder of the title and insert "amending RCW 74.04.005, 74.08A.010, 74.08A.015, 74.08A.230, 74.08A.250, and 74.08A.270; reenacting and amending RCW 74.08A.010; creating a new section; providing effective dates; providing an expiration date; and declaring an emergency."

MOTION

Senator Wilson, C. moved that the following amendment no. 0402 by Senator Wilson, C. be adopted:

On page 11, after line 27, insert the following:

"Sec. 8. RCW 74.04.266 and 2011 1st sp.s. c 36 s 21 are each amended to read as follows:

In determining need for aged, blind, or disabled assistance, and medical care services, the department may by rule and regulation establish a monthly earned income exemption ~~((in an amount not to exceed the exemption allowable under disability programs authorized in Title XVI of the federal social security act))~~ as provided for in RCW 74.08A.230."

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

On page 12, line 9, after "74.08A.250," strike "and 74.08A.270" and insert "74.08A.270, and 74.04.226"

Senators Wilson, C. and Boehnke spoke in favor of adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0402 by Senator Wilson, C. on page 11, after line 27 to the committee striking amendment.

The motion by Senator Wilson, C. carried and amendment no. 0402 was adopted by voice vote.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Ways & Means as amended to Second Substitute House Bill No. 1447.

The motion by Senator Wilson, C. carried and the committee striking amendment as amended was adopted by voice vote.

MOTION

On motion of Senator Wilson, C., the rules were suspended, Second Substitute House Bill No. 1447 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Wilson, C. spoke in favor of passage of the bill.

Senator Boehnke spoke against passage of the bill.

MOTION

On motion of Senator Nobles, Senator Mullet was excused.

The President declared the question before the Senate to be the final passage of Second Substitute House Bill No. 1447 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute House Bill No. 1447 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 31; Nays, 17; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Liias, Lovelett, Lovick, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Padden, Schoesler, Short, Wagoner, Warnick, Wilson, J. and Wilson, L.

Excused: Senator Mullet

SECOND SUBSTITUTE HOUSE BILL NO. 1447, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1638, by House Committee on Transportation (originally sponsored by Fey, Barkis, Robertson, Lekanoff, Schmidt, Ramel, Duerr, Timmons, Eslick and Jacobsen)

Creating a state trooper expedited recruitment incentive program.

The measure was read the second time.

MOTION

Senator Liias moved that the following committee striking amendment by the Committee on Transportation be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds that the Washington state patrol is experiencing historic levels of trooper vacancies, with almost 30 percent of trooper positions unfilled. At the same time, Washington is experiencing alarming increases in serious and fatal crashes on our roadways. The legislature recognizes that the Washington state patrol is working on strengthening its recruiting efforts, with a focus on broadening outreach to candidates from marginalized communities. This historic confluence of factors justifies extraordinary measures to assist the Washington state patrol in its efforts to attract and retain sufficient numbers of troopers for the protection of the citizens of the state of Washington.

NEW SECTION. Sec. 2. A new section is added to chapter 43.43 RCW to read as follows:

(1) The Washington state patrol shall develop and implement a state trooper expedited recruitment incentive program for the purpose of recruiting and filling vacant trooper positions. Recruitment must redouble the effort to create a more diverse workforce and must also provide an accelerated pathway for joining the state patrol for individuals who have previously been employed as a general authority peace officer.

(2) The state trooper expedited recruitment incentive program established by the Washington state patrol may include:

(a) Hiring procedures and an accelerated training program for lateral hires from other agencies that recognizes the knowledge and experience of candidates previously employed in law enforcement; and

(b) A sign-on bonus or other bonus for each trooper hired through the expedited recruitment incentive program.

(3) The establishment of the state trooper expedited recruitment incentive program is subject to a change to the applicable collective bargaining agreements negotiated with the exclusive bargaining representatives.

(4) This section does not interfere with, impede, or in any way diminish the right of the officers of the Washington state patrol to bargain collectively with the state through the exclusive bargaining representatives as provided for in RCW 41.56.473.

(5) Expenditures and eligibility for the state trooper expedited recruitment incentive program established in this section are subject to the availability of amounts appropriated for this specific purpose. The specific amounts, requirements, and other provisions related to the bonus policy for cadet hires or lateral hires are subject to applicable provisions as set forth in an omnibus transportation appropriations act.

(6) For the purposes of this section:

(a) "Cadet" means a person employed for the express purpose of receiving the on-the-job training required for attendance at the Washington state patrol academy and for becoming a commissioned trooper.

(b) "Lateral hire" means an eligible employee previously employed as a general authority peace officer.

NEW SECTION. Sec. 3. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

On page 1, line 2 of the title, after "program;" strike the remainder of the title and insert "adding a new section to chapter 43.43 RCW; creating a new section; and declaring an emergency."

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Transportation to Substitute House Bill No. 1638.

The motion by Senator Liias carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Liias, the rules were suspended, Substitute House Bill No. 1638 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Liias and King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1638 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1638 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Mullet

SUBSTITUTE HOUSE BILL NO. 1638, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1838, by House Committee on Transportation (originally sponsored by Fey, Barkis, Berg and Ortiz-Self)

Transferring the responsibilities for the transportation revenue forecast for the transportation budget to the economic and revenue forecast council.

The measure was read the second time.

MOTION

Senator Rolfes moved that the following committee striking amendment by the Committee on Ways & Means be not adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 82.33.010 and 2012 1st sp.s. c 8 s 2 are each amended to read as follows:

(1)(a) The economic and revenue forecast council is hereby created. The council shall consist of ~~((two individuals appointed by the governor, the state treasurer, and four individuals, one of whom is appointed by the chairperson of each of the two largest political caucuses in the senate and house of representatives.))~~ the following members:

- (i) The director of the office of financial management;
- (ii) The director of the department of revenue;
- (iii) The state treasurer;
- (iv) The chair and ranking member of the house finance committee; and

(v) The chair and ranking member of the senate ways and means committee.

~~((four caucus appointees))~~ legislative members of the council identified in (a)(iv) and (v) of this subsection. The council may select such other officers as the members deem necessary.

(2) The council shall employ an economic ~~((and))~~ revenue, and transportation revenue forecast supervisor to supervise the preparation of all economic and revenue forecasts, transportation revenue forecasts under section 3 of this act, and the presentation of state budget outlooks under section 2 of this act. As used in this chapter, "supervisor" means the economic and revenue forecast supervisor. Approval by an affirmative vote of at least five members of the council is required for any decisions regarding employment of the supervisor. Employment of the supervisor shall terminate after each term of three years. At the end of the first year of each three-year term the council shall consider extension of the supervisor's term by one year. The council may fix the compensation of the supervisor. The supervisor shall employ staff sufficient to accomplish the purposes of this section.

(3) The economic and revenue forecast council shall oversee the preparation of and approve, by an affirmative vote of at least five members, the official, optimistic, and pessimistic state economic and revenue forecasts prepared under RCW 82.33.020. If the council is unable to approve a forecast before a date required in RCW 82.33.020, the supervisor shall submit the forecast without approval and the forecast shall have the same effect as if approved by the council.

~~(4) ((The economic and revenue forecast council shall oversee the preparation of and approve, by an affirmative vote of at least five members, the state budget outlook prepared under RCW 82.33.060. If the council is unable to approve a state budget outlook before a date required in RCW 82.33.060, the supervisor shall submit the outlook prepared under RCW 82.33.060 without approval and the outlook shall have the same effect as if approved by the council.~~

~~((5))~~ (5)) A councilmember who does not cast an affirmative vote for approval of the official economic and revenue forecast ~~((or the state budget outlook))~~ may request, and the supervisor shall provide, an alternative economic and revenue forecast ~~((or state budget outlook))~~ based on assumptions specified by the member including, for purposes of the state budget outlook, revenues to and expenditures from additional funds.

~~((6))~~ (5) Members of the economic and revenue forecast council shall serve without additional compensation but shall be reimbursed for travel expenses in accordance with RCW 44.04.120 while attending sessions of the council or on official business authorized by the council. Nonlegislative members of the council shall be reimbursed for travel expenses in accordance with RCW 43.03.050 and 43.03.060.

NEW SECTION. Sec. 2. A new section is added to chapter 82.33 RCW to read as follows:

(1)(a) The budget outlook council is hereby created. The council shall consist of the following members:

- (i) The director of the office of financial management;
- (ii) The director of the department of revenue;
- (iii) The state treasurer;
- (iv) The chair and ranking member of the house appropriations committee; and
- (v) The chair and ranking member of the senate ways and means committee.

(b) The chair of the council shall be selected from among the legislative members of the council identified in (a)(iv) and (v) of this subsection. The council may select such other officers as the members deem necessary.

(2) The budget outlook council shall oversee the preparation of and approve, by an affirmative vote of at least five members, the state budget outlook prepared under RCW 82.33.060. If the council is unable to approve a state budget outlook before a date required in RCW 82.33.060, the supervisor shall submit the outlook prepared under RCW 82.33.060 without approval and the outlook shall have the same effect as if approved by the council.

(3) A councilmember who does not cast an affirmative vote for approval of the state budget outlook may request, and the supervisor shall provide, an alternative state budget outlook based on assumptions specified by the member including, revenues to and expenditures from additional funds.

(4) Members of the budget outlook council shall serve without additional compensation but shall be reimbursed for travel expenses in accordance with RCW 44.04.120 while attending sessions of the council or on official business authorized by the council. Nonlegislative members of the council shall be reimbursed for travel expenses in accordance with RCW 43.03.050 and 43.03.060.

NEW SECTION. Sec. 3. A new section is added to chapter 82.33 RCW to read as follows:

(1)(a) The transportation economic and revenue forecast council is hereby created. The council shall consist of the following members:

- (i) The director of the office of financial management;
- (ii) The director of the department of licensing;
- (iii) The state treasurer;
- (iv) The chair and ranking member of the house transportation committee; and
- (v) The chair and ranking member of the senate transportation committee.

(b) The chair of the council shall be selected from among the legislative members of the council identified in (a)(iv) and (v) of this subsection. The council may select such other officers as the members deem necessary.

(2) The council shall work with the economic and revenue forecast supervisor identified under RCW 82.33.010 to supervise the preparation of all transportation economic and revenue forecasts. The supervisor shall employ staff sufficient to accomplish the purposes of this section.

(3)(a) The transportation economic and revenue forecast council shall oversee the preparation of and approve, by an affirmative vote of at least five members, the official, optimistic, and pessimistic transportation economic and revenue forecasts prepared under RCW 82.33.020.

(b) If the council is unable to approve a forecast before a date required in RCW 82.33.020, the supervisor shall submit the forecast without approval and the forecast shall have the same effect as if approved by the council.

(4) A councilmember who does not cast an affirmative vote for approval of the official transportation economic and revenue forecast may request, and the supervisor shall provide, an alternative economic and revenue forecast based on assumptions specified by the member.

(5) Members of the transportation economic and revenue forecast council shall serve without additional compensation but shall be reimbursed for travel expenses in accordance with RCW 44.04.120 while attending sessions of the council or on official business authorized by the council. Nonlegislative members of the council shall be reimbursed for travel expenses in accordance with RCW 43.03.050 and 43.03.060.

Sec. 4. RCW 82.33.060 and 2020 c 218 s 5 are each amended to read as follows:

(1) To facilitate compliance with, and subject to the terms of, RCW 43.88.055 and 43.88.030, the state budget outlook work

group shall prepare, subject to the approval of the ~~((economic and revenue forecast))~~ budget outlook council under ~~((RCW 82.33.010))~~ section 2 of this act, an official state budget outlook for state revenues and expenditures for the general fund and related funds. The revenue and caseload projections used in the outlook must reflect the most recent official forecasts adopted by the economic and revenue forecast council and the caseload forecast council for the years for which those forecasts are available.

(2) The outlook must:

(a) Estimate revenues to and expenditures from the state general fund and related funds. The estimate of ensuing biennium expenditures must include maintenance items including, but not limited to, continuation of current programs, forecasted growth of current entitlement programs, and actions required by law, including legislation with a future implementation date. Estimates of ensuing biennium expenditures must exclude policy items including, but not limited to, legislation not yet enacted by the legislature, collective bargaining agreements not yet approved by the legislature, and changes to levels of funding for employee salaries and benefits unless those changes are required by statute. Estimated maintenance level expenditures must also exclude costs of court rulings issued during or within fewer than ninety days before the beginning of the current legislative session;

(b) Address major budget and revenue drivers, including trends and variability in these drivers;

(c) Clearly state the assumptions used in the estimates of baseline and projected expenditures and any adjustments made to those estimates;

(d) Clearly state the assumptions used in the baseline revenue estimates and any adjustments to those estimates; and

(e) Include the impact of previously enacted legislation with a future implementation date.

(3) The outlook must also separately include projections based on the revenues and expenditures proposed in the governor's budget documents submitted to the legislature under RCW 43.88.030.

(4) The ~~((economic and revenue forecast))~~ budget outlook council shall submit state budget outlooks prepared under this section to the governor and the members of the committees on ways and means of the senate and appropriations of the house of representatives, including one copy to the staff of each of the committees, as required by this section.

(5) Each January, the state budget outlook work group shall also prepare, subject to the approval of the ~~((economic and revenue forecast))~~ budget outlook council, a state budget outlook for state revenues and expenditures that reflects the governor's proposed budget document submitted to the legislature under chapter 43.88 RCW. Within ~~((thirty))~~ 30 days following enactment of an operating budget by the legislature, the work group shall prepare, subject to the approval of the ~~((economic and revenue forecast))~~ budget outlook council, a state budget outlook for state revenues and expenditures that reflects the enacted budget.

(6) All agencies of state government shall provide to the supervisor immediate access to all information relating to state budget outlooks.

(7) The state budget outlook work group must publish its proposed methodology on the economic and revenue forecast council website. The state budget outlook work group, in consultation with the economic and revenue forecast work group and outside experts if necessary, must analyze the extent to which the proposed methodology for projecting expenditures for the ensuing fiscal biennia may be reliably used to determine the future impact of appropriations and make recommendations to

NINETY SECOND DAY, APRIL 10, 2023

change the outlook process to increase reliability and accuracy. The recommendations are due by December 1, 2013, and every five years thereafter.

Sec. 5. RCW 82.33.070 and 2012 1st sp.s. c 8 s 5 are each amended to read as follows:

(1) To promote the free flow of information and to promote legislative input in the preparation of the state budget outlook, immediate access to all information relating to the state budget outlook shall be available to the state budget outlook work group, hereby created. The state budget outlook work group shall consist of one staff member selected by the executive head or chairperson of each of the following agencies or committees:

- (a) Office of financial management;
- (b) Legislative evaluation and accountability program committee;
- (c) Office of the state treasurer;
- (d) Economic and revenue forecast council;
- (e) Caseload forecast council;
- (f) Ways and means committee of the senate; and
- (g) ~~((Ways and means))~~ Appropriations committee of the house of representatives.

(2) The state budget outlook work group shall provide technical support to the ~~((economic and revenue forecast))~~ budget outlook council. Meetings of the state budget outlook work group may be called by any member of the group for the purpose of assisting the ~~((economic and revenue forecast))~~ budget outlook council, reviewing the state budget outlook, or for any other purpose, which may assist the ~~((economic and revenue forecast))~~ budget outlook council.

Sec. 6. RCW 82.33.020 and 2015 c 3 s 14 are each reenacted and amended to read as follows:

(1) Four times each year the supervisor must prepare, subject to the approval of the economic and revenue forecast council under RCW 82.33.010:

- (a) An official state economic and revenue forecast;
- (b) An unofficial state economic and revenue forecast based on optimistic economic and revenue projections; and
- (c) An unofficial state economic and revenue forecast based on pessimistic economic and revenue projections.

(2) Beginning with the September 2024, and four times each year thereafter, the supervisor must prepare, subject to the approval of the transportation economic and revenue forecast council created under section 3 of this act, an official transportation revenue forecast for the transportation budget. Additionally, the supervisor must prepare unofficial projections as deemed warranted by the supervisor, which may include optimistic and pessimistic assumptions. For purposes of this subsection, the transportation revenue forecast for the transportation budget includes, but is not limited to, transportation taxes, vehicle fees, drivers' fees, fares and tolls, and aircraft and vessel fees.

(3) The supervisor must submit forecasts prepared under this section, along with any unofficial forecasts provided under RCW 82.33.010, to the governor and the members of the ~~((committees or))~~ ways and means committee of the senate and appropriations committee of the house of representatives and the chairs of the committees on transportation of the senate and house of representatives, including one copy to the staff of each of the committees, on or before November 20th, February 20th in the even-numbered years, March 20th in the odd-numbered years, June 27th, and September 27th. ~~((In fiscal year 2015, the March 20th forecast shall be submitted on or before February 20, 2015.))~~ All forecasts must be based on the most recent economic and revenue forecast council economic forecast. All forecasts must include both estimated receipts and estimated revenues in

conformance with generally accepted accounting principles as provided by RCW 43.88.037. In odd-numbered years, the period covered by forecasts for the state general fund and related funds must cover the current fiscal biennium and the next ensuing fiscal biennium, and the period for the transportation related funds must cover the current fiscal biennium and the next two ensuing fiscal biennia. In even-numbered years, the period covered by the forecasts for the state general fund and related funds shall be current fiscal and the next two ensuing fiscal biennia, and the period for the transportation related funds shall be the current fiscal and the next two ensuing fiscal biennia.

~~((3))~~ (4) All agencies of state government must provide to the supervisor immediate access to all information relating to economic and revenue forecasts. Revenue collection information must be available to the supervisor the first business day following the conclusion of each collection period.

~~((4))~~ (5) The economic and revenue forecast supervisor and staff must ~~((colocate and))~~ share information, data, and files with the tax research section of the department of revenue and the department of licensing but may not duplicate the duties and functions of one another.

~~((5))~~ (6) As part of its forecasts under subsection (1) of this section, the supervisor must provide estimated revenue from tuition fees as defined in RCW 28B.15.020.

~~((6))~~ (7) The economic and revenue forecast council must, in consultation with the economic and revenue forecast work group created in RCW 82.33.040, review the existing economic and revenue forecast council revenue model, data, and methodologies and in light of recent economic changes, engage outside experts if necessary, and recommend changes to the economic and revenue forecast council revenue forecasting process to increase confidence and promote accuracy in the revenue forecast. The recommendations are due by September 30, 2012, and every five years thereafter.

Sec. 7. RCW 82.33.040 and 1986 c 158 s 23 are each amended to read as follows:

(1) To promote the free flow of information and to promote legislative input in the preparation of forecasts, immediate access to all information relating to economic and revenue forecasts shall be available to the economic and revenue forecast work group, hereby created. Revenue collection information shall be available to the economic and revenue forecast work group the first business day following the ~~((conclusion of each collection period))~~ close of each fiscal month. The economic and revenue forecast work group shall consist of one staff member selected by the executive head or chairperson of each of the following agencies or committees:

- (a) Department of revenue;
- (b) Office of financial management;
- (c) Legislative evaluation and accountability program committee;
- (d) Ways and means committee of the senate; ~~((and))~~
- (e) ~~((Ways and means))~~ Finance committee of the house of representatives;
- (f) Transportation committee of the senate;
- (g) Transportation committee of the house of representatives;
- (h) Washington state department of transportation; and
- (i) Department of licensing.

(2) The economic and revenue forecast work group shall provide technical support to the economic and revenue forecast council. Meetings of the economic and revenue forecast work group may be called by any member of the group for the purpose of assisting the economic and revenue forecast council, reviewing the state economic and revenue forecasts, or reviewing monthly

revenue collection data or for any other purpose which may assist the economic and revenue forecast council.

(3) Staff members from the Washington state department of transportation, department of licensing, transportation committee of the senate, and transportation committee of the house of representatives shall only provide technical support for the transportation revenue forecast for the transportation budget.

Sec. 8. RCW 43.88.020 and 2005 c 319 s 107 are each amended to read as follows:

(1) "Budget" means a proposed plan of expenditures for a given period or purpose and the proposed means for financing these expenditures.

(2) "Budget document" means a formal statement, either written or provided on any electronic media or both, offered by the governor to the legislature, as provided in RCW 43.88.030.

(3) "Director of financial management" means the official appointed by the governor to serve at the governor's pleasure and to whom the governor may delegate necessary authority to carry out the governor's duties as provided in this chapter. The director of financial management shall be head of the office of financial management which shall be in the office of the governor.

(4) "Agency" means and includes every state office, officer, each institution, whether educational, correctional, or other, and every department, division, board, and commission, except as otherwise provided in this chapter.

(5) "Public funds", for purposes of this chapter, means all moneys, including cash, checks, bills, notes, drafts, stocks, and bonds, whether held in trust, for operating purposes, or for capital purposes, and collected or disbursed under law, whether or not such funds are otherwise subject to legislative appropriation, including funds maintained outside the state treasury.

(6) "Regulations" means the policies, standards, and requirements, stated in writing, designed to carry out the purposes of this chapter, as issued by the governor or the governor's designated agent, and which shall have the force and effect of law.

(7) "Ensuing biennium" means the fiscal biennium beginning on July 1st of the same year in which a regular session of the legislature is held during an odd-numbered year pursuant to Article II, section 12 of the Constitution and which biennium next succeeds the current biennium.

(8) "Dedicated fund" means a fund in the state treasury, or a separate account or fund in the general fund in the state treasury, that by law is dedicated, appropriated, or set aside for a limited object or purpose; but "dedicated fund" does not include a revolving fund or a trust fund.

(9) "Revolving fund" means a fund in the state treasury, established by law, from which is paid the cost of goods or services furnished to or by a state agency, and which is replenished through charges made for such goods or services or through transfers from other accounts or funds.

(10) "Trust fund" means a fund in the state treasury in which designated persons or classes of persons have a vested beneficial interest or equitable ownership, or which was created or established by a gift, grant, contribution, devise, or bequest that limits the use of the fund to designated objects or purposes.

(11) "Administrative expenses" means expenditures for: (a) Salaries, wages, and related costs of personnel and (b) operations and maintenance including but not limited to costs of supplies, materials, services, and equipment.

(12) "Fiscal year" means the year beginning July 1st and ending the following June 30th.

(13) "Lapse" means the termination of authority to expend an appropriation.

(14) "Legislative fiscal committees" means the joint legislative audit and review committee, the legislative evaluation and accountability program committee, and the ways and means and transportation committees of the senate and house of representatives.

(15) "Fiscal period" means the period for which an appropriation is made as specified within the act making the appropriation.

(16) "Primary budget driver" means the primary determinant of a budget level, other than a price variable, which causes or is associated with the major expenditure of an agency or budget unit within an agency, such as a caseload, enrollment, workload, or population statistic.

(17) "State tax revenue limit" means the limitation created by chapter 43.135 RCW.

(18) "General state revenues" means the revenues defined by Article VIII, section 1(c) of the state Constitution.

(19) "Annual growth rate in real personal income" means the estimated percentage growth in personal income for the state during the current fiscal year, expressed in constant value dollars, as published by the office of financial management or its successor agency.

(20) "Estimated revenues" means estimates of revenue in the most recent official economic ~~((and))~~, revenue ~~((forecast))~~, and transportation revenue forecasts, prepared under RCW 82.33.020 ~~((, and prepared by the office of financial management for those funds, accounts, and sources for which the office of the economic and revenue forecast council does not prepare an official forecast, that are prepared by the office of financial management in consultation with the transportation revenue forecast council))~~.

(21) "Estimated receipts" means the estimated receipt of cash in the most recent official economic and revenue forecast prepared under RCW 82.33.020, and prepared by the office of financial management for those funds, accounts, and sources for which the office of the economic and revenue forecast council does not prepare an official forecast.

(22) "State budgeting, accounting, and reporting system" means a system that gathers, maintains, and communicates fiscal information. The system links fiscal information beginning with development of agency budget requests through adoption of legislative appropriations to tracking actual receipts and expenditures against approved plans.

(23) "Allotment of appropriation" means the agency's statement of proposed expenditures, the director of financial management's review of that statement, and the placement of the approved statement into the state budgeting, accounting, and reporting system.

(24) "Statement of proposed expenditures" means a plan prepared by each agency that breaks each appropriation out into monthly detail representing the best estimate of how the appropriation will be expended.

(25) "Undesignated fund balance (or deficit)" means unreserved and undesignated current assets or other resources available for expenditure over and above any current liabilities which are expected to be incurred by the close of the fiscal period.

(26) "Internal audit" means an independent appraisal activity within an agency for the review of operations as a service to management, including a systematic examination of accounting and fiscal controls to assure that human and material resources are guarded against waste, loss, or misuse; and that reliable data are gathered, maintained, and fairly disclosed in a written report of the audit findings.

(27) "Performance verification" means an analysis that (a) verifies the accuracy of data used by state agencies in quantifying

NINETY SECOND DAY, APRIL 10, 2023

intended results and measuring performance toward those results, and (b) verifies whether or not the reported results were achieved.

(28) "Performance audit" has the same meaning as it is defined in RCW 44.28.005.

NEW SECTION. Sec. 9. The following acts or parts of acts are each repealed:

(1) RCW 43.88.125 (Study of transportation-related funds or accounts—Coordination of activities) and 2005 c 319 s 114, 1996 c 288 s 49, 1981 c 270 s 15, 1977 ex.s. c 235 s 6, 1975 1st ex.s. c 293 s 19, & 1971 ex.s. c 195 s 2; and

(2) RCW 43.88.122 (Transportation agency revenue forecasts—Variances) and 2000 2nd sp.s. c 4 s 14 & 1991 c 358 s 7.

NEW SECTION. Sec. 10. Section 9 of this act takes effect July 1, 2024."

On page 1, line 3 of the title, after "council;" strike the remainder of the title and insert "amending RCW 82.33.010, 82.33.060, 82.33.070, 82.33.040, and 43.88.020; reenacting and amending RCW 82.33.020; adding new sections to chapter 82.33 RCW; repealing RCW 43.88.125 and 43.88.122; and providing an effective date."

Senator Rolfes spoke in favor of the motion to not adopt the committee striking amendment.

The President declared the question before the Senate to be the motion to not adopt the committee striking amendment by the Committee on Ways & Means to Engrossed Substitute House Bill No. 1838.

The motion by Senator Rolfes carried and the committee striking amendment was not adopted by voice vote.

MOTION

Senator Rolfes moved that the following committee striking amendment by the Committee on Transportation be not adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 82.33.010 and 2012 1st sp.s. c 8 s 2 are each amended to read as follows:

(1)(a) The economic and revenue forecast council is hereby created. The council shall consist of ~~((two individuals appointed by the governor, the state treasurer, and four individuals, one of whom is appointed by the chairperson of each of the two largest political caucuses in the senate and house of representatives. The))~~ the following members:

(i) The director of the office of financial management;

(ii) The state treasurer;

(iii) The chair and ranking member of the house appropriations committee, the chair and ranking member of the house finance committee, the chair and ranking member of the senate ways and means committee, and the vice-chair and assistant ranking member of the senate ways and means committee, who shall sit with the council and serve as voting members only at such time as the consideration of the economic and revenue forecast for the operating budget and the state budget outlook;

(iv) The director of the department of revenue, who shall sit with the council and serve as a voting member only at such times as the consideration of the economic and revenue forecast for the operating budget and the state budget outlook;

(v) The chair and ranking member of the house transportation committee, and chair and ranking member of the senate transportation committee, who shall sit with the council and serve as voting members only at such time as the consideration of the transportation revenue forecast for the transportation budget; and

(vi) The director of the department of licensing, who shall sit with the council and serve as a voting member only at such times as the consideration of the transportation revenue forecast for the transportation budget.

(b) Except as provided in (c) of this subsection, the chair of the council shall be selected from among the four caucus appointees. The council may select such other officers as the members deem necessary.

(c) The chair of the council when conducting business related to the transportation revenue forecast for the transportation budget shall be selected from among the four legislative appointees from the transportation budget committees.

(d) A quorum of the council consists of a majority of members appointed for the business to be conducted.

(2) The council shall employ an economic and revenue forecast supervisor to supervise the preparation of all economic and revenue forecasts and the presentation of state budget outlooks. As used in this chapter, "supervisor" means the economic and revenue forecast supervisor. Approval by an affirmative vote of at least ~~((five))~~ nine members of the council is required for any decisions regarding employment of the supervisor. For purposes of this vote, all members of the council set forth in subsection (1)(a) of this section are voting members. Employment of the supervisor shall terminate after each term of three years. At the end of the first year of each three-year term the council shall consider extension of the supervisor's term by one year. The council may fix the compensation of the supervisor. The supervisor shall employ staff sufficient to accomplish the purposes of this section.

(3) The economic and revenue forecast council shall oversee ~~((the))~~:

(a) The preparation of and approve, by an affirmative vote of at least ((five)) seven members eligible to vote for the economic and revenue forecast for the operating budget, the official, optimistic, and pessimistic state economic and revenue forecasts prepared under RCW 82.33.020; and

(b) The preparation of and approval, by an affirmative vote of at least five members of those members eligible to vote for, the transportation revenue forecast for the transportation budget prepared under RCW 82.33.020.

If the council is unable to approve ~~((a))~~ any forecast before a date required in RCW 82.33.020, the supervisor shall submit the forecast without approval and the forecast shall have the same effect as if approved by the council.

(4) The economic and revenue forecast council shall oversee the preparation of and approve, by an affirmative vote of at least ~~((five))~~ seven members of those members eligible to vote for, the state budget outlook prepared under RCW 82.33.060. If the council is unable to approve a state budget outlook before a date required in RCW 82.33.060, the supervisor shall submit the outlook prepared under RCW 82.33.060 without approval and the outlook shall have the same effect as if approved by the council.

(5) A councilmember who does not cast an affirmative vote for approval of the official economic and revenue forecast ~~((or))~~ for the operating budget, the state budget outlook, or the transportation revenue forecast for the transportation budget may request, and the supervisor shall provide, an alternative economic and revenue forecast or state budget outlook based on assumptions specified by the member including, for purposes of the state budget outlook, revenues to and expenditures from additional funds.

(6) Members of the economic and revenue forecast council shall serve without additional compensation but shall be reimbursed for travel expenses in accordance with RCW 44.04.120 while attending sessions of the council or on official

business authorized by the council. Nonlegislative members of the council shall be reimbursed for travel expenses in accordance with RCW 43.03.050 and 43.03.060.

Sec. 2. RCW 82.33.020 and 2015 c 3 s 14 are each reenacted and amended to read as follows:

(1) Four times each year the supervisor must prepare, subject to the approval of the economic and revenue forecast council under RCW 82.33.010:

- (a) An official state economic and revenue forecast;
- (b) An unofficial state economic and revenue forecast based on optimistic economic and revenue projections; ~~(and)~~
- (c) An unofficial state economic and revenue forecast based on pessimistic economic and revenue projections; and
- (d) Beginning with the September 2024 forecast, an official transportation revenue forecast for the transportation budget. Additionally, potential unofficial projections as determined warranted by the supervisor, which may include optimistic and pessimistic assumptions. For purposes of this subsection, the transportation revenue forecast for the transportation budget includes, but is not limited to, transportation taxes, vehicle fees, drivers' fees, fares and tolls, and aircraft and vessel fees.

(2) The supervisor must submit forecasts prepared under this section, along with any unofficial forecasts provided under RCW 82.33.010, to the governor and the members of the ~~((committees or))~~ ways and means committee of the senate and appropriations committee of the house of representatives and the chairs of the committees on transportation of the senate and house of representatives, including one copy to the staff of each of the committees, on or before November 20th, February 20th in the even-numbered years, March 20th in the odd-numbered years, June 27th, and September 27th. ~~((In fiscal year 2015, the March 20th forecast shall be submitted on or before February 20, 2015.))~~ All forecasts must be based on the most recent economic and revenue forecast council economic forecast. All forecasts must include both estimated receipts and estimated revenues in conformance with generally accepted accounting principles as provided by RCW 43.88.037. In odd-numbered years, the period covered by forecasts for the state general fund and related funds must cover the current fiscal biennium and the next ensuing fiscal biennium, and the period for the transportation related funds must cover the current fiscal biennium and the next two ensuing fiscal biennia. In even-numbered years, the period covered by the forecasts for the state general fund and related funds shall be current fiscal and the next two ensuing fiscal biennia, and the period for the transportation related funds shall be the current fiscal and the next two ensuing fiscal biennia.

(3) All agencies of state government must provide to the supervisor immediate access to all information relating to economic and revenue forecasts. Revenue collection information must be available to the supervisor the first business day following the conclusion of each collection period.

(4) The economic and revenue forecast supervisor and staff must ~~((relocate and))~~ share information, data, and files with the tax research section of the department of revenue and the department of licensing but may not duplicate the duties and functions of one another.

(5) As part of its forecasts under subsection (1) of this section, the supervisor must provide estimated revenue from tuition fees as defined in RCW 28B.15.020.

(6) The economic and revenue forecast council must, in consultation with the economic and revenue forecast work group created in RCW 82.33.040, review the existing economic and revenue forecast council revenue model, data, and methodologies and in light of recent economic changes, engage outside experts if necessary, and recommend changes to the economic and revenue

forecast council revenue forecasting process to increase confidence and promote accuracy in the revenue forecast. The recommendations are due by September 30, 2012, and every five years thereafter.

Sec. 3. RCW 82.33.040 and 1986 c 158 s 23 are each amended to read as follows:

(1) To promote the free flow of information and to promote legislative input in the preparation of forecasts, immediate access to all information relating to economic and revenue forecasts shall be available to the economic and revenue forecast work group, hereby created. Revenue collection information shall be available to the economic and revenue forecast work group the first business day following the ~~((conclusion of each collection period))~~ close of each fiscal month. The economic and revenue forecast work group shall consist of one staff member selected by the executive head or chairperson of each of the following agencies or committees:

- (a) Department of revenue;
- (b) Office of financial management;
- (c) Legislative evaluation and accountability program committee;
- (d) Ways and means committee of the senate; ~~((and))~~
- (e) ~~((Ways and means))~~ Appropriations committee of the house of representatives;
- (f) Transportation committee of the senate;
- (g) Transportation committee of the house of representatives;
- (h) Washington state department of transportation; and
- (i) Department of licensing.

(2) The economic and revenue forecast work group shall provide technical support to the economic and revenue forecast council. Meetings of the economic and revenue forecast work group may be called by any member of the group for the purpose of assisting the economic and revenue forecast council, reviewing the state economic and revenue forecasts, or reviewing monthly revenue collection data or for any other purpose which may assist the economic and revenue forecast council.

(3) Staff members from the Washington state department of transportation, department of licensing, transportation committee of the senate, and transportation committee of the house of representatives shall only provide technical support for the transportation revenue forecast for the transportation budget.

Sec. 4. RCW 43.88.020 and 2005 c 319 s 107 are each amended to read as follows:

(1) "Budget" means a proposed plan of expenditures for a given period or purpose and the proposed means for financing these expenditures.

(2) "Budget document" means a formal statement, either written or provided on any electronic media or both, offered by the governor to the legislature, as provided in RCW 43.88.030.

(3) "Director of financial management" means the official appointed by the governor to serve at the governor's pleasure and to whom the governor may delegate necessary authority to carry out the governor's duties as provided in this chapter. The director of financial management shall be head of the office of financial management which shall be in the office of the governor.

(4) "Agency" means and includes every state office, officer, each institution, whether educational, correctional, or other, and every department, division, board, and commission, except as otherwise provided in this chapter.

(5) "Public funds", for purposes of this chapter, means all moneys, including cash, checks, bills, notes, drafts, stocks, and bonds, whether held in trust, for operating purposes, or for capital purposes, and collected or disbursed under law, whether or not such funds are otherwise subject to legislative appropriation, including funds maintained outside the state treasury.

NINETY SECOND DAY, APRIL 10, 2023

(6) "Regulations" means the policies, standards, and requirements, stated in writing, designed to carry out the purposes of this chapter, as issued by the governor or the governor's designated agent, and which shall have the force and effect of law.

(7) "Ensuing biennium" means the fiscal biennium beginning on July 1st of the same year in which a regular session of the legislature is held during an odd-numbered year pursuant to Article II, section 12 of the Constitution and which biennium next succeeds the current biennium.

(8) "Dedicated fund" means a fund in the state treasury, or a separate account or fund in the general fund in the state treasury, that by law is dedicated, appropriated, or set aside for a limited object or purpose; but "dedicated fund" does not include a revolving fund or a trust fund.

(9) "Revolving fund" means a fund in the state treasury, established by law, from which is paid the cost of goods or services furnished to or by a state agency, and which is replenished through charges made for such goods or services or through transfers from other accounts or funds.

(10) "Trust fund" means a fund in the state treasury in which designated persons or classes of persons have a vested beneficial interest or equitable ownership, or which was created or established by a gift, grant, contribution, devise, or bequest that limits the use of the fund to designated objects or purposes.

(11) "Administrative expenses" means expenditures for: (a) Salaries, wages, and related costs of personnel and (b) operations and maintenance including but not limited to costs of supplies, materials, services, and equipment.

(12) "Fiscal year" means the year beginning July 1st and ending the following June 30th.

(13) "Lapse" means the termination of authority to expend an appropriation.

(14) "Legislative fiscal committees" means the joint legislative audit and review committee, the legislative evaluation and accountability program committee, and the ways and means and transportation committees of the senate and house of representatives.

(15) "Fiscal period" means the period for which an appropriation is made as specified within the act making the appropriation.

(16) "Primary budget driver" means the primary determinant of a budget level, other than a price variable, which causes or is associated with the major expenditure of an agency or budget unit within an agency, such as a caseload, enrollment, workload, or population statistic.

(17) "State tax revenue limit" means the limitation created by chapter 43.135 RCW.

(18) "General state revenues" means the revenues defined by Article VIII, section 1(c) of the state Constitution.

(19) "Annual growth rate in real personal income" means the estimated percentage growth in personal income for the state during the current fiscal year, expressed in constant value dollars, as published by the office of financial management or its successor agency.

(20) "Estimated revenues" means estimates of revenue in the most recent official economic and revenue forecast, and transportation revenue forecast, prepared under RCW 82.33.020(~~(, and prepared by the office of financial management for those funds, accounts, and sources for which the office of the economic and revenue forecast council does not prepare an official forecast, that are prepared by the office of financial management in consultation with the transportation revenue forecast council)~~)).

(21) "Estimated receipts" means the estimated receipt of cash in the most recent official economic and revenue forecast prepared under RCW 82.33.020, and prepared by the office of financial management for those funds, accounts, and sources for which the office of the economic and revenue forecast council does not prepare an official forecast.

(22) "State budgeting, accounting, and reporting system" means a system that gathers, maintains, and communicates fiscal information. The system links fiscal information beginning with development of agency budget requests through adoption of legislative appropriations to tracking actual receipts and expenditures against approved plans.

(23) "Allotment of appropriation" means the agency's statement of proposed expenditures, the director of financial management's review of that statement, and the placement of the approved statement into the state budgeting, accounting, and reporting system.

(24) "Statement of proposed expenditures" means a plan prepared by each agency that breaks each appropriation out into monthly detail representing the best estimate of how the appropriation will be expended.

(25) "Undesignated fund balance (or deficit)" means unreserved and undesignated current assets or other resources available for expenditure over and above any current liabilities which are expected to be incurred by the close of the fiscal period.

(26) "Internal audit" means an independent appraisal activity within an agency for the review of operations as a service to management, including a systematic examination of accounting and fiscal controls to assure that human and material resources are guarded against waste, loss, or misuse; and that reliable data are gathered, maintained, and fairly disclosed in a written report of the audit findings.

(27) "Performance verification" means an analysis that (a) verifies the accuracy of data used by state agencies in quantifying intended results and measuring performance toward those results, and (b) verifies whether or not the reported results were achieved.

(28) "Performance audit" has the same meaning as it is defined in RCW 44.28.005.

NEW SECTION. **Sec. 5.** The following acts or parts of acts are each repealed:

(1) RCW 43.88.125 (Study of transportation-related funds or accounts—Coordination of activities) and 2005 c 319 s 114, 1996 c 288 s 49, 1981 c 270 s 15, 1977 ex.s. c 235 s 6, 1975 1st ex.s. c 293 s 19, & 1971 ex.s. c 195 s 2; and

(2) RCW 43.88.122 (Transportation agency revenue forecasts—Variances) and 2000 2nd sp.s. c 4 s 14 & 1991 c 358 s 7."

On page 1, line 3 of the title, after "council;" strike the remainder of the title and insert "amending RCW 82.33.010, 82.33.040, and 43.88.020; reenacting and amending RCW 82.33.020; and repealing RCW 43.88.125 and 43.88.122."

Senator Rolfes spoke in favor of the motion to not adopt the committee striking amendment.

The President declared the question before the Senate to be to not adopt the committee striking amendment by the Committee on Transportation to Engrossed Substitute House Bill No. 1838.

The motion by Senator Rolfes carried and the committee striking amendment was not adopted by voice vote.

MOTION

Senator Rolfes moved that the following amendment no. 0404 by Senator Rolfes be adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 82.33.010 and 2012 1st sp.s. c 8 s 2 are each amended to read as follows:

(1)(a) The economic and revenue forecast council is hereby created. The council shall consist of two individuals appointed by the governor, the state treasurer, and ~~((four individuals, one))~~ eight legislators, two of whom ~~((#))~~ shall be appointed by the chairperson of each of the two largest political caucuses in the senate and house of representatives.

(b) The chair of the council shall be selected from among the ~~((four))~~ eight caucus appointees. The council may select such other officers as the members deem necessary.

(2) The council shall employ an economic ~~((and))~~, revenue, and transportation revenue forecast supervisor to supervise the preparation of all economic and revenue forecasts, transportation revenue forecasts under section 2 of this act, and the presentation of state budget outlooks. As used in this chapter, "supervisor" means the economic ~~((and))~~, revenue, and transportation revenue forecast supervisor. Approval by an affirmative vote of at least ~~((five))~~ seven members of the council is required for any decisions regarding employment of the supervisor. Employment of the supervisor shall terminate after each term of three years. At the end of the first year of each three-year term the council shall consider extension of the supervisor's term by one year. The council may fix the compensation of the supervisor. The supervisor shall employ staff sufficient to accomplish the purposes of this section.

(3) The economic and revenue forecast council shall oversee the preparation of and approve, by an affirmative vote of at least ~~((five))~~ seven members, the official, optimistic, and pessimistic state economic and revenue forecasts prepared under RCW 82.33.020. If the council is unable to approve a forecast before a date required in RCW 82.33.020, the supervisor shall submit the forecast without approval and the forecast shall have the same effect as if approved by the council.

(4) The economic and revenue forecast council shall oversee the preparation of and approve, by an affirmative vote of at least ~~((five))~~ seven members, the state budget outlook prepared under RCW 82.33.060. If the council is unable to approve a state budget outlook before a date required in RCW 82.33.060, the supervisor shall submit the outlook prepared under RCW 82.33.060 without approval and the outlook shall have the same effect as if approved by the council.

(5) A councilmember who does not cast an affirmative vote for approval of the official economic and revenue forecast or the state budget outlook may request, and the supervisor shall provide, an alternative economic and revenue forecast or state budget outlook based on assumptions specified by the member including, for purposes of the state budget outlook, revenues to and expenditures from additional funds.

(6) Members of the economic and revenue forecast council shall serve without additional compensation but shall be reimbursed for travel expenses in accordance with RCW 44.04.120 while attending sessions of the council or on official business authorized by the council. Nonlegislative members of the council shall be reimbursed for travel expenses in accordance with RCW 43.03.050 and 43.03.060.

NEW SECTION. **Sec. 2.** A new section is added to chapter 82.33 RCW to read as follows:

(1)(a) The transportation economic and revenue forecast council is hereby created. The council shall consist of the following members:

- (i) The director of the office of financial management;
- (ii) The director of the department of licensing;

(iii) The state treasurer;

(iv) The chair and ranking member of the house transportation committee; and

(v) The chair and ranking member of the senate transportation committee.

(b) The chair of the council shall be selected from among the legislative members of the council identified in (a)(iv) and (v) of this subsection. The council may select such other officers as the members deem necessary.

(2) The council shall work with the economic, revenue, and transportation revenue forecast supervisor identified under RCW 82.33.010 to supervise the preparation of all transportation economic and revenue forecasts. The supervisor shall employ staff sufficient to accomplish the purposes of this section.

(3)(a) The transportation economic and revenue forecast council shall oversee the preparation of and approve, by an affirmative vote of at least five members, the official, optimistic, and pessimistic transportation economic and revenue forecasts prepared under RCW 82.33.020.

(b) If the council is unable to approve a forecast before a date required in RCW 82.33.020, the supervisor shall submit the forecast without approval and the forecast shall have the same effect as if approved by the council.

(4) A councilmember who does not cast an affirmative vote for approval of the official transportation economic and revenue forecast may request, and the supervisor shall provide, an alternative economic and revenue forecast based on assumptions specified by the member.

(5) Members of the transportation economic and revenue forecast council shall serve without additional compensation but shall be reimbursed for travel expenses in accordance with RCW 44.04.120 while attending sessions of the council or on official business authorized by the council. Nonlegislative members of the council shall be reimbursed for travel expenses in accordance with RCW 43.03.050 and 43.03.060.

Sec. 3. RCW 82.33.020 and 2015 c 3 s 14 are each reenacted and amended to read as follows:

(1) Four times each year the supervisor must prepare, subject to the approval of the economic and revenue forecast council under RCW 82.33.010:

- (a) An official state economic and revenue forecast;
- (b) An unofficial state economic and revenue forecast based on optimistic economic and revenue projections; and
- (c) An unofficial state economic and revenue forecast based on pessimistic economic and revenue projections.

(2) Beginning with the September 2024, and four times each year thereafter, the supervisor must prepare, subject to the approval of the transportation economic and revenue forecast council created under section 2 of this act, an official transportation revenue forecast for the transportation budget. Additionally, the supervisor must prepare unofficial projections as deemed warranted by the supervisor, which may include optimistic and pessimistic assumptions. For purposes of this subsection, the transportation revenue forecast for the transportation budget includes, but is not limited to, transportation taxes, vehicle fees, drivers' fees, fares and tolls, and aircraft and vessel fees.

(3) The supervisor must submit forecasts prepared under this section, along with any unofficial forecasts provided under RCW 82.33.010, to the governor and the members of the ~~((committees or))~~ ways and means committee of the senate and appropriations committee of the house of representatives and the chairs of the committees on transportation of the senate and house of representatives, including one copy to the staff of each of the committees, on or before November 20th, February 20th in the

NINETY SECOND DAY, APRIL 10, 2023

even-numbered years, March 20th in the odd-numbered years, June 27th, and September 27th. ~~((In fiscal year 2015, the March 20th forecast shall be submitted on or before February 20, 2015.))~~ All forecasts must be based on the most recent economic and revenue forecast council economic forecast. All forecasts must include both estimated receipts and estimated revenues in conformance with generally accepted accounting principles as provided by RCW 43.88.037. In odd-numbered years, the period covered by forecasts for the state general fund and related funds must cover the current fiscal biennium and the next ensuing fiscal biennium, and the period for the transportation related funds must cover the current fiscal biennium and the next two ensuing fiscal biennia. In even-numbered years, the period covered by the forecasts for the state general fund and related funds shall be current fiscal and the next two ensuing fiscal biennia, and the period for the transportation related funds shall be the current fiscal and the next two ensuing fiscal biennia.

~~((3))~~ (4) All agencies of state government must provide to the supervisor immediate access to all information relating to economic and revenue forecasts. Revenue collection information must be available to the supervisor the first business day following the conclusion of each collection period.

~~((4))~~ (5) The economic ~~(and)~~, revenue, and transportation revenue forecast supervisor and staff must ~~((colocate and))~~ share information, data, and files with the tax research section of the department of revenue and the department of licensing but may not duplicate the duties and functions of one another.

~~((5))~~ (6) As part of its forecasts under subsection (1) of this section, the supervisor must provide estimated revenue from tuition fees as defined in RCW 28B.15.020.

~~((6))~~ (7) The economic and revenue forecast council must, in consultation with the economic and revenue forecast work group created in RCW 82.33.040, review the existing economic and revenue forecast council revenue model, data, and methodologies and in light of recent economic changes, engage outside experts if necessary, and recommend changes to the economic and revenue forecast council revenue forecasting process to increase confidence and promote accuracy in the revenue forecast. The recommendations are due by September 30, 2012, and every five years thereafter.

Sec. 4. RCW 82.33.040 and 1986 c 158 s 23 are each amended to read as follows:

(1) To promote the free flow of information and to promote legislative input in the preparation of forecasts, immediate access to all information relating to economic and revenue forecasts shall be available to the economic and revenue forecast work group, hereby created. Revenue collection information shall be available to the economic and revenue forecast work group the first business day following the ~~((conclusion of each collection period))~~ close of each fiscal month. The economic and revenue forecast work group shall consist of one staff member selected by the executive head or chairperson of each of the following agencies or committees:

- (a) Department of revenue;
- (b) Office of financial management;
- (c) Legislative evaluation and accountability program committee;
- (d) Ways and means committee of the senate; ~~((and))~~
- (e) Ways and means committee of the house of representatives;
- (f) Transportation committee of the senate;
- (g) Transportation committee of the house of representatives;
- (h) Washington state department of transportation; and
- (i) Department of licensing.

(2) The economic and revenue forecast work group shall provide technical support to the economic and revenue forecast

council. Meetings of the economic and revenue forecast work group may be called by any member of the group for the purpose of assisting the economic and revenue forecast council, reviewing the state economic and revenue forecasts, or reviewing monthly revenue collection data or for any other purpose which may assist the economic and revenue forecast council.

(3) Staff members from the Washington state department of transportation, department of licensing, transportation committee of the senate, and transportation committee of the house of representatives shall only provide technical support for the transportation revenue forecast for the transportation budget.

Sec. 5. RCW 43.88.020 and 2005 c 319 s 107 are each amended to read as follows:

(1) "Budget" means a proposed plan of expenditures for a given period or purpose and the proposed means for financing these expenditures.

(2) "Budget document" means a formal statement, either written or provided on any electronic media or both, offered by the governor to the legislature, as provided in RCW 43.88.030.

(3) "Director of financial management" means the official appointed by the governor to serve at the governor's pleasure and to whom the governor may delegate necessary authority to carry out the governor's duties as provided in this chapter. The director of financial management shall be head of the office of financial management which shall be in the office of the governor.

(4) "Agency" means and includes every state office, officer, each institution, whether educational, correctional, or other, and every department, division, board, and commission, except as otherwise provided in this chapter.

(5) "Public funds", for purposes of this chapter, means all moneys, including cash, checks, bills, notes, drafts, stocks, and bonds, whether held in trust, for operating purposes, or for capital purposes, and collected or disbursed under law, whether or not such funds are otherwise subject to legislative appropriation, including funds maintained outside the state treasury.

(6) "Regulations" means the policies, standards, and requirements, stated in writing, designed to carry out the purposes of this chapter, as issued by the governor or the governor's designated agent, and which shall have the force and effect of law.

(7) "Ensuing biennium" means the fiscal biennium beginning on July 1st of the same year in which a regular session of the legislature is held during an odd-numbered year pursuant to Article II, section 12 of the Constitution and which biennium next succeeds the current biennium.

(8) "Dedicated fund" means a fund in the state treasury, or a separate account or fund in the general fund in the state treasury, that by law is dedicated, appropriated, or set aside for a limited object or purpose; but "dedicated fund" does not include a revolving fund or a trust fund.

(9) "Revolving fund" means a fund in the state treasury, established by law, from which is paid the cost of goods or services furnished to or by a state agency, and which is replenished through charges made for such goods or services or through transfers from other accounts or funds.

(10) "Trust fund" means a fund in the state treasury in which designated persons or classes of persons have a vested beneficial interest or equitable ownership, or which was created or established by a gift, grant, contribution, devise, or bequest that limits the use of the fund to designated objects or purposes.

(11) "Administrative expenses" means expenditures for: (a) Salaries, wages, and related costs of personnel and (b) operations and maintenance including but not limited to costs of supplies, materials, services, and equipment.

(12) "Fiscal year" means the year beginning July 1st and ending the following June 30th.

(13) "Lapse" means the termination of authority to expend an appropriation.

(14) "Legislative fiscal committees" means the joint legislative audit and review committee, the legislative evaluation and accountability program committee, and the ways and means and transportation committees of the senate and house of representatives.

(15) "Fiscal period" means the period for which an appropriation is made as specified within the act making the appropriation.

(16) "Primary budget driver" means the primary determinant of a budget level, other than a price variable, which causes or is associated with the major expenditure of an agency or budget unit within an agency, such as a caseload, enrollment, workload, or population statistic.

(17) "State tax revenue limit" means the limitation created by chapter 43.135 RCW.

(18) "General state revenues" means the revenues defined by Article VIII, section 1(c) of the state Constitution.

(19) "Annual growth rate in real personal income" means the estimated percentage growth in personal income for the state during the current fiscal year, expressed in constant value dollars, as published by the office of financial management or its successor agency.

(20) "Estimated revenues" means estimates of revenue in the most recent official economic ~~((and))~~, revenue ~~((forecast))~~, and transportation revenue forecasts, prepared under RCW 82.33.020~~((, and prepared by the office of financial management for those funds, accounts, and sources for which the office of the economic and revenue forecast council does not prepare an official forecast, that are prepared by the office of financial management in consultation with the transportation revenue forecast council))~~.

(21) "Estimated receipts" means the estimated receipt of cash in the most recent official economic and revenue forecast prepared under RCW 82.33.020, and prepared by the office of financial management for those funds, accounts, and sources for which the office of the economic and revenue forecast council does not prepare an official forecast.

(22) "State budgeting, accounting, and reporting system" means a system that gathers, maintains, and communicates fiscal information. The system links fiscal information beginning with development of agency budget requests through adoption of legislative appropriations to tracking actual receipts and expenditures against approved plans.

(23) "Allotment of appropriation" means the agency's statement of proposed expenditures, the director of financial management's review of that statement, and the placement of the approved statement into the state budgeting, accounting, and reporting system.

(24) "Statement of proposed expenditures" means a plan prepared by each agency that breaks each appropriation out into monthly detail representing the best estimate of how the appropriation will be expended.

(25) "Undesignated fund balance (or deficit)" means unreserved and undesignated current assets or other resources available for expenditure over and above any current liabilities which are expected to be incurred by the close of the fiscal period.

(26) "Internal audit" means an independent appraisal activity within an agency for the review of operations as a service to management, including a systematic examination of accounting and fiscal controls to assure that human and material resources are guarded against waste, loss, or misuse; and that reliable data

are gathered, maintained, and fairly disclosed in a written report of the audit findings.

(27) "Performance verification" means an analysis that (a) verifies the accuracy of data used by state agencies in quantifying intended results and measuring performance toward those results, and (b) verifies whether or not the reported results were achieved.

(28) "Performance audit" has the same meaning as it is defined in RCW 44.28.005.

NEW SECTION. **Sec. 6.** The following acts or parts of acts are each repealed:

(1) RCW 43.88.125 (Study of transportation-related funds or accounts—Coordination of activities) and 2005 c 319 s 114, 1996 c 288 s 49, 1981 c 270 s 15, 1977 ex.s. c 235 s 6, 1975 1st ex.s. c 293 s 19, & 1971 ex.s. c 195 s 2; and

(2) RCW 43.88.122 (Transportation agency revenue forecasts—Variances) and 2000 2nd sp.s. c 4 s 14 & 1991 c 358 s 7.

NEW SECTION. **Sec. 7.** Section 6 of this act takes effect July 1, 2024."

On page 1, line 3 of the title, after "council;" strike the remainder of the title and insert "amending RCW 82.33.010, 82.33.040, and 43.88.020; reenacting and amending RCW 82.33.020; adding a new section to chapter 82.33 RCW; repealing RCW 43.88.125 and 43.88.122; and providing an effective date."

Senator Rolfes spoke in favor of adoption of the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0404 by Senator Rolfes to Engrossed Substitute House Bill No. 1838.

The motion by Senator Rolfes carried and amendment no. 0404 was adopted by voice vote.

MOTION

On motion of Senator Rolfes, the rules were suspended, Engrossed Substitute House Bill No. 1838 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Rolfes and Wilson, L. spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 1838 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 1838 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Mullet

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1838, as amended by the Senate, having received the constitutional

NINETY SECOND DAY, APRIL 10, 2023

majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1736, by House Committee on Transportation (originally sponsored by Cortes, Fey, Senn, Ryu, Wylie, Slatter, Reed and Pollet)

Requiring the department of licensing to collect vehicle odometer readings at the time of original vehicle registration and registration renewal. Revised for 1st Substitute: Requiring the department of licensing to request motor vehicle odometer readings upon vehicle registration.

The measure was read the second time.

MOTION

Senator King moved that the following amendment no. 0391 by Senator King be adopted:

On page 2, line 29, after "infraction." insert "The application for an original vehicle registration must state that the vehicle owner is not required to provide the mileage shown on the odometer and that failure to provide the mileage shown on the odometer is not grounds to deny vehicle registration or issue any monetary or civil penalty or infraction."

On page 3, line 19, after "infraction." insert "The application for a renewal vehicle registration must state that the vehicle owner is not required to provide the mileage shown on the odometer and that failure to provide the mileage shown on the odometer is not grounds to deny vehicle registration or issue any monetary or civil penalty or infraction."

Senators King and Liias spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0391 by Senator King on page 2, line 29 to Engrossed Substitute House Bill No. 1736.

The motion by Senator King carried and amendment no. 0391 was adopted by voice vote.

WITHDRAWAL OF AMENDMENT

On motion of Senator King and without objection, amendment no. 0392 by Senator King on page 6, line 28 to Engrossed Substitute House Bill No. 1736 was withdrawn.

MOTION

On motion of Senator Liias, the rules were suspended, Engrossed Substitute House Bill No. 1736 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Liias and King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 1736 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 1736 as amended by the Senate and the

bill passed the Senate by the following vote: Yeas, 28; Nays, 20; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, Nguyen, Nobles, Pedersen, Randall, Robinson, Rolfes, Saldaña, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hasegawa, Hawkins, MacEwen, McCune, Muzzall, Padden, Rivers, Salomon, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

Excused: Senator Mullet

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1736, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1251, by House Committee on Local Government (originally sponsored by Stonier, Bateman, Reed, Riccelli and Pollet)

Concerning water systems' notice to customers of public health considerations.

The measure was read the second time.

MOTION

On motion of Senator Cleveland, the rules were suspended, Engrossed Substitute House Bill No. 1251 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Cleveland and Rivers spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 1251.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 1251 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Mullet

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1251, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1237, by Representatives Robertson and Fey

Redistributing the vehicle identification number inspection fee.

The measure was read the second time.

MOTION

On motion of Senator King, the rules were suspended, House Bill No. 1237 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1237.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1237 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Mullet

HOUSE BILL NO. 1237, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1171, by House Committee on Transportation (originally sponsored by Mosbrucker and Graham)

Modifying the motorcycle safety education advisory board.

The measure was read the second time.

MOTION

On motion of Senator King, the rules were suspended, Substitute House Bill No. 1171 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators King and Shewmake spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1171.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1171 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias,

Lovelett, Lovick, MacEwen, McCune, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Mullet

SUBSTITUTE HOUSE BILL NO. 1171, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 5:40 p.m., on motion of Senator Pedersen, the Senate adjourned until 9 o'clock a.m. Tuesday, April 11, 2023.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

End of Volume.

Combined index in Volume 3.