

## SIXTY FIFTH LEGISLATURE - REGULAR SESSION

## EIGHTY EIGHTH DAY

House Chamber, Olympia, Thursday, April 6, 2017

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

The flags were escorted to the rostrum by the IMF Color Guard comprised of Electronics Technician 2<sup>nd</sup> Class Glenn Dickey, Electricians Mate 2<sup>nd</sup> Class Katherine Earls, Machinist Mate Auxiliary 1st Class Michael Dayton, Fire Control Technician 2<sup>nd</sup> Class Alfredo Bisetti, Hospital Corpsman 3<sup>rd</sup> Class Daniel Stott, and Sonar Technician Surface 1st Class Jessica Pullen.

The Speaker (Representative Lovick presiding) led the Chamber in the Pledge of Allegiance. The National Anthem was performed by Chief Musician Evan Vis.

The prayer was offered by Chaplain Jason Porter, accompanied by the Navy Band Northwest Woodwind Trio performing the Navy Hymn "Eternal Father." The trio was comprised of Musician 1<sup>st</sup> Class Edgardo Hernandez, Musician 2<sup>nd</sup> Class Emily Zizza, and Musician Seaman Stefan Lang.

## RESOLUTION

**HOUSE RESOLUTION NO. 2017-4637**, by Representatives Chopp, Kristiansen, Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, and Young

WHEREAS, The citizens of Washington State have set aside this day to honor, appreciate, and remember our Navy personnel; and

WHEREAS, Washington State is uniquely positioned politically, economically, and geographically to deal with the opportunities and challenges presented by Asia and the Pacific Rim countries; and

WHEREAS, The U.S. Navy is the military service that secures sea-lanes, allowing free flow of commerce to and

from our state, and the service whose power projection promotes stability for our friends and deters aggression from our foes; and

WHEREAS, The Navy has been a presence in Puget Sound for over 175 years, and Puget Sound is the Navy's third largest fleet concentration area; and

WHEREAS, The Puget Sound area has four shore installations: Naval Station Everett, Naval Air Station Whidbey Island, Naval Magazine Indian Island, and Naval Base Kitsap; and

WHEREAS, Naval Base Kitsap is the largest naval installation in the Northwest, and third largest in the United States; and

WHEREAS, Naval forces in Washington are comprised of over 10,000 active duty members, 2,000 reservists, and 19,000 civilians; and

WHEREAS, Navy Region Northwest participated in the 2016 Cascadia Rising exercise, contributing over 500 personnel and establishing a disaster relief camp as part of their commitment to disaster assistance and rescue services to Washington State; and

WHEREAS, The motto of the Navy is *Non sibi sed patriae*, not for self but for country, which is embodied in the work that they do; and

WHEREAS, More than 128,000 members of the Navy family, including active duty, retired, dependent, and civilian Navy personnel, consider Washington home; are community leaders, role models, and mentors; and invest millions of dollars and thousands of hours to the economy, local charities, and community programs; and

WHEREAS, The men and women of the U.S. Navy are constantly vigilant, working to keep our state safe from enemies both foreign and domestic;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives recognize and express appreciation for all those who have ever served in the United States Navy, and all the family members and friends who shared their sacrifices with them; and

BE IT FURTHER RESOLVED, That the House of Representatives recognize all the many contributions the Navy and its personnel make for everyone living in the United States and the entire global community.

Representative MacEwen moved adoption of HOUSE RESOLUTION NO. 4637

Representatives MacEwen and Appleton spoke in favor of the adoption of the resolution.

There being no objection, HOUSE RESOLUTION NO. 4637 was adopted.

**SPEAKER'S PRIVILEGE**

The Speaker (Representative Lovick presiding) recognized Rear Admiral Marcus Hitchcock, Commander, Carrier Strike Group 3, Navy Region Northwest, seated at the rostrum and the delegation of Navy leadership, seated in the Gallery and asked the members to join him in welcoming and recognizing the commanding officers, commander chiefs, and assistants of all the Puget Sound Naval bases and facilities.

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

The Speaker assumed the chair.

#### **SIGNED BY THE SPEAKER**

The Speaker signed the following bills:

HOUSE BILL NO. 1001  
 SUBSTITUTE HOUSE BILL NO. 1010  
 SUBSTITUTE HOUSE BILL NO. 1027  
 SUBSTITUTE HOUSE BILL NO. 1036  
 SUBSTITUTE HOUSE BILL NO. 1176  
 SUBSTITUTE HOUSE BILL NO. 1189  
 SUBSTITUTE HOUSE BILL NO. 1199  
 SUBSTITUTE HOUSE BILL NO. 1235  
 ENGROSSED HOUSE BILL NO. 1248  
 SUBSTITUTE HOUSE BILL NO. 1257  
 HOUSE BILL NO. 1283  
 SUBSTITUTE HOUSE BILL NO. 1320  
 HOUSE BILL NO. 1329  
 SUBSTITUTE HOUSE BILL NO. 1369  
 HOUSE BILL NO. 1400  
 HOUSE BILL NO. 1401  
 SUBSTITUTE HOUSE BILL NO. 1411  
 SUBSTITUTE HOUSE BILL NO. 1420  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1431  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1489  
 SUBSTITUTE HOUSE BILL NO. 1515  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1531  
 HOUSE BILL NO. 1593  
 HOUSE BILL NO. 1615  
 HOUSE BILL NO. 1616  
 HOUSE BILL NO. 1629  
 ENGROSSED HOUSE BILL NO. 1654  
 HOUSE BILL NO. 1722  
 HOUSE BILL NO. 1732  
 HOUSE BILL NO. 1734  
 SUBSTITUTE HOUSE BILL NO. 1755  
 SUBSTITUTE HOUSE BILL NO. 1765  
 HOUSE BILL NO. 1832  
 SUBSTITUTE HOUSE BILL NO. 1905  
 ENGROSSED HOUSE BILL NO. 2073

The Speaker called upon Representative Orwall to preside.

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

#### **MESSAGE FROM THE SENATE**

April 5, 2017

MR. SPEAKER:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO.  
 5838,

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

April 5, 2017

MR. SPEAKER:

The Senate has passed:

HOUSE BILL NO. 1107,  
 HOUSE BILL NO. 1148,  
 SUBSTITUTE HOUSE BILL NO. 1149,  
 HOUSE BILL NO. 1195,  
 HOUSE BILL NO. 1204,  
 SUBSTITUTE HOUSE BILL NO. 1218,  
 SECOND SUBSTITUTE HOUSE BILL NO. 1338,  
 ENGROSSED SECOND SUBSTITUTE HOUSE  
 BILL NO. 1351,  
 HOUSE BILL NO. 1449,  
 ENGROSSED HOUSE BILL NO. 1450,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO.  
 1503,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO.  
 1548,  
 SUBSTITUTE HOUSE BILL NO. 1568,  
 ENGROSSED HOUSE BILL NO. 1728,  
 HOUSE BILL NO. 1754,  
 SUBSTITUTE HOUSE BILL NO. 1813,  
 SUBSTITUTE HOUSE BILL NO. 1820,  
 HOUSE BILL NO. 1853,  
 HOUSE BILL NO. 1907,  
 SUBSTITUTE HOUSE BILL NO. 2058,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

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

#### **INTRODUCTION & FIRST READING**

ESSB 5303 by Senate Committee on Natural Resources & Parks (originally sponsored by Senators Honeyford, Rolfes, Chase, Hawkins, Warnick, Bailey and Ranker)

AN ACT Relating to aquatic invasive species management; amending RCW 43.43.400, 77.120.110, 82.16.020, 77.120.070, 77.135.160, 77.120.010, 77.135.110, and 77.135.120; reenacting and amending RCW 88.02.640, 88.02.640, 77.15.160, and 77.135.010; adding new sections to chapter 77.135

RCW; adding new sections to chapter 77.120 RCW; creating a new section; repealing RCW 77.12.879; prescribing penalties; providing an effective date; and providing an expiration date.

Referred to Committee on Agriculture & Natural Resources.

2SSB 5347 by Senate Committee on Ways & Means (originally sponsored by Senators Walsh, Darneille, Zeiger, Rolfes, Sheldon, Angel and Hasegawa)

AN ACT Relating to the definition of work activity for the purposes of the WorkFirst program; and amending RCW 74.08A.250.

Referred to Committee on Appropriations.

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

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

## SECOND READING

**SENATE BILL NO. 5382, by Senators Liias, Hobbs, Walsh, King, Takko, Saldaña, Cleveland, Chase, Kuderer and Wellman**

**Authorizing the issuance of identicards at a reduced cost to applicants who are under the age of eighteen and without a permanent residence address.**

The bill was read the second time.

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

Representative Clibborn spoke in favor of the passage of the bill.

Representative Hargrove spoke against the passage of the bill.

## MOTION

On motion of Representative Hayes, Representative Rodne was excused.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5382.

## ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5382, and the bill passed the House by the following vote: Yeas, 70; Nays, 27; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Calder, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Hansen, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, McBride, McCabe, McDonald, Morris, Muri, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Volz, Wylie and Mr. Speaker.

Voting nay: Representatives Barkis, Buys, Chandler, Condotta, DeBolt, Dent, Dye, Haler, Hargrove, Harmsworth, Klippert, Koster, Kraft, Kretz, Maycumber, McCaslin, Nealey, Orcutt, Pike, Schmick, Shea, Taylor, Van Werven, Vick, J. Walsh, Wilcox and Young.

Excused: Representative Rodne.

SENATE BILL NO. 5382, having received the necessary constitutional majority, was declared passed.

**SUBSTITUTE SENATE BILL NO. 5402, by Senate Committee on Transportation (originally sponsored by Senators Liias, Walsh, Billig, Hobbs, King and Sheldon)**

**Creating the Cooper Jones bicyclist safety advisory council.**

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Transportation was adopted. (For Committee amendment, see Journal, Day 71, March 20, 2017).

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

Representative Kloba spoke in favor of the passage of the bill, as amended by the House.

Representative Hargrove spoke against the passage of the bill, as amended by the House.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5402, as amended by the House.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5402, as amended by the House, and the bill passed the House by the following vote: Yeas, 59; Nays, 38; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Hansen, Hudgins, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, McDonald, Morris, Muri, Orcutt, Ormsby, Ortiz-Self,

Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, Nealey, Pike, Schmick, Shea, Smith, Taylor, Van Werven, Vick, Volz, J. Walsh, Wilcox and Young.

Excused: Representative Rodne.

SUBSTITUTE SENATE BILL NO. 5402, as amended by the House, having received the necessary constitutional majority, was declared passed.

**SENATE BILL NO. 5436, by Senators Becker, Cleveland, Frockt and Keiser**

**Expanding patient access to health services through telemedicine by further defining where a patient may receive the service.**

The bill was read the second time.

Representative Senn moved the adoption of amendment (443):

0.

On page 8, after line 21, insert the following:

**"NEW SECTION. Sec. 4.** A new section is added to chapter 71.24 RCW to read as follows:

(1) Upon initiation or renewal of a contract with the department, a behavioral health organization shall reimburse a provider for a behavioral health service provided to a covered person who is under eighteen years old through telemedicine or store and forward technology if:

(a) The behavioral health organization in which the covered person is enrolled provides coverage of the behavioral health service when provided in person by the provider; and

(b) The behavioral health service is medically necessary.

(2)(a) If the service is provided through store and forward technology there must be an associated visit between the covered person and the referring provider. Nothing in this section prohibits the use of telemedicine for the associated office visit.

(b) For purposes of this section, reimbursement of store and forward technology is available only for those

services specified in the negotiated agreement between the behavioral health organization and provider.

(3) An originating site for a telemedicine behavioral health service subject to subsection (1) of this section means an originating site as defined in rule by the department or the health care authority.

(4) Any originating site, other than a home, under subsection (3) of this section may charge a facility fee for infrastructure and preparation of the patient. Reimbursement must be subject to a negotiated agreement between the originating site and the behavioral health organization. A distant site or any other site not identified in subsection (3) of this section may not charge a facility fee.

(5) A behavioral health organization may not distinguish between originating sites that are rural and urban in providing the coverage required in subsection (1) of this section.

(6) A behavioral health organization may subject coverage of a telemedicine or store and forward technology behavioral health service under subsection (1) of this section to all terms and conditions of the behavioral health organization in which the covered person is enrolled, including, but not limited to, utilization review, prior authorization, deductible, copayment, or coinsurance requirements that are applicable to coverage of a comparable behavioral health care service provided in person.

(7) This section does not require a behavioral health organization to reimburse:

(a) An originating site for professional fees;

(b) A provider for a behavioral health service that is not a covered benefit under the behavioral health organization; or

(c) An originating site or provider when the site or provider is not a contracted provider with the behavioral health organization.

(8) For purposes of this section:

(a) "Distant site" means the site at which a physician or other licensed provider, delivering a professional service, is physically located at the time

the service is provided through telemedicine;

(b) "Hospital" means a facility licensed under chapter 70.41, 71.12, or 72.23 RCW;

(c) "Originating site" means the physical location of a patient receiving behavioral health services through telemedicine;

(d) "Provider" has the same meaning as in RCW 48.43.005;

(e) "Store and forward technology" means use of an asynchronous transmission of a covered person's medical or behavioral health information from an originating site to the provider at a distant site which results in medical or behavioral health diagnosis and management of the covered person, and does not include the use of audio-only telephone, facsimile, or email; and

(f) "Telemedicine" means the delivery of health care or behavioral health services through the use of interactive audio and video technology, permitting real-time communication between the patient at the originating site and the provider, for the purpose of diagnosis, consultation, or treatment. For purposes of this section only, "telemedicine" does not include the use of audio-only telephone, facsimile, or email.

(9) The department must, in consultation with the health care authority, adopt rules as necessary to implement the provisions of this section.

**NEW SECTION. Sec. 5.** A new section is added to chapter 71.24 RCW to read as follows:

(1) Upon initiation or renewal of a contract with the authority, a behavioral health organization shall reimburse a provider for a behavioral health service provided to a covered person who is under eighteen years old through telemedicine or store and forward technology if:

(a) The behavioral health organization in which the covered person is enrolled provides coverage of the behavioral health service when provided in person by the provider; and

(b) The behavioral health service is medically necessary.

(2)(a) If the service is provided through store and forward technology there must be an associated visit between the covered person and the referring provider.

Nothing in this section prohibits the use of telemedicine for the associated office visit.

(b) For purposes of this section, reimbursement of store and forward technology is available only for those services specified in the negotiated agreement between the behavioral health organization and provider.

(3) An originating site for a telemedicine behavioral health service subject to subsection (1) of this section means an originating site as defined in rule by the department or the authority.

(4) Any originating site, other than a home, under subsection (3) of this section may charge a facility fee for infrastructure and preparation of the patient. Reimbursement must be subject to a negotiated agreement between the originating site and the behavioral health organization. A distant site or any other site not identified in subsection (3) of this section may not charge a facility fee.

(5) A behavioral health organization may not distinguish between originating sites that are rural and urban in providing the coverage required in subsection (1) of this section.

(6) A behavioral health organization may subject coverage of a telemedicine or store and forward technology behavioral health service under subsection (1) of this section to all terms and conditions of the behavioral health organization in which the covered person is enrolled, including, but not limited to, utilization review, prior authorization, deductible, copayment, or coinsurance requirements that are applicable to coverage of a comparable behavioral health care service provided in person.

(7) This section does not require a behavioral health organization to reimburse:

(a) An originating site for professional fees;

(b) A provider for a behavioral health service that is not a covered benefit under the behavioral health organization; or

(c) An originating site or provider when the site or provider is not a contracted provider with the behavioral health organization.

(8) For purposes of this section:

(a) "Distant site" means the site at which a physician or other licensed provider, delivering a professional service, is physically located at the time the service is provided through telemedicine;

(b) "Hospital" means a facility licensed under chapter 70.41, 71.12, or 72.23 RCW;

(c) "Originating site" means the physical location of a patient receiving behavioral health services through telemedicine;

(d) "Provider" has the same meaning as in RCW 48.43.005;

(e) "Store and forward technology" means use of an asynchronous transmission of a covered person's medical or behavioral health information from an originating site to the provider at a distant site which results in medical or behavioral health diagnosis and management of the covered person, and does not include the use of audio-only telephone, facsimile, or email; and

(f) "Telemedicine" means the delivery of health care or behavioral health services through the use of interactive audio and video technology, permitting real-time communication between the patient at the originating site and the provider, for the purpose of diagnosis, consultation, or treatment. For purposes of this section only, "telemedicine" does not include the use of audio-only telephone, facsimile, or email.

(9) The authority must adopt rules as necessary to implement the provisions of this section."

Re-number the remaining sections consecutively and correct any internal references accordingly.

On page 8, line 22, after "Sec. 4." insert "(1)"

On page 8, after line 23, insert the following:

"(2) Section 4 of this act of this act takes effect January 1, 2018, but only if neither Substitute House Bill No. 1388 (including any later amendments or substitutes) nor Substitute Senate Bill No. 5259 (including any later amendments or substitutes) is signed into law by the governor by the effective date of this section.

(3) Section 5 of this act takes effect January 1, 2018, only if Substitute House

Bill No. 1388 (including any later amendments or substitutes) or Substitute Senate Bill No. 5259 (including any later amendments or substitutes) is signed into law by the governor by the effective date of this section."

Correct the title.

Representatives Senn and Schmick spoke in favor of the adoption of the amendment.

Amendment (443) was adopted.

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

Representatives Macri and Schmick spoke in favor of the passage of the bill, as amended by the House.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5436, as amended by the House.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5436, as amended by the House, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representative Rodne.

SENATE BILL NO. 5436, as amended by the House, having received the necessary constitutional majority, was declared passed.

**SUBSTITUTE SENATE BILL NO. 5481, by Senate Committee on Health Care (originally sponsored by Senators Cleveland, Rivers, Becker, Kuderer, Keiser, Carlyle and Saldaña)**

**Requiring the insurance commissioner to educate breast cancer patients about the availability of insurance coverage for breast reconstruction and breast prostheses.**

The bill was read the second time.

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

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

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5481.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5481, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representative Rodne.

SUBSTITUTE SENATE BILL NO. 5481, having received the necessary constitutional majority, was declared passed.

#### **SENATE BILL NO. 5543, by Senators Padden and Baumgartner**

##### **Concerning a reexamination of the classification of land in flood control districts.**

The bill was read the second time.

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

Representatives Appleton, Shea, Riccelli and Shea (again) spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5543.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5543, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representative Rodne.

SENATE BILL NO. 5543, having received the necessary constitutional majority, was declared passed.

#### **SUBSTITUTE SENATE BILL NO. 5573, by Senate Committee on State Government (originally sponsored by Senators McCoy, Hunt and Miloscia)**

##### **Increasing membership of the state interoperability executive committee in order to foster interoperability. Revised for 1st Substitute: Increasing membership of the state interoperability executive committee and foster radio system interoperability.**

The bill was read the second time.

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

Representatives Hudgins, Koster and Irwin spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5573.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5573, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri,

Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representative Rodne.

SUBSTITUTE SENATE BILL NO. 5573, having received the necessary constitutional majority, was declared passed.

**SENATE BILL NO. 5649, by Senators Hawkins and Saldaña**

**Modifying the eligibility requirements for certain counties to form a regional transportation planning organization.**

The bill was read the second time.

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

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

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5649.

**ROLL CALL**

The Clerk called the roll on the final passage of Senate Bill No. 5649, and the bill passed the House by the following vote: Yeas, 94; Nays, 3; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Buys, Shea and Taylor.  
Excused: Representative Rodne.

SENATE BILL NO. 5649, having received the necessary constitutional majority, was declared passed.

**ENGROSSED SUBSTITUTE SENATE BILL NO. 5751, by Senate Committee on Health Care (originally sponsored by Senator Schoesler)**

**Concerning personnel requirements for municipal ambulance services.**

The bill was read the second time.

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

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

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5751.

**ROLL CALL**

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5751, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representative Rodne.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5751, having received the necessary constitutional majority, was declared passed.

**SENATE BILL NO. 5030, by Senators Darneille, Fain, Hasegawa, Miloscia, Carlyle, Frockt, Chase, Saldaña, Mullet, Pedersen, Conway, Keiser and Kuderer**

**Concerning human trafficking, prostitution, and commercial sexual abuse of a minor.**

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Public Safety was adopted. (For Committee amendment, see Journal, Day 71, March 20, 2017).

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

Representatives Pellicciotti and Klippert spoke in favor of the passage of the bill, as amended by the House.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5030, as amended by the House.

### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5030, as amended by the House, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representative Rodne.

SENATE BILL NO. 5030, as amended by the House, having received the necessary constitutional majority, was declared passed.

**SUBSTITUTE SENATE BILL NO. 5035, by Senate Committee on Health Care (originally sponsored by Senators Pedersen, Rivers, Cleveland, Becker, Keiser, Walsh, Conway, Bailey, O'Ban, Mullet, Kuderer, Darneille and Wellman)**

**Concerning patients' access to investigational medical products.**

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Health Care & Wellness was not adopted. (For Committee amendment, see Journal, Day 80, March 29, 2017).

Representative Cody moved the adoption of the striking amendment (444):

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** The legislature finds that the process for approval of

investigational drugs, biological products, and devices in the United States protects future patients from premature, ineffective, and unsafe medications and treatments over time, but the process often takes many years. Patients who have a terminal illness do not have the luxury of waiting until an investigational drug, biological product, or device receives final approval from the United States food and drug administration. The legislature further finds that patients who have a terminal illness should be permitted to pursue the preservation of their own lives by accessing available investigational drugs, biological products, and devices. The use of available investigational drugs, biological products, and devices is a decision that should be made by the patient with a terminal illness in consultation with the patient's health care provider so that the decision to use an investigational drug, biological product, or device is made with full awareness of the potential risks, benefits, and consequences to the patient and the patient's family.

The legislature, therefore, intends to allow terminally ill patients to use potentially lifesaving investigational drugs, biological products, and devices.

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

(1) "Eligible patient" means an individual who meets the requirements of section 4 of this act.

(2) "Health care facility" means a clinic, nursing home, laboratory, office, or similar place where a health care provider provides health care to patients.

(3) "Hospital" means a health care institution licensed under chapter 70.41, 71.12, or 72.23 RCW.

(4) "Investigational product" means a drug, biological product, or device that has successfully completed phase one and is currently in a subsequent phase of a clinical trial approved by the United States food and drug administration assessing the safety of the drug, biological product, or device under section 505 of the federal food, drug, and cosmetic act, 21 U.S.C. Sec. 355.

(5) "Issuer" means any state purchased health care programs under chapter 41.05 or 74.09 RCW, a disability insurer regulated under chapter 48.20 or 48.21

RCW, a health care service contractor as defined in RCW 48.44.010, or a health maintenance organization as defined in RCW 48.46.020.

(6) "Manufacturer" means a person or other entity engaged in the manufacture or distribution of drugs, biological products, or devices.

(7) "Physician" means a physician licensed under chapter 18.71 RCW or an osteopathic physician and surgeon licensed under chapter 18.57 RCW.

(8) "Serious or immediately life-threatening disease or condition" means a stage of disease in which there is reasonable likelihood that death will occur within six months or in which premature death is likely without early treatment.

**NEW SECTION. Sec. 3.** (1) An eligible patient and his or her treating physician may request that a manufacturer make an investigational product available for treatment of the patient. The request must include a copy of the written informed consent form described in section 5 of this act and an explanation of why the treating physician believes the investigational product may help the patient.

(2) Upon receipt of the request and the written informed consent form, the manufacturer may, but is not required to, make the investigational product available for treatment of the eligible patient. Prior to making the investigational product available, the manufacturer shall enter into an agreement with the treating physician and the eligible patient providing that the manufacturer will transfer the investigational product to the physician and the physician will use the investigational product to treat the eligible patient.

**NEW SECTION. Sec. 4.** A patient is eligible to request access to and be treated with an investigational product if:

(1) The patient is eighteen years of age or older;

(2) The patient is a resident of this state;

(3) The patient's treating physician attests to the fact that the patient has a serious or immediately life-threatening disease or condition;

(4) The patient acknowledges having been informed by the treating physician of all other treatment options currently approved by the United States food and drug administration;

(5) The patient's treating physician recommends that the patient be treated with an investigational product;

(6) The patient is unable to participate in a clinical trial for the investigational product because the patient's physician has contacted one or more clinical trials or researchers in the physician's practice area and has determined, using the physician's professional judgment, that there are no clinical trials reasonably available for the patient to participate in, that the patient would not qualify for a clinical trial, or that delay in waiting to join a clinical trial would risk further harm to the patient; and

(7) In accordance with section 5 of this act, the patient has provided written informed consent for the use of the investigational product, or, if the patient lacks the capacity to consent, the patient's legally authorized representative has provided written informed consent on behalf of the patient.

**NEW SECTION. Sec. 5.** (1) Prior to treatment of the eligible patient with an investigational product, the treating physician shall obtain written informed consent, consistent with the requirements of RCW 7.70.060(1), and signed by the eligible patient or, if the patient lacks the capacity to consent, his or her legally authorized representative.

(2) Information provided in order to obtain the informed consent must, to the extent possible, include the following:

(a) That the patient has been diagnosed with a serious or immediately life-threatening disease or condition and explains the currently approved products and treatments for the disease or condition from which the eligible patient suffers;

(b) That all currently approved and conventionally recognized treatments are unlikely to prolong the eligible patient's life;

(c) Clear identification of the investigational product that the eligible patient seeks to use;

(d) The potentially best and worst outcomes of using the investigational

product and a realistic description of the most likely outcome. This description must include the possibility that new, unanticipated, different, or worse symptoms may result and that death could be hastened by the proposed treatment. The description must be based on the physician's knowledge of the proposed treatment in conjunction with an awareness of the eligible patient's condition;

(e) That the eligible patient's health benefit plan is not obligated to pay for the investigational product or any harm caused to the eligible patient by the investigational product, unless otherwise specifically required to do so by law or contract, and that in order to receive the investigational product the patient may be required to pay the costs of administering the investigational product; and

(f) That the eligible patient is liable for all expenses consequent to the use of the investigational product, except as otherwise provided in the eligible patient's health benefit plan or a contract between the eligible patient and the manufacturer of the investigational product.

(3) The document must be signed and dated by the eligible patient's treating physician and witnessed in writing by at least one adult.

**NEW SECTION. Sec. 6.** (1) An issuer may, but is not required to, provide coverage for the cost or the administration of an investigational product provided to an eligible patient pursuant to this chapter.

(2)(a) An issuer may deny coverage to an eligible patient who is treated with an investigational product for harm to the eligible patient caused by the investigational product and is not required to cover the costs associated with receiving the investigational product or the costs demonstrated to be associated with an adverse effect that is a result of receiving the investigational product.

(b) Except as stated in (a) of this subsection, an issuer may not deny coverage to an eligible patient for: (i) The eligible patient's serious or immediately life-threatening disease or condition; (ii) benefits that accrued before the day on which the eligible patient was treated with an investigational product; or (iii) palliative or hospice care for an eligible patient who was previously treated with an investigational product but who is no

longer being treated with an investigational product.

**NEW SECTION. Sec. 7.** A hospital or health care facility:

(1) May, but is not required to, allow a health care practitioner who is privileged to practice or who is employed at the hospital or health care facility to treat, administer, or provide an investigational product to an eligible patient under this chapter;

(2) May establish a policy regarding treating, administering, or providing investigational products under this chapter; and

(3) Is not obligated to pay for the investigational product or any harm caused to the eligible patient by the product, or any care that is necessary as a result of the use of the investigational product, including under chapter 70.170 RCW.

**NEW SECTION. Sec. 8.** (1) This act does not create a private right of action.

(2) A health care practitioner does not commit unprofessional conduct under RCW 18.130.180 and does not violate the applicable standard of care by:

(a) Obtaining an investigational product pursuant to this chapter;

(b) Refusing to recommend, request, prescribe, or otherwise provide an investigational product pursuant to this chapter;

(c) Administering an investigational product to an eligible patient pursuant to this chapter; or

(d) Treating an eligible patient with an investigational product pursuant to this chapter.

(3) The following persons and entities are immune from civil or criminal liability and administrative actions arising out of treatment of an eligible patient with an investigational product, other than acts or omissions constituting gross negligence or willful or wanton misconduct:

(a) A health care practitioner who recommends or requests an investigational product for an eligible patient in compliance with this chapter;

(b) A health care practitioner who refuses to recommend or request an investigational product for a patient

seeking access to an investigational product;

(c) A manufacturer that provides an investigational product to a health care practitioner in compliance with this chapter;

(d) A hospital or health care facility where an investigational product is either administered or provided to an eligible patient in compliance with this chapter; and

(e) A hospital or health care facility that does not allow a health care practitioner to provide treatment with an investigational product or enforces a policy it has adopted regarding treating, administering, or providing care with an investigational product.

**NEW SECTION. Sec. 9.** The pharmacy quality assurance commission may adopt rules necessary to implement this chapter.

**Sec. 10.** RCW 69.04.570 and 2012 c 117 s 338 are each amended to read as follows:

Except as permitted by chapter 69.--- RCW (the new chapter created in section 12 of this act), no person shall introduce or deliver for introduction into intrastate commerce any new drug which is subject to section 505 of the federal act unless an application with respect to such drug has become effective thereunder. No person shall introduce or deliver for introduction into intrastate commerce any new drug which is not subject to section 505 of the federal act, unless (1) it has been found, by appropriate tests, that such drug is not unsafe for use under the conditions prescribed, recommended, or suggested in the labeling thereof; and (2) an application has been filed under this section of this chapter with respect to such drug: PROVIDED, That the requirement of subsection (2) of this section shall not apply to any drug introduced into intrastate commerce at any time prior to the enactment of this chapter or introduced into interstate commerce at any time prior to the enactment of the federal act: PROVIDED FURTHER, That if the director finds that the requirement of subsection (2) of this section as applied to any drug or class of drugs, is not necessary for the protection of the public health, he or she shall promulgate regulations of exemption accordingly.

**Sec. 11.** RCW 69.50.101 and 2015 2nd sp.s. c 4 s 901 are each reenacted and amended to read as follows:

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

(a) "Administer" means to apply a controlled substance, whether by injection, inhalation, ingestion, or any other means, directly to the body of a patient or research subject by:

(1) a practitioner authorized to prescribe (or, by the practitioner's authorized agent); or

(2) the patient or research subject at the direction and in the presence of the practitioner.

(b) "Agent" means an authorized person who acts on behalf of or at the direction of a manufacturer, distributor, or dispenser. It does not include a common or contract carrier, public warehouseperson, or employee of the carrier or warehouseperson.

(c) "CBD concentration" has the meaning provided in RCW 69.51A.010.

(d) "Commission" means the pharmacy quality assurance commission.

(e) "Controlled substance" means a drug, substance, or immediate precursor included in Schedules I through V as set forth in federal or state laws, or federal or commission rules.

(f)(1) "Controlled substance analog" means a substance the chemical structure of which is substantially similar to the chemical structure of a controlled substance in Schedule I or II and:

(i) that has a stimulant, depressant, or hallucinogenic effect on the central nervous system substantially similar to the stimulant, depressant, or hallucinogenic effect on the central nervous system of a controlled substance included in Schedule I or II; or

(ii) with respect to a particular individual, that the individual represents or intends to have a stimulant, depressant, or hallucinogenic effect on the central nervous system substantially similar to the stimulant, depressant, or hallucinogenic effect on the central nervous system of a controlled substance included in Schedule I or II.

(2) The term does not include:

(i) a controlled substance;

(ii) a substance for which there is an approved new drug application;

(iii) a substance with respect to which an exemption is in effect for investigational use by a particular person under section 505 of the federal food, drug, and cosmetic act, 21 U.S.C. Sec. 355, or chapter 69.--- RCW (the new chapter created in section 12 of this act) to the extent conduct with respect to the substance is pursuant to the exemption; or

(iv) any substance to the extent not intended for human consumption before an exemption takes effect with respect to the substance.

(g) "Deliver" or "delivery((~~r~~)" means the actual or constructive transfer from one person to another of a substance, whether or not there is an agency relationship.

(h) "Department" means the department of health.

(i) "Designated provider" has the meaning provided in RCW 69.51A.010.

(j) "Dispense" means the interpretation of a prescription or order for a controlled substance and, pursuant to that prescription or order, the proper selection, measuring, compounding, labeling, or packaging necessary to prepare that prescription or order for delivery.

(k) "Dispenser" means a practitioner who dispenses.

(l) "Distribute" means to deliver other than by administering or dispensing a controlled substance.

(m) "Distributor" means a person who distributes.

(n) "Drug" means (1) a controlled substance recognized as a drug in the official United States pharmacopoeia/national formulary or the official homeopathic pharmacopoeia of the United States, or any supplement to them; (2) controlled substances intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in individuals or animals; (3) controlled substances (other than food) intended to affect the structure or any function of the body of individuals or animals; and (4) controlled substances intended for use as a component of any article specified in (1), (2), or (3) of this subsection. The term does not include devices or their components, parts, or accessories.

(o) "Drug enforcement administration" means the drug enforcement administration

in the United States Department of Justice, or its successor agency.

(p) "Electronic communication of prescription information" means the transmission of a prescription or refill authorization for a drug of a practitioner using computer systems. The term does not include a prescription or refill authorization verbally transmitted by telephone nor a facsimile manually signed by the practitioner.

(q) "Immediate precursor" means a substance:

(1) that the commission has found to be and by rule designates as being the principal compound commonly used, or produced primarily for use, in the manufacture of a controlled substance;

(2) that is an immediate chemical intermediary used or likely to be used in the manufacture of a controlled substance; and

(3) the control of which is necessary to prevent, curtail, or limit the manufacture of the controlled substance.

(r) "Isomer" means an optical isomer, but in subsection (dd)(5) of this section, RCW 69.50.204(a) (12) and (34), and 69.50.206(b)(4), the term includes any geometrical isomer; in RCW 69.50.204(a) (8) and (42), and 69.50.210(c) the term includes any positional isomer; and in RCW 69.50.204(a) (35), 69.50.204(c), and 69.50.208(a) the term includes any positional or geometric isomer.

(s) "Lot" means a definite quantity of marijuana, marijuana concentrates, useable marijuana, or marijuana-infused product identified by a lot number, every portion or package of which is uniform within recognized tolerances for the factors that appear in the labeling.

(t) "Lot number" must identify the licensee by business or trade name and Washington state unified business identifier number, and the date of harvest or processing for each lot of marijuana, marijuana concentrates, useable marijuana, or marijuana-infused product.

(u) "Manufacture" means the production, preparation, propagation, compounding, conversion, or processing of a controlled substance, either directly or indirectly or by extraction from substances of natural origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis, and includes any packaging or repackaging of

the substance or labeling or relabeling of its container. The term does not include the preparation, compounding, packaging, repackaging, labeling, or relabeling of a controlled substance:

(1) by a practitioner as an incident to the practitioner's administering or dispensing of a controlled substance in the course of the practitioner's professional practice; or

(2) by a practitioner, or by the practitioner's authorized agent under the practitioner's supervision, for the purpose of, or as an incident to, research, teaching, or chemical analysis and not for sale.

(v) "Marijuana" or "marihuana" means all parts of the plant *Cannabis*, whether growing or not, with a THC concentration greater than 0.3 percent on a dry weight basis; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. The term does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination.

(w) "Marijuana concentrates" means products consisting wholly or in part of the resin extracted from any part of the plant *Cannabis* and having a THC concentration greater than ten percent.

(x) "Marijuana processor" means a person licensed by the state liquor and cannabis board to process marijuana into marijuana concentrates, useable marijuana, and marijuana-infused products, package and label marijuana concentrates, useable marijuana, and marijuana-infused products for sale in retail outlets, and sell marijuana concentrates, useable marijuana, and marijuana-infused products at wholesale to marijuana retailers.

(y) "Marijuana producer" means a person licensed by the state liquor and cannabis board to produce and sell marijuana at wholesale to marijuana processors and other marijuana producers.

(z) "Marijuana products" means useable marijuana, marijuana concentrates, and

marijuana-infused products as defined in this section.

(aa) "Marijuana researcher" means a person licensed by the state liquor and cannabis board to produce, process, and possess marijuana for the purposes of conducting research on marijuana and marijuana-derived drug products.

(bb) "Marijuana retailer" means a person licensed by the state liquor and cannabis board to sell marijuana concentrates, useable marijuana, and marijuana-infused products in a retail outlet.

(cc) "Marijuana-infused products" means products that contain marijuana or marijuana extracts, are intended for human use, are derived from marijuana as defined in subsection (v) of this section, and have a THC concentration no greater than ten percent. The term "marijuana-infused products" does not include either useable marijuana or marijuana concentrates.

(dd) "Narcotic drug" means any of the following, whether produced directly or indirectly by extraction from substances of vegetable origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis:

(1) Opium, opium derivative, and any derivative of opium or opium derivative, including their salts, isomers, and salts of isomers, whenever the existence of the salts, isomers, and salts of isomers is possible within the specific chemical designation. The term does not include the isoquinoline alkaloids of opium.

(2) Synthetic opiate and any derivative of synthetic opiate, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, whenever the existence of the isomers, esters, ethers, and salts is possible within the specific chemical designation.

(3) Poppy straw and concentrate of poppy straw.

(4) Coca leaves, except coca leaves and extracts of coca leaves from which cocaine, ecgonine, and derivatives or ecgonine or their salts have been removed.

(5) Cocaine, or any salt, isomer, or salt of isomer thereof.

(6) Cocaine base.

(7) Ecgonine, or any derivative, salt, isomer, or salt of isomer thereof.

(8) Any compound, mixture, or preparation containing any quantity of any substance referred to in subparagraphs (1) through (7).

(ee) "Opiate" means any substance having an addiction-forming or addiction-sustaining liability similar to morphine or being capable of conversion into a drug having addiction-forming or addiction-sustaining liability. The term includes opium, substances derived from opium (opium derivatives), and synthetic opiates. The term does not include, unless specifically designated as controlled under RCW 69.50.201, the dextrorotatory isomer of 3-methoxy-n-methylmorphinan and its salts (dextromethorphan). The term includes the racemic and levorotatory forms of dextromethorphan.

(ff) "Opium poppy" means the plant of the species *Papaver somniferum* L., except its seeds.

(gg) "Person" means individual, corporation, business trust, estate, trust, partnership, association, joint venture, government, governmental subdivision or agency, or any other legal or commercial entity.

(hh) "Plant" has the meaning provided in RCW 69.51A.010.

(ii) "Poppy straw" means all parts, except the seeds, of the opium poppy, after mowing.

(jj) "Practitioner" means:

(1) A physician under chapter 18.71 RCW; a physician assistant under chapter 18.71A RCW; an osteopathic physician and surgeon under chapter 18.57 RCW; an osteopathic physician assistant under chapter 18.57A RCW who is licensed under RCW 18.57A.020 subject to any limitations in RCW 18.57A.040; an optometrist licensed under chapter 18.53 RCW who is certified by the optometry board under RCW 18.53.010 subject to any limitations in RCW 18.53.010; a dentist under chapter 18.32 RCW; a podiatric physician and surgeon under chapter 18.22 RCW; a veterinarian under chapter 18.92 RCW; a registered nurse, advanced registered nurse practitioner, or licensed practical nurse under chapter 18.79 RCW; a naturopathic physician under chapter 18.36A RCW who is licensed under RCW 18.36A.030 subject to any limitations in RCW 18.36A.040; a pharmacist under chapter 18.64 RCW or a scientific investigator under this chapter, licensed, registered or otherwise permitted insofar as is consistent with

those licensing laws to distribute, dispense, conduct research with respect to or administer a controlled substance in the course of their professional practice or research in this state.

(2) A pharmacy, hospital or other institution licensed, registered, or otherwise permitted to distribute, dispense, conduct research with respect to or to administer a controlled substance in the course of professional practice or research in this state.

(3) A physician licensed to practice medicine and surgery, a physician licensed to practice osteopathic medicine and surgery, a dentist licensed to practice dentistry, a podiatric physician and surgeon licensed to practice podiatric medicine and surgery, a licensed physician assistant or a licensed osteopathic physician assistant specifically approved to prescribe controlled substances by his or her state's medical quality assurance commission or equivalent and his or her supervising physician, an advanced registered nurse practitioner licensed to prescribe controlled substances, or a veterinarian licensed to practice veterinary medicine in any state of the United States.

(kk) "Prescription" means an order for controlled substances issued by a practitioner duly authorized by law or rule in the state of Washington to prescribe controlled substances within the scope of his or her professional practice for a legitimate medical purpose.

(ll) "Production" includes the manufacturing, planting, cultivating, growing, or harvesting of a controlled substance.

(mm) "Qualifying patient" has the meaning provided in RCW 69.51A.010.

(nn) "Recognition card" has the meaning provided in RCW 69.51A.010.

(oo) "Retail outlet" means a location licensed by the state liquor and cannabis board for the retail sale of marijuana concentrates, useable marijuana, and marijuana-infused products.

(pp) "Secretary" means the secretary of health or the secretary's designee.

(qq) "State," unless the context otherwise requires, means a state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, or a territory or insular possession subject to the jurisdiction of the United States.

(rr) "THC concentration" means percent of delta-9 tetrahydrocannabinol content per dry weight of any part of the plant *Cannabis*, or per volume or weight of marijuana product, or the combined percent of delta-9 tetrahydrocannabinol and tetrahydrocannabinolic acid in any part of the plant *Cannabis* regardless of moisture content.

(ss) "Ultimate user" means an individual who lawfully possesses a controlled substance for the individual's own use or for the use of a member of the individual's household or for administering to an animal owned by the individual or by a member of the individual's household.

(tt) "Useable marijuana" means dried marijuana flowers. The term "useable marijuana" does not include either marijuana-infused products or marijuana concentrates.

NEW SECTION. **Sec. 12.** Sections 1 through 9 of this act constitute a new chapter in Title 69 RCW.

NEW SECTION. **Sec. 13.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

Correct the title.

Representatives Cody and Schmick spoke in favor of the adoption of the striking amendment.

Amendment (444) was adopted.

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

Representatives Cody, Vick and Riccelli spoke in favor of the passage of the bill, as amended by the House.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5035, as amended by the House.

#### **ROLL CALL**

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5035, as amended by the House, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth,

Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representative Rodne.

SUBSTITUTE SENATE BILL NO. 5035, as amended by the House, having received the necessary constitutional majority, was declared passed.

#### **SENATE BILL NO. 5144, by Senators Angel, Mullet and Hobbs**

##### **Addressing the Washington state credit union act.**

The bill was read the second time.

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

Representatives Kirby and Vick spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5144.

#### **ROLL CALL**

The Clerk called the roll on the final passage of Senate Bill No. 5144, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representative Rodne.

SENATE BILL NO. 5144, having received the necessary constitutional majority, was declared passed.

**ENGROSSED SUBSTITUTE SENATE BILL NO. 5256, by Senate Committee on Law & Justice (originally sponsored by Senators Fain, Pedersen, Zeiger, Palumbo, Miloscia, Frockt, Darneille, Chase, Kuderer and Hunt)**

**Concerning sexual assault protection orders.**

The bill was read the second time.

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

Representative Goodman spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5256.

#### **ROLL CALL**

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5256, and the bill passed the House by the following vote: Yeas, 75; Nays, 22; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chapman, Clibborn, Cody, DeBolt, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Haler, Hansen, Hargrove, Harmsworth, Hudgins, Irwin, Jenkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Lovick, Lytton, Macri, McBride, McCabe, McDonald, Morris, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Chandler, Condotta, Dent, Griffey, Harris, Hayes, Holy, Jenkin, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCaslin, Orcutt, Pike, Schmick, Shea, Smith, Taylor and Vick.

Excused: Representative Rodne.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5256, having received the necessary constitutional majority, was declared passed.

#### **STATEMENT FOR THE JOURNAL**

I intended to vote YEA on Engrossed Substitute Senate Bill No. 5256.

Representative Smith, 10<sup>th</sup> Legislative District

#### **SECOND READING**

**SENATE BILL NO. 5306, by Senators Rolfes and Takko**

**Concerning secondary commercial fish receivers.**

The bill was read the second time.

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

Representatives Buys and Blake spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5306.

#### **ROLL CALL**

The Clerk called the roll on the final passage of Senate Bill No. 5306, and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jenkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representative Ryu.

Excused: Representative Rodne.

SENATE BILL NO. 5306, having received the necessary constitutional majority, was declared passed.

#### **STATEMENT FOR THE JOURNAL**

I intended to vote YEA on Senate Bill No. 5306.

Representative Ryu, 32<sup>nd</sup> Legislative District

#### **SECOND READING**

**ENGROSSED SUBSTITUTE SENATE BILL NO. 5449, by Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators Liias, Zeiger, Billig, Hunt and Frockt)**

**Concerning digital citizenship, media literacy, and internet safety in schools.**

The bill was read the second time.

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

Representatives Stonier and Harris spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5449.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5449, and the bill passed the House by the following vote: Yeas, 76; Nays, 21; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Chapman, Clibborn, Cody, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Harmsworth, Harris, Hudgins, Irwin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Koster, Kraft, Kristiansen, Lovick, Lytton, Macri, Manweller, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Caldier, Chandler, Condotta, Hargrove, Hayes, Holy, Jenkin, Klippert, Kretz, MacEwen, Maycumber, Pike, Schmick, Shea, Smith, Taylor, Vick, Volz, J. Walsh and Young.

Excused: Representative Rodne.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5449, having received the necessary constitutional majority, was declared passed.

**SUBSTITUTE SENATE BILL NO. 5618, by Senate Committee on Human Services, Mental Health & Housing (originally sponsored by Senators Darneille and Keiser)**

**Concerning arrest of sixteen and seventeen year olds for domestic violence assault.**

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Early Learning & Human Services was before the House for purpose of amendment. (For Committee amendment, see Journal, Day 80, March 29, 2017).

Representative Klippert moved the adoption of amendment (399) to the committee striking amendment:

On page 5, beginning on line 12 of the amendment, strike all material through "~~10.99.020~~)" on line 15 and insert the following:

"~~((10))~~ (17) A juvenile detention facility shall book ~~((into detention))~~ any person under age eighteen brought to that

detention facility pursuant to an arrest for assaulting a family or household member as defined in RCW 10.99.020."

Representatives Klippert, Irwin, Dent, Manweller, Hayes, Shea, Smith, Irwin (again) and Maycumber spoke in favor of the adoption of the amendment (399) to the committee striking amendment.

Representatives Kagi and Jinkins spoke against the adoption of the amendment (399) to the committee striking amendment.

Division was demanded and the demand was sustained. The Speaker (Representative Orwall presiding) divided the House. The result was 48 - YEAS; 49- NAYS.

Amendment (399) to the committee striking amendment was not adopted.

The committee striking amendment was adopted.

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

Representatives Kagi and Dent spoke in favor of the passage of the bill, as amended by the House.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5618, as amended by the House.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5618, as amended by the House, and the bill passed the House by the following vote:Yeas, 91; Nays, 6; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, McBride, McCabe, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Chandler, Kretz, Maycumber, McCaslin, Shea and Taylor.

Excused: Representative Rodne.

SUBSTITUTE SENATE BILL NO. 5618, as amended by the House, having received the necessary constitutional majority, was declared passed.

**SENATE BILL NO. 5813, by Senator Padden****Concerning crimes against minors.**

The bill was read the second time.

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

Representatives Goodman and Klippert spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5813.

**ROLL CALL**

The Clerk called the roll on the final passage of Senate Bill No. 5813, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Excused: Representative Rodne.

SENATE BILL NO. 5813, having received the necessary constitutional majority, was declared passed.

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

**ENGROSSED SENATE BILL NO. 5761, by Senators McCoy, Hunt and Hasegawa****Exempting certain confidential fish and shellfish harvest information from disclosure under chapter 42.56 RCW, the public records act.**

The bill was read the second time.

With the consent of the House, amendment (432) was withdrawn.

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

Representatives Hudgins and Koster spoke in favor of the passage of the bill.

**MOTION**

On motion of Representative Hayes, Representative Wilcox was excused.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 5761.

**ROLL CALL**

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 5761, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wylie, Young and Mr. Speaker.

Excused: Representatives Rodne and Wilcox.

ENGROSSED SENATE BILL NO. 5761, having received the necessary constitutional majority, was declared passed.

**SUBSTITUTE SENATE BILL NO. 5806, by Senate Committee on Transportation (originally sponsored by Senators Cleveland, Rivers, Wilson, Hobbs, Chase and Nelson)****Concerning preliminary work to develop a process for planning for a new Interstate 5 bridge spanning the Columbia river.**

The bill was read the second time.

Representative Wylie moved the adoption of amendment (446):

Beginning on page 6, line 26, strike all of subsection (2) and insert the following:

"(2) (a) The joint Oregon-Washington legislative action committee is established, with sixteen members as provided in this subsection:

(i) The speaker and minority leader of the house of representatives of each state shall jointly appoint four members, two from each of the two largest caucuses of their state's house of representatives.

(ii) The majority leader and minority leader of the senate of each state shall jointly appoint four members, two from each of the two largest caucuses of their state's senate.

(b) The legislative action committee shall choose its cochairmen from among its membership, one each from the senate and the house of representatives of both states.

(c) Executive agencies, including the departments of transportation and the transportation commissions, shall cooperate with the committee and provide information and other assistance as the cochairmen may reasonably request.

(d) Staff support for the legislative action committee must be provided by the Washington house of representatives office of program research, Washington senate committee services, and, contingent upon the acceptance by the legislature of the state of Oregon of the invitation in subsection (1) of this section to participate in the legislative action committee, the Oregon legislative policy and research office.

(e) Legislative members of the legislative action committee are reimbursed for travel expenses. For Washington legislative members, this reimbursement must be in accordance with RCW 44.04.120.

(f) The expenses of the legislative action committee must be paid jointly by both states' senate and house of representatives. In Washington, committee expenditures are subject to approval by the senate facilities and operations committee and the house of representatives executive rules committee, or their successor committees.

(g) Each meeting of the legislative action committee must allow an opportunity for public comment. Legislative action committee meetings must be scheduled and conducted in accordance with the requirements of both the senate and the house of representatives of both states."

Representatives Wylie and Orcutt spoke in favor of the adoption of the amendment.

Amendment (446) was adopted.

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

Representative Wylie spoke in favor of the passage of the bill, as amended by the House.

Representative Orcutt spoke against the passage of the bill, as amended by the House.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5806, as amended by the House.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5806, as amended by the House, and the bill passed the House by the following vote: Yeas, 59; Nays, 37; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Hansen, Harris, Hayes, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, Manweller, McBride, McCaslin, Morris, Nealey, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stanford, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Vick, Wylie and Mr. Speaker.

Voting nay: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Haler, Hargrove, Harmsworth, Holy, Irwin, Jenkin, Johnson, Klippert, Koster, Kraft, Kretz, Kristiansen, MacEwen, Maycumber, McCabe, McDonald, Muri, Orcutt, Pike, Schmick, Shea, Smith, Stambaugh, Steele, Taylor, Van Werven, Volz, J. Walsh and Young.

Excused: Representatives Rodne and Wilcox.

SUBSTITUTE SENATE BILL NO. 5806, as amended by the House, having received the necessary constitutional majority, was declared passed.

### STATEMENT FOR THE JOURNAL

I intended to vote NAY on Substitute Senate Bill No. 5806.

Representative McCaslin, 4<sup>th</sup> Legislative District

### SECOND READING

**SENATE BILL NO. 5122, by Senators Takko and Rivers**

**Concerning fire commissioner compensation.**

The bill was read the second time.

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

Representatives Appleton and Griffey spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Senate Bill No. 5122.

### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5122, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wylie, Young and Mr. Speaker.

Excused: Representatives Rodne and Wilcox.

SENATE BILL NO. 5122, having received the necessary constitutional majority, was declared passed.

**SENATE BILL NO. 5125, by Senators Braun, Conway, Rossi and Wilson**

**Defining independent contractor relationships in the context of real estate licensing.**

The bill was read the second time.

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

Representatives Kirby and Vick spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Senate Bill No. 5125.

### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5125, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wylie, Young and Mr. Speaker.

Excused: Representatives Rodne and Wilcox.

SENATE BILL NO. 5125, having received the necessary constitutional majority, was declared passed.

**SENATE BILL NO. 5129, by Senators Hunt, Fain, Zeiger, Mullet and Palumbo**

**Concerning charter school students participating in interschool athletics and extracurricular activities.**

The bill was read the second time.

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

Representatives Dolan and Harris spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Senate Bill No. 5129.

### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5129, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wylie, Young and Mr. Speaker.

Excused: Representatives Rodne and Wilcox.

SENATE BILL NO. 5129, having received the necessary constitutional majority, was declared passed.

**SENATE BILL NO. 5270, by Senators Hawkins, Takko and Pearson**

**Concerning expiration dates affecting the department of natural resources' contract harvesting program.**

The bill was read the second time.

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

Representatives Chapman and Buys spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Senate Bill No. 5270.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5270, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wylie, Young and Mr. Speaker.

Excused: Representatives Rodne and Wilcox.

SENATE BILL NO. 5270, having received the necessary constitutional majority, was declared passed.

**SUBSTITUTE SENATE BILL NO. 5277, by Senate Committee on Law & Justice (originally sponsored by Senators Padden, Pedersen, Darneille and Kuderer)**

**Concerning disqualification of judges.**

The bill was read the second time.

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

Representatives Graves, Jinkins and Shea spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5277.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5277, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wylie, Young and Mr. Speaker.

Excused: Representatives Rodne and Wilcox.

SUBSTITUTE SENATE BILL NO. 5277, having received the necessary constitutional majority, was declared passed.

**SUBSTITUTE SENATE BILL NO. 5356, by Senate Committee on Law & Justice (originally sponsored by Senators Fain, Palumbo, Miloscia, Frock, Bailey, Rolfes, Angel, Keiser, Conway, Pedersen and Wilson)**

**Concerning the humane treatment of dogs.**

The bill was read the second time.

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

Representatives Goodman, Graves and Goodman (again) spoke in favor of the passage of the bill.

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

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5356.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5356, and the bill passed the

House by the following vote: Yeas, 68; Nays, 28; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Caldier, Chapman, Clibborn, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Hansen, Harmsworth, Harris, Hayes, Hudgins, Irwin, Jinkins, Kagi, Kilduff, Kirby, Kloba, Kraft, Lovick, Lytton, Macri, Manweller, McBride, McCabe, McDonald, Morris, Muri, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, DeBolt, Dent, Dye, Griffey, Haler, Hargrove, Holy, Jenkin, Johnson, Klippert, Koster, Kretz, Kristiansen, MacEwen, Maycumber, McCaslin, Nealey, Schmick, Shea, Taylor, Van Werven, Vick, Volz, J. Walsh and Young.

Excused: Representatives Rodne and Wilcox.

SUBSTITUTE SENATE BILL NO. 5356, having received the necessary constitutional majority, was declared passed.

**ENGROSSED SUBSTITUTE SENATE BILL NO. 5388, by Senate Committee on Law & Justice (originally sponsored by Senators Zeiger, Sheldon, Kuderer, Padden, Wilson, Conway, Fortunato, Hobbs, Becker, Warnick and Honeyford)**

**Concerning unlawful entry on certain properties. Revised for 1st Substitute: Concerning the removal of unauthorized persons from certain premises.**

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Judiciary was adopted. (For Committee amendment, see Journal, Day 78, March 27, 2017).

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

Representatives Barkis, Kirby, Stambaugh and Klippert spoke in favor of the passage of the bill, as amended by the House.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5388, as amended by the House.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5388, as amended by the House, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman,

Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wylie, Young and Mr. Speaker.

Excused: Representatives Rodne and Wilcox.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5388, as amended by the House, having received the necessary constitutional majority, was declared passed.

**SENATE BILL NO. 5595, by Senators Billig, O'Ban, Darneille and Padden**

**Concerning maintaining the quarterly average census method for calculating state hospital reimbursements.**

The bill was read the second time.

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

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

#### MOTION

On motion of Representative Hayes, Representative Griffey was excused.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Senate Bill No. 5595.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5595, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells,

Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wylie, Young and Mr. Speaker.

Excused: Representatives Griffey, Rodne and Wilcox.

SENATE BILL NO. 5595, having received the necessary constitutional majority, was declared passed.

**SENATE BILL NO. 5631, by Senators Becker and Frockt**

**Concerning the University of Washington's alternative process for awarding contracts.**

The bill was read the second time.

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

Representative Tharinger spoke in favor of the passage of the bill.

Representatives Holy and Buys spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Senate Bill No. 5631.

**ROLL CALL**

The Clerk called the roll on the final passage of Senate Bill No. 5631, and the bill passed the House by the following vote: Yeas, 68; Nays, 27; Absent, 0; Excused, 3.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Caldier, Chapman, Clibborn, Cody, DeBolt, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Haler, Hansen, Harris, Hayes, Hudgins, Irwin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Kraft, Lovick, Lytton, Macri, McBride, McCabe, McDonald, Morris, Muri, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, Dent, Dye, Hargrove, Harmsworth, Holy, Jenkin, Klippert, Koster, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCaslin, Nealey, Pike, Schmick, Shea, Taylor, Van Werven, Vick, Volz, J. Walsh and Young.

Excused: Representatives Griffey, Rodne and Wilcox.

SENATE BILL NO. 5631, having received the necessary constitutional majority, was declared passed.

**SUBSTITUTE SENATE BILL NO. 5675, by Senate Committee on Financial Institutions & Insurance (originally sponsored by Senators Mullet and Angel)**

**Addressing the minimum operating requirements and the review of plans necessary to be included in the small business retirement marketplace.**

The bill was read the second time.

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

Representatives Stanford and Vick spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5675.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5675, and the bill passed the House by the following vote: Yeas, 73; Nays, 22; Absent, 0; Excused, 3.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Caldier, Chapman, Clibborn, Cody, DeBolt, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Haler, Hansen, Harmsworth, Harris, Hayes, Hudgins, Irwin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kristiansen, Lovick, Lytton, Macri, Manweller, McBride, McCabe, McDonald, Morris, Muri, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, J. Walsh, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, Dent, Dye, Hargrove, Holy, Jenkin, Kraft, Kretz, MacEwen, Maycumber, McCaslin, Nealey, Orcutt, Pike, Schmick, Shea, Steele, Taylor, Volz and Young.

Excused: Representatives Griffey, Rodne and Wilcox.

SUBSTITUTE SENATE BILL NO. 5675, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1032, by Representatives Ryu, Orcutt, Kirby, Vick, Santos, Nealey, Appleton, Manweller, Sawyer, Muri, Blake, Goodman, Stonier, Ortiz-Self, Springer, Hargrove, Peterson, Tarleton, Pettigrew, Stokesbary, Farrell, Clibborn, Stanford, Lytton, Pollet, Kagi, Fitzgibbon, Barkis, Van Werven, Frame, Dolan, Buys, Gregerson, Haler, Young, Dent, Kilduff, Shea and Macri**

**Concerning the excise taxation of martial arts.**

The bill was read the second time.

Representative Ryu moved the adoption of amendment (294):

On page 13, line 33, strike "April" and insert "July"

Representatives Ryu and Orcutt spoke in favor of the adoption of the amendment.

Amendment (294) was adopted.

The bill was ordered engrossed.

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

Representatives Ryu, Orcutt, Graves, Dent, Van Werven and Kilduff spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1032.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1032, and the bill passed the House by the following vote: Yeas, 92; Nays, 3; Absent, 0; Excused, 3.

Voting yea: Representatives Appleton, Barkis, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Farrell, Fey,

Fitzgibbon, Goodman, Graves, Gregerson, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Koster, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Bergquist, Frame and Kloba.

Excused: Representatives Griffey, Rodne and Wilcox.

ENGROSSED HOUSE BILL NO. 1032, having received the necessary constitutional majority, was declared passed.

There being no objection, the House adjourned until 10:00 a.m., April 7, 2017, the 89th Day of the Regular Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk