

SIXTY FIFTH LEGISLATURE - REGULAR SESSION

FORTY SEVENTH DAY

House Chamber, Olympia, Friday, February 23, 2018

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 a Sergeant at Arms Color Guard, Pages Melissa Barker and Ryan Heiser. The Speaker (Representative Lovick presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Pastor Dan Panter, McKenzie Road Baptist Church, Olympia, Washington.

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

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

INTRODUCTION & FIRST READING

HB 2998 by Representatives Robinson, Cody, Jinkins, Tharinger and Ormsby

AN ACT Relating to providing a business and occupation tax exemption for accountable communities of health; adding a new section to chapter 82.04 RCW; creating new sections; and declaring an emergency.

Referred to Committee on Finance.

HB 2999 by Representatives Tarleton, Hudgins, Morris and Ormsby

AN ACT Relating to security breaches of election systems or election data including by foreign entities; adding a new section to chapter 29A.12 RCW; and creating a new section.

Referred to Committee on State Government, Elections & Information Technology.

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 fifth order of business.

REPORTS OF STANDING COMMITTEES

February 21, 2018

HB 2299 Prime Sponsor, Representative Ormsby: Making supplemental operating appropriations. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Chair; Robinson, Vice Chair; Bergquist; Cody; Fitzgibbon; Hansen; Hudgins; Jinkins; Kagi; Lytton; Pettigrew; Pollet; Sawyer; Senn; Springer; Stanford; Sullivan and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Buys; Caldier; Condotta; Graves; Haler; Harris; Manweller; Schmick; Taylor; Vick; Volz and Wilcox.

February 21, 2018

HB 2469

Prime Sponsor, Representative Clibborn: Making supplemental transportation appropriations for the 2017-2019 fiscal biennium. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Wylie, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Harmsworth, Assistant Ranking Minority Member; Chapman; Gregerson; Irwin; Kloba; Lovick; McBride; Ortiz-Self; Pellicciotti; Pike; Riccelli; Rodne; Stambaugh; Tarleton; Valdez; Van Werven and Young.

MINORITY recommendation: Do not pass. Signed by Representative Shea.

MINORITY recommendation: Without recommendation. Signed by Representative Hayes.

February 21, 2018

SB 5020

Prime Sponsor, Senator Hasegawa: Concerning certain state ethnic and cultural diversity commissions. Reported by Committee on State Government, Elections & Information Technology

MAJORITY recommendation: Do pass as amended.

On page 1, beginning on line 14, after "(3)" strike all material through "(5)"

on line 18 and insert "~~(Acting in concert with the governor,)~~ Advise the legislature on issues of concern to the African-American community.

(4)"

Renumber the remaining subsection consecutively and correct any internal reference accordingly.

On page 2, line 29, after "**Sec. 3.**" insert "The following acts or parts of acts are each repealed:

(1) **RCW 43.131.341** (Washington state commission on Hispanic affairs—Termination) and 1993 c 261 s 5 & 1987 c 249 s 8; and

(2)"

On page 2, line 31, after "9" strike "are each repealed"

Correct the title.

Signed by Representatives Hudgins, Chair; Dolan, Vice Chair; McDonald, Ranking Minority Member; Kraft, Assistant Ranking Minority Member; Appleton; Gregerson; Irwin; Johnson and Pellicciotti.

Referred to Committee on Rules for second reading.

February 21, 2018

ESSB 5084 Prime Sponsor, Committee on Health Care: Providing women with timely information regarding their breast health. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 70.54 RCW to read as follows:

(1) All health care facilities shall include in the summary of the mammography report, required by federal law to be provided to a patient, information that identifies the patient's individual breast density classification based on the breast imaging reporting and data system established by the American College of Radiology. If a physician at, employed by, or under contract with, the health care facility determines that a patient has heterogeneously or extremely dense breasts, the summary of the mammography report must include the following notice:

"Your mammogram indicates that you may have dense breast tissue. Roughly half of all women have dense breast tissue which is normal. Dense breast tissue may make it more difficult to evaluate your mammogram. We are sharing this information with you and your health care provider to help raise your awareness of breast density. We encourage you to talk with your health care provider about this and other breast cancer risk factors. Together, you can decide which screening options are right for you."

(2) Patients who receive diagnostic or screening mammograms may be directed to informative material about breast density. This informative material may include the American College of Radiology's most current brochure on the subject of breast density.

(3) This section does not create a duty of care for any health care facility or any health care providers or other legal obligation beyond the duty to provide notice as set forth in this section.

(4) This section does not require a notice that is inconsistent with the provisions of the federal mammography quality standards act (42 U.S.C. Sec. 263b) or any regulations adopted under that act.

(5) For the purposes of this section:

(a) "Health care facility" means a hospital, clinic, nursing home, laboratory, office, or similar place where mammography examinations are performed.

(b) "Physician" means a person licensed to practice medicine under chapter 18.57 or 18.71 RCW.

(6) This section expires January 1, 2025.

NEW SECTION. Sec. 2. Section 1 of this act takes effect January 1, 2019."

Correct the title.

Signed by Representatives Cody, Chair; Macri, Vice Chair; Schmick, Ranking Minority Member; Graves, Assistant Ranking Minority Member; Caldier; Clibborn; DeBolt; Harris; Jinkins; MacEwen; Maycumber; Riccelli; Robinson; Rodne; Slatter; Stonier and Tharinger.

Referred to Committee on Rules for second reading.

February 21, 2018

ESSB 5108 Prime Sponsor, Committee on State Government, Tribal Relations & Elections: Prohibiting political action committees from receiving a majority of their funds from one or a combination of political committees. (REVISED FOR ENGROSSED: Concerning disclosure of contributions from political committees to other political committees.) Reported by Committee on State Government, Elections & Information Technology

MAJORITY recommendation: Do pass. Signed by Representatives Hudgins, Chair; Dolan, Vice Chair; Appleton; Gregerson and Pellicciotti.

MINORITY recommendation: Do not pass. Signed by Representatives McDonald, Ranking Minority Member; Kraft, Assistant Ranking Minority Member; Irwin and Johnson.

Referred to Committee on Rules for second reading.

February 21, 2018

2ESSB 5180 Prime Sponsor, Committee on Health Care: Establishing the legislative advisory committee on aging. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** (1)(a) The joint legislative executive committee on aging and disability is reestablished with members as provided in this subsection.

(i) The president of the senate shall appoint two members from each of the two largest caucuses of the senate;

(ii) The speaker of the house of representatives shall appoint two members from each of the two largest caucuses of the house of representatives;

(iii) A member from the office of the governor, appointed by the governor;

(iv) The secretary of the department of social and health services, or his or her designee;

(v) The director of the health care authority, or his or her designee;

(vi) The insurance commissioner, or his or her designee, who shall serve as an ex officio member;

(vii) A member from the office of the state long-term care ombuds;

(viii) A member from disability rights Washington; and

(ix) Other agency directors or designees, as necessary.

(b) The committee shall choose its cochairs from among its legislative membership.

(2) The committee shall make recommendations and identify key strategic actions to prepare for the aging of the population in Washington, including state budget and policy options, by identifying:

(a) Strategies to better serve the health care needs of an aging population and people with disabilities to promote healthy living and palliative care planning;

(b) Strategies and policy options to create financing mechanisms for long-term services and supports that allow individuals and families to meet their needs for service;

(c) Policies to promote financial security in retirement, support people who wish to stay in the workplace longer, and expand the availability of workplace retirement savings plans;

(d) Ways to promote advance planning and advance care directives and implementation strategies for the Bree collaborative palliative care and related guidelines;

(e) Ways to meet the needs of the aging demographic impacted by reduced federal support;

(f) Ways to protect the rights of vulnerable adults through assisted decision making and guardianship and other relevant vulnerable adult protections;

(g) Options for promoting client safety through residential care services and consider methods of protecting older people and people with disabilities from physical abuse and financial exploitation; and

(h) Other policy options and recommendations to help communities adapt to the aging demographic in planning for housing, land use, and transportation.

(3) Staff support for the committee must be provided by the senate committee services, office of program research, the office of financial management, and the department of social and health services.

(4) Legislative members of the committee are reimbursed for travel expenses in accordance with RCW 44.04.120. Nonlegislative members are not entitled to be reimbursed for travel expenses if they are elected officials or are participating on behalf of an employer, governmental entity, or other organization. Any reimbursement for other nonlegislative members is subject to chapter 43.03 RCW.

(5) The expenses of the committee must be paid jointly by the senate, house of representatives, and the office of financial management. 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.

(6) By December 1, 2020, the committee shall submit a report to the governor and each chamber of the legislature with any policy or fiscal recommendations that have resulted from its deliberations.

(7) This section expires July 1, 2021.

NEW SECTION. **Sec. 2.** This act takes effect July 1, 2019."

Correct the title.

Signed by Representatives Cody, Chair; Macri, Vice Chair; Schmick, Ranking Minority Member; Graves, Assistant Ranking Minority Member; Caldier; Clibborn; DeBolt; Harris; Jinkins; MacEwen; Maycumber; Riccelli; Robinson; Rodne; Slatter; Stonier and Tharinger.

Referred to Committee on Rules for second reading.

February 20, 2018

SSB 5596

Prime Sponsor, Committee on Human Services & Corrections: Phasing out use of the valid court order exception to place youth in detention for noncriminal behavior. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** The legislature finds that it is a goal of our state to divert juveniles who have committed status offenses, behaviors that are prohibited under law only because of an individual's status as a minor, away from the juvenile justice system because a stay in detention is a predictive factor for future criminal justice system involvement. The legislature finds that Washington has been using the valid court order exception of the juvenile justice and delinquency prevention act, a loophole in federal law allowing judges to detain status offenders for disobeying court orders, more than any other state in the country. The legislature finds that use of the valid court order exception to detain youth for acts like truancy, breaking curfew, or running away from home is counterproductive and may worsen outcomes for at-risk youth. The legislature further finds that these youth should not be confined with or treated with the same interventions as criminal offenders. The legislature finds that community-based interventions are more effective at addressing underlying causes of status offenses than detention. Finally, the legislature finds that community-based interventions can reduce court caseloads and lower system costs.

NEW SECTION. **Sec. 2.** A new section is added to chapter 7.21 RCW to read as follows:

(1) It is the policy of the state of Washington to entirely phase out the use of juvenile detention as a remedy for contempt of a valid court order by July 1, 2021. After this date, no youth may be committed to juvenile detention as a contempt sanction under chapter 13.32A, 13.34, or 28A.225 RCW, nor may a warrant be issued under these chapters for failure to appear at a court hearing that requires commitment of a youth to juvenile detention.

(2) Until July 1, 2021, any youth committed to juvenile detention as a sanction for contempt under chapter 13.32A, 13.34, or 28A.225 RCW, or for failure to appear at a court hearing under these chapters, must be detained in such a manner so that no direct communication or physical contact may be

made between the youth and any youth who is detained to juvenile detention pursuant to a violation of criminal law.

Sec. 3. RCW 7.21.030 and 2001 c 260 s 6 are each amended to read as follows:

(1) The court may initiate a proceeding to impose a remedial sanction on its own motion or on the motion of a person aggrieved by a contempt of court in the proceeding to which the contempt is related. Except as provided in RCW 7.21.050, the court, after notice and hearing, may impose a remedial sanction authorized by this chapter.

(2) If the court finds that the person has failed or refused to perform an act that is yet within the person's power to perform, the court may find the person in contempt of court and impose one or more of the following remedial sanctions:

(a) Imprisonment if the contempt of court is of a type defined in RCW 7.21.010(1) (b) through (d). The imprisonment may extend only so long as it serves a coercive purpose.

(b) A forfeiture not to exceed two thousand dollars for each day the contempt of court continues.

(c) An order designed to ensure compliance with a prior order of the court.

(d) Any other remedial sanction other than the sanctions specified in (a) through (c) of this subsection if the court expressly finds that those sanctions would be ineffectual to terminate a continuing contempt of court.

(e) In cases under chapters 13.32A(~~(7)~~) and 13.34(~~(7)~~ and ~~28A.225~~) RCW, commitment to juvenile detention for a period of time not to exceed seven days. This sanction may be imposed in addition to, or as an alternative to, any other remedial sanction authorized by this chapter. This remedy is specifically determined to be a remedial sanction.

(3) The court may, in addition to the remedial sanctions set forth in subsection (2) of this section, order a person found in contempt of court to pay a party for any losses suffered by the party as a result of the contempt and any costs incurred in connection with the contempt proceeding, including reasonable attorney's fees.

(4) If the court finds that a person under the age of eighteen years has willfully disobeyed the terms of an order issued under chapter 10.14 RCW, the court may find the person in contempt of court and may, as a sole sanction for such contempt, commit the person to juvenile detention for a period of time not to exceed seven days.

Sec. 4. RCW 7.21.030 and 2001 c 260 s 6 are each amended to read as follows:

(1) The court may initiate a proceeding to impose a remedial sanction on its own motion or on the motion of a person aggrieved by a contempt of court in the proceeding to which the contempt is related. Except as provided in RCW 7.21.050, the court, after notice and hearing, may impose a remedial sanction authorized by this chapter.

(2) If the court finds that the person has failed or refused to perform an act that is yet within the person's power to perform, the court may find the person in contempt of court and impose one or more of the following remedial sanctions:

(a) Imprisonment if the contempt of court is of a type defined in RCW 7.21.010(1) (b) through (d). The imprisonment may extend only so long as it serves a coercive purpose.

(b) A forfeiture not to exceed two thousand dollars for each day the contempt of court continues.

(c) An order designed to ensure compliance with a prior order of the court.

(d) Any other remedial sanction other than the sanctions specified in (a) through (c) of this subsection if the court expressly finds that those sanctions would be ineffectual to terminate a continuing contempt of court.

~~((c) In cases under chapters 13.32A, 13.34, and 28A.225 RCW, commitment to juvenile detention for a period of time not to exceed seven days. This sanction may be imposed in addition to, or as an alternative to, any other remedial sanction authorized by this chapter. This remedy is specifically determined to be a remedial sanction.))~~

(3) The court may, in addition to the remedial sanctions set forth in subsection (2) of this section, order a person found in contempt of court to pay

a party for any losses suffered by the party as a result of the contempt and any costs incurred in connection with the contempt proceeding, including reasonable attorney's fees.

(4) If the court finds that a person under the age of eighteen years has willfully disobeyed the terms of an order issued under chapter 10.14 RCW, the court may find the person in contempt of court and may, as a sole sanction for such contempt, commit the person to juvenile detention for a period of time not to exceed seven days.

Sec. 5. RCW 13.32A.250 and 2000 c 162 s 14 are each amended to read as follows:

(1) In all child in need of services proceedings and at-risk youth proceedings, the court shall verbally notify the parents and the child of the possibility of a finding of contempt for failure to comply with the terms of a court order entered pursuant to this chapter. Except as otherwise provided in this section, the court shall treat the parents and the child equally for the purposes of applying contempt of court processes and penalties under this section.

(2) Failure by a party to comply with an order entered under this chapter is a civil contempt of court as provided in RCW 7.21.030(2)((e)), subject to the limitations of subsection (3) of this section.

(3) The court may impose remedial sanctions including a fine of up to one hundred dollars and confinement for up to seven days, or both for contempt of court under this section. A child may not be placed in confinement as a remedial sanction under this section.

(4) ~~((A child placed in confinement for contempt under this section shall be placed in confinement only in a secure juvenile detention facility operated by or pursuant to a contract with a county.~~

~~(5))~~ A motion for contempt may be made by a parent, a child, juvenile court personnel, or by any public agency, organization, or person having custody of the child under a court order adopted pursuant to this chapter.

~~((6) Whenever the court finds probable cause to believe, based upon consideration of a motion for contempt and the information set forth in a~~

~~supporting declaration, that a child has violated a placement order entered under this chapter, the court may issue an order directing law enforcement to pick up and take the child to detention. The order may be entered ex parte without prior notice to the child or other parties. Following the child's admission to detention, a detention review hearing must be held in accordance with RCW 13.32A.065.)~~

Sec. 6. RCW 13.34.165 and 2000 c 122 s 21 are each amended to read as follows:

~~((1) Failure by a party to comply with an order entered under this chapter is civil contempt of court as provided in RCW 7.21.030(2)(e).~~

~~(2) The maximum term of confinement that may be imposed as a remedial sanction for contempt of court under this section is confinement for up to seven days.~~

~~(3) A child held for contempt under this section shall be confined only in a secure juvenile detention facility operated by or pursuant to a contract with a county.~~

~~(4))~~ A motion for contempt may be made by a parent, juvenile court personnel, or by any public agency, organization, or person having custody of the child under a court order entered pursuant to this chapter.

~~((5) Whenever the court finds probable cause to believe, based upon consideration of a motion for contempt and the information set forth in a supporting declaration, that a child has violated a placement order entered under this chapter, the court may issue an order directing law enforcement to pick up and take the child to detention. The order may be entered ex parte without prior notice to the child or other parties. Following the child's admission to detention, a detention review hearing must be held in accordance with RCW 13.32A.065.)~~

Sec. 7. RCW 28A.225.090 and 2017 c 291 s 5 are each amended to read as follows:

(1) A court may order a child subject to a petition under RCW 28A.225.035 to do one or more of the following:

(a) Attend the child's current school, and set forth minimum attendance requirements, which shall not consider a suspension day as an unexcused absence;

(b) If there is space available and the program can provide educational services appropriate for the child, order the child to attend another public school, an alternative education program, center, a skill center, dropout prevention program, or another public educational program;

(c) Attend a private nonsectarian school or program including an education center. Before ordering a child to attend an approved or certified private nonsectarian school or program, the court shall: (i) Consider the public and private programs available; (ii) find that placement is in the best interest of the child; and (iii) find that the private school or program is willing to accept the child and will not charge any fees in addition to those established by contract with the student's school district. If the court orders the child to enroll in a private school or program, the child's school district shall contract with the school or program to provide educational services for the child. The school district shall not be required to contract for a weekly rate that exceeds the state general apportionment dollars calculated on a weekly basis generated by the child and received by the district. A school district shall not be required to enter into a contract that is longer than the remainder of the school year. A school district shall not be required to enter into or continue a contract if the child is no longer enrolled in the district;

(d) Submit to a substance abuse assessment if the court finds on the record that such assessment is appropriate to the circumstances and behavior of the child and will facilitate the child's compliance with the mandatory attendance law and, if any assessment, including a urinalysis test ordered under this subsection indicates the use of controlled substances or alcohol, order the minor to abstain from the unlawful consumption of controlled substances or alcohol and adhere to the recommendations of the substance abuse assessment at no expense to the school; or

(e) Submit to a mental health evaluation or other diagnostic evaluation and adhere to the recommendations of the drug assessment,

at no expense to the school, if the court finds on the court records that such evaluation is appropriate to the circumstances and behavior of the child, and will facilitate the child's compliance with the mandatory attendance law.

(2) ~~((a))~~ If the child fails to comply with the court order, the court may impose:

~~((i))~~ (a) Community restitution;

~~((ii))~~ (b) Nonresidential programs with intensive wraparound services;

~~((iii))~~ (c) A requirement that the child meet with a mentor for a specified number of times; or

~~((iv))~~ (d) Other services and interventions that the court deems appropriate.

~~((b) If the child continues to fail to comply with the court order and the court makes a finding that other measures to secure compliance have been tried but have been unsuccessful and no less restrictive alternative is available, the court may order the child to be subject to detention, as provided in RCW 7.21.030(2)(e). Failure by a child to comply with an order issued under this subsection shall not be subject to detention for a period greater than that permitted pursuant to a civil contempt proceeding against a child under chapter 13.32A RCW. Detention ordered under this subsection may be for no longer than seven days. Detention ordered under this subsection shall preferably be served at a secure crisis residential center close to the child's home rather than in a juvenile detention facility. A warrant of arrest for a child under this subsection may not be served on a child inside of school during school hours in a location where other students are present.))~~

(3) Any parent violating any of the provisions of either RCW 28A.225.010, 28A.225.015, or 28A.225.080 shall be fined not more than twenty-five dollars for each day of unexcused absence from school. The court shall remit fifty percent of the fine collected under this section to the child's school district. It shall be a defense for a parent charged with violating RCW 28A.225.010 to show that he or she exercised reasonable diligence in attempting to cause a child in his or her custody to attend school or that the child's school did not perform its duties as required in RCW

28A.225.020. The court may order the parent to provide community restitution instead of imposing a fine. Any fine imposed pursuant to this section may be suspended upon the condition that a parent charged with violating RCW 28A.225.010 shall participate with the school and the child in a supervised plan for the child's attendance at school or upon condition that the parent attend a conference or conferences scheduled by a school for the purpose of analyzing the causes of a child's absence.

(4) If a child continues to be truant after entering into a court-approved order with the truancy board under RCW 28A.225.035, the juvenile court shall find the child in contempt, and the court may ~~((order the child to be subject to detention, as provided in RCW 7.21.030(2)(e), or may))~~ impose alternatives to detention ~~((such as meaningful community restitution. Failure by a child to comply with an order issued under this subsection may not subject a child to detention for a period greater than that permitted under a civil contempt proceeding against a child under chapter 13.32A RCW))~~ consistent with best practice models for reengagement with school.

(5) Subsections (1), (2), and (4) of this section shall not apply to a six or seven year old child required to attend public school under RCW 28A.225.015.

Sec. 8. RCW 43.185C.260 and 2017 c 277 s 4 are each amended to read as follows:

(1) A law enforcement officer shall take a child into custody:

(a) If a law enforcement agency has been contacted by the parent of the child that the child is absent from parental custody without consent; or

(b) If a law enforcement officer reasonably believes, considering the child's age, the location, and the time of day, that a child is in circumstances which constitute a danger to the child's safety or that a child is violating a local curfew ordinance; or

(c) If an agency legally charged with the supervision of a child has notified a law enforcement agency that the child has run away from placement ~~((or~~

~~((d) If a law enforcement agency has been notified by the juvenile court that~~

~~the court finds probable cause exists to believe that the child has violated a court placement order issued under this chapter or chapter 13.34 RCW or that the court has issued an order for law enforcement pick up of the child under this chapter or chapter 13.34 RCW)).~~

(2) Law enforcement custody shall not extend beyond the amount of time reasonably necessary to transport the child to a destination authorized by law and to place the child at that destination. Law enforcement custody continues until the law enforcement officer transfers custody to a person, agency, or other authorized entity under this chapter, or releases the child because no placement is available. Transfer of custody is not complete unless the person, agency, or entity to whom the child is released agrees to accept custody.

(3) If a law enforcement officer takes a child into custody pursuant to either subsection (1)(a) or (b) of this section and transports the child to a crisis residential center, the officer shall, within twenty-four hours of delivering the child to the center, provide to the center a written report detailing the reasons the officer took the child into custody. The center shall provide the department of social and health services with a copy of the officer's report if the youth is in the care of or receiving services from the department of social and health services children's administration.

(4) If the law enforcement officer who initially takes the juvenile into custody or the staff of the crisis residential center have reasonable cause to believe that the child is absent from home because he or she is abused or neglected, a report shall be made immediately to the department of social and health services.

(5) Nothing in this section affects the authority of any political subdivision to make regulations concerning the conduct of minors in public places by ordinance or other local law.

(6) If a law enforcement officer has a reasonable suspicion that a child is being unlawfully harbored in violation of RCW 13.32A.080, the officer shall remove the child from the custody of the person harboring the child and shall transport the child to one of the locations specified in RCW 43.185C.265.

(7) No child may be placed in a secure facility except as provided in this chapter.

NEW SECTION. **Sec. 9.** (1) The department of children, youth, and families shall conduct a study, jointly with the office of homeless youth prevention and protection programs within the department of commerce, on the public system response to families and youth in crisis who are seeking services to address family conflict in the absence of child abuse and neglect.

(2) In conducting the study required under this section, the department and the office shall involve stakeholders involved in advocating and providing services to truants and at-risk youth, and shall consult with local jurisdictions, the Washington administrative office of the courts, and other entities as appropriate. The study shall review the utilization of existing resources such as secure crisis residential centers, crisis residential centers, and HOPE beds and make recommendations to assure effective use or redeployment of these resources.

(3) The department and office shall develop recommendations to improve the delivery of services to youth and families in conflict which shall include a plan to provide community-based early intervention services as well as intensive interventions for families and youth facing crisis so severe that a youth cannot continue to reside in the home or is at risk of experiencing homelessness. Recommendations may include changes to family reconciliation services, and revisions to the at-risk youth and child in need of services petition processes, including consideration of a combined family in need of services petition process or a civil citation process.

(4) The department and the office shall jointly submit recommendations required by this section to the governor and the appropriate legislative committees no later than December 15, 2018.

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

(1)RCW 43.185C.270 (Youth services—Officer taking child into custody—Placing in detention—Detention review

hearing—Hearing on contempt) and 2015 c 69 s 15; and

(2)1998 c 296 s 35 (uncodified).

NEW SECTION. **Sec. 11.** (1) Sections 3 and 7 of this act take effect July 1, 2019.

(2) Sections 4, 5, 8, and 10 of this act take effect July 1, 2021."

Correct the title.

Signed by Representatives Kagi, Chair; Senn, Vice Chair; Frame; Goodman; Kilduff; Lovick and Ortiz-Self.

MINORITY recommendation: Do not pass. Signed by Representatives Dent, Ranking Minority Member; McCaslin, Assistant Ranking Minority Member; Eslick; Griffey; Klippert and Muri.

Referred to Committee on Rules for second reading.

February 21, 2018

ESSB 5990 Prime Sponsor, Committee on Health & Long Term Care: Enacting the uniform emergency volunteer health practitioners act. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Cody, Chair; Macri, Vice Chair; Schmick, Ranking Minority Member; Graves, Assistant Ranking Minority Member; Caldier; Clibborn; DeBolt; Harris; Jinkins; MacEwen; Maycumber; Riccelli; Robinson; Rodne; Slatter; Stonier and Tharinger.

Referred to Committee on Rules for second reading.

February 21, 2018

SSB 5991 Prime Sponsor, Committee on State Government, Tribal Relations & Elections: Increasing transparency of contributions by creating the Washington state DISCLOSE act of 2018. Reported by Committee on State Government, Elections & Information Technology

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** This act may be known and cited as the democracy is strengthened by casting light on spending

in elections act of 2018 or the Washington state DISCLOSE act of 2018.

NEW SECTION. **Sec. 2.** The legislature finds that the public has the right to know who is contributing to election campaigns in Washington state and that campaign finance disclosure deters corruption, increases public confidence in Washington state elections, and strengthens representative democracy.

The legislature finds that campaign finance disclosure is overwhelmingly supported by the citizens of Washington state as evidenced by the two initiatives that largely established Washington's current campaign finance system. Both passed with over seventy-two percent of the popular vote, as well as winning margins in every county in the state.

The legislature finds that nonprofit organizations are increasingly engaging in campaign activities in Washington state and across the country, including taking a more active role in contributing to candidate and ballot proposition campaigns. In some cases, these activities are occurring without adequate public disclosure due to loopholes in campaign finance regulations.

The legislature finds that many nonprofit organizations wish to use the provisions of current law to anonymously contribute to campaign activity, frustrating the purposes of public disclosure laws.

Therefore, the legislature intends to increase transparency and accountability, deter corruption, and strengthen confidence in the election process by closing campaign finance disclosure loopholes and requiring the disclosure of contributions and expenditures by nonprofit organizations that participate significantly in Washington state elections.

Sec. 3. RCW 42.17A.005 and 2011 c 145 s 2 and 2011 c 60 s 19 are each reenacted and amended to read as follows:

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

(1) "Actual malice" means to act with knowledge of falsity or with reckless disregard as to truth or falsity.

(2) "Agency" includes all state agencies and all local agencies. "State agency" includes every state office, department, division, bureau, board, commission, or other state agency. "Local agency" includes every county, city, town, municipal corporation, quasi-municipal corporation, or special purpose district, or any office, department, division, bureau, board, commission, or agency thereof, or other local public agency.

(3) "Authorized committee" means the political committee authorized by a candidate, or by the public official against whom recall charges have been filed, to accept contributions or make expenditures on behalf of the candidate or public official.

(4) "Ballot proposition" means any "measure" as defined by RCW 29A.04.091, or any initiative, recall, or referendum proposition proposed to be submitted to the voters of the state or any municipal corporation, political subdivision, or other voting constituency from and after the time when the proposition has been initially filed with the appropriate election officer of that constituency before its circulation for signatures.

(5) "Benefit" means a commercial, proprietary, financial, economic, or monetary advantage, or the avoidance of a commercial, proprietary, financial, economic, or monetary disadvantage.

(6) "Bona fide political party" means:

(a) An organization that has been recognized as a minor political party by the secretary of state;

(b) The governing body of the state organization of a major political party, as defined in RCW 29A.04.086, that is the body authorized by the charter or bylaws of the party to exercise authority on behalf of the state party; or

(c) The county central committee or legislative district committee of a major political party. There may be only one legislative district committee for each party in each legislative district.

(7) "Candidate" means any individual who seeks nomination for election or election to public office. An individual seeks nomination or election when he or she first:

(a) Receives contributions or makes expenditures or reserves space or

facilities with intent to promote his or her candidacy for office;

(b) Announces publicly or files for office;

(c) Purchases commercial advertising space or broadcast time to promote his or her candidacy; or

(d) Gives his or her consent to another person to take on behalf of the individual any of the actions in (a) or (c) of this subsection.

(8) "Caucus political committee" means a political committee organized and maintained by the members of a major political party in the state senate or state house of representatives.

(9) "Commercial advertiser" means any person who sells the service of communicating messages or producing printed material for broadcast or distribution to the general public or segments of the general public whether through the use of newspapers, magazines, television and radio stations, billboard companies, direct mail advertising companies, printing companies, or otherwise.

(10) "Commission" means the agency established under RCW 42.17A.100.

(11) "Compensation" unless the context requires a narrower meaning, includes payment in any form for real or personal property or services of any kind. For the purpose of compliance with RCW 42.17A.710, "compensation" does not include per diem allowances or other payments made by a governmental entity to reimburse a public official for expenses incurred while the official is engaged in the official business of the governmental entity.

(12) "Continuing political committee" means a political committee that is an organization of continuing existence not established in anticipation of any particular election campaign.

(13) (a) "Contribution" includes:

(i) A loan, gift, deposit, subscription, forgiveness of indebtedness, donation, advance, pledge, payment, transfer of funds between political committees, or anything of value, including personal and professional services for less than full consideration;

(ii) An expenditure made by a person in cooperation, consultation, or concert

with, or at the request or suggestion of, a candidate, a political or incidental committee, the person or persons named on the candidate's or committee's registration form who direct expenditures on behalf of the candidate or committee, or their agents;

(iii) The financing by a person of the dissemination, distribution, or republication, in whole or in part, of broadcast, written, graphic, or other form of political advertising or electioneering communication prepared by a candidate, a political or incidental committee, or its authorized agent;

(iv) Sums paid for tickets to fund-raising events such as dinners and parties, except for the actual cost of the consumables furnished at the event.

(b) "Contribution" does not include:

(i) Standard interest on money deposited in a political or incidental committee's account;

(ii) Ordinary home hospitality;

(iii) A contribution received by a candidate or political or incidental committee that is returned to the contributor within five business days of the date on which it is received by the candidate or political or incidental committee;

(iv) A news item, feature, commentary, or editorial in a regularly scheduled news medium that is of primary interest to the general public, that is in a news medium controlled by a person whose business is that news medium, and that is not controlled by a candidate or a political or incidental committee;

(v) An internal political communication primarily limited to the members of or contributors to a political party organization or political or incidental committee, or to the officers, management staff, or stockholders of a corporation or similar enterprise, or to the members of a labor organization or other membership organization;

(vi) The rendering of personal services of the sort commonly performed by volunteer campaign workers, or incidental expenses personally incurred by volunteer campaign workers not in excess of fifty dollars personally paid for by the worker. "Volunteer services," for the purposes of this subsection, means services or labor for which the

individual is not compensated by any person;

(vii) Messages in the form of reader boards, banners, or yard or window signs displayed on a person's own property or property occupied by a person. However, a facility used for such political advertising for which a rental charge is normally made must be reported as an in-kind contribution and counts towards any applicable contribution limit of the person providing the facility;

(viii) Legal or accounting services rendered to or on behalf of:

(A) A political party or caucus political committee if the person paying for the services is the regular employer of the person rendering such services; or

(B) A candidate or an authorized committee if the person paying for the services is the regular employer of the individual rendering the services and if the services are solely for the purpose of ensuring compliance with state election or public disclosure laws; or

(ix) The performance of ministerial functions by a person on behalf of two or more candidates or political or incidental committees either as volunteer services defined in (b)(vi) of this subsection or for payment by the candidate or political or incidental committee for whom the services are performed as long as:

(A) The person performs solely ministerial functions;

(B) A person who is paid by two or more candidates or political or incidental committees is identified by the candidates and political committees on whose behalf services are performed as part of their respective statements of organization under RCW 42.17A.205; and

(C) The person does not disclose, except as required by law, any information regarding a candidate's or committee's plans, projects, activities, or needs, or regarding a candidate's or committee's contributions or expenditures that is not already publicly available from campaign reports filed with the commission, or otherwise engage in activity that constitutes a contribution under (a)(ii) of this subsection.

A person who performs ministerial functions under this subsection (13)(b)(ix) is not considered an agent of

the candidate or committee as long as he or she has no authority to authorize expenditures or make decisions on behalf of the candidate or committee.

(c) Contributions other than money or its equivalent are deemed to have a monetary value equivalent to the fair market value of the contribution. Services or property or rights furnished at less than their fair market value for the purpose of assisting any candidate or political committee are deemed a contribution. Such a contribution must be reported as an in-kind contribution at its fair market value and counts towards any applicable contribution limit of the provider.

(14) "Depository" means a bank, mutual savings bank, savings and loan association, or credit union doing business in this state.

(15) "Elected official" means any person elected at a general or special election to any public office, and any person appointed to fill a vacancy in any such office.

(16) "Election" includes any primary, general, or special election for public office and any election in which a ballot proposition is submitted to the voters. An election in which the qualifications for voting include other than those requirements set forth in Article VI, section 1 (Amendment 63) of the Constitution of the state of Washington shall not be considered an election for purposes of this chapter.

(17) "Election campaign" means any campaign in support of or in opposition to a candidate for election to public office and any campaign in support of, or in opposition to, a ballot proposition.

(18) "Election cycle" means the period beginning on the first day of January after the date of the last previous general election for the office that the candidate seeks and ending on December 31st after the next election for the office. In the case of a special election to fill a vacancy in an office, "election cycle" means the period beginning on the day the vacancy occurs and ending on December 31st after the special election.

(19)(a) "Electioneering communication" means any broadcast, cable, or satellite television or radio transmission, United States postal service mailing, billboard, newspaper, or periodical that:

(i) Clearly identifies a candidate for a state, local, or judicial office either by specifically naming the candidate, or identifying the candidate without using the candidate's name;

(ii) Is broadcast, transmitted, mailed, erected, distributed, or otherwise published within sixty days before any election for that office in the jurisdiction in which the candidate is seeking election; and

(iii) Either alone, or in combination with one or more communications identifying the candidate by the same sponsor during the sixty days before an election, has a fair market value of one thousand dollars or more.

(b) "Electioneering communication" does not include:

(i) Usual and customary advertising of a business owned by a candidate, even if the candidate is mentioned in the advertising when the candidate has been regularly mentioned in that advertising appearing at least twelve months preceding his or her becoming a candidate;

(ii) Advertising for candidate debates or forums when the advertising is paid for by or on behalf of the debate or forum sponsor, so long as two or more candidates for the same position have been invited to participate in the debate or forum;

(iii) A news item, feature, commentary, or editorial in a regularly scheduled news medium that is:

(A) Of primary interest to the general public;

(B) In a news medium controlled by a person whose business is that news medium; and

(C) Not a medium controlled by a candidate or a political or incidental committee;

(iv) Slate cards and sample ballots;

(v) Advertising for books, films, dissertations, or similar works (A) written by a candidate when the candidate entered into a contract for such publications or media at least twelve months before becoming a candidate, or (B) written about a candidate;

(vi) Public service announcements;

(vii) A mailed internal political communication primarily limited to the members of or contributors to a political party organization or political or incidental committee, or to the officers, management staff, or stockholders of a corporation or similar enterprise, or to the members of a labor organization or other membership organization;

(viii) An expenditure by or contribution to the authorized committee of a candidate for state, local, or judicial office; or

(ix) Any other communication exempted by the commission through rule consistent with the intent of this chapter.

(20) "Expenditure" includes a payment, contribution, subscription, distribution, loan, advance, deposit, or gift of money or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make an expenditure. "Expenditure" also includes a promise to pay, a payment, or a transfer of anything of value in exchange for goods, services, property, facilities, or anything of value for the purpose of assisting, benefiting, or honoring any public official or candidate, or assisting in furthering or opposing any election campaign. For the purposes of this chapter, agreements to make expenditures, contracts, and promises to pay may be reported as estimated obligations until actual payment is made. "Expenditure" shall not include the partial or complete repayment by a candidate or political or incidental committee of the principal of a loan, the receipt of which loan has been properly reported.

(21) "Final report" means the report described as a final report in RCW 42.17A.235(~~(+2)~~) (8).

(22) "General election" for the purposes of RCW 42.17A.405 means the election that results in the election of a person to a state or local office. It does not include a primary.

(23) "Gift" has the definition in RCW 42.52.010.

(24) "Immediate family" includes the spouse or domestic partner, dependent children, and other dependent relatives, if living in the household. For the purposes of the definition of "intermediary" in this section, "immediate family" means an individual's

spouse or domestic partner, and child, stepchild, grandchild, parent, stepparent, grandparent, brother, half brother, sister, or half sister of the individual and the spouse or the domestic partner of any such person and a child, stepchild, grandchild, parent, stepparent, grandparent, brother, half brother, sister, or half sister of the individual's spouse or domestic partner and the spouse or the domestic partner of any such person.

(25) "Incidental committee" means any nonprofit organization not otherwise defined as a political committee but that may incidentally make a contribution or an expenditure in excess of the reporting thresholds in section 5 of this act, directly or through a political committee. Any nonprofit organization is not an incidental committee if it is only remitting payments through the nonprofit organization in an aggregated form and the nonprofit organization is not required to report those payments in accordance with this chapter.

(26) "Incumbent" means a person who is in present possession of an elected office.

~~((26))~~ (27) "Independent expenditure" means an expenditure that has each of the following elements:

(a) It is made in support of or in opposition to a candidate for office by a person who is not (i) a candidate for that office, (ii) an authorized committee of that candidate for that office, (iii) a person who has received the candidate's encouragement or approval to make the expenditure, if the expenditure pays in whole or in part for political advertising supporting that candidate or promoting the defeat of any other candidate or candidates for that office, or (iv) a person with whom the candidate has collaborated for the purpose of making the expenditure, if the expenditure pays in whole or in part for political advertising supporting that candidate or promoting the defeat of any other candidate or candidates for that office;

(b) The expenditure pays in whole or in part for political advertising that either specifically names the candidate supported or opposed, or clearly and beyond any doubt identifies the candidate without using the candidate's name; and

(c) The expenditure, alone or in conjunction with another expenditure or

other expenditures of the same person in support of or opposition to that candidate, has a value of eight hundred dollars or more. A series of expenditures, each of which is under eight hundred dollars, constitutes one independent expenditure if their cumulative value is eight hundred dollars or more.

~~((27))~~ (28) (a) "Intermediary" means an individual who transmits a contribution to a candidate or committee from another person unless the contribution is from the individual's employer, immediate family, or an association to which the individual belongs.

(b) A treasurer or a candidate is not an intermediary for purposes of the committee that the treasurer or candidate serves.

(c) A professional fund-raiser is not an intermediary if the fund-raiser is compensated for fund-raising services at the usual and customary rate.

(d) A volunteer hosting a fund-raising event at the individual's home is not an intermediary for purposes of that event.

~~((28))~~ (29) "Legislation" means bills, resolutions, motions, amendments, nominations, and other matters pending or proposed in either house of the state legislature, and includes any other matter that may be the subject of action by either house or any committee of the legislature and all bills and resolutions that, having passed both houses, are pending approval by the governor.

~~((29))~~ (30) "Legislative office" means the office of a member of the state house of representatives or the office of a member of the state senate.

~~((30))~~ (31) "Lobby" and "lobbying" each mean attempting to influence the passage or defeat of any legislation by the legislature of the state of Washington, or the adoption or rejection of any rule, standard, rate, or other legislative enactment of any state agency under the state administrative procedure act, chapter 34.05 RCW. Neither "lobby" nor "lobbying" includes an association's or other organization's act of communicating with the members of that association or organization.

~~((31))~~ (32) "Lobbyist" includes any person who lobbies either in his or her own or another's behalf.

~~((32))~~ (33) "Lobbyist's employer" means the person or persons by whom a lobbyist is employed and all persons by whom he or she is compensated for acting as a lobbyist.

~~((33))~~ (34) "Ministerial functions" means an act or duty carried out as part of the duties of an administrative office without exercise of personal judgment or discretion.

~~((34))~~ (35) "Participate" means that, with respect to a particular election, an entity:

(a) Makes either a monetary or in-kind contribution to a candidate;

(b) Makes an independent expenditure or electioneering communication in support of or opposition to a candidate;

(c) Endorses a candidate before contributions are made by a subsidiary corporation or local unit with respect to that candidate or that candidate's opponent;

(d) Makes a recommendation regarding whether a candidate should be supported or opposed before a contribution is made by a subsidiary corporation or local unit with respect to that candidate or that candidate's opponent; or

(e) Directly or indirectly collaborates or consults with a subsidiary corporation or local unit on matters relating to the support of or opposition to a candidate, including, but not limited to, the amount of a contribution, when a contribution should be given, and what assistance, services or independent expenditures, or electioneering communications, if any, will be made or should be made in support of or opposition to a candidate.

~~((35))~~ (36) "Person" includes an individual, partnership, joint venture, public or private corporation, association, federal, state, or local governmental entity or agency however constituted, candidate, committee, political committee, political party, executive committee thereof, or any other organization or group of persons, however organized.

~~((36))~~ (37) "Political advertising" includes any advertising displays, newspaper ads, billboards, signs, brochures, articles, tabloids, flyers, letters, radio or television presentations, or other means of mass communication, used for the purpose of

appealing, directly or indirectly, for votes or for financial or other support or opposition in any election campaign.

~~((37))~~ (38) "Political committee" means any person (except a candidate or an individual dealing with his or her own funds or property) having the expectation of receiving contributions or making expenditures in support of, or opposition to, any candidate or any ballot proposition.

~~((38))~~ (39) "Primary" for the purposes of RCW 42.17A.405 means the procedure for nominating a candidate to state or local office under chapter 29A.52 RCW or any other primary for an election that uses, in large measure, the procedures established in chapter 29A.52 RCW.

~~((39))~~ (40) "Public office" means any federal, state, judicial, county, city, town, school district, port district, special district, or other state political subdivision elective office.

~~((40))~~ (41) "Public record" has the definition in RCW 42.56.010.

~~((41))~~ (42) "Recall campaign" means the period of time beginning on the date of the filing of recall charges under RCW 29A.56.120 and ending thirty days after the recall election.

~~((42))~~ (43) (a) "Sponsor" for purposes of an electioneering communications, independent expenditures, or political advertising means the person paying for the electioneering communication, independent expenditure, or political advertising. If a person acts as an agent for another or is reimbursed by another for the payment, the original source of the payment is the sponsor.

(b) "Sponsor," for purposes of a political or incidental committee, means any person, except an authorized committee, to whom any of the following applies:

(i) The committee receives eighty percent or more of its contributions either from the person or from the person's members, officers, employees, or shareholders;

(ii) The person collects contributions for the committee by use of payroll deductions or dues from its members, officers, or employees.

~~((43))~~ (44) "Sponsored committee" means a committee, other than an authorized committee, that has one or more sponsors.

~~((44))~~ (45) "State office" means state legislative office or the office of governor, lieutenant governor, secretary of state, attorney general, commissioner of public lands, insurance commissioner, superintendent of public instruction, state auditor, or state treasurer.

~~((45))~~ (46) "State official" means a person who holds a state office.

~~((46))~~ (47) "Surplus funds" mean, in the case of a political committee or candidate, the balance of contributions that remain in the possession or control of that committee or candidate subsequent to the election for which the contributions were received, and that are in excess of the amount necessary to pay remaining debts incurred by the committee or candidate with respect to that election. In the case of a continuing political committee, "surplus funds" mean those contributions remaining in the possession or control of the committee that are in excess of the amount necessary to pay all remaining debts when it makes its final report under RCW 42.17A.255.

~~((47))~~ (48) "Treasurer" and "deputy treasurer" mean the individuals appointed by a candidate or political or incidental committee, pursuant to RCW 42.17A.210, to perform the duties specified in that section.

NEW SECTION. Sec. 4. A new section is added to chapter 42.17A RCW to read as follows:

(1)(a) An incidental committee must file a statement of organization with the commission within two weeks after the date the committee first:

(i) Has the expectation of making contributions or expenditures aggregating at least twenty-five thousand dollars in a calendar year in any election campaign, or to a political committee; and

(ii) Is required to disclose a payment received under RCW 42.17A.240(2)(d).

(b) If an incidental committee first meets the criteria requiring filing a statement of organization as specified in (a) of this subsection in the last three

weeks before an election, then it must file the statement of organization within three business days.

(2) The statement of organization must include but is not limited to:

(a) The name and address of the committee;

(b) The names and addresses of all related or affiliated political or incidental committees or other persons, and the nature of the relationship or affiliation;

(c) The names, addresses, and titles of its officers; or if it has no officers, the names, addresses, and titles of its responsible leaders and the name of the person designated as the treasurer of the incidental committee;

(d) The name, office sought, and party affiliation of each candidate whom the committee is supporting or opposing if the committee contributes directly to a candidate and, if donating to a political committee, the name and address of that political committee;

(e) The ballot proposition concerned, if any, and whether the committee is in favor of or opposed to such proposition; and

(f) Such other information as the commission may by rule prescribe, in keeping with the policies and purposes of this chapter.

(3) Any material change in information previously submitted in a statement of organization must be reported to the commission within the ten days following the change.

Sec. 5. RCW 42.17A.235 and 2015 c 54 s 1 are each amended to read as follows:

(1) In addition to the information required under RCW 42.17A.205 and 42.17A.210, on the day the treasurer is designated, each candidate or political committee must file with the commission a report of all contributions received and expenditures made prior to that date, if any. In addition to the information required under RCW 42.17A.205 and 42.17A.210, on the day an incidental committee files a statement of organization with the commission, each incidental committee must file with the commission a report of any election campaign expenditures under RCW 42.17A.240(6), as well as the source of

the ten largest cumulative payments of ten thousand dollars or greater it received in the current calendar year from a single person, including any persons tied as the tenth largest source of payments it received, if any.

(2) Each treasurer of a candidate or political committee or incidental committee required to file a statement of organization under this chapter shall file with the commission a report containing the information required by RCW 42.17A.240 at the following intervals:

(a) On the twenty-first day and the seventh day immediately preceding the date on which the election is held;

(b) On the tenth day of the first month after the election; and

(c) On the tenth day of each month in which no other reports are required to be filed under this section:

(i) For a political committee only if the committee has received a contribution or made an expenditure in the preceding calendar month and either the total contributions received or total expenditures made since the last such report exceed two hundred dollars; or

(ii) For an incidental committee, only if the committee has:

(A) Received a payment that would change the information required under RCW 42.17A.240(2)(d) as included in its last report; or

(B) Made any election campaign expenditure reportable under RCW 42.17A.240(6) since its last report, and the total election campaign expenditures made since the last report exceed two hundred dollars.

The report filed twenty-one days before the election shall report all contributions received and expenditures made as of the end of one business day before the date of the report. The report filed seven days before the election shall report all contributions received and expenditures made as of the end of one business day before the date of the report. Reports filed on the tenth day of the month shall report all contributions received and expenditures made from the closing date of the last report filed through the last day of the month preceding the date of the current report.

(3) For the period beginning the first day of the fourth month preceding the date of the special election, or for the period beginning the first day of the fifth month before the date of the general election, and ending on the date of that special or general election, each Monday the treasurer for a candidate or a political committee shall file with the commission a report of each bank deposit made during the previous seven calendar days. The report shall contain the name of each person contributing the funds and the amount contributed by each person. However, persons who contribute no more than twenty-five dollars in the aggregate are not required to be identified in the report. A copy of the report shall be retained by the treasurer for his or her records. In the event of deposits made by a deputy treasurer, the copy shall be forwarded to the treasurer for his or her records. Each report shall be certified as correct by the treasurer or deputy treasurer making the deposit.

(4)(a) The treasurer (~~(or)~~) for a candidate or a political committee shall maintain books of account accurately reflecting all contributions and expenditures on a current basis within five business days of receipt or expenditure. During the eight days immediately preceding the date of the election the books of account shall be kept current within one business day. As specified in the political committee's statement of organization filed under RCW 42.17A.205, the books of account must be open for public inspection by appointment at the designated place for inspections between 8:00 a.m. and 8:00 p.m. on any day from the eighth day immediately before the election through the day immediately before the election, other than Saturday, Sunday, or a legal holiday. It is a violation of this chapter for a candidate or political committee to refuse to allow and keep an appointment for an inspection to be conducted during these authorized times and days. The appointment must be allowed at an authorized time and day for such inspections that is within twenty-four hours of the time and day that is requested for the inspection.

(b) At the time of making the appointment, a person wishing to inspect the books of account must provide the treasurer the name and telephone number of the person wishing to inspect the books of account. The person inspecting the books of account must show photo

identification before the inspection begins.

(c) A treasurer may refuse to show the books of account to any person who does not make an appointment or provide the required identification.

(5) Copies of all reports filed pursuant to this section shall be readily available for public inspection by appointment, pursuant to subsection (4) of this section, at the principal headquarters or, if there is no headquarters, at the address of the treasurer or such other place as may be authorized by the commission.

(6) The treasurer or candidate shall preserve books of account, bills, receipts, and all other financial records of the campaign or political committee for not less than five calendar years following the year during which the transaction occurred.

(7) All reports filed pursuant to subsection (1) or (2) of this section shall be certified as correct by the candidate and the treasurer.

(8) When there is no outstanding debt or obligation, the campaign fund is closed, and the campaign is concluded in all respects or in the case of a political committee, the committee has ceased to function and has dissolved, the treasurer shall file a final report. Upon submitting a final report, the duties of the treasurer shall cease and there is no obligation to make any further reports.

(9) The commission must adopt rules for the dissolution of incidental committees.

Sec. 6. RCW 42.17A.240 and 2010 c 204 s 409 are each amended to read as follows:

Each report required under RCW 42.17A.235 (1) and (2) must be certified as correct by the treasurer and the candidate and shall disclose the following except that the commission may suspend or modify reporting requirements for contributions received by an incidental committee in cases of manifestly unreasonable hardship under RCW 42.17A.120:

(1) The funds on hand at the beginning of the period;

(2) The name and address of each person who has made one or more contributions

during the period, together with the money value and date of each contribution and the aggregate value of all contributions received from each person during the campaign, or in the case of a continuing political committee, the current calendar year, with the following exceptions:

(a) Pledges in the aggregate of less than one hundred dollars from any one person need not be reported;

(b) Income that results from a fund-raising activity conducted in accordance with RCW 42.17A.230 may be reported as one lump sum, with the exception of that portion received from persons whose names and addresses are required to be included in the report required by RCW 42.17A.230;

(c) Contributions of no more than twenty-five dollars in the aggregate from any one person during the election campaign may be reported as one lump sum if the treasurer maintains a separate and private list of the name, address, and amount of each such contributor; ~~((and))~~

(d) Payments received by an incidental committee from any one person need not be reported unless the person is one of the committee's ten largest sources of payments received, including any persons tied as the tenth largest source of payments received, during the current calendar year, and the value of the cumulative payments received from that person during the current calendar year is ten thousand dollars or greater. For payments to incidental committees from multiple persons received in aggregated form, any payment of more than ten thousand dollars from any single person must be reported, but the aggregated payment itself may not be reported;

(e) Payments from private foundations organized under section 501(c)(3) of the internal revenue code to an incidental committee do not have to be reported if:

(i) The private foundation is contracting with the incidental committee for a specific purpose other than election campaign purposes;

(ii) Use of the funds for election campaign purposes is explicitly prohibited by contract; and

(iii) Funding from the private foundation represents less than twenty-five percent of the incidental committee's total budget;

(f) For purposes of this subsection, commentary or analysis on a ballot measure by an incidental committee is not considered a contribution if it does not advocate specifically to vote for or against the ballot measure; and

(g) The money value of contributions of postage (~~shall be~~) is the face value of the postage;

(3) Each loan, promissory note, or security instrument to be used by or for the benefit of the candidate or political committee made by any person, including the names and addresses of the lender and each person liable directly, indirectly or contingently and the date and amount of each such loan, promissory note, or security instrument;

(4) All other contributions not otherwise listed or exempted;

(5) The name and address of each candidate or political committee to which any transfer of funds was made, including the amounts and dates of the transfers;

(6) The name and address of each person to whom an expenditure was made in the aggregate amount of more than fifty dollars during the period covered by this report, the amount, date, and purpose of each expenditure, and the total sum of all expenditures. An incidental committee only must report on expenditures, made and reportable as contributions as defined in RCW 42.17A.005, to election campaigns. For purposes of this subsection, commentary or analysis on a ballot measure by an incidental committee is not considered an expenditure if it does not advocate specifically to vote for or against the ballot measure;

(7) The name and address of each person directly compensated for soliciting or procuring signatures on an initiative or referendum petition, the amount of the compensation to each person, and the total expenditures made for this purpose. Such expenditures shall be reported under this subsection in addition to what is required to be reported under subsection (6) of this section;

(8) The name and address of any person and the amount owed for any debt, obligation, note, unpaid loan, or other liability in the amount of more than two hundred fifty dollars or in the amount of more than fifty dollars that has been outstanding for over thirty days;

(9) The surplus or deficit of contributions over expenditures;

(10) The disposition made in accordance with RCW 42.17A.430 of any surplus funds; and

(11) Any other information required by the commission by rule in conformance with the policies and purposes of this chapter.

Sec. 7. RCW 42.17A.420 and 2010 c 204 s 604 are each amended to read as follows:

(1) It is a violation of this chapter for any person to make, or for any candidate or political committee to accept from any one person, contributions reportable under RCW 42.17A.240 in the aggregate exceeding fifty thousand dollars for any campaign for statewide office or exceeding five thousand dollars for any other campaign subject to the provisions of this chapter within twenty-one days of a general election. This subsection does not apply to contributions made by, or accepted from, a bona fide political party as defined in this chapter, excluding the county central committee or legislative district committee. This subsection does not apply to payments received by an incidental committee.

(2) Contributions governed by this section include, but are not limited to, contributions made or received indirectly through a third party or entity whether the contributions are or are not reported to the commission as earmarked contributions under RCW 42.17A.270.

NEW SECTION. **Sec. 8.** The public disclosure commission shall implement the provisions of this act within existing funds.

NEW SECTION. **Sec. 9.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. **Sec. 10.** This act takes effect January 1, 2019."

Correct the title.

Signed by Representatives Hudgins, Chair; Dolan, Vice Chair; Appleton; Gregerson and Pellicciotti.

MINORITY recommendation: Do not pass. Signed by Representatives McDonald, Ranking Minority Member; Kraft, Assistant Ranking Minority Member and Johnson.

MINORITY recommendation: Without recommendation. Signed by Representative Irwin.

Referred to Committee on Rules for second reading.

February 21, 2018

SSB 5998 Prime Sponsor, Committee on Health & Long Term Care: Concerning health care provider and health care facility whistleblower protections. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 43.70.075 and 2006 c 8 s 109 are each amended to read as follows:

(1) (a) The identity of a whistleblower ((who)) must remain confidential if that whistleblower:

(i) Complains, in good faith, to the department of health about the improper quality of care by a health care provider, or in a health care facility ((as defined in RCW 43.72.010, or who));

(ii) Initiates in good faith any investigation or administrative proceeding about a complaint of improper quality of care made to the department under this section; or

(iii) Submits a notification or report of an adverse event or an incident, in good faith, to the department of health under RCW 70.56.020 or to the independent entity under RCW 70.56.040 ((shall remain confidential)).

(b) The provisions of RCW 4.24.500 through 4.24.520, providing certain protections to persons who communicate to government agencies, shall apply to complaints and notifications or reports of adverse events or incidents filed under this section. The identity of the whistleblower shall remain confidential

unless the department determines that the complaint ~~((or))~~, initiation, notification, or report ((of the adverse event or incident)) was not made in good faith.

(c) An employee who is a whistleblower, as defined in this section, and who as a result of being a whistleblower has been subjected to workplace reprisal or retaliatory action has the remedies provided under chapter 49.60 RCW.

(d) A whistleblower who is not an employee and who as a result of being a whistleblower has been subjected to reprisal or retaliatory action may initiate a civil action in a court of competent jurisdiction to either enjoin further violations, recover actual damages sustained by the whistleblower, or both, and recover the cost of the suit including reasonable attorneys' fees. The court shall award reasonable attorneys' fees in favor of the respondent if the civil action was initiated by a whistleblower who is not an employee and the court finds that the respondent has not engaged in the alleged reprisal or retaliatory action and that the complaint was frivolous, unreasonable, or groundless.

(2) ((a)) A civil action under this section may not be brought more than two years after the date when the retaliation occurred.

(3) In this section:

(a) "Health care facility" means hospices licensed under chapter 70.127 RCW, hospitals licensed under chapter 70.41 RCW, rural health care facilities as defined in RCW 70.175.020, psychiatric hospitals licensed under chapter 71.12 RCW, nursing homes licensed under chapter 18.51 RCW, community mental health centers licensed under chapter 71.05 or 71.24 RCW, kidney disease treatment centers licensed under chapter 70.41 RCW, ambulatory diagnostic, treatment, or surgical facilities licensed under chapter 70.41 RCW, ambulatory surgical facilities licensed under chapter 70.230 RCW, substance use disorder treatment facilities licensed under chapter 71.24 RCW, and home health agencies licensed under chapter 70.127 RCW, and includes such facilities if owned and operated by a political subdivision or instrumentality of the state and such other facilities as required by federal law and implementing regulations.

(b) "Improper quality of care" means any practice, procedure, action, or failure to act that violates any state law or rule of the applicable state health licensing authority under Title 18 or chapters 70.41, ~~((70.96A))~~ 71.24, 70.127, 70.175, 71.05, 71.12, and 71.24 RCW, and enforced by the department of health. Each health disciplinary authority as defined in RCW 18.130.040 may, with consultation and interdisciplinary coordination provided by the state department of health, adopt rules defining accepted standards of practice for their profession that shall further define improper quality of care. Improper quality of care shall not include good faith personnel actions related to employee performance or actions taken according to established terms and conditions of employment.

~~((b))~~ (c) "Reprisal or retaliatory action" means but is not limited to: Denial of adequate staff to perform duties; frequent staff changes; frequent and undesirable office changes; refusal to assign meaningful work; unwarranted and unsubstantiated report of misconduct pursuant to Title 18 RCW; letters of reprimand or unsatisfactory performance evaluations; demotion; reduction in pay; denial of promotion; suspension; dismissal; denial of employment; ~~((and))~~ a supervisor or superior encouraging coworkers to behave in a hostile manner toward the whistleblower; and the revocation, suspension, or reduction of medical staff membership or privileges without following a medical staff sanction process that is consistent with section 2 of this act.

~~((c))~~ (d) "Whistleblower" means a consumer, employee, or health care professional including a health care provider as defined in RCW 7.70.020(1) or member of a medical staff at a health care facility, who in good faith reports alleged quality of care concerns to the department of health or initiates, participates, or cooperates in any investigation or administrative proceeding under this section.

~~((3))~~ (4) Nothing in this section prohibits a health care facility from making any decision exercising its authority to terminate, suspend, or discipline an employee who engages in workplace reprisal or retaliatory action against a whistleblower.

~~((4))~~ (5) The department shall adopt rules to implement procedures for filing,

investigation, and resolution of whistleblower complaints that are integrated with complaint procedures under Title 18 RCW for health professionals or health care facilities.

NEW SECTION. **Sec. 2.** A new section is added to chapter 7.71 RCW to read as follows:

(1) A medical staff privilege sanction process that results in a revocation, suspension, or reduction of medical staff privileges or membership at a health care facility must meet the requirements of RCW 70.41.200(1)(b).

(2) A professional peer review action taken by a health care facility that imposes a revocation, suspension, or reduction of medical staff privileges or membership must meet the requirements of and is subject to 42 U.S.C. Sec. 11112.

(3) In this section, "health care facility" has the same meaning as in RCW 43.70.075."

Correct the title.

Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Graves, Assistant Ranking Minority Member; Goodman; Haler; Hansen; Kirby; Klippert; Muri; Orwall and Valdez.

Referred to Committee on Rules for second reading.

February 21, 2018

SB 6024 Prime Sponsor, Senator Mullet: Addressing the disposition of certain fees collected by the department of financial institutions for the securities division. Reported by Committee on Business & Financial Services

MAJORITY recommendation: Do pass. Signed by Representatives Kirby, Chair; Reeves, Vice Chair; Vick, Ranking Minority Member; Barkis; Bergquist; Blake; Santos and Stanford.

MINORITY recommendation: Do not pass. Signed by Representatives Walsh, Assistant Ranking Minority Member; Jenkin and McCabe.

Referred to Committee on Appropriations.

February 21, 2018

SB 6030 Prime Sponsor, Senator Cleveland: Simplifying the process for donating low-value surplus property owned by a city-

owned utility. Reported by Committee on Local Government

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 35.94.040 and 1973 1st ex.s. c 95 s 1 are each amended to read as follows:

Whenever a city shall determine, by resolution of its legislative authority, that any lands, property, or equipment originally acquired for public utility purposes is surplus to the city's needs and is not required for providing continued public utility service and, in the case of personal property or equipment, has an estimated value of greater than fifty thousand dollars, then such legislative authority by resolution and after a public hearing may cause such lands, property, or equipment to be leased, sold, or conveyed. Such resolution shall state the fair market value or the rent or consideration to be paid and such other terms and conditions for such disposition as the legislative authority deems to be in the best public interest.

The provisions of RCW 35.94.020 and 35.94.030 shall not apply to dispositions authorized by this section. The provisions of this section and RCW 35.94.020 and 35.94.030 shall not apply to the disposition of any personal property or equipment originally acquired for public utility purposes that is surplus to the city's needs and is not required for providing continued public utility service and has an estimated value of fifty thousand dollars or less."

Correct the title.

Signed by Representatives Appleton, Chair; McBride, Vice Chair; Griffey, Ranking Minority Member; Gregerson and Peterson.

MINORITY recommendation: Do not pass. Signed by Representative Taylor.

Referred to Committee on Rules for second reading.

February 21, 2018

SB 6058

Prime Sponsor, Senator Hunt: Modifying write-in voting provisions. Reported by Committee on State Government, Elections & Information Technology

MAJORITY recommendation: Do pass as amended.

On page 5, at the beginning of line 35, strike all material through "~~These~~)" on line 37 and insert "A ballot is invalid and no votes on that ballot may be counted if it is found folded together with another ballot.

((~~These~~))"

Signed by Representatives Hudgins, Chair; Dolan, Vice Chair; McDonald, Ranking Minority Member; Appleton; Gregerson; Irwin; Johnson and Pellicciotti.

MINORITY recommendation: Do not pass. Signed by Representative Kraft, Assistant Ranking Minority Member.

Referred to Committee on Rules for second reading.

February 21, 2018

ESSB 6109

Prime Sponsor, Committee on Ways & Means: Concerning the International Wildland Urban Interface Code. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Appleton, Chair; McBride, Vice Chair; Gregerson and Peterson.

MINORITY recommendation: Do not pass. Signed by Representative Taylor.

MINORITY recommendation: Without recommendation. Signed by Representative Griffey, Ranking Minority Member.

Referred to Committee on Appropriations.

February 21, 2018

SB 6113

Prime Sponsor, Senator Bailey: Concerning priority processing for adult family home license applications. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Cody, Chair; Macri, Vice Chair; Schmick, Ranking Minority Member; Graves, Assistant Ranking Minority Member; Caldier; Clibborn; DeBolt;

Harris; Jinkins; MacEwen; Maycumber; Riccelli; Robinson; Rodne; Slatter; Stonier and Tharinger.

Referred to Committee on Rules for second reading.

February 21, 2018

SB 6125 Prime Sponsor, Senator Honeyford: Extending the expiration date of the department of ecology's authority to enter into voluntary regional agreements. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Blake, Chair; Chapman, Vice Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Chandler; Fitzgibbon; Lytton; Orcutt; Pettigrew; Robinson; Schmick; Springer; Stanford and Walsh.

Referred to Committee on Rules for second reading.

February 21, 2018

ESSB 6137 Prime Sponsor, Committee on Labor & Commerce: Clarifying the relationship between manufacturers and new motor vehicle dealers by providing tools to resolve disparities including expanding compensation for recalled vehicles. Reported by Committee on Business & Financial Services

MAJORITY recommendation: Do pass. Signed by Representatives Kirby, Chair; Reeves, Vice Chair; Vick, Ranking Minority Member; Walsh, Assistant Ranking Minority Member; Barkis; Bergquist; Blake; Jenkin; McCabe; Santos and Stanford.

Referred to Committee on Rules for second reading.

February 21, 2018

SSB 6152 Prime Sponsor, Committee on Local Government: Concerning the authority of counties to vacate a county road that abuts on a body of water if the county road is hazardous or creates a significant risk to public safety. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Appleton, Chair; McBride, Vice Chair; Griffey, Ranking Minority Member; Gregerson; Peterson and Taylor.

Referred to Committee on Rules for second reading.

February 21, 2018

SB 6163 Prime Sponsor, Senator Becker: Extending the duration of the collaborative for the advancement of telemedicine. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"Sec. 1. 2016 c 68 s 2 (uncodified) is amended to read as follows:

(1) The collaborative for the advancement of telemedicine is created to enhance the understanding and use of health services provided through telemedicine and other similar models in Washington state. The collaborative shall be hosted by the University of Washington telehealth services and shall be comprised of one member from each of the two largest caucuses of the senate and the house of representatives, and representatives from the academic community, hospitals, clinics, and health care providers in primary care and specialty practices, carriers, and other interested parties.

(2) By July 1, 2016, the collaborative shall be convened. The collaborative shall develop recommendations on improving reimbursement and access to services, including originating site restrictions, provider to provider consultative models, and technologies and models of care not currently reimbursed; identify the existence of telemedicine best practices, guidelines, billing requirements, and fraud prevention developed by recognized medical and telemedicine organizations; and explore other priorities identified by members of the collaborative. After review of existing resources, the

collaborative shall explore and make recommendations on whether to create a technical assistance center to support providers in implementing or expanding services delivered through telemedicine technologies.

(3) The collaborative must submit an initial progress report by December 1, 2016, with follow-up policy reports including recommendations by December 1, 2017, ~~((and))~~ December 1, 2018, and December 1, 2021. The reports shall be shared with the relevant professional associations, governing boards or commissions, and the health care committees of the legislature.

(4) The meetings of the board shall be open public meetings, with meeting summaries available on a web page.

(5) The future of the collaborative shall be reviewed by the legislature with consideration of ongoing technical assistance needs and opportunities. The collaborative terminates December 31, ~~((2018))~~ 2021."

Correct the title.

Signed by Representatives Cody, Chair; Macri, Vice Chair; Schmick, Ranking Minority Member; Graves, Assistant Ranking Minority Member; Caldier; Clibborn; DeBolt; Harris; Jinkins; MacEwen; Maycumber; Riccelli; Robinson; Rodne; Slatter; Stonier and Tharinger.

Referred to Committee on Rules for second reading.

February 21, 2018

SB 6182 Prime Sponsor, Senator Takko: Addressing noncollection of taxes by county treasurers. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Appleton, Chair; McBride, Vice Chair; Griffey, Ranking Minority Member; Gregerson and Peterson.

MINORITY recommendation: Do not pass. Signed by Representative Taylor.

Referred to Committee on Rules for second reading.

February 21, 2018

SB 6190 Prime Sponsor, Senator Hunt: Allowing the use of a signature stamp for voting purposes. Reported by Committee on State Government, Elections & Information Technology

MAJORITY recommendation: Do pass. Signed by Representatives Hudgins, Chair; Dolan, Vice Chair; McDonald, Ranking Minority Member; Kraft, Assistant Ranking Minority Member; Appleton; Gregerson; Irwin; Johnson and Pellicciotti.

Referred to Committee on Rules for second reading.

February 21, 2018

SB 6205 Prime Sponsor, Senator Cleveland: Requiring property sold in tax lien foreclosure proceedings to be sold as is. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Graves, Assistant Ranking Minority Member; Goodman; Haler; Hansen; Kirby; Klippert; Muri; Orwall and Valdez.

Referred to Committee on Rules for second reading.

February 20, 2018

ESB 6213 Prime Sponsor, Senator Ranker: Addressing the presumption of occupational disease for purposes of workers' compensation by adding medical conditions to the presumption and extending the presumption to certain publicly employed firefighters and investigators and law enforcement. Reported by Committee on Labor & Workplace Standards

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

MINORITY recommendation: Do not pass. Signed by Representatives McCabe, Ranking Minority Member and Manweller.

Referred to Committee on Appropriations.

February 20, 2018

SSB 6214 Prime Sponsor, Committee on Labor & Commerce: Allowing industrial insurance coverage for posttraumatic stress disorders

affecting law enforcement officers and firefighters. Reported by Committee on Labor & Workplace Standards

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Gregerson, Vice Chair; McCabe, Ranking Minority Member; Doglio and Frame.

MINORITY recommendation: Do not pass. Signed by Representative Manweller.

Referred to Committee on Appropriations.

February 21, 2018

SB 6311 Prime Sponsor, Senator Mullet: Concerning lost or destroyed state warrants, bonds, and other instruments. Reported by Committee on Business & Financial Services

MAJORITY recommendation: Do pass. Signed by Representatives Kirby, Chair; Reeves, Vice Chair; Vick, Ranking Minority Member; Walsh, Assistant Ranking Minority Member; Barkis; Bergquist; Blake; Jenkin; McCabe; Santos and Stanford.

Referred to Committee on Rules for second reading.

February 20, 2018

SSB 6318 Prime Sponsor, Committee on Agriculture, Water, Natural Resources & Parks: Clarifying existing law by creating a new intrastate food safety and security chapter from existing intrastate food safety laws and moving certain provisions in the intrastate commerce food, drugs, and cosmetics act to the titles of the agencies that administer the provisions. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Blake, Chair; Chapman, Vice Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Fitzgibbon; Lytton; Orcutt; Pettigrew; Robinson and Stanford.

MINORITY recommendation: Do not pass. Signed by Representatives Schmick and Walsh.

Referred to Committee on Rules for second reading.

February 21, 2018

SB 6319 Prime Sponsor, Senator Honeyford: Implementing the federal produce safety rule. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Blake, Chair; Chapman, Vice Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Chandler; Fitzgibbon; Lytton; Orcutt; Pettigrew; Robinson; Schmick; Springer; Stanford and Walsh.

Referred to Committee on Rules for second reading.

February 21, 2018

SB 6368 Prime Sponsor, Senator Warnick: Updating laws concerning agricultural fairs, youth shows, and exhibitions. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Blake, Chair; Chapman, Vice Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Chandler; Fitzgibbon; Lytton; Orcutt; Pettigrew; Robinson; Schmick; Springer; Stanford and Walsh.

Referred to Committee on Rules for second reading.

February 21, 2018

SSB 6399 Prime Sponsor, Committee on Health & Long Term Care: Concerning telemedicine payment parity. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Cody, Chair; Macri, Vice Chair; Schmick, Ranking Minority Member; Graves, Assistant Ranking Minority Member; Caldier; Clibborn; DeBolt; Harris; Jenkins; MacEwen; Maycumber; Riccelli; Robinson; Rodne; Slatter; Stonier and Tharinger.

Referred to Committee on Rules for second reading.

February 21, 2018

SB 6462 Prime Sponsor, Senator Angel: Concerning the seller's real estate disclosure regarding oil tank insurance. Reported by Committee on Business & Financial Services

MAJORITY recommendation: Do pass. Signed by Representatives Kirby, Chair; Reeves, Vice Chair; Vick, Ranking Minority Member; Walsh, Assistant Ranking Minority Member; Barkis; Bergquist; Blake; Jenkin; McCabe; Santos and Stanford.

Referred to Committee on Rules for second reading.

February 21, 2018

SSB 6473 Prime Sponsor, Committee on Financial Institutions & Insurance: Preventing fires

in rental dwelling units. Reported by
Committee on Local Government

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting
clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds that over the last ten years, Washington has seen an increasing shift from homeowners to renters in major metropolitan areas and smaller cities and towns. Many of these rentals are in low density, single-family homes, or low density multifamily buildings. As more renters enter the market, rental costs have increased by over thirty percent, forcing people to look for more affordable places to live. With new rental units coming on the market in former single-family homes, many do not meet current fire safety standards. In Washington, four out of five fire deaths occur in residential dwelling units. Smoke alarms have become such a common feature in homes that it is easy to take them for granted, but properly installed and maintained smoke alarms save lives. Despite requirements for landlords to equip rental dwelling units with smoke detection devices, and tenants to maintain smoke detectors in accordance with manufacturer's recommendations, tragedies still occur.

Therefore, the legislature directs the Washington director of fire protection to investigate ways to prevent fire deaths in rental dwellings, educate landlords and tenants regarding their responsibilities, evaluate insurance certification requirements or changes to the building code, and other possible programs or funding that would improve installation and maintenance of smoke detectors in rental apartments and single-family homes.

The director of fire protection must form a task force of stakeholders including but not limited to landlords of residential units, tenants, local governments, firefighters, representatives from home builders and construction trades, the insurance industry, and a nonprofit that provides free smoke detectors and installation. The task force shall choose its chair from among its membership. The director of fire protection must convene the

initial meeting of the task force. The task force must allow for public comments. The task force shall update the appropriate committees of the legislature by December 1, 2018. The task force shall report its findings and recommendations to the governor and the appropriate committees of the legislature by December 1, 2019."

Correct the title.

Signed by Representatives Appleton, Chair; McBride, Vice Chair; Griffey, Ranking Minority Member; Gregerson; Peterson and Taylor.

Referred to Committee on Rules for second reading.

February 21, 2018

SSB 6475 Prime Sponsor, Committee on Transportation: Prohibiting the imposition of regional transit authority property taxes on less than a whole parcel. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Wylie, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Harmsworth, Assistant Ranking Minority Member; Chapman; Gregerson; Hayes; Irwin; Kloba; Lovick; McBride; Ortiz-Self; Pellicciotti; Pike; Riccelli; Rodne; Shea; Stambaugh; Tarleton; Valdez; Van Werven and Young.

Referred to Committee on Rules for second reading.

There being no objection, the bills, memorials and resolutions listed on the day's committee reports under the fifth order of business were referred to the committees so designated with the exception of HOUSE BILL NO. 2299 and HOUSE BILL NO. 2469 which were placed on the second reading calendar.

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

SECOND READING

SUBSTITUTE SENATE BILL NO. 5553, by Senate Committee on Law & Justice (originally sponsored by Senators Pedersen, Fain, Frockt, Takko, Hobbs, Zeiger, Kuderer and Darneille)

Preventing suicide by permitting the voluntary waiver of firearm rights.

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 44, February 20, 2018).

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 Orwall and Graves spoke in favor of the passage of the bill.

MOTION

On motion of Representative Hayes, Representative Smith was excused.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5553, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5553, as amended by the House, and the bill passed the House by the following vote: Yeas, 77; Nays, 20; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Caldier, Chapman, Clibborn, Cody, Condotta, DeBolt, Doglio, Dolan, Eslick, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Hudgins, Irwin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Lovick, Lytton, MacEwen, Macri, Manweller, 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, Valdez, Vick, Walsh, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Dent, Dye, Holy, Jenkin, Kraft, Kretz, Kristiansen, Maycumber, McCaslin, Orcutt, Pike, Rodne, Schmick, Shea, Taylor, Van Werven, Volz and Young.

Excused: Representative Smith.

SUBSTITUTE SENATE BILL NO. 5553, as amended by the House, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote YEA on Senate Bill No. 5559.

Representative Rodne, 5 District

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

MESSAGE FROM THE SENATE

February 23, 2018

MR. SPEAKER:

The Senate has passed:

ENGROSSED SENATE BILL NO. 6617,

and the same are herewith transmitted.

Brad Hendrickson, Secretary

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

MOTION

There being no objection, ENGROSSED SENATE BILL NO. 6617 was read the first time, and under suspension of the rules was placed on the second reading calendar.

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

SECOND READING

ENGROSSED SENATE BILL NO. 6617, by Senators Nelson and Schoesler

Concerning records disclosure obligations of the legislative branch.

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 Pollet 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 Engrossed Senate Bill No. 6617.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 6617, and the bill passed the House by the following vote: Yeas, 83; Nays, 14; Absent, 0; Excused, 1.

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

Voting nay: Representatives Caldier, Fey, Graves, Harmsworth, Kilduff, Kraft, Muri, Orwall, Pellicciotti, Reeves, Sawyer, Stambaugh, Walsh and Young.

Excused: Representative Smith.

ENGROSSED SENATE BILL NO. 6617, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote NAY on Engrossed Senate Bill No. 6617.

Representative Lovick, 44 District

SECOND READING

There being no objection, ENGROSSED SENATE BILL NO. 6617 was immediately transmitted to the Senate.

ENGROSSED SENATE BILL NO. 5992, by Senators Van De Wege, Zeiger, Dhingra, Fain, Pedersen, Liias, Nelson, Billig, Darneille, Palumbo, Carlyle, Frockt, Rolfes, Keiser, Hunt, Wellman, Chase, Ranker, Saldaña, Kuderer and Mullet

Concerning trigger modification devices. (REVISED FOR ENGROSSED: Concerning bump-fire stocks.)

The bill was read the second time.

With the consent of the house, amendment (1183) was withdrawn.

Representative Rodne moved the adoption of amendment (1154):

On page 8, line 14, after "(4)" insert "The provisions of subsection (1) of this section governing bump-fire stocks do not apply to the ownership, possession or control, or transport of a bump-fire stock by a person with a disability who has a demonstrated physical need for a bump-fire stock, due to the person's disability, in order to effectively operate a firearm.

(5) "

On page 8, at the beginning of line 18, strike "(5)" and insert "~~((5))~~ (6)"

Representative Rodne spoke in favor of the adoption of the amendment.

Representative Jinkins spoke against the adoption of the amendment.

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (1154) and the amendment was not adopted by the following vote: Yeas, 48; Nays, 49; Absent, 0; Excused, 1.

Voting yea: Representatives Barkis, Blake, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Eslick, Graves, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, Walsh, Wilcox and Young.

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

Excused: Representative Smith.

Amendment (1154) was not adopted.

Representative Rodne moved the adoption of amendment (1155):

On page 8, line 14, after "(4)" insert "The provisions of subsection (1) of this section governing bump-fire stocks do not apply to the ownership, possession or control, or transport of a bump-fire stock by a veteran, as defined in RCW 41.04.007, who is disabled, regardless of whether the disability is service connected, and who has a demonstrated physical need for a bump-fire stock, due to the person's disability, in order to effectively operate a firearm.

(5) "

On page 8, at the beginning of line 18, strike "(5)" and insert "~~((5))~~ (6)"

Representatives Rodne and Shea spoke in favor of the adoption of the amendment.

Representative Jinkins spoke against the adoption of the amendment.

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (1155) and the amendment was not adopted by the following vote: Yeas, 48; Nays, 49; Absent, 0; Excused, 1.

Voting yea: Representatives Barkis, Blake, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Eslick, Graves, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Kraft, Kretz,

Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, Walsh, Wilcox and Young.

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

Excused: Representative Smith.

Amendment (1155) was not adopted.

Representative Shea moved the adoption of amendment (1186):

On page 8, line 14, after "(4)" insert "The provisions of subsection (1) of this section governing bump-fire stocks do not apply to the ownership, possession or control, or transport of a bump-fire stock by a law enforcement officer."

(5) "

On page 8, at the beginning of line 18, strike "(5)" and insert "~~((4))~~ (6)"

Representative Shea spoke in favor of the adoption of the amendment.

Representative Jinkins spoke against the adoption of the amendment.

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (1186) and the amendment was not adopted by the following vote: Yeas, 47; Nays, 50; Absent, 0; Excused, 1.

Voting yea: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Eslick, Graves, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, Walsh, Wilcox and Young.

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

Excused: Representative Smith.

Amendment (1186) was not adopted.

Representative Shea moved the adoption of amendment (1187):

On page 8, line 14, after "(4)" insert "The provisions of subsection (1) of this section governing bump-fire stocks do not apply to the ownership, possession or control, or transport of a bump-fire stock by an active duty member of the armed forces of the United States, a member of the national guard or the reserves of the armed forces of the United States, or a veteran as defined in RCW 41.04.007."

(5) "

On page 8, at the beginning of line 18, strike "(5)" and insert "~~((4))~~ (6)"

Representatives Shea, Rodne, Klippert and Shea (again) spoke in favor of the adoption of the amendment.

Representative Jinkins spoke against the adoption of the amendment.

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (1187) and the amendment was not adopted by the following vote: Yeas, 48; Nays, 49; Absent, 0; Excused, 1.

Voting yea: Representatives Barkis, Blake, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Eslick, Graves, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, Walsh, Wilcox and Young.

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

Excused: Representative Smith.

Amendment (1187) was not adopted.

Representative Shea moved the adoption of amendment (1189):

On page 8, line 14, after "(4)" insert "The provisions of subsection (1) of this section governing bump-fire"

stocks do not apply to the ownership, possession or control, or transport of a bump-fire stock by a veteran, as defined in RCW 41.04.007, who is disabled, regardless of whether the disability is service connected.

(5) "

On page 8, at the beginning of line 18, strike "(5)" and insert "((~~5~~)) (6)"

Representative Shea spoke in favor of the adoption of the amendment.

Representative Jinkins spoke against the adoption of the amendment.

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (1189) and the amendment was not adopted by the following vote: Yeas, 48; Nays, 49; Absent, 0; Excused, 1.

Voting yea: Representatives Barkis, Blake, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Eslick, Graves, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, Walsh, Wilcox and Young.

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

Excused: Representative Smith.

Amendment (1189) was not adopted.

Representative Graves moved the adoption of amendment (1073):

On page 31, after line 14, insert the following:

"**NEW SECTION. Sec. 10.** A new section is added to chapter 43.43 RCW to read as follows:

(1) The Washington state patrol shall establish and administer a bump-fire stock buy-back program to allow a person in possession of a bump-fire stock to relinquish the device to the Washington state patrol or a participating local law enforcement agency in exchange for a monetary payment established under this section. The Washington state patrol

shall adopt rules to implement the bump-fire stock buy-back program according to the following standards:

(a) The buy-back program must be implemented between July 1, 2018, and June 30, 2019, at locations in regions throughout the state.

(b) The buy-back program must allow an individual to relinquish a bump-fire stock to the Washington state patrol or a local law enforcement agency participating in the program in exchange for a monetary payment of one hundred fifty dollars. The Washington state patrol shall coordinate with local law enforcement agencies in implementing the program.

(c) The Washington state patrol shall establish the method for providing the monetary payment and reimbursing a participating law enforcement agency for payments made to individuals under the buy-back program.

(d) The buy-back program is subject to the availability of funds appropriated for this specific purpose. This section does not create a right or entitlement in a person to receive a monetary payment under the buy-back program.

(e) The Washington state patrol and participating law enforcement agencies shall establish guidelines for the destruction or other disposition of bump-fire stocks relinquished under this section.

(2) This section expires January 1, 2020."

Renumber the remaining sections consecutively and correct the title.

Representatives Graves and Jinkins spoke in favor of the adoption of the amendment.

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (1073) and the amendment was adopted by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Eslick, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, 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, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Valdez, Van Werven, Vick, Volz, Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representative Chapman.

Excused: Representative Smith.

Amendment (1073) was adopted.

Representative Klippert moved the adoption of amendment (1077):

Strike everything after the enacting clause and insert the following:

"**NEW SECTION. Sec. 1.** The legislature recognizes that:

(1) The Second Amendment to the United States Constitution guarantees that "A well regulated militia, being necessary to the security of a free state, the right of the people to keep and bear arms, shall not be infringed"; and

(2) Article I, section 24 of the state Constitution guarantees that "The right of the individual citizen to bear arms in defense of himself, or the state, shall not be impaired . . ." The constitutionally protected fundamental right to bear arms is an individual right guaranteed to all law-abiding citizens.

The legislature also finds that federal and state law acknowledges additional protections for individuals with disabilities. The legislature finds that the Washington law against discrimination seeks to protect individuals with physical disabilities from discrimination in the exercise of their civil rights.

The legislature finds that bump-fire stocks and trigger modification devices were originally intended and designed to assist individuals with physical disabilities to utilize firearms in conjunction with their fundamental constitutionally protected rights. Therefore, it is the intent of the legislature to protect the ownership, transport, and certain transfers of bump-fire stock devices that assist individuals with physical disabilities to exercise their right to keep and bear arms.

Sec. 2. RCW 9.41.010 and 2017 c 264 s 1 are each reenacted and amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Antique firearm" means a firearm or replica of a firearm not designed or redesigned for using rim fire or conventional center fire ignition with fixed ammunition and manufactured in or before 1898, including any matchlock, flintlock, percussion cap, or similar type of ignition system and also any firearm using fixed ammunition manufactured in or before 1898, for which ammunition is no longer manufactured in the United States and is not readily available in the ordinary channels of commercial trade.

(2) "Barrel length" means the distance from the bolt face of a closed action down the length of the axis of the bore to the crown of the muzzle, or in the case of a barrel with attachments to the end of any legal device permanently attached to the end of the muzzle.

(3) "Bump-fire stock" means a butt stock designed to be attached to a semiautomatic firearm with the effect of increasing the rate of fire achievable with the semiautomatic firearm to that of a fully automatic firearm by using the energy from the recoil of the firearm to generate reciprocating action that facilitates repeated activation of the trigger.

(4) "Crime of violence" means:

(a) Any of the following felonies, as now existing or hereafter amended: Any felony defined under any law as a class A felony or an attempt to commit a class A felony, criminal solicitation of or criminal conspiracy to commit a class A felony, manslaughter in the first degree, manslaughter in the second degree, indecent liberties if committed by forcible compulsion, kidnapping in the second degree, arson in the second degree, assault in the second degree, assault of a child in the second degree, extortion in the first degree, burglary in the second degree, residential burglary, and robbery in the second degree;

(b) Any conviction for a felony offense in effect at any time prior to June 6, 1996, which is comparable to a felony classified as a crime of violence in (a) of this subsection; and

(c) Any federal or out-of-state conviction for an offense comparable to

a felony classified as a crime of violence under (a) or (b) of this subsection.

~~((4))~~ (5) "Curio or relic" has the same meaning as provided in 27 C.F.R. Sec. 478.11.

~~((5))~~ (6) "Dealer" means a person engaged in the business of selling firearms at wholesale or retail who has, or is required to have, a federal firearms license under 18 U.S.C. Sec. 923(a). A person who does not have, and is not required to have, a federal firearms license under 18 U.S.C. Sec. 923(a), is not a dealer if that person makes only occasional sales, exchanges, or purchases of firearms for the enhancement of a personal collection or for a hobby, or sells all or part of his or her personal collection of firearms.

~~((6))~~ (7) "Family or household member" means "family" or "household member" as used in RCW 10.99.020.

~~((7))~~ (8) "Felony" means any felony offense under the laws of this state or any federal or out-of-state offense comparable to a felony offense under the laws of this state.

~~((8))~~ (9) "Felony firearm offender" means a person who has previously been convicted or found not guilty by reason of insanity in this state of any felony firearm offense. A person is not a felony firearm offender under this chapter if any and all qualifying offenses have been the subject of an expungement, pardon, annulment, certificate, or rehabilitation, or other equivalent procedure based on a finding of the rehabilitation of the person convicted or a pardon, annulment, or other equivalent procedure based on a finding of innocence.

~~((9))~~ (10) "Felony firearm offense" means:

(a) Any felony offense that is a violation of this chapter;

(b) A violation of RCW 9A.36.045;

(c) A violation of RCW 9A.56.300;

(d) A violation of RCW 9A.56.310;

(e) Any felony offense if the offender was armed with a firearm in the commission of the offense.

~~((10))~~ (11) "Firearm" means a weapon or device from which a projectile or projectiles may be fired by an explosive

such as gunpowder. "Firearm" does not include a flare gun or other pyrotechnic visual distress signaling device, or a powder-actuated tool or other device designed solely to be used for construction purposes.

~~((11))~~ (12) "Gun" has the same meaning as firearm.

~~((12))~~ (13) "Law enforcement officer" includes a general authority Washington peace officer as defined in RCW 10.93.020, or a specially commissioned Washington peace officer as defined in RCW 10.93.020. "Law enforcement officer" also includes a limited authority Washington peace officer as defined in RCW 10.93.020 if such officer is duly authorized by his or her employer to carry a concealed pistol.

~~((13))~~ (14) "Lawful permanent resident" has the same meaning afforded a person "lawfully admitted for permanent residence" in 8 U.S.C. Sec. 1101(a)(20).

~~((14))~~ (15) "Licensed collector" means a person who is federally licensed under 18 U.S.C. Sec. 923(b).

~~((15))~~ (16) "Licensed dealer" means a person who is federally licensed under 18 U.S.C. Sec. 923(a).

~~((16))~~ (17) "Loaded" means:

(a) There is a cartridge in the chamber of the firearm;

(b) Cartridges are in a clip that is locked in place in the firearm;

(c) There is a cartridge in the cylinder of the firearm, if the firearm is a revolver;

(d) There is a cartridge in the tube or magazine that is inserted in the action; or

(e) There is a ball in the barrel and the firearm is capped or primed if the firearm is a muzzle loader.

~~((17))~~ (18) "Machine gun" means any firearm known as a machine gun, mechanical rifle, submachine gun, or any other mechanism or instrument not requiring that the trigger be pressed for each shot and having a reservoir clip, disc, drum, belt, or other separable mechanical device for storing, carrying, or supplying ammunition which can be loaded into the firearm, mechanism, or instrument, and fired therefrom at the rate of five or more shots per second.

~~((18))~~ (19) "Nonimmigrant alien" means a person defined as such in 8 U.S.C. Sec. 1101(a)(15).

~~((19))~~ (20) "Person" means any individual, corporation, company, association, firm, partnership, club, organization, society, joint stock company, or other legal entity.

~~((20))~~ (21) "Pistol" means any firearm with a barrel less than sixteen inches in length, or is designed to be held and fired by the use of a single hand.

~~((21))~~ (22) "Rifle" means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned, made or remade, and intended to use the energy of the explosive in a fixed metallic cartridge to fire only a single projectile through a rifled bore for each single pull of the trigger.

~~((22))~~ (23) "Sale" and "sell" mean the actual approval of the delivery of a firearm in consideration of payment or promise of payment.

~~((23))~~ (24) "Serious offense" means any of the following felonies or a felony attempt to commit any of the following felonies, as now existing or hereafter amended:

- (a) Any crime of violence;
- (b) Any felony violation of the uniform controlled substances act, chapter 69.50 RCW, that is classified as a class B felony or that has a maximum term of imprisonment of at least ten years;
- (c) Child molestation in the second degree;
- (d) Incest when committed against a child under age fourteen;
- (e) Indecent liberties;
- (f) Leading organized crime;
- (g) Promoting prostitution in the first degree;
- (h) Rape in the third degree;
- (i) Drive-by shooting;
- (j) Sexual exploitation;
- (k) Vehicular assault, when caused by the operation or driving of a vehicle by a person while under the influence of intoxicating liquor or any drug or by the

operation or driving of a vehicle in a reckless manner;

(l) Vehicular homicide, when proximately caused by the driving of any vehicle by any person while under the influence of intoxicating liquor or any drug as defined by RCW 46.61.502, or by the operation of any vehicle in a reckless manner;

(m) Any other class B felony offense with a finding of sexual motivation, as "sexual motivation" is defined under RCW 9.94A.030;

(n) Any other felony with a deadly weapon verdict under RCW 9.94A.825;

(o) Any felony offense in effect at any time prior to June 6, 1996, that is comparable to a serious offense, or any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as a serious offense; or

(p) Any felony conviction under RCW 9.41.115.

~~((24))~~ (25) "Short-barreled rifle" means a rifle having one or more barrels less than sixteen inches in length and any weapon made from a rifle by any means of modification if such modified weapon has an overall length of less than twenty-six inches.

~~((25))~~ (26) "Short-barreled shotgun" means a shotgun having one or more barrels less than eighteen inches in length and any weapon made from a shotgun by any means of modification if such modified weapon has an overall length of less than twenty-six inches.

~~((26))~~ (27) "Shotgun" means a weapon with one or more barrels, designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned, made or remade, and intended to use the energy of the explosive in a fixed shotgun shell to fire through a smooth bore either a number of ball shot or a single projectile for each single pull of the trigger.

~~((27))~~ (28) "Transfer" means the intended delivery of a firearm to another person without consideration of payment or promise of payment including, but not limited to, gifts and loans. "Transfer" does not include the delivery of a firearm owned or leased by an entity licensed or qualified to do business in the state of Washington to, or return of

such a firearm by, any of that entity's employees or agents, defined to include volunteers participating in an honor guard, for lawful purposes in the ordinary course of business.

~~((28))~~ (29) "Unlicensed person" means any person who is not a licensed dealer under this chapter.

Sec. 3. RCW 9.41.190 and 2016 c 214 s 1 are each amended to read as follows:

(1) Except as otherwise provided in this section, it is unlawful for any person to:

(a) Manufacture, own, buy, sell, loan, furnish, transport, or have in possession or under control, any machine gun, short-barreled shotgun, or short-barreled rifle;

(b) Manufacture, own, buy, sell, loan, furnish, transport, or have in possession or under control, any part designed and intended solely and exclusively for use in a machine gun, short-barreled shotgun, or short-barreled rifle, or in converting a weapon into a machine gun, short-barreled shotgun, or short-barreled rifle; or

(c) Assemble or repair any machine gun, short-barreled shotgun, or short-barreled rifle.

(2)(a) Except as provided in (b) of this subsection, it is unlawful for any person to manufacture, buy, sell, loan, transfer, or furnish to another person, a bump-fire stock.

(b) It is not unlawful for a person to own, possess, transport, or repair a bump-fire stock, or to temporarily transfer a bump-fire stock to another person if the temporary transfer:

(i) Is between spouses or domestic partners;

(ii) Occurs at an established shooting range authorized by the governing body of the jurisdiction in which such range is located and the bump-fire stock is kept at all times at the shooting range;

(iii) Occurs at a lawful organized competition involving the use of firearms and the transferee's possession of the bump-fire stock is exclusively at the organized competition; or

(iv) Occurs while engaged in lawful hunting.

(3) It is not unlawful for a person to manufacture, own, buy, sell, loan, furnish, transport, assemble, or repair, or have in possession or under control, a short-barreled rifle, or any part designed or intended solely and exclusively for use in a short-barreled rifle or in converting a weapon into a short-barreled rifle, if the person is in compliance with applicable federal law.

~~((3))~~ (4) Subsections (1) and (2) of this section shall not apply to:

(a) Any peace officer in the discharge of official duty or traveling to or from official duty, or to any officer or member of the armed forces of the United States or the state of Washington in the discharge of official duty or traveling to or from official duty; or

(b) A person, including an employee of such person if the employee has undergone fingerprinting and a background check, who or which is exempt from or licensed under federal law, and engaged in the production, manufacture, repair, or testing of machine guns, bump-fire stocks, short-barreled shotguns, or short-barreled rifles:

(i) To be used or purchased by the armed forces of the United States;

(ii) To be used or purchased by federal, state, county, or municipal law enforcement agencies; or

(iii) For exportation in compliance with all applicable federal laws and regulations.

~~((4))~~ (5) It shall be an affirmative defense to a prosecution brought under this section that the machine gun or short-barreled shotgun was acquired prior to July 1, 1994, and is possessed in compliance with federal law.

~~((5))~~ (6) Any person violating this section is guilty of a class C felony.

Sec. 4. RCW 9.41.225 and 1989 c 231 s 3 are each amended to read as follows:

(1) It is unlawful for a person, in the commission or furtherance of a felony other than a violation of RCW 9.41.190, to discharge a machine gun or to menace or threaten with a machine gun, another person.

(2) It is unlawful for a person, in the commission or furtherance of a felony other than a violation of RCW 9.41.190, to discharge a firearm containing a bump-fire stock or to menace or threaten

another person with a firearm containing a bump-fire stock.

(3) A violation of this section shall be punished as a class A felony under chapter 9A.20 RCW.

Sec. 5. RCW 9.94A.475 and 2012 c 183 s 2 are each amended to read as follows:

Any and all recommended sentencing agreements or plea agreements and the sentences for any and all felony crimes shall be made and retained as public records if the felony crime involves:

(1) Any violent offense as defined in this chapter;

(2) Any most serious offense as defined in this chapter;

(3) Any felony with a deadly weapon special verdict under RCW 9.94A.825;

(4) Any felony with any deadly weapon enhancements under RCW 9.94A.533 (3) or (4), or both;

(5) The felony crimes of possession of a machine gun, possessing a stolen firearm, drive-by shooting, theft of a firearm, unlawful possession of a firearm in the first or second degree, and/or use of a machine gun or bump-fire stock in a felony; or

(6) The felony crime of driving a motor vehicle while under the influence of intoxicating liquor or any drug as defined in RCW 46.61.502, and felony physical control of a motor vehicle while under the influence of intoxicating liquor or any drug as defined in RCW 46.61.504.

Sec. 6. RCW 9.94A.515 and 2017 c 335 s 4, 2017 c 292 s 3, 2017 c 272 s 10, and 2017 c 266 s 8 are each reenacted and amended to read as follows:

TABLE 2
CRIMES INCLUDED WITHIN EACH
SERIOUSNESS LEVEL

I	XV	Aggravated Murder 1 (RCW 10.95.020)
	XV	Homicide by abuse (RCW 9A.32.055)
		Malicious explosion 1 (RCW 70.74.280(1))
		Murder 1 (RCW 9A.32.030)
V	XI	Murder 2 (RCW 9A.32.050)

		Trafficking 1 (RCW 9A.40.100(1))
II	XI	Malicious explosion 2 (RCW 70.74.280(2))
		Malicious placement of an explosive 1 (RCW 70.74.270(1))
I	XI	Assault 1 (RCW 9A.36.011)
		Assault of a Child 1 (RCW 9A.36.120)
		Malicious placement of an imitation device 1 (RCW 70.74.272(1)(a))
		Promoting Commercial Sexual Abuse of a Minor (RCW 9.68A.101)
		Rape 1 (RCW 9A.44.040)
		Rape of a Child 1 (RCW 9A.44.073)
		Trafficking 2 (RCW 9A.40.100(3))
XI	XI	Manslaughter 1 (RCW 9A.32.060)
		Rape 2 (RCW 9A.44.050)
		Rape of a Child 2 (RCW 9A.44.076)
		Vehicle Homicide, by being under the influence of intoxicating liquor or any drug (RCW 46.61.520)
		Vehicle Homicide, by the operation of any vehicle in a reckless manner (RCW 46.61.520)
X	X	Child Molestation 1 (RCW 9A.44.083)
		Criminal Mistreatment 1 (RCW 9A.42.020)
		Indecent Liberties (with forcible compulsion) (RCW 9A.44.100(1)(a))
		Kidnapping 1 (RCW 9A.40.020)
		Leading Organized Crime (RCW 9A.82.060(1)(a))
		Malicious explosion 3 (RCW 70.74.280(3))
		Sexually Violent Predator Escape (RCW 9A.76.115)
IX	IX	Abandonment of Dependent Person 1 (RCW 9A.42.060)

- Assault of a Child 2 (RCW 9A.36.130)
- Explosive devices prohibited (RCW 70.74.180)
- Hit and Run—Death (RCW 46.52.020(4)(a))
- Homicide by Watercraft, by being under the influence of intoxicating liquor or any drug (RCW 79A.60.050)
- Inciting Criminal Profiteering (RCW 9A.82.060(1)(b))
- Malicious placement of an explosive 2 (RCW 70.74.270(2))
- Robbery 1 (RCW 9A.56.200)
- Sexual Exploitation (RCW 9.68A.040)
- VI Arson 1 (RCW 9A.48.020)
- II Commercial Sexual Abuse of a Minor (RCW 9.68A.100)
- Homicide by Watercraft, by the operation of any vessel in a reckless manner (RCW 79A.60.050)
- Manslaughter 2 (RCW 9A.32.070)
- Promoting Prostitution 1 (RCW 9A.88.070)
- Theft of Ammonia (RCW 69.55.010)
- VI Air bag diagnostic systems (causing bodily injury or death) (RCW 46.37.660(2)(b))
- I Air bag replacement requirements (causing bodily injury or death) (RCW 46.37.660(1)(b))
- Burglary 1 (RCW 9A.52.020)
- Child Molestation 2 (RCW 9A.44.086)
- Civil Disorder Training (RCW 9A.48.120)
- Dealing in depictions of minor engaged in sexually explicit conduct 1 (RCW 9.68A.050(1))
- Drive-by Shooting (RCW 9A.36.045)
- Homicide by Watercraft, by disregard for the safety of others (RCW 79A.60.050)
- Indecent Liberties (without forcible compulsion) (RCW 9A.44.100(1)(b) and (c))
- Introducing Contraband 1 (RCW 9A.76.140)
- Malicious placement of an explosive 3 (RCW 70.74.270(3))
- Manufacture or import counterfeit, nonfunctional, damaged, or previously deployed air bag (causing bodily injury or death) (RCW 46.37.650(1)(b))
- Negligently Causing Death By Use of a Signal Preemption Device (RCW 46.37.675)
- ((Sale ~~H:\DATA\2018 JOURNAL\Journal2018\LegDay047\ of.doe~~)) Sell, install, or reinstall counterfeit, nonfunctional, damaged, or previously deployed airbag (RCW 46.37.650(2)(b))
- Sending, bringing into state depictions of minor engaged in sexually explicit conduct 1 (RCW 9.68A.060(1))
- Unlawful Possession of a Firearm in the first degree (RCW 9.41.040(1))
- Use of a Machine Gun or Bump-fire Stock in Commission of a Felony (RCW 9.41.225)
- Vehicular Homicide, by disregard for the safety of others (RCW 46.61.520)
- VI Bail Jumping with Murder 1 (RCW 9A.76.170(3)(a))
- Bribery (RCW 9A.68.010)
- Incest 1 (RCW 9A.64.020(1))
- Intimidating a Judge (RCW 9A.72.160)
- Intimidating a Juror/Witness (RCW 9A.72.110, 9A.72.130)
- Malicious placement of an imitation device 2 (RCW 70.74.272(1)(b))
- Possession of Depictions of a Minor Engaged in Sexually

Explicit Conduct 1 (RCW 9.68A.070(1))
 Rape of a Child 3 (RCW 9A.44.079)
 Theft of a Firearm (RCW 9A.56.300)
 Theft from a Vulnerable Adult 1 (RCW 9A.56.400(1))
 Unlawful Storage of Ammonia (RCW 69.55.020)
 V Abandonment of Dependent Person 2 (RCW 9A.42.070)
 Advancing money or property for extortionate extension of credit (RCW 9A.82.030)
 Air bag diagnostic systems (RCW 46.37.660(2)(c))
 Air bag replacement requirements (RCW 46.37.660(1)(c))
 Bail Jumping with class A Felony (RCW 9A.76.170(3)(b))
 Child Molestation 3 (RCW 9A.44.089)
 Criminal Mistreatment 2 (RCW 9A.42.030)
 Custodial Sexual Misconduct 1 (RCW 9A.44.160)
 Dealing in Depictions of Minor Engaged in Sexually Explicit Conduct 2 (RCW 9.68A.050(2))
 Domestic Violence Court Order Violation (RCW 10.99.040, 10.99.050, 26.09.300, 26.10.220, 26.26.138, 26.50.110, 26.52.070, or 74.34.145)
 Extortion 1 (RCW 9A.56.120)
 Extortionate Extension of Credit (RCW 9A.82.020)
 Extortionate Means to Collect Extensions of Credit (RCW 9A.82.040)
 Incest 2 (RCW 9A.64.020(2))
 Kidnapping 2 (RCW 9A.40.030)
 Manufacture or import counterfeit, nonfunctional, damaged, or previously deployed air bag (RCW 46.37.650(1)(c))
 Perjury 1 (RCW 9A.72.020)
 Persistent prison misbehavior (RCW 9.94.070)
 Possession of a Stolen Firearm (RCW 9A.56.310)
 Rape 3 (RCW 9A.44.060)
 Rendering Criminal Assistance 1 (RCW 9A.76.070)
 ((Sale ~~H:\DATA\2018 JOURNAL\Journal2018\LogDay047\ of.doe)~~ Sell, install, or reinstall counterfeit, nonfunctional, damaged, or previously deployed airbag (RCW 46.37.650(2)(c))
 Sending, Bringing into State Depictions of Minor Engaged in Sexually Explicit Conduct 2 (RCW 9.68A.060(2))
 Sexual Misconduct with a Minor 1 (RCW 9A.44.093)
 Sexually Violating Human Remains (RCW 9A.44.105)
 Stalking (RCW 9A.46.110)
 Taking Motor Vehicle Without Permission 1 (RCW 9A.56.070)
 IV Arson 2 (RCW 9A.48.030)
 Assault 2 (RCW 9A.36.021)
 Assault 3 (of a Peace Officer with a Projectile Stun Gun) (RCW 9A.36.031(1)(h))
 Assault 4 (third domestic violence offense) (RCW 9A.36.041(3))
 Assault by Watercraft (RCW 79A.60.060)
 Bribing a Witness/Bribe Received by Witness (RCW 9A.72.090, 9A.72.100)
 Cheating 1 (RCW 9.46.1961)
 Commercial Bribery (RCW 9A.68.060)
 Counterfeiting (RCW 9.16.035(4))
 Driving While Under the Influence (RCW 46.61.502(6))
 Endangerment with a Controlled Substance (RCW 9A.42.100)
 Escape 1 (RCW 9A.76.110)

Hit and Run—Injury (RCW 46.52.020(4)(b))

Hit and Run with Vessel—Injury Accident (RCW 79A.60.200(3))

Identity Theft 1 (RCW 9.35.020(2))

Indecent Exposure to Person Under Age Fourteen (subsequent sex offense) (RCW 9A.88.010)

Influencing Outcome of Sporting Event (RCW 9A.82.070)

Malicious Harassment (RCW 9A.36.080)

Physical Control of a Vehicle While Under the Influence (RCW 46.61.504(6))

Possession of Depictions of a Minor Engaged in Sexually Explicit Conduct 2 (RCW 9.68A.070(2))

Residential Burglary (RCW 9A.52.025)

Robbery 2 (RCW 9A.56.210)

Theft of Livestock 1 (RCW 9A.56.080)

Threats to Bomb (RCW 9.61.160)

Trafficking in Stolen Property 1 (RCW 9A.82.050)

Unlawful factoring of a credit card or payment card transaction (RCW 9A.56.290(4)(b))

Unlawful transaction of health coverage as a health care service contractor (RCW 48.44.016(3))

Unlawful transaction of health coverage as a health maintenance organization (RCW 48.46.033(3))

Unlawful transaction of insurance business (RCW 48.15.023(3))

Unlicensed practice as an insurance professional (RCW 48.17.063(2))

Use of Proceeds of Criminal Profiteering (RCW 9A.82.080(1) and (2))

Vehicle Prowling 2 (third or subsequent offense) (RCW 9A.52.100(3))

Vehicular Assault, by being under the influence of intoxicating liquor or any drug, or by the operation or driving of a vehicle in a reckless manner (RCW 46.61.522)

Viewing of Depictions of a Minor Engaged in Sexually Explicit Conduct 1 (RCW 9.68A.075(1))

Willful Failure to Return from Furlough (RCW 72.66.060)

I II Animal Cruelty 1 (Sexual Conduct or Contact) (RCW 16.52.205(3))

Assault 3 (Except Assault 3 of a Peace Officer With a Projectile Stun Gun) (RCW 9A.36.031 except subsection (1)(h))

Assault of a Child 3 (RCW 9A.36.140)

Bail Jumping with class B or C Felony (RCW 9A.76.170(3)(c))

Burglary 2 (RCW 9A.52.030)

Communication with a Minor for Immoral Purposes (RCW 9.68A.090)

Criminal Gang Intimidation (RCW 9A.46.120)

Custodial Assault (RCW 9A.36.100)

Cyberstalking (subsequent conviction or threat of death) (RCW 9.61.260(3))

Escape 2 (RCW 9A.76.120)

Extortion 2 (RCW 9A.56.130)

Harassment (RCW 9A.46.020)

Intimidating a Public Servant (RCW 9A.76.180)

Introducing Contraband 2 (RCW 9A.76.150)

Malicious Injury to Railroad Property (RCW 81.60.070)

Manufacture, Sale, Purchase, or Transfer of a Bump-fire Stock (RCW 9.41.190(2))

Mortgage Fraud (RCW 19.144.080)

Negligently Causing Substantial Bodily Harm By Use of a Signal Preemption Device (RCW 46.37.674)

Organized Retail Theft 1 (RCW 9A.56.350(2))

Perjury 2 (RCW 9A.72.030)

Possession of Incendiary Device (RCW 9.40.120)

Possession of Machine Gun or Short-Barreled Shotgun or Rifle (RCW 9.41.190)

Promoting Prostitution 2 (RCW 9A.88.080)

Retail Theft with Special Circumstances 1 (RCW 9A.56.360(2))

Securities Act violation (RCW 21.20.400)

Tampering with a Witness (RCW 9A.72.120)

Telephone Harassment (subsequent conviction or threat of death) (RCW 9.61.230(2))

Theft of Livestock 2 (RCW 9A.56.083)

Theft with the Intent to Resell 1 (RCW 9A.56.340(2))

Trafficking in Stolen Property 2 (RCW 9A.82.055)

Unlawful Hunting of Big Game 1 (RCW 77.15.410(3)(b))

Unlawful Imprisonment (RCW 9A.40.040)

Unlawful Misbranding of Food Fish or Shellfish 1 (RCW 69.04.938(3))

Unlawful possession of firearm in the second degree (RCW 9.41.040(2))

Unlawful Taking of Endangered Fish or Wildlife 1 (RCW 77.15.120(3)(b))

Unlawful Trafficking in Fish, Shellfish, or Wildlife 1 (RCW 77.15.260(3)(b))

Unlawful Use of a Nondesignated Vessel (RCW 77.15.530(4))

Vehicle Assault, by the operation or driving of a vehicle with disregard for the safety of others (RCW 46.61.522)

Willful Failure to Return from Work Release (RCW 72.65.070)

II Commercial Fishing Without a License 1 (RCW 77.15.500(3)(b))

Computer Trespass 1 (RCW 9A.90.040)

Counterfeiting (RCW 9.16.035(3))

Electronic Data Service Interference (RCW 9A.90.060)

Electronic Data Tampering 1 (RCW 9A.90.080)

Electronic Data Theft (RCW 9A.90.100)

Engaging in Fish Dealing Activity Unlicensed 1 (RCW 77.15.620(3))

Escape from Community Custody (RCW 72.09.310)

Failure to Register as a Sex Offender (second or subsequent offense) (RCW 9A.44.130 prior to June 10, 2010, and RCW 9A.44.132)

Health Care False Claims (RCW 48.80.030)

Identity Theft 2 (RCW 9.35.020(3))

Improperly Obtaining Financial Information (RCW 9.35.010)

Malicious Mischief 1 (RCW 9A.48.070)

Organized Retail Theft 2 (RCW 9A.56.350(3))

Possession of Stolen Property 1 (RCW 9A.56.150)

Possession of a Stolen Vehicle (RCW 9A.56.068)

Retail Theft with Special Circumstances 2 (RCW 9A.56.360(3))

Scrap Processing, Recycling,
or Supplying Without a License
(second or subsequent offense)
(RCW 19.290.100)

Theft 1 (RCW 9A.56.030)

Theft of a Motor Vehicle (RCW
9A.56.065)

Theft of Rental, Leased,
Lease-purchased, or Loaned
Property (valued at five
thousand dollars or more) (RCW
9A.56.096(5)(a))

Theft with the Intent to
Resell 2 (RCW 9A.56.340(3))

Trafficking in Insurance
Claims (RCW 48.30A.015)

Unlawful factoring of a
credit card or payment card
transaction (RCW
9A.56.290(4)(a))

Unlawful Participation of
Non-Indians in Indian Fishery
(RCW 77.15.570(2))

Unlawful Practice of Law (RCW
2.48.180)

Unlawful Purchase or Use of
a License (RCW 77.15.650(3)(b))

Unlawful Trafficking in
Fish, Shellfish, or Wildlife 2
(RCW 77.15.260(3)(a))

Unlicensed Practice of a
Profession or Business (RCW
18.130.190(7))

Voyeurism 1 (RCW 9A.44.115)

I Attempting to Elude a
Pursuing Police Vehicle (RCW
46.61.024)

False Verification for
Welfare (RCW 74.08.055)

Forgery (RCW 9A.60.020)

Fraudulent Creation or
Revocation of a Mental Health
Advance Directive (RCW
9A.60.060)

Malicious Mischief 2 (RCW
9A.48.080)

Mineral Trespass (RCW
78.44.330)

Possession of Stolen
Property 2 (RCW 9A.56.160)

Reckless Burning 1 (RCW
9A.48.040)

Spotlighting Big Game 1 (RCW
77.15.450(3)(b))

Suspension of Department
Privileges 1 (RCW
77.15.670(3)(b))

Taking Motor Vehicle Without
Permission 2 (RCW 9A.56.075)

Theft 2 (RCW 9A.56.040)

Theft from a Vulnerable Adult
2 (RCW 9A.56.400(2))

Theft of Rental, Leased,
Lease-purchased, or Loaned
Property (valued at seven
hundred fifty dollars or more
but less than five thousand
dollars) (RCW 9A.56.096(5)(b))

Transaction of insurance
business beyond the scope of
licensure (RCW 48.17.063)

Unlawful Fish and Shellfish
Catch Accounting (RCW
77.15.630(3)(b))

Unlawful Issuance of Checks
or Drafts (RCW 9A.56.060)

Unlawful Possession of
Fictitious Identification (RCW
9A.56.320)

Unlawful Possession of
Instruments of Financial Fraud
(RCW 9A.56.320)

Unlawful Possession of
Payment Instruments (RCW
9A.56.320)

Unlawful Possession of a
Personal Identification Device
(RCW 9A.56.320)

Unlawful Production of
Payment Instruments (RCW
9A.56.320)

Unlawful Releasing,
Planting, Possessing, or
Placing Deleterious Exotic
Wildlife (RCW 77.15.250(2)(b))

Unlawful Trafficking in Food
Stamps (RCW 9.91.142)

Unlawful Use of Food Stamps
(RCW 9.91.144)

Unlawful Use of Net to Take
Fish 1 (RCW 77.15.580(3)(b))

Unlawful Use of Prohibited
Aquatic Animal Species (RCW
77.15.253(3))

Vehicle Prowl 1 (RCW
9A.52.095)

Violating Commercial Fishing
Area or Time 1 (RCW
77.15.550(3)(b))

Sec. 7. RCW 9.94A.533 and 2016 c 203
s 7 are each amended to read as follows:

(1) The provisions of this section apply to the standard sentence ranges determined by RCW 9.94A.510 or 9.94A.517.

(2) For persons convicted of the anticipatory offenses of criminal attempt, solicitation, or conspiracy under chapter 9A.28 RCW, the standard sentence range is determined by locating the sentencing grid sentence range defined by the appropriate offender score and the seriousness level of the completed crime, and multiplying the range by seventy-five percent.

(3) The following additional times shall be added to the standard sentence range for felony crimes committed after July 23, 1995, if the offender or an accomplice was armed with a firearm as defined in RCW 9.41.010 and the offender is being sentenced for one of the crimes listed in this subsection as eligible for any firearm enhancements based on the classification of the completed felony crime. If the offender is being sentenced for more than one offense, the firearm enhancement or enhancements must be added to the total period of confinement for all offenses, regardless of which underlying offense is subject to a firearm enhancement. If the offender or an accomplice was armed with a firearm as defined in RCW 9.41.010 and the offender is being sentenced for an anticipatory offense under chapter 9A.28 RCW to commit one of the crimes listed in this subsection as eligible for any firearm enhancements, the following additional times shall be added to the standard sentence range determined under subsection (2) of this section based on the felony crime of conviction as classified under RCW 9A.28.020:

(a) Five years for any felony defined under any law as a class A felony or with a statutory maximum sentence of at least twenty years, or both, and not covered under (f) of this subsection;

(b) Three years for any felony defined under any law as a class B felony or with a statutory maximum sentence of ten years, or both, and not covered under (f) of this subsection;

(c) Eighteen months for any felony defined under any law as a class C felony or with a statutory maximum sentence of five years, or both, and not covered under (f) of this subsection;

(d) If the offender is being sentenced for any firearm enhancements under (a), (b), and/or (c) of this subsection and the offender has previously been sentenced for any deadly weapon enhancements after July 23, 1995, under (a), (b), and/or (c) of this subsection or subsection (4)(a), (b), and/or (c) of this section, or both, all firearm enhancements under this subsection shall be twice the amount of the enhancement listed;

(e) Notwithstanding any other provision of law, all firearm enhancements under this section are mandatory, shall be served in total confinement, and shall run consecutively to all other sentencing provisions, including other firearm or deadly weapon enhancements, for all offenses sentenced under this chapter. However, whether or not a mandatory minimum term has expired, an offender serving a sentence under this subsection may be:

(i) Granted an extraordinary medical placement when authorized under RCW 9.94A.728(1)(c); or

(ii) Released under the provisions of RCW 9.94A.730;

(f) The firearm enhancements in this section shall apply to all felony crimes except the following: Possession of a machine gun((~~τ~~)); possessing a stolen firearm((~~τ~~)); drive-by shooting((~~τ~~)); theft of a firearm((~~τ~~)); unlawful possession of a firearm in the first and second degree((~~τ~~)); manufacture, sale, purchase, or transfer of a bump-fire stock; and use of a machine gun or bump-fire stock in a felony;

(g) If the standard sentence range under this section exceeds the statutory maximum sentence for the offense, the statutory maximum sentence shall be the presumptive sentence unless the offender is a persistent offender. If the addition of a firearm enhancement increases the sentence so that it would exceed the statutory maximum for the offense, the

portion of the sentence representing the enhancement may not be reduced.

(4) The following additional times shall be added to the standard sentence range for felony crimes committed after July 23, 1995, if the offender or an accomplice was armed with a deadly weapon other than a firearm as defined in RCW 9A.41.010 and the offender is being sentenced for one of the crimes listed in this subsection as eligible for any deadly weapon enhancements based on the classification of the completed felony crime. If the offender is being sentenced for more than one offense, the deadly weapon enhancement or enhancements must be added to the total period of confinement for all offenses, regardless of which underlying offense is subject to a deadly weapon enhancement. If the offender or an accomplice was armed with a deadly weapon other than a firearm as defined in RCW 9A.41.010 and the offender is being sentenced for an anticipatory offense under chapter 9A.28 RCW to commit one of the crimes listed in this subsection as eligible for any deadly weapon enhancements, the following additional times shall be added to the standard sentence range determined under subsection (2) of this section based on the felony crime of conviction as classified under RCW 9A.28.020:

(a) Two years for any felony defined under any law as a class A felony or with a statutory maximum sentence of at least twenty years, or both, and not covered under (f) of this subsection;

(b) One year for any felony defined under any law as a class B felony or with a statutory maximum sentence of ten years, or both, and not covered under (f) of this subsection;

(c) Six months for any felony defined under any law as a class C felony or with a statutory maximum sentence of five years, or both, and not covered under (f) of this subsection;

(d) If the offender is being sentenced under (a), (b), and/or (c) of this subsection for any deadly weapon enhancements and the offender has previously been sentenced for any deadly weapon enhancements after July 23, 1995, under (a), (b), and/or (c) of this subsection or subsection (3)(a), (b), and/or (c) of this section, or both, all deadly weapon enhancements under this subsection shall be twice the amount of the enhancement listed;

(e) Notwithstanding any other provision of law, all deadly weapon enhancements under this section are mandatory, shall be served in total confinement, and shall run consecutively to all other sentencing provisions, including other firearm or deadly weapon enhancements, for all offenses sentenced under this chapter. However, whether or not a mandatory minimum term has expired, an offender serving a sentence under this subsection may be:

(i) Granted an extraordinary medical placement when authorized under RCW 9.94A.728(1)(c); or

(ii) Released under the provisions of RCW 9.94A.730;

(f) The deadly weapon enhancements in this section shall apply to all felony crimes except the following: Possession of a machine gun((~~τ~~)); possessing a stolen firearm((~~τ~~)); drive-by shooting((~~τ~~)); theft of a firearm((~~τ~~)); unlawful possession of a firearm in the first and second degree((~~τ~~)); manufacture, sale, purchase, or transfer of a bump-fire stock; and use of a machine gun or bump-fire stock in a felony;

(g) If the standard sentence range under this section exceeds the statutory maximum sentence for the offense, the statutory maximum sentence shall be the presumptive sentence unless the offender is a persistent offender. If the addition of a deadly weapon enhancement increases the sentence so that it would exceed the statutory maximum for the offense, the portion of the sentence representing the enhancement may not be reduced.

(5) The following additional times shall be added to the standard sentence range if the offender or an accomplice committed the offense while in a county jail or state correctional facility and the offender is being sentenced for one of the crimes listed in this subsection. If the offender or an accomplice committed one of the crimes listed in this subsection while in a county jail or state correctional facility, and the offender is being sentenced for an anticipatory offense under chapter 9A.28 RCW to commit one of the crimes listed in this subsection, the following additional times shall be added to the standard sentence range determined under subsection (2) of this section:

(a) Eighteen months for offenses committed under RCW 69.50.401(2) (a) or (b) or 69.50.410;

(b) Fifteen months for offenses committed under RCW 69.50.401(2) (c), (d), or (e);

(c) Twelve months for offenses committed under RCW 69.50.4013.

For the purposes of this subsection, all of the real property of a state correctional facility or county jail shall be deemed to be part of that facility or county jail.

(6) An additional twenty-four months shall be added to the standard sentence range for any ranked offense involving a violation of chapter 69.50 RCW if the offense was also a violation of RCW 69.50.435 or 9.94A.827. All enhancements under this subsection shall run consecutively to all other sentencing provisions, for all offenses sentenced under this chapter.

(7) An additional two years shall be added to the standard sentence range for vehicular homicide committed while under the influence of intoxicating liquor or any drug as defined by RCW 46.61.502 for each prior offense as defined in RCW 46.61.5055.

Notwithstanding any other provision of law, all impaired driving enhancements under this subsection are mandatory, shall be served in total confinement, and shall run consecutively to all other sentencing provisions, including other impaired driving enhancements, for all offenses sentenced under this chapter.

An offender serving a sentence under this subsection may be granted an extraordinary medical placement when authorized under RCW 9.94A.728(1)(c).

(8)(a) The following additional times shall be added to the standard sentence range for felony crimes committed on or after July 1, 2006, if the offense was committed with sexual motivation, as that term is defined in RCW 9.94A.030. If the offender is being sentenced for more than one offense, the sexual motivation enhancement must be added to the total period of total confinement for all offenses, regardless of which underlying offense is subject to a sexual motivation enhancement. If the offender committed the offense with sexual motivation and the offender is being sentenced for an anticipatory offense under chapter 9A.28

RCW, the following additional times shall be added to the standard sentence range determined under subsection (2) of this section based on the felony crime of conviction as classified under RCW 9A.28.020:

(i) Two years for any felony defined under the law as a class A felony or with a statutory maximum sentence of at least twenty years, or both;

(ii) Eighteen months for any felony defined under any law as a class B felony or with a statutory maximum sentence of ten years, or both;

(iii) One year for any felony defined under any law as a class C felony or with a statutory maximum sentence of five years, or both;

(iv) If the offender is being sentenced for any sexual motivation enhancements under (a)(i), (ii), and/or (iii) of this subsection and the offender has previously been sentenced for any sexual motivation enhancements on or after July 1, 2006, under (a)(i), (ii), and/or (iii) of this subsection, all sexual motivation enhancements under this subsection shall be twice the amount of the enhancement listed;

(b) Notwithstanding any other provision of law, all sexual motivation enhancements under this subsection are mandatory, shall be served in total confinement, and shall run consecutively to all other sentencing provisions, including other sexual motivation enhancements, for all offenses sentenced under this chapter. However, whether or not a mandatory minimum term has expired, an offender serving a sentence under this subsection may be:

(i) Granted an extraordinary medical placement when authorized under RCW 9.94A.728(1)(c); or

(ii) Released under the provisions of RCW 9.94A.730;

(c) The sexual motivation enhancements in this subsection apply to all felony crimes;

(d) If the standard sentence range under this subsection exceeds the statutory maximum sentence for the offense, the statutory maximum sentence shall be the presumptive sentence unless the offender is a persistent offender. If the addition of a sexual motivation enhancement increases the sentence so that it would exceed the statutory

maximum for the offense, the portion of the sentence representing the enhancement may not be reduced;

(e) The portion of the total confinement sentence which the offender must serve under this subsection shall be calculated before any earned early release time is credited to the offender;

(f) Nothing in this subsection prevents a sentencing court from imposing a sentence outside the standard sentence range pursuant to RCW 9.94A.535.

(9) An additional one-year enhancement shall be added to the standard sentence range for the felony crimes of RCW 9A.44.073, 9A.44.076, 9A.44.079, 9A.44.083, 9A.44.086, or 9A.44.089 committed on or after July 22, 2007, if the offender engaged, agreed, or offered to engage the victim in the sexual conduct in return for a fee. If the offender is being sentenced for more than one offense, the one-year enhancement must be added to the total period of total confinement for all offenses, regardless of which underlying offense is subject to the enhancement. If the offender is being sentenced for an anticipatory offense for the felony crimes of RCW 9A.44.073, 9A.44.076, 9A.44.079, 9A.44.083, 9A.44.086, or 9A.44.089, and the offender attempted, solicited another, or conspired to engage, agree, or offer to engage the victim in the sexual conduct in return for a fee, an additional one-year enhancement shall be added to the standard sentence range determined under subsection (2) of this section. For purposes of this subsection, "sexual conduct" means sexual intercourse or sexual contact, both as defined in chapter 9A.44 RCW.

(10) (a) For a person age eighteen or older convicted of any criminal street gang-related felony offense for which the person compensated, threatened, or solicited a minor in order to involve the minor in the commission of the felony offense, the standard sentence range is determined by locating the sentencing grid sentence range defined by the appropriate offender score and the seriousness level of the completed crime, and multiplying the range by one hundred twenty-five percent. If the standard sentence range under this subsection exceeds the statutory maximum sentence for the offense, the statutory maximum sentence is the presumptive sentence

unless the offender is a persistent offender.

(b) This subsection does not apply to any criminal street gang-related felony offense for which involving a minor in the commission of the felony offense is an element of the offense.

(c) The increased penalty specified in (a) of this subsection is unavailable in the event that the prosecution gives notice that it will seek an exceptional sentence based on an aggravating factor under RCW 9.94A.535.

(11) An additional twelve months and one day shall be added to the standard sentence range for a conviction of attempting to elude a police vehicle as defined by RCW 46.61.024, if the conviction included a finding by special allegation of endangering one or more persons under RCW 9.94A.834.

(12) An additional twelve months shall be added to the standard sentence range for an offense that is also a violation of RCW 9.94A.831.

(13) An additional twelve months shall be added to the standard sentence range for vehicular homicide committed while under the influence of intoxicating liquor or any drug as defined by RCW 46.61.520 or for vehicular assault committed while under the influence of intoxicating liquor or any drug as defined by RCW 46.61.522, or for any felony driving under the influence (RCW 46.61.502(6)) or felony physical control under the influence (RCW 46.61.504(6)) for each child passenger under the age of sixteen who is an occupant in the defendant's vehicle. These enhancements shall be mandatory, shall be served in total confinement, and shall run consecutively to all other sentencing provisions. If the addition of a minor child enhancement increases the sentence so that it would exceed the statutory maximum for the offense, the portion of the sentence representing the enhancement may not be reduced.

(14) An additional twelve months shall be added to the standard sentence range for an offense that is also a violation of RCW 9.94A.832.

Sec. 8. RCW 13.40.193 and 2014 c 117 s 1 are each amended to read as follows:

(1) If a respondent is found to have been in possession of a firearm in violation of RCW 9.41.040(2)(a) (~~(+iii)~~)

(iv), the court shall impose a minimum disposition of ten days of confinement. If the offender's standard range of disposition for the offense as indicated in RCW 13.40.0357 is more than thirty days of confinement, the court shall commit the offender to the department for the standard range disposition. The offender shall not be released until the offender has served a minimum of ten days in confinement.

(2) (a) If a respondent is found to have been in possession of a firearm in violation of RCW 9.41.040, the disposition must include a requirement that the respondent participate in a qualifying program as described in (b) of this subsection, when available, unless the court makes a written finding based on the outcome of the juvenile court risk assessment that participation in a qualifying program would not be appropriate.

(b) For purposes of this section, "qualifying program" means an aggression replacement training program, a functional family therapy program, or another program applicable to the juvenile firearm offender population that has been identified as evidence-based or research-based and cost-beneficial in the current list prepared at the direction of the legislature by the Washington state institute for public policy.

(3) If the court finds that the respondent or an accomplice was armed with a firearm, the court shall determine the standard range disposition for the offense pursuant to RCW 13.40.160. If the offender or an accomplice was armed with a firearm when the offender committed any felony other than possession of a machine gun((~~τ~~)); possession of a stolen firearm((~~τ~~)); drive-by shooting((~~τ~~)); theft of a firearm((~~τ~~)); unlawful possession of a firearm in the first and second degree((~~τ~~)); manufacture, sale, purchase, or transfer of a bump-fire stock; or use of a machine gun or bump-fire stock in a felony, the following periods of total confinement must be added to the sentence: For a class A felony, six months; for a class B felony, four months; and for a class C felony, two months. The additional time shall be imposed regardless of the offense's juvenile disposition offense category as designated in RCW 13.40.0357.

(4) When a disposition under this section would effectuate a manifest

injustice, the court may impose another disposition. When a judge finds a manifest injustice and imposes a disposition of confinement exceeding thirty days, the court shall commit the juvenile to a maximum term, and the provisions of RCW 13.40.030(2) shall be used to determine the range. When a judge finds a manifest injustice and imposes a disposition of confinement less than thirty days, the disposition shall be comprised of confinement or community supervision or both.

(5) Any term of confinement ordered pursuant to this section shall run consecutively to any term of confinement imposed in the same disposition for other offenses.

NEW SECTION. Sec. 9. This act takes effect July 1, 2018."

Correct the title.

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

Representative Jenkins spoke against the adoption of the amendment.

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (1077) and the amendment was not adopted by the following vote: Yeas, 48; Nays, 49; Absent, 0; Excused, 1.

Voting yea: Representatives Barkis, Blake, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Eslick, Graves, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, Walsh, Wilcox and Young.

Voting nay: Representatives Appleton, Bergquist, Chapman, Clibborn, Cody, Doglio, Dolan, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hansen, Hudgins, Jenkins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, Morris, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Valdez, Wylie and Mr. Speaker.

Excused: Representative Smith.

Amendment (1077) was not adopted.

Representative Van Werven moved the adoption of amendment (1153):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** The Washington association of sheriffs and police chiefs shall conduct a review of the use of bump-fire stocks in criminal offenses in the state of Washington. The review must include information on the number and types of crimes in which a firearm with a bump-fire stock was used in the commission of or in furtherance of a criminal offense. The Washington association of sheriffs and police chiefs shall conduct this review within existing resources and report its findings to the Legislature by December 1, 2018."

Correct the title.

Representative Van Werven spoke in favor of the adoption of the amendment.

Representative Jinkins spoke against the adoption of the amendment.

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (1153) and the amendment was not adopted by the following vote: Yeas, 48; Nays, 49; Absent, 0; Excused, 1.

Voting yea: Representatives Barkis, Blake, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Eslick, Graves, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, Walsh, Wilcox and Young.

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

Excused: Representative Smith.

Amendment (1153) was not adopted.

Representative Young moved the adoption of amendment (1184):

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 9.41.010 and 2017 c 264 s 1 are each reenacted and amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Antique firearm" means a firearm or replica of a firearm not designed or redesigned for using rim fire or conventional center fire ignition with fixed ammunition and manufactured in or before 1898, including any matchlock, flintlock, percussion cap, or similar type of ignition system and also any firearm using fixed ammunition manufactured in or before 1898, for which ammunition is no longer manufactured in the United States and is not readily available in the ordinary channels of commercial trade.

(2) "Barrel length" means the distance from the bolt face of a closed action down the length of the axis of the bore to the crown of the muzzle, or in the case of a barrel with attachments to the end of any legal device permanently attached to the end of the muzzle.

(3) "Bump-fire stock" means a butt stock designed to be attached to a semiautomatic firearm with the effect of increasing the rate of fire achievable with the semiautomatic firearm to that of a fully automatic firearm by using the energy from the recoil of the firearm to generate reciprocating action that facilitates repeated activation of the trigger.

(4) "Crime of violence" means:

(a) Any of the following felonies, as now existing or hereafter amended: Any felony defined under any law as a class A felony or an attempt to commit a class A felony, criminal solicitation of or criminal conspiracy to commit a class A felony, manslaughter in the first degree, manslaughter in the second degree, indecent liberties if committed by forcible compulsion, kidnapping in the second degree, arson in the second degree, assault in the second degree, assault of a child in the second degree, extortion in the first degree, burglary in the second degree, residential burglary, and robbery in the second degree;

(b) Any conviction for a felony offense in effect at any time prior to June 6, 1996, which is comparable to a felony classified as a crime of violence in (a) of this subsection; and

(c) Any federal or out-of-state conviction for an offense comparable to a felony classified as a crime of violence under (a) or (b) of this subsection.

~~((4))~~ (5) "Curio or relic" has the same meaning as provided in 27 C.F.R. Sec. 478.11.

~~((5))~~ (6) "Dealer" means a person engaged in the business of selling firearms at wholesale or retail who has, or is required to have, a federal firearms license under 18 U.S.C. Sec. 923(a). A person who does not have, and is not required to have, a federal firearms license under 18 U.S.C. Sec. 923(a), is not a dealer if that person makes only occasional sales, exchanges, or purchases of firearms for the enhancement of a personal collection or for a hobby, or sells all or part of his or her personal collection of firearms.

~~((6))~~ (7) "Family or household member" means "family" or "household member" as used in RCW 10.99.020.

~~((7))~~ (8) "Felony" means any felony offense under the laws of this state or any federal or out-of-state offense comparable to a felony offense under the laws of this state.

~~((8))~~ (9) "Felony firearm offender" means a person who has previously been convicted or found not guilty by reason of insanity in this state of any felony firearm offense. A person is not a felony firearm offender under this chapter if any and all qualifying offenses have been the subject of an expungement, pardon, annulment, certificate, or rehabilitation, or other equivalent procedure based on a finding of the rehabilitation of the person convicted or a pardon, annulment, or other equivalent procedure based on a finding of innocence.

~~((9))~~ (10) "Felony firearm offense" means:

(a) Any felony offense that is a violation of this chapter;

(b) A violation of RCW 9A.36.045;

(c) A violation of RCW 9A.56.300;

(d) A violation of RCW 9A.56.310;

(e) Any felony offense if the offender was armed with a firearm in the commission of the offense.

~~((10))~~ (11) "Firearm" means a weapon or device from which a projectile or projectiles may be fired by an explosive such as gunpowder. "Firearm" does not include a flare gun or other pyrotechnic visual distress signaling device, or a powder-actuated tool or other device

designed solely to be used for construction purposes.

~~((11))~~ (12) "Gun" has the same meaning as firearm.

~~((12))~~ (13) "Law enforcement officer" includes a general authority Washington peace officer as defined in RCW 10.93.020, or a specially commissioned Washington peace officer as defined in RCW 10.93.020. "Law enforcement officer" also includes a limited authority Washington peace officer as defined in RCW 10.93.020 if such officer is duly authorized by his or her employer to carry a concealed pistol.

~~((13))~~ (14) "Lawful permanent resident" has the same meaning afforded a person "lawfully admitted for permanent residence" in 8 U.S.C. Sec. 1101(a)(20).

~~((14))~~ (15) "Licensed collector" means a person who is federally licensed under 18 U.S.C. Sec. 923(b).

~~((15))~~ (16) "Licensed dealer" means a person who is federally licensed under 18 U.S.C. Sec. 923(a).

~~((16))~~ (17) "Loaded" means:

(a) There is a cartridge in the chamber of the firearm;

(b) Cartridges are in a clip that is locked in place in the firearm;

(c) There is a cartridge in the cylinder of the firearm, if the firearm is a revolver;

(d) There is a cartridge in the tube or magazine that is inserted in the action; or

(e) There is a ball in the barrel and the firearm is capped or primed if the firearm is a muzzle loader.

~~((17))~~ (18) "Machine gun" means any firearm known as a machine gun, mechanical rifle, submachine gun, or any other mechanism or instrument not requiring that the trigger be pressed for each shot and having a reservoir clip, disc, drum, belt, or other separable mechanical device for storing, carrying, or supplying ammunition which can be loaded into the firearm, mechanism, or instrument, and fired therefrom at the rate of five or more shots per second.

~~((18))~~ (19) "Nonimmigrant alien" means a person defined as such in 8 U.S.C. Sec. 1101(a)(15).

~~((19))~~ (20) "Person" means any individual, corporation, company, association, firm, partnership, club, organization, society, joint stock company, or other legal entity.

~~((20))~~ (21) "Pistol" means any firearm with a barrel less than sixteen inches in length, or is designed to be held and fired by the use of a single hand.

~~((21))~~ (22) "Rifle" means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned, made or remade, and intended to use the energy of the explosive in a fixed metallic cartridge to fire only a single projectile through a rifled bore for each single pull of the trigger.

~~((22))~~ (23) "Sale" and "sell" mean the actual approval of the delivery of a firearm in consideration of payment or promise of payment.

~~((23))~~ (24) "Serious offense" means any of the following felonies or a felony attempt to commit any of the following felonies, as now existing or hereafter amended:

- (a) Any crime of violence;
- (b) Any felony violation of the uniform controlled substances act, chapter 69.50 RCW, that is classified as a class B felony or that has a maximum term of imprisonment of at least ten years;
- (c) Child molestation in the second degree;
- (d) Incest when committed against a child under age fourteen;
- (e) Indecent liberties;
- (f) Leading organized crime;
- (g) Promoting prostitution in the first degree;
- (h) Rape in the third degree;
- (i) Drive-by shooting;
- (j) Sexual exploitation;
- (k) Vehicular assault, when caused by the operation or driving of a vehicle by a person while under the influence of intoxicating liquor or any drug or by the operation or driving of a vehicle in a reckless manner;
- (l) Vehicular homicide, when proximately caused by the driving of any

vehicle by any person while under the influence of intoxicating liquor or any drug as defined by RCW 46.61.502, or by the operation of any vehicle in a reckless manner;

(m) Any other class B felony offense with a finding of sexual motivation, as "sexual motivation" is defined under RCW 9.94A.030;

(n) Any other felony with a deadly weapon verdict under RCW 9.94A.825;

(o) Any felony offense in effect at any time prior to June 6, 1996, that is comparable to a serious offense, or any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as a serious offense; or

(p) Any felony conviction under RCW 9.41.115.

~~((24))~~ (25) "Short-barreled rifle" means a rifle having one or more barrels less than sixteen inches in length and any weapon made from a rifle by any means of modification if such modified weapon has an overall length of less than twenty-six inches.

~~((25))~~ (26) "Short-barreled shotgun" means a shotgun having one or more barrels less than eighteen inches in length and any weapon made from a shotgun by any means of modification if such modified weapon has an overall length of less than twenty-six inches.

~~((26))~~ (27) "Shotgun" means a weapon with one or more barrels, designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned, made or remade, and intended to use the energy of the explosive in a fixed shotgun shell to fire through a smooth bore either a number of ball shot or a single projectile for each single pull of the trigger.

~~((27))~~ (28) "Transfer" means the intended delivery of a firearm to another person without consideration of payment or promise of payment including, but not limited to, gifts and loans. "Transfer" does not include the delivery of a firearm owned or leased by an entity licensed or qualified to do business in the state of Washington to, or return of such a firearm by, any of that entity's employees or agents, defined to include volunteers participating in an honor

guard, for lawful purposes in the ordinary course of business.

~~((28))~~ (29) "Unlicensed person" means any person who is not a licensed dealer under this chapter.

Sec. 2. RCW 9.41.225 and 1989 c 231 s 3 are each amended to read as follows:

(1) It is unlawful for a person, in the commission or furtherance of a felony other than a violation of RCW 9.41.190, to discharge a machine gun or to menace or threaten with a machine gun, another person.

(2) It is unlawful for a person, in the commission or furtherance of a felony other than a violation of RCW 9.41.190, to discharge a firearm containing a bump-fire stock or to menace or threaten another person with a firearm containing a bump-fire stock.

(3) A violation of this section shall be punished as a class A felony under chapter 9A.20 RCW.

Sec. 3. RCW 9.94A.475 and 2012 c 183 s 2 are each amended to read as follows:

Any and all recommended sentencing agreements or plea agreements and the sentences for any and all felony crimes shall be made and retained as public records if the felony crime involves:

(1) Any violent offense as defined in this chapter;

(2) Any most serious offense as defined in this chapter;

(3) Any felony with a deadly weapon special verdict under RCW 9.94A.825;

(4) Any felony with any deadly weapon enhancements under RCW 9.94A.533 (3) or (4), or both;

(5) The felony crimes of possession of a machine gun, possessing a stolen firearm, drive-by shooting, theft of a firearm, unlawful possession of a firearm in the first or second degree, and/or use of a machine gun or bump-fire stock in a felony; or

(6) The felony crime of driving a motor vehicle while under the influence of intoxicating liquor or any drug as defined in RCW 46.61.502, and felony physical control of a motor vehicle while under the influence of intoxicating liquor or any drug as defined in RCW 46.61.504.

Sec. 4. RCW 9.94A.515 and 2017 c 335 s 4, 2017 c 292 s 3, 2017 c 272 s 10, and 2017 c 266 s 8 are each reenacted and amended to read as follows:

TABLE 2

CRIMES INCLUDED WITHIN EACH SERIOUSNESS LEVEL	
I	XV Aggravated Murder 1 (RCW 10.95.020)
	XV Homicide by abuse (RCW 9A.32.055)
V	Malicious explosion 1 (RCW 70.74.280(1))
	Murder 1 (RCW 9A.32.030)
I	XI Murder 2 (RCW 9A.32.050)
	Trafficking 1 (RCW 9A.40.100(1))
II	XI Malicious explosion 2 (RCW 70.74.280(2))
	Malicious placement of an explosive 1 (RCW 70.74.270(1))
I	XI Assault 1 (RCW 9A.36.011)
	Assault of a Child 1 (RCW 9A.36.120)
I	Malicious placement of an imitation device 1 (RCW 70.74.272(1)(a))
	Promoting Commercial Sexual Abuse of a Minor (RCW 9.68A.101)
I	Rape 1 (RCW 9A.44.040)
	Rape of a Child 1 (RCW 9A.44.073)
XI	Trafficking 2 (RCW 9A.40.100(3))
	Manslaughter 1 (RCW 9A.32.060)
I	Rape 2 (RCW 9A.44.050)
	Rape of a Child 2 (RCW 9A.44.076)
I	Vehicle Homicide, by being under the influence of intoxicating liquor or any drug (RCW 46.61.520)
	Vehicle Homicide, by the operation of any vehicle in a reckless manner (RCW 46.61.520)

- X Child Molestation 1 (RCW 9A.44.083)
- Criminal Mistreatment 1 (RCW 9A.42.020)
- Indecent Liberties (with forcible compulsion) (RCW 9A.44.100(1)(a))
- Kidnapping 1 (RCW 9A.40.020)
- Leading Organized Crime (RCW 9A.82.060(1)(a))
- Malicious explosion 3 (RCW 70.74.280(3))
- Sexually Violent Predator Escape (RCW 9A.76.115)
- IX Abandonment of Dependent Person 1 (RCW 9A.42.060)
- Assault of a Child 2 (RCW 9A.36.130)
- Explosive devices prohibited (RCW 70.74.180)
- Hit and Run-Death (RCW 46.52.020(4)(a))
- Homicide by Watercraft, by being under the influence of intoxicating liquor or any drug (RCW 79A.60.050)
- Inciting Criminal Profiteering (RCW 9A.82.060(1)(b))
- Malicious placement of an explosive 2 (RCW 70.74.270(2))
- Robbery 1 (RCW 9A.56.200)
- Sexual Exploitation (RCW 9.68A.040)
- VI Arson 1 (RCW 9A.48.020)
- II Commercial Sexual Abuse of a Minor (RCW 9.68A.100)
- Homicide by Watercraft, by the operation of any vessel in a reckless manner (RCW 79A.60.050)
- Manslaughter 2 (RCW 9A.32.070)
- Promoting Prostitution 1 (RCW 9A.88.070)
- Theft of Ammonia (RCW 69.55.010)
- VI Air bag diagnostic systems (causing bodily injury or death) (RCW 46.37.660(2)(b))
- I Air bag replacement requirements (causing bodily injury or death) (RCW 46.37.660(1)(b))
- Burglary 1 (RCW 9A.52.020)
- Child Molestation 2 (RCW 9A.44.086)
- Civil Disorder Training (RCW 9A.48.120)
- Dealing in depictions of minor engaged in sexually explicit conduct 1 (RCW 9.68A.050(1))
- Drive-by Shooting (RCW 9A.36.045)
- Homicide by Watercraft, by disregard for the safety of others (RCW 79A.60.050)
- Indecent Liberties (without forcible compulsion) (RCW 9A.44.100(1)(b) and (c))
- Introducing Contraband 1 (RCW 9A.76.140)
- Malicious placement of an explosive 3 (RCW 70.74.270(3))
- Manufacture or import counterfeit, nonfunctional, damaged, or previously deployed air bag (causing bodily injury or death) (RCW 46.37.650(1)(b))
- Negligently Causing Death By Use of a Signal Preemption Device (RCW 46.37.675)
- ((~~Sale~~ ~~H:\DATA\2018 JOURNAL\Journal2018\LegDay047\ of.doc~~) Sell, install, or reinstall counterfeit, nonfunctional, damaged, or previously deployed airbag (RCW 46.37.650(2)(b))
- Sending, bringing into state depictions of minor engaged in sexually explicit conduct 1 (RCW 9.68A.060(1))
- Unlawful Possession of a Firearm in the first degree (RCW 9.41.040(1))
- Use of a Machine Gun or Bump-fire Stock in Commission of a Felony (RCW 9.41.225)

Vehicular Homicide, by
 disregard for the safety of
 others (RCW 46.61.520)

VI Bail Jumping with Murder 1
 (RCW 9A.76.170(3)(a))

Bribery (RCW 9A.68.010)

Incest 1 (RCW 9A.64.020(1))

Intimidating a Judge (RCW
 9A.72.160)

Intimidating a Juror/Witness
 (RCW 9A.72.110, 9A.72.130)

Malicious placement of an
 imitation device 2 (RCW
 70.74.272(1)(b))

Possession of Depictions of
 a Minor Engaged in Sexually
 Explicit Conduct 1 (RCW
 9.68A.070(1))

Rape of a Child 3 (RCW
 9A.44.079)

Theft of a Firearm (RCW
 9A.56.300)

Theft from a Vulnerable Adult
 1 (RCW 9A.56.400(1))

Unlawful Storage of Ammonia
 (RCW 69.55.020)

V Abandonment of Dependent
 Person 2 (RCW 9A.42.070)

Advancing money or property
 for extortionate extension of
 credit (RCW 9A.82.030)

Air bag diagnostic systems
 (RCW 46.37.660(2)(c))

Air bag replacement
 requirements (RCW
 46.37.660(1)(c))

Bail Jumping with class A
 Felony (RCW 9A.76.170(3)(b))

Child Molestation 3 (RCW
 9A.44.089)

Criminal Mistreatment 2 (RCW
 9A.42.030)

Custodial Sexual Misconduct
 1 (RCW 9A.44.160)

Dealing in Depictions of
 Minor Engaged in Sexually
 Explicit Conduct 2 (RCW
 9.68A.050(2))

Domestic Violence Court
 Order Violation (RCW 10.99.040,
 10.99.050, 26.09.300,

26.10.220, 26.26.138,
 26.50.110, 26.52.070, or
 74.34.145)

Extortion 1 (RCW 9A.56.120)

Extortionate Extension of
 Credit (RCW 9A.82.020)

Extortionate Means to
 Collect Extensions of Credit
 (RCW 9A.82.040)

Incest 2 (RCW 9A.64.020(2))

Kidnapping 2 (RCW 9A.40.030)

Manufacture or import
 counterfeit, nonfunctional,
 damaged, or previously deployed
 air bag (RCW 46.37.650(1)(c))

Perjury 1 (RCW 9A.72.020)

Persistent prison
 misbehavior (RCW 9.94.070)

Possession of a Stolen
 Firearm (RCW 9A.56.310)

Rape 3 (RCW 9A.44.060)

Rendering Criminal
 Assistance 1 (RCW 9A.76.070)

((Sale _____ H:\DATA\2018
 JOURNAL\Journal2018\LogDay047\
 of.doc)) Sell, install, or
 reinstall counterfeit,
 nonfunctional, damaged, or
 previously deployed airbag (RCW
 46.37.650(2)(c))

Sending, Bringing into State
 Depictions of Minor Engaged in
 Sexually Explicit Conduct 2
 (RCW 9.68A.060(2))

Sexual Misconduct with a
 Minor 1 (RCW 9A.44.093)

Sexually Violating Human
 Remains (RCW 9A.44.105)

Stalking (RCW 9A.46.110)

Taking Motor Vehicle Without
 Permission 1 (RCW 9A.56.070)

IV Arson 2 (RCW 9A.48.030)

Assault 2 (RCW 9A.36.021)

Assault 3 (of a Peace Officer
 with a Projectile Stun Gun)
 (RCW 9A.36.031(1)(h))

Assault 4 (third domestic
 violence offense) (RCW
 9A.36.041(3))

Assault by Watercraft (RCW 79A.60.060)

Bribing a Witness/Bribe Received by Witness (RCW 9A.72.090, 9A.72.100)

Cheating 1 (RCW 9.46.1961)

Commercial Bribery (RCW 9A.68.060)

Counterfeiting (RCW 9.16.035(4))

Driving While Under the Influence (RCW 46.61.502(6))

Endangerment with a Controlled Substance (RCW 9A.42.100)

Escape 1 (RCW 9A.76.110)

Hit and Run-Injury (RCW 46.52.020(4)(b))

Hit and Run with Vessel-Injury Accident (RCW 79A.60.200(3))

Identity Theft 1 (RCW 9.35.020(2))

Indecent Exposure to Person Under Age Fourteen (subsequent sex offense) (RCW 9A.88.010)

Influencing Outcome of Sporting Event (RCW 9A.82.070)

Malicious Harassment (RCW 9A.36.080)

Physical Control of a Vehicle While Under the Influence (RCW 46.61.504(6))

Possession of Depictions of a Minor Engaged in Sexually Explicit Conduct 2 (RCW 9.68A.070(2))

Residential Burglary (RCW 9A.52.025)

Robbery 2 (RCW 9A.56.210)

Theft of Livestock 1 (RCW 9A.56.080)

Threats to Bomb (RCW 9.61.160)

Trafficking in Stolen Property 1 (RCW 9A.82.050)

Unlawful factoring of a credit card or payment card transaction (RCW 9A.56.290(4)(b))

Unlawful transaction of health coverage as a health care service contractor (RCW 48.44.016(3))

Unlawful transaction of health coverage as a health maintenance organization (RCW 48.46.033(3))

Unlawful transaction of insurance business (RCW 48.15.023(3))

Unlicensed practice as an insurance professional (RCW 48.17.063(2))

Use of Proceeds of Criminal Profiteering (RCW 9A.82.080(1) and (2))

Vehicle Prowling 2 (third or subsequent offense) (RCW 9A.52.100(3))

Vehicular Assault, by being under the influence of intoxicating liquor or any drug, or by the operation or driving of a vehicle in a reckless manner (RCW 46.61.522)

Viewing of Depictions of a Minor Engaged in Sexually Explicit Conduct 1 (RCW 9.68A.075(1))

Willful Failure to Return from Furlough (RCW 72.66.060)

II Animal Cruelty 1 (Sexual Conduct or Contact) (RCW 16.52.205(3))

Assault 3 (Except Assault 3 of a Peace Officer With a Projectile Stun Gun) (RCW 9A.36.031 except subsection (1)(h))

Assault of a Child 3 (RCW 9A.36.140)

Bail Jumping with class B or C Felony (RCW 9A.76.170(3)(c))

Burglary 2 (RCW 9A.52.030)

Communication with a Minor for Immoral Purposes (RCW 9.68A.090)

Criminal Gang Intimidation (RCW 9A.46.120)

Custodial Assault (RCW 9A.36.100)

Cyberstalking (subsequent conviction or threat of death) (RCW 9.61.260(3))

Escape 2 (RCW 9A.76.120)

Extortion 2 (RCW 9A.56.130)

Harassment (RCW 9A.46.020)

Intimidating a Public Servant (RCW 9A.76.180)

Introducing Contraband 2 (RCW 9A.76.150)

Malicious Injury to Railroad Property (RCW 81.60.070)

Mortgage Fraud (RCW 19.144.080)

Negligently Causing Substantial Bodily Harm By Use of a Signal Preemption Device (RCW 46.37.674)

Organized Retail Theft 1 (RCW 9A.56.350(2))

Perjury 2 (RCW 9A.72.030)

Possession of Incendiary Device (RCW 9.40.120)

Possession of Machine Gun or Short-Barreled Shotgun or Rifle (RCW 9.41.190)

Promoting Prostitution 2 (RCW 9A.88.080)

Retail Theft with Special Circumstances 1 (RCW 9A.56.360(2))

Securities Act violation (RCW 21.20.400)

Tampering with a Witness (RCW 9A.72.120)

Telephone Harassment (subsequent conviction or threat of death) (RCW 9.61.230(2))

Theft of Livestock 2 (RCW 9A.56.083)

Theft with the Intent to Resell 1 (RCW 9A.56.340(2))

Trafficking in Stolen Property 2 (RCW 9A.82.055)

Unlawful Hunting of Big Game 1 (RCW 77.15.410(3)(b))

Unlawful Imprisonment (RCW 9A.40.040)

Unlawful Misbranding of Food Fish or Shellfish 1 (RCW 69.04.938(3))

Unlawful possession of firearm in the second degree (RCW 9.41.040(2))

Unlawful Taking of Endangered Fish or Wildlife 1 (RCW 77.15.120(3)(b))

Unlawful Trafficking in Fish, Shellfish, or Wildlife 1 (RCW 77.15.260(3)(b))

Unlawful Use of a Nondesigned Vessel (RCW 77.15.530(4))

Vehicle Assault, by the operation or driving of a vehicle with disregard for the safety of others (RCW 46.61.522)

Willful Failure to Return from Work Release (RCW 72.65.070)

II Commercial Fishing Without a License 1 (RCW 77.15.500(3)(b))

Computer Trespass 1 (RCW 9A.90.040)

Counterfeiting (RCW 9.16.035(3))

Electronic Data Service Interference (RCW 9A.90.060)

Electronic Data Tampering 1 (RCW 9A.90.080)

Electronic Data Theft (RCW 9A.90.100)

Engaging in Fish Dealing Activity Unlicensed 1 (RCW 77.15.620(3))

Escape from Community Custody (RCW 72.09.310)

Failure to Register as a Sex Offender (second or subsequent offense) (RCW 9A.44.130 prior to June 10, 2010, and RCW 9A.44.132)

Health Care False Claims (RCW 48.80.030)

Identity Theft 2 (RCW 9.35.020(3))

Improperly Obtaining Financial Information (RCW 9.35.010)

Malicious Mischief 1 (RCW 9A.48.070)	Fraudulent Creation or Revocation of a Mental Health Advance Directive (RCW 9A.60.060)
Organized Retail Theft 2 (RCW 9A.56.350(3))	Malicious Mischief 2 (RCW 9A.48.080)
Possession of Stolen Property 1 (RCW 9A.56.150)	Mineral Trespass (RCW 78.44.330)
Possession of a Stolen Vehicle (RCW 9A.56.068)	Possession of Stolen Property 2 (RCW 9A.56.160)
Retail Theft with Special Circumstances 2 (RCW 9A.56.360(3))	Reckless Burning 1 (RCW 9A.48.040)
Scrap Processing, Recycling, or Supplying Without a License (second or subsequent offense) (RCW 19.290.100)	Spotlighting Big Game 1 (RCW 77.15.450(3)(b))
Theft 1 (RCW 9A.56.030)	Suspension of Department Privileges 1 (RCW 77.15.670(3)(b))
Theft of a Motor Vehicle (RCW 9A.56.065)	Taking Motor Vehicle Without Permission 2 (RCW 9A.56.075)
Theft of Rental, Leased, Lease-purchased, or Loaned Property (valued at five thousand dollars or more) (RCW 9A.56.096(5)(a))	Theft 2 (RCW 9A.56.040)
Theft with the Intent to Resell 2 (RCW 9A.56.340(3))	Theft from a Vulnerable Adult 2 (RCW 9A.56.400(2))
Trafficking in Insurance Claims (RCW 48.30A.015)	Theft of Rental, Leased, Lease-purchased, or Loaned Property (valued at seven hundred fifty dollars or more but less than five thousand dollars) (RCW 9A.56.096(5)(b))
Unlawful factoring of a credit card or payment card transaction (RCW 9A.56.290(4)(a))	Transaction of insurance business beyond the scope of licensure (RCW 48.17.063)
Unlawful Participation of Non-Indians in Indian Fishery (RCW 77.15.570(2))	Unlawful Fish and Shellfish Catch Accounting (RCW 77.15.630(3)(b))
Unlawful Practice of Law (RCW 2.48.180)	Unlawful Issuance of Checks or Drafts (RCW 9A.56.060)
Unlawful Purchase or Use of a License (RCW 77.15.650(3)(b))	Unlawful Possession of Fictitious Identification (RCW 9A.56.320)
Unlawful Trafficking in Fish, Shellfish, or Wildlife 2 (RCW 77.15.260(3)(a))	Unlawful Possession of Instruments of Financial Fraud (RCW 9A.56.320)
Unlicensed Practice of a Profession or Business (RCW 18.130.190(7))	Unlawful Possession of Payment Instruments (RCW 9A.56.320)
Voyeurism 1 (RCW 9A.44.115)	Unlawful Possession of a Personal Identification Device (RCW 9A.56.320)
I Attempting to Elude a Pursuing Police Vehicle (RCW 46.61.024)	Unlawful Production of Payment Instruments (RCW 9A.56.320)
False Verification for Welfare (RCW 74.08.055)	
Forgery (RCW 9A.60.020)	

Unlawful Releasing,
Planting, Possessing, or
Placing Deleterious Exotic
Wildlife (RCW 77.15.250(2)(b))

Unlawful Trafficking in Food
Stamps (RCW 9.91.142)

Unlawful Use of Food Stamps
(RCW 9.91.144)

Unlawful Use of Net to Take
Fish 1 (RCW 77.15.580(3)(b))

Unlawful Use of Prohibited
Aquatic Animal Species (RCW
77.15.253(3))

Vehicle Prowl 1 (RCW
9A.52.095)

Violating Commercial Fishing
Area or Time 1 (RCW
77.15.550(3)(b))

Sec. 5. RCW 9.94A.533 and 2016 c 203
s 7 are each amended to read as follows:

(1) The provisions of this section
apply to the standard sentence ranges
determined by RCW 9.94A.510 or 9.94A.517.

(2) For persons convicted of the
anticipatory offenses of criminal
attempt, solicitation, or conspiracy
under chapter 9A.28 RCW, the standard
sentence range is determined by locating
the sentencing grid sentence range
defined by the appropriate offender score
and the seriousness level of the
completed crime, and multiplying the
range by seventy-five percent.

(3) The following additional times
shall be added to the standard sentence
range for felony crimes committed after
July 23, 1995, if the offender or an
accomplice was armed with a firearm as
defined in RCW 9.41.010 and the offender
is being sentenced for one of the crimes
listed in this subsection as eligible for
any firearm enhancements based on the
classification of the completed felony
crime. If the offender is being sentenced
for more than one offense, the firearm
enhancement or enhancements must be added
to the total period of confinement for
all offenses, regardless of which
underlying offense is subject to a
firearm enhancement. If the offender or
an accomplice was armed with a firearm as
defined in RCW 9.41.010 and the offender
is being sentenced for an anticipatory
offense under chapter 9A.28 RCW to commit
one of the crimes listed in this
subsection as eligible for any firearm
enhancements, the following additional

times shall be added to the standard
sentence range determined under
subsection (2) of this section based on
the felony crime of conviction as
classified under RCW 9A.28.020:

(a) Five years for any felony defined
under any law as a class A felony or with
a statutory maximum sentence of at least
twenty years, or both, and not covered
under (f) of this subsection;

(b) Three years for any felony defined
under any law as a class B felony or with
a statutory maximum sentence of ten
years, or both, and not covered under (f)
of this subsection;

(c) Eighteen months for any felony
defined under any law as a class C felony
or with a statutory maximum sentence of
five years, or both, and not covered
under (f) of this subsection;

(d) If the offender is being sentenced
for any firearm enhancements under (a),
(b), and/or (c) of this subsection and
the offender has previously been
sentenced for any deadly weapon
enhancements after July 23, 1995, under
(a), (b), and/or (c) of this subsection
or subsection (4)(a), (b), and/or (c) of
this section, or both, all firearm
enhancements under this subsection shall
be twice the amount of the enhancement
listed;

(e) Notwithstanding any other
provision of law, all firearm
enhancements under this section are
mandatory, shall be served in total
confinement, and shall run consecutively
to all other sentencing provisions,
including other firearm or deadly weapon
enhancements, for all offenses sentenced
under this chapter. However, whether or
not a mandatory minimum term has expired,
an offender serving a sentence under this
subsection may be:

(i) Granted an extraordinary medical
placement when authorized under RCW
9.94A.728(1)(c); or

(ii) Released under the provisions of
RCW 9.94A.730;

(f) The firearm enhancements in this
section shall apply to all felony crimes
except the following: Possession of a
machine gun, possessing a stolen firearm,
drive-by shooting, theft of a firearm,
unlawful possession of a firearm in the
first and second degree, and use of a
machine gun or bump-fire stock in a
felony;

(g) If the standard sentence range under this section exceeds the statutory maximum sentence for the offense, the statutory maximum sentence shall be the presumptive sentence unless the offender is a persistent offender. If the addition of a firearm enhancement increases the sentence so that it would exceed the statutory maximum for the offense, the portion of the sentence representing the enhancement may not be reduced.

(4) The following additional times shall be added to the standard sentence range for felony crimes committed after July 23, 1995, if the offender or an accomplice was armed with a deadly weapon other than a firearm as defined in RCW 9.41.010 and the offender is being sentenced for one of the crimes listed in this subsection as eligible for any deadly weapon enhancements based on the classification of the completed felony crime. If the offender is being sentenced for more than one offense, the deadly weapon enhancement or enhancements must be added to the total period of confinement for all offenses, regardless of which underlying offense is subject to a deadly weapon enhancement. If the offender or an accomplice was armed with a deadly weapon other than a firearm as defined in RCW 9.41.010 and the offender is being sentenced for an anticipatory offense under chapter 9A.28 RCW to commit one of the crimes listed in this subsection as eligible for any deadly weapon enhancements, the following additional times shall be added to the standard sentence range determined under subsection (2) of this section based on the felony crime of conviction as classified under RCW 9A.28.020:

(a) Two years for any felony defined under any law as a class A felony or with a statutory maximum sentence of at least twenty years, or both, and not covered under (f) of this subsection;

(b) One year for any felony defined under any law as a class B felony or with a statutory maximum sentence of ten years, or both, and not covered under (f) of this subsection;

(c) Six months for any felony defined under any law as a class C felony or with a statutory maximum sentence of five years, or both, and not covered under (f) of this subsection;

(d) If the offender is being sentenced under (a), (b), and/or (c) of this subsection for any deadly weapon

enhancements and the offender has previously been sentenced for any deadly weapon enhancements after July 23, 1995, under (a), (b), and/or (c) of this subsection or subsection (3)(a), (b), and/or (c) of this section, or both, all deadly weapon enhancements under this subsection shall be twice the amount of the enhancement listed;

(e) Notwithstanding any other provision of law, all deadly weapon enhancements under this section are mandatory, shall be served in total confinement, and shall run consecutively to all other sentencing provisions, including other firearm or deadly weapon enhancements, for all offenses sentenced under this chapter. However, whether or not a mandatory minimum term has expired, an offender serving a sentence under this subsection may be:

(i) Granted an extraordinary medical placement when authorized under RCW 9.94A.728(1)(c); or

(ii) Released under the provisions of RCW 9.94A.730;

(f) The deadly weapon enhancements in this section shall apply to all felony crimes except the following: Possession of a machine gun, possessing a stolen firearm, drive-by shooting, theft of a firearm, unlawful possession of a firearm in the first and second degree, and use of a machine gun or bump-fire stock in a felony;

(g) If the standard sentence range under this section exceeds the statutory maximum sentence for the offense, the statutory maximum sentence shall be the presumptive sentence unless the offender is a persistent offender. If the addition of a deadly weapon enhancement increases the sentence so that it would exceed the statutory maximum for the offense, the portion of the sentence representing the enhancement may not be reduced.

(5) The following additional times shall be added to the standard sentence range if the offender or an accomplice committed the offense while in a county jail or state correctional facility and the offender is being sentenced for one of the crimes listed in this subsection. If the offender or an accomplice committed one of the crimes listed in this subsection while in a county jail or state correctional facility, and the offender is being sentenced for an anticipatory offense under chapter 9A.28 RCW to commit one of the crimes listed in

this subsection, the following additional times shall be added to the standard sentence range determined under subsection (2) of this section:

(a) Eighteen months for offenses committed under RCW 69.50.401(2) (a) or (b) or 69.50.410;

(b) Fifteen months for offenses committed under RCW 69.50.401(2) (c), (d), or (e);

(c) Twelve months for offenses committed under RCW 69.50.4013.

For the purposes of this subsection, all of the real property of a state correctional facility or county jail shall be deemed to be part of that facility or county jail.

(6) An additional twenty-four months shall be added to the standard sentence range for any ranked offense involving a violation of chapter 69.50 RCW if the offense was also a violation of RCW 69.50.435 or 9.94A.827. All enhancements under this subsection shall run consecutively to all other sentencing provisions, for all offenses sentenced under this chapter.

(7) An additional two years shall be added to the standard sentence range for vehicular homicide committed while under the influence of intoxicating liquor or any drug as defined by RCW 46.61.502 for each prior offense as defined in RCW 46.61.5055.

Notwithstanding any other provision of law, all impaired driving enhancements under this subsection are mandatory, shall be served in total confinement, and shall run consecutively to all other sentencing provisions, including other impaired driving enhancements, for all offenses sentenced under this chapter.

An offender serving a sentence under this subsection may be granted an extraordinary medical placement when authorized under RCW 9.94A.728(1) (c).

(8) (a) The following additional times shall be added to the standard sentence range for felony crimes committed on or after July 1, 2006, if the offense was committed with sexual motivation, as that term is defined in RCW 9.94A.030. If the offender is being sentenced for more than one offense, the sexual motivation enhancement must be added to the total period of total confinement for all offenses, regardless of which underlying offense is subject to a sexual motivation

enhancement. If the offender committed the offense with sexual motivation and the offender is being sentenced for an anticipatory offense under chapter 9A.28 RCW, the following additional times shall be added to the standard sentence range determined under subsection (2) of this section based on the felony crime of conviction as classified under RCW 9A.28.020:

(i) Two years for any felony defined under the law as a class A felony or with a statutory maximum sentence of at least twenty years, or both;

(ii) Eighteen months for any felony defined under any law as a class B felony or with a statutory maximum sentence of ten years, or both;

(iii) One year for any felony defined under any law as a class C felony or with a statutory maximum sentence of five years, or both;

(iv) If the offender is being sentenced for any sexual motivation enhancements under (a) (i), (ii), and/or (iii) of this subsection and the offender has previously been sentenced for any sexual motivation enhancements on or after July 1, 2006, under (a) (i), (ii), and/or (iii) of this subsection, all sexual motivation enhancements under this subsection shall be twice the amount of the enhancement listed;

(b) Notwithstanding any other provision of law, all sexual motivation enhancements under this subsection are mandatory, shall be served in total confinement, and shall run consecutively to all other sentencing provisions, including other sexual motivation enhancements, for all offenses sentenced under this chapter. However, whether or not a mandatory minimum term has expired, an offender serving a sentence under this subsection may be:

(i) Granted an extraordinary medical placement when authorized under RCW 9.94A.728(1) (c); or

(ii) Released under the provisions of RCW 9.94A.730;

(c) The sexual motivation enhancements in this subsection apply to all felony crimes;

(d) If the standard sentence range under this subsection exceeds the statutory maximum sentence for the offense, the statutory maximum sentence shall be the presumptive sentence unless

the offender is a persistent offender. If the addition of a sexual motivation enhancement increases the sentence so that it would exceed the statutory maximum for the offense, the portion of the sentence representing the enhancement may not be reduced;

(e) The portion of the total confinement sentence which the offender must serve under this subsection shall be calculated before any earned early release time is credited to the offender;

(f) Nothing in this subsection prevents a sentencing court from imposing a sentence outside the standard sentence range pursuant to RCW 9.94A.535.

(9) An additional one-year enhancement shall be added to the standard sentence range for the felony crimes of RCW 9A.44.073, 9A.44.076, 9A.44.079, 9A.44.083, 9A.44.086, or 9A.44.089 committed on or after July 22, 2007, if the offender engaged, agreed, or offered to engage the victim in the sexual conduct in return for a fee. If the offender is being sentenced for more than one offense, the one-year enhancement must be added to the total period of total confinement for all offenses, regardless of which underlying offense is subject to the enhancement. If the offender is being sentenced for an anticipatory offense for the felony crimes of RCW 9A.44.073, 9A.44.076, 9A.44.079, 9A.44.083, 9A.44.086, or 9A.44.089, and the offender attempted, solicited another, or conspired to engage, agree, or offer to engage the victim in the sexual conduct in return for a fee, an additional one-year enhancement shall be added to the standard sentence range determined under subsection (2) of this section. For purposes of this subsection, "sexual conduct" means sexual intercourse or sexual contact, both as defined in chapter 9A.44 RCW.

(10) (a) For a person age eighteen or older convicted of any criminal street gang-related felony offense for which the person compensated, threatened, or solicited a minor in order to involve the minor in the commission of the felony offense, the standard sentence range is determined by locating the sentencing grid sentence range defined by the appropriate offender score and the seriousness level of the completed crime, and multiplying the range by one hundred twenty-five percent. If the standard sentence range under this subsection

exceeds the statutory maximum sentence for the offense, the statutory maximum sentence is the presumptive sentence unless the offender is a persistent offender.

(b) This subsection does not apply to any criminal street gang-related felony offense for which involving a minor in the commission of the felony offense is an element of the offense.

(c) The increased penalty specified in (a) of this subsection is unavailable in the event that the prosecution gives notice that it will seek an exceptional sentence based on an aggravating factor under RCW 9.94A.535.

(11) An additional twelve months and one day shall be added to the standard sentence range for a conviction of attempting to elude a police vehicle as defined by RCW 46.61.024, if the conviction included a finding by special allegation of endangering one or more persons under RCW 9.94A.834.

(12) An additional twelve months shall be added to the standard sentence range for an offense that is also a violation of RCW 9.94A.831.

(13) An additional twelve months shall be added to the standard sentence range for vehicular homicide committed while under the influence of intoxicating liquor or any drug as defined by RCW 46.61.520 or for vehicular assault committed while under the influence of intoxicating liquor or any drug as defined by RCW 46.61.522, or for any felony driving under the influence (RCW 46.61.502(6)) or felony physical control under the influence (RCW 46.61.504(6)) for each child passenger under the age of sixteen who is an occupant in the defendant's vehicle. These enhancements shall be mandatory, shall be served in total confinement, and shall run consecutively to all other sentencing provisions. If the addition of a minor child enhancement increases the sentence so that it would exceed the statutory maximum for the offense, the portion of the sentence representing the enhancement may not be reduced.

(14) An additional twelve months shall be added to the standard sentence range for an offense that is also a violation of RCW 9.94A.832.

Sec. 6. RCW 13.40.193 and 2014 c 117 s 1 are each amended to read as follows:

(1) If a respondent is found to have been in possession of a firearm in violation of RCW 9.41.040(2)(a) ~~((iii))~~ (iv), the court shall impose a minimum disposition of ten days of confinement. If the offender's standard range of disposition for the offense as indicated in RCW 13.40.0357 is more than thirty days of confinement, the court shall commit the offender to the department for the standard range disposition. The offender shall not be released until the offender has served a minimum of ten days in confinement.

(2)(a) If a respondent is found to have been in possession of a firearm in violation of RCW 9.41.040, the disposition must include a requirement that the respondent participate in a qualifying program as described in (b) of this subsection, when available, unless the court makes a written finding based on the outcome of the juvenile court risk assessment that participation in a qualifying program would not be appropriate.

(b) For purposes of this section, "qualifying program" means an aggression replacement training program, a functional family therapy program, or another program applicable to the juvenile firearm offender population that has been identified as evidence-based or research-based and cost-beneficial in the current list prepared at the direction of the legislature by the Washington state institute for public policy.

(3) If the court finds that the respondent or an accomplice was armed with a firearm, the court shall determine the standard range disposition for the offense pursuant to RCW 13.40.160. If the offender or an accomplice was armed with a firearm when the offender committed any felony other than possession of a machine gun, possession of a stolen firearm, drive-by shooting, theft of a firearm, unlawful possession of a firearm in the first and second degree, or use of a machine gun or bump-fire stock in a felony, the following periods of total confinement must be added to the sentence: For a class A felony, six months; for a class B felony, four months; and for a class C felony, two months. The additional time shall be imposed regardless of the offense's juvenile disposition offense category as designated in RCW 13.40.0357.

(4) When a disposition under this section would effectuate a manifest injustice, the court may impose another disposition. When a judge finds a manifest injustice and imposes a disposition of confinement exceeding thirty days, the court shall commit the juvenile to a maximum term, and the provisions of RCW 13.40.030(2) shall be used to determine the range. When a judge finds a manifest injustice and imposes a disposition of confinement less than thirty days, the disposition shall be comprised of confinement or community supervision or both.

(5) Any term of confinement ordered pursuant to this section shall run consecutively to any term of confinement imposed in the same disposition for other offenses.

NEW SECTION. **Sec. 7.** This act takes effect July 1, 2019."

Correct the title.

Representatives Young and Klippert spoke in favor of the adoption of the striking amendment.

Representative Jinkins spoke against the adoption of the striking amendment.

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (1184) and the amendment was not adopted by the following vote: Yeas, 48; Nays, 49; Absent, 0; Excused, 1.

Voting yea: Representatives Barkis, Blake, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Eslick, Graves, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, Walsh, Wilcox and Young.

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

Excused: Representative Smith.

Amendment (1184) was not 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 Jinkins, Peterson, Senn and Ortiz-Self spoke in favor of the passage of the bill.

Representatives Rodne, Shea, Klippert, Pike, Dent, Hargrove and Irwin spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 5992, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 5992, as amended by the House, and the bill passed the House by the following vote: Yeas, 56; Nays, 41; Absent, 0; Excused, 1.

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

Voting nay: Representatives Barkis, Blake, Buys, Chandler, Condotta, DeBolt, Dent, Dye, Eslick, Griffey, Hargrove, Harris, Hayes, Holy, Irwin, Jenkin, Klippert, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Muri, Orcutt, Pike, Rodne, Schmick, Shea, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, Walsh, Wilcox and Young.

Excused: Representative Smith.

ENGROSSED SENATE BILL NO. 5992, as amended by the House, having received the necessary constitutional majority, was declared passed.

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

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

MESSAGE FROM THE SENATE

February 23, 2018

MR. SPEAKER:

The President has signed:

ENGROSSED SENATE BILL NO. 6617,

and the same are herewith transmitted.

Brad Hendrickson, Secretary

The Speaker assumed the chair.

SIGNED BY THE SPEAKER

The Speaker signed the following bills:

ENGROSSED SENATE BILL NO. 6617

The Speaker called upon Representative Lovick to preside.

HOUSE BILL NO. 2299, by Representative Ormsby

Making supplemental operating appropriations. Revised for 1st Substitute: Making 2018 supplemental operating appropriations.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2299 was substituted for House Bill No. 2299 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2299 was read the second time.

With the consent of the house, amendments (1080), (1076), (1129), (1135), (1140), (1130), (1115), (1111), (1082), (1083), and (1081) were withdrawn.

Representative Ormsby moved the adoption of the striking amendment (1094):

On page 3, beginning on line 6 of the striking amendment, after "means the" strike all material through "RCW 50.04.355" on line 7 and insert "annual wage for the particular occupation published in the most recent occupational employment and wage estimates prepared by the employment security department"

moved Representative Taylor moved the adoption of amendment (1150) to the striking amendment (1094):

On page 6, after line 2, insert the following:

"Sec. 104. 2017 3rd sp.s. c 1 s 104 is amended to read as follows:

FOR THE LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE

Performance Audits of Government—State Appropriation..... ((\$4,175,000))
.....\$4,350,000

The appropriation in this section is subject to the following conditions and limitations:

(1) The agency is directed to use its moneys in the savings incentive account for one-time relocation, furniture,

equipment, and tenant improvements costs to move to the 1063 building.

(2) \$175,000 of the appropriation is provided solely to provide a plan for improving the accuracy and consistency of estimated fiscal impacts by individual school districts of major K-12 budget proposals and enacted K-12 budgets. The legislative evaluation and accountability program administrator must prepare an implementation plan for achieving the purposes of this subsection over the next several biennia. In developing the plan, the legislative evaluation and accountability program committee must seek input from the house appropriations committee, the senate ways and means committee, the office of the superintendent of public instruction, the office of financial management, and senior fiscal staff of educational service districts. The plan must include performance measures that will be used to judge progress towards improving accuracy and consistency of K-12 fiscal analysis and information. The plan must be submitted to the appropriate fiscal committees of the legislature by January 1, 2019."

Renumber the remaining sections consecutively and correct internal references accordingly.

Correct the title.

Representatives Taylor and Sullivan spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (1150) was adopted.

Representative Manweller moved the adoption of amendment (1088) to the striking amendment (1094):

On page 8, line 28, increase the general fund-state appropriation for fiscal year 2019 by \$25,000,000

On page 9, line 3, correct the total.

On page 11, after line 28, insert the following:

"(12) \$25,000,000 of the general fund-state appropriation for fiscal year 2019 is provided solely for a grant program for counties and cities to offset the impact of criminal justice legislation. Of the amount appropriated, eighty percent must be provided to counties using the distribution formula contained in RCW 82.14.310 and twenty percent provided to cities using the distribution formula contained in RCW 82.14.330. Distributions must be made to the

legislative body of the county or city and funds must be used for criminal indigent defense costs and other costs that directly impact court operations in criminal cases."

Representatives Manweller, Walsh, Muri and Schmick spoke in favor of the adoption of the amendment to the striking amendment.

Representatives Ormsby and Appleton spoke against the adoption of the amendment to the striking amendment.

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (1088) and the amendment was not adopted by the following vote: Yeas, 48; Nays, 49; Absent, 0; Excused, 1.

Voting yea: Representatives Barkis, Buys, Calder, Chandler, Condotta, DeBolt, Dent, Dye, Eslick, Graves, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCaslin, McDonald, McCabe, Muri, Nealey, Orcutt, Pike, Rodne, Schmick, Sells, Shea, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, Walsh, Wilcox and Young.

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

Excused: Representative Smith.

Amendment (1088) was not adopted.

Representative Stokesbary moved the adoption of amendment (1131) to the striking amendment (1094):

On page 13, line 9, increase the general fund-state appropriation for fiscal year 2019 by \$1,500,000

On page 13, line 15, correct the total.

On page 13, line 26, after "~~(\$2,600,000)~~" strike "\$3,275,000" and insert "\$4,775,000"

On page 26, line 19, decrease the general fund-state appropriation for fiscal year 2019 by \$1,500,000

On page 27, line 27, correct the total.

On page 42, beginning on line 38, strike all material through "community safety." on page 43, line 2

Representative Stokesbary and Stokesbary (again) spoke in favor of the adoption of the amendment to the striking amendment.

Representative Jinkins spoke against the adoption of the amendment to the striking amendment.

Amendment (1131) was not adopted.

Representative Ormsby moved the adoption of amendment (1110) to the striking amendment (1094):

On page 14, line 13, increase the general fund-state appropriation for fiscal year 2019 by \$291,000

On page 14, line 19, correct the total.

On page 15, after line 11, insert the following:

"(5) \$291,000 of the general fund-state appropriation for fiscal year 2019 is provided solely for implementation of Engrossed House Bill No. 2759 (women's commission). If the bill is not enacted by June 30, 2018, the amount provided in this subsection shall lapse."

On page 44, line 22, decrease the general fund-state appropriation for fiscal year 2019 by \$291,000

On page 45, line 6, correct the total.

On page 49, beginning on line 12, strike subsection (14).

Renumber the remaining subsections consecutively and correct internal references accordingly.

Representatives Ormsby and Chandler spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (1110) was adopted.

Representative Sullivan moved the adoption of amendment (1113) to the striking amendment (1094):

On page 20, line 34, increase the state auditing services revolving account-state appropriation by \$700,000

On page 20, line 37, decrease the performance audits of government account-state appropriation by \$700,000

On page 22, line 20, after "the" strike "performance audit of government" and insert "state auditing services revolving"

Representatives Sullivan and Stokesbary spoke in favor of the adoption of the amendment.

Amendment (1113) was adopted.

Representative Maycumber moved the adoption of amendment (1125) to the striking amendment (1094):

On page 23, line 3, increase the general fund--state appropriation for fiscal year 2019 by \$856,000

On page 23, line 10, increase the legal services revolving account--state appropriation by \$8,000

On page 23, line 23, correct the total.

On page 25, after line 22, insert the following:

"(18) \$856,000 of the general fund--state appropriation for fiscal year 2019 and \$8,000 of the legal services revolving account--state appropriation are provided solely for the implementation of House Bill No. 2584 (GMA gov. action assistance). If the bill is not enacted by June 30, 2018, the amounts provided in this subsection shall lapse."

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

Representative Fitzgibbon spoke against the adoption of the amendment.

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (AMD) and the amendment was not adopted by the following vote: Yeas, 47; Nays, 50; Absent, 0; Excused, 1.

Voting yea: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Eslick, Graves, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCaslin, McDonald, McCabe, Muri, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, Walsh, Wilcox and Young.

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

Excused: Representative Smith.

fiscal year 2019 by \$600,000

Amendment (1125) was not adopted.

On page 26, line 23, reduce the general fund local appropriation by \$400,000

Representative Steele moved the adoption of amendment (1122) to the striking amendment (1094):

On page 27, line 27, correct the total.

On page 26, line 17, increase the general fund-state appropriation for fiscal year 2018 by \$40,000

On page 41, beginning on line 9, strike all of subsection (54).

On page 26, line 19, increase the general fund-state appropriation for fiscal year 2019 by \$100,000

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

On page 27, line 27, correct the total.

On page 43, beginning on line 27, strike all of subsection (65).

On page 44, after line 4, insert the following:

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

"(67) \$40,000 of the general fund-state appropriation for fiscal year 2018 and \$100,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for a grant to the Douglas county associate development organization that serves on the core leadership team of the Wenatchee valley's our valley our future community and economic development program to support communities adversely impacted by wildfire damage and the reduction of aluminum smelter facilities."

On page 54, line 7, reduce the general fund-state appropriation for fiscal year 2018 by \$18,000

Representatives Steele and Springer spoke in favor of the adoption of the amendment to the striking amendment.

On page 54, line 9, reduce the general fund-state appropriation for fiscal year 2019 by \$1,691,000

Amendment (1122) was adopted.

On page 54, line 25, correct the total.

Representative Kraft moved the adoption of amendment (1126) to the striking amendment (1094):

On page 55, beginning on line 21, strike all of subsection (5).

On page 26, line 19, increase the general fund-state

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

appropriation for fiscal year 2019 by \$226,000

On page 234, line 23, reduce the general fund-state appropriation for fiscal year 2019 by \$625,000

On page 26, line 28, strike "~~(\$238,000)~~ \$464,000" and insert "\$238,000"

On page 236, line 2, correct the total.

Representatives Kraft and Hudgins spoke in favor of the adoption of the amendment to the striking amendment.

On page 237, beginning on line 34, strike all of subsection (11).

Amendment (1126) was adopted.

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

Representative Taylor moved the adoption of amendment (1133) to the striking amendment (1094):

On page 241, line 3, reduce the general fund-state appropriation for fiscal year 2019 by \$125,000

On page 26, line 19, reduce the general fund-state appropriation for

On page 241, line 14, correct the total.

On page 241, beginning on line 29, strike of subsection (3).

On page 261, line 25, reduce the general fund-state appropriation for fiscal year 2018 by \$223,000

On page 261, line 27, reduce the general fund-state appropriation for fiscal year 2019 by \$289,000

On page 262, line 13, correct the total.

On page 298, line 18, reduce the basic education-state appropriation by \$17,766,000

On page 298, line 20, correct the total.

On page 299, line 33, after "(5)" strike "\$85,358,000" and insert "\$67,592,000"

On page 299, line 36, after "allocations" strike "_" and insert " and"

On page 299, line 37, after "RCW 28A.150.390(2)(b)" strike ", and regionalization and experience factors as provided in RCW 28A.150.412(2)(b)"

On page 321, line 32, reduce the opportunity pathways-state appropriation by \$56,000

On page 368, line 7, reduce the general fund-state appropriation for fiscal year 2019 by \$80,000

On page 368, line 14, correct the total.

Representatives Taylor and Harris spoke in favor of the adoption of the amendment to the striking amendment.

Representative Sullivan spoke against the adoption of the amendment to the striking amendment.

Amendment (1133) was not adopted.

Representative Harris moved the adoption of amendment (1152) to the striking amendment (1094):

On page 26, line 19, increase the general fund-state appropriation by \$149,000

On page 27, line 27, correct the total.

On page 44, after line 4, insert the following:

"(67) \$149,000 of the general fund-state appropriation for fiscal year 2019 is provided solely for a pilot project in Clark county to increase access to local workforce training. The funding must be used to work with partners in careers to complete an assessment of basic literacy skills and connection to classes at Clark college or other programs to support the

reading and math skills needed to complete workforce training; for case management to connect job seekers to community resources; and to support first time users or returners navigating the worksorce system and engagement in on the job training and industry specific training in high demand fields."

Representatives Harris and Stonier spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (1152) was adopted.

Representative Wilcox moved the adoption of amendment (1143) to the striking amendment (1094):

On page 54, line 9, reduce the general fund--state appropriation for fiscal year 2019 by \$1,250,000

On page 54, line 25, correct the total.

On page 55, beginning on line 21, strike all of subsection (5)

Renumber remaining subsections consecutively and correct internal references accordingly.

Representatives Wilcox, Taylor, Orcutt and Manweller spoke in favor of the adoption of the amendment to the striking amendment.

Representative Lytton spoke against the adoption of the amendment to the striking amendment.

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (1143) and the amendment was not adopted by the following vote: Yeas, 47; Nays, 50; Absent, 0; Excused, 1.

Voting yea: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Eslick, Graves, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCaslin, McDonald, McCabe, Muri, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, Walsh, Wilcox and Young.

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

Excused: Representative Smith.

Amendment (1143) was not adopted.

Representative Pike moved the adoption of amendment (1147) to the striking amendment (1094):

On page 56, after line 14, insert:

"General Fund-State Appropriation (FY 2019) \$31,000"

On page 56, line 20, correct the total.

On page 56, after line 28, insert the following:

"(3) \$31,000 of the general fund-state appropriation for fiscal year 2019 is provided solely for implementation of Senate Bill No. 5912 (tomosynthesis/mammography). If the bill is not enacted by June 30, 2018, the amounts provided in this section shall lapse."

On page 146, line 25, decrease the general fund-state appropriation for fiscal year 2019 by \$5,031,000

On page 147, line 9, correct the total.

On page 167, after line 32, insert the following:

"(ooo) The authority may not provide benefits or services to permit a woman to voluntarily terminate her pregnancy, except when the abortion is medically necessary, which means that, as determined by reasonable, good faith clinical judgement of the patient's primary care physician, the life of the woman seeking the abortion is in imminent danger because of a serious physical disorder, illness, or injury if the abortion is not performed."

On page 196, line 7, increase the general fund-state appropriation for fiscal year 2019 by \$3,000,000

On page 197, line 11, correct the total.

On page 208, after line 36, insert the following:

"(44) The department may not provide benefits or services to permit a woman to voluntarily terminate her pregnancy, except when the abortion is medically necessary, which means that, as determined by reasonable, good faith clinical judgement of the patient's primary care physician, the life of the

woman seeking the abortion is in imminent danger because of a serious physical disorder, illness, or injury if the abortion is not performed.

(45) \$3,000,000 of the general fund-state appropriation for fiscal year 2019 is provided solely to support organizations that provide breast and cervical cancer screenings at the county level. None of these amounts may be provided to organizations that perform abortions."

On page 386, after line 18, insert:

"General Fund: For transfer to the sexual assault prevention and response account for fiscal year 2019 \$2,000,000"

Correct any internal references accordingly.

Representatives Pike and Van Werven spoke in favor of the adoption of the amendment to the striking amendment.

Representative Cody spoke against the adoption of the amendment to the striking amendment.

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (1147) and the amendment was not adopted by the following vote: Yeas, 47; Nays, 50; Absent, 0; Excused, 1.

Voting yea: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Eslick, Graves, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCaslin, McDonald, McCabe, Muri, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, Walsh, Wilcox and Young.

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

Excused: Representative Smith.

Amendment (1147) was not adopted.

Representative Kloba moved the adoption of amendment (1117) to the striking amendment (1094):

On page 58, after line 24 insert the following:

"(7) (a) Within amounts appropriated in this section, the state liquor and cannabis board shall conduct a study regarding the development and implementation of a system for the home delivery of medical marijuana products to qualifying medical marijuana patients by licensed medical marijuana retailers. The board shall examine the legal and regulatory issues to be addressed in order to provide safe home delivery and to ensure effective monitoring of the delivery process to minimize the likelihood of illicit activity.

(b) The board shall consult with the department of health, industry representatives, local government officials, law enforcement officials, and any other person or entity deemed necessary complete the study.

(c) In the course of the study, the board shall consider the following:

(i) Eligibility requirements for marijuana retailers applying for a medical marijuana delivery endorsement;

(ii) Verification procedures regarding age, identity, and registration in the medical marijuana authorization database with respect to the medical marijuana patient receiving delivery;

(iii) Qualifications for, and the training of, persons delivering medical marijuana products on behalf of the medical marijuana retailer;

(iv) Methods of ordering and payment;

(v) Maintaining the integrity of the marijuana traceability system during the course of the delivery process;

(vi) Safe and secure transportation of marijuana products from the retailer to the purchaser, including delivery vehicle requirements;

(vii) Methods of ensuring that a retailer's delivery employees and delivery system are in compliance with regulatory requirements;

(viii) Medical marijuana deliveries by retailers operating out of Indian country; and

(ix) Civil penalties and administrative actions for regulatory violations by a retailer holding a medical marijuana delivery endorsement.

(d) By December 1, 2018, the board must report to the legislature and the appropriate committees its findings and recommendations regarding the implementation of a medical marijuana home delivery system."

Representatives Kloba and Condotta spoke in favor of the adoption of the amendment to the striking amendment.

Representative Klippert spoke against the adoption of the amendment to the striking amendment.

Division was demanded and the demand was sustained.

The Speaker (Representative Lovick presiding) divided the House. The result was 59 - YEAS; 38 - NAYS.

Amendment (1117) was adopted.

Representative Muri moved the adoption of amendment (1142) to the striking amendment (1094):

On page 99, line 5, decrease the general fund--state appropriation for fiscal year 2018 by \$34,000

On page 99, line 7, decrease the general fund--state appropriation for fiscal year 2019 by \$293,000

On page 99, line 9, decrease the general fund--federal appropriation by \$480,000

On page 99, line 15, correct the total.

On page 107, beginning on line 6, strike all of subsection "(z)"

Renumber remaining subsections consecutively and correct internal references.

On page 113, line 28, decrease the general fund--state appropriation for fiscal year 2018 by \$166,000

On page 113, line 30, decrease the general fund--state appropriation for fiscal year 2019 by \$800,000

On page 113, line 32, decrease the general fund--federal appropriation by \$1,510,000

On page 114, line 4, correct the total.

On page 127, beginning on line 12, strike all of subsection "(36)"

Renumber remaining subsections consecutively and correct internal references.

On page 381, beginning on line 5, strike all material through line 16 and insert the following:

"General Fund--State Appropriation (FY 2019) \$16,030,000

Special Retirement Contribution
Increase Revolving

Account--State Appropriation \$2,473,000

TOTAL APPROPRIATION..... \$18,503,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations are provided solely for allocation to state agencies and school districts for costs of a contribution rate increases attributable to House Bill 2511 (PERS/TRS 1 benefit increase), providing a one-time 3 percent adjustment in the public employees' retirement system and the teachers' retirement system plans 1. If a bill is not enacted by June 30, 2018, the appropriations in this section shall lapse."

Representatives Muri, Barkis, Jenkin, Orcutt, Stokesbary and Irwin spoke in favor of the adoption of the amendment to the striking amendment.

Representative Ormsby spoke against the adoption of the amendment to the striking amendment.

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (1142) and the amendment was not adopted by the following vote: Yeas, 47; Nays, 50; Absent, 0; Excused, 1.

Voting yea: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Eslick, Graves, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCaslin, McDonald, McCabe, Muri, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Sambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, Walsh, Wilcox and Young.

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

Excused: Representative Smith.

Amendment (1142) was not adopted.

Representative Caldier moved the adoption of amendment (1137) to the striking amendment (1094):

On page 99, line 7, increase the general fund--state appropriation for fiscal year 2019 by \$290,000

On page 99, line 15, correct the total.

On page 107, after line 18, insert the following:

"(bb) \$290,000 of the general fund--state appropriation for fiscal year 2019 is provided solely for the enhancement of existing parent-to-parent programs that serve parents of children with a developmental disability and the establishment of new programs in Okanogan county and Whitman county."

Representatives Caldier and Kagi spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (1137) was adopted.

Representative Caldier moved the adoption of amendment (1138) to the striking amendment (1094):

On page 99, line 7, increase the general fund--state appropriation for fiscal year 2019 by \$1,070,000

On page 99, line 9, increase the general fund--federal appropriation by \$1,242,000

On page 99, line 15, correct the total.

On page 107, after line 18, insert the following:

"(bb) \$1,070,000 of the general fund--state appropriation for fiscal year 2019 and \$1,242,000 of the general fund--federal appropriation are provided solely to expand the individual and family services waiver by approximately three-hundred and eighty clients by the end of the 2017-19 biennium. Within the amount appropriated in this subsection, the developmental disabilities administration shall focus on extending services to eligible individuals with developmental disabilities who are not otherwise receiving paid services from the developmental disabilities administration."

ReNUMBER remaining subsections consecutively and correct internal references.

On page 146, line 25, increase the general fund--state appropriation for fiscal year 2019 by \$570,000

On page 146, line 27, increase the general fund--federal appropriation by \$564,000

On page 147, line 9, correct the total.

On page 167, after line 32, insert the following:

"(oo) Sufficient amounts are provided in this subsection for the authority to provide medical assistance to individuals who newly enroll in the individual and family services waiver at the department of social and health services developmental disabilities administration pursuant to section 205(1)(aa) of this act."

ReNUMBER remaining subsections consecutively and correct internal references.

Representatives Caldier and Kagi spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (1138) was adopted.

Representative Buys moved the adoption of amendment (1141) to the striking amendment (1094):

On page 234, line 23, decrease the general fund--state appropriation for federal year 2019 by \$625,000

On page 234, line 32, correct the total.

On page 237, beginning on line 34, strike all of subsection (11)

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

Representatives Buys and Taylor spoke in favor of the adoption of the amendment to the striking amendment.

Representative Fitzgibbon spoke against the adoption of the amendment to the striking amendment.

Amendment (1141) was not adopted.

Representative Manweller moved the adoption of amendment (1090) to the striking amendment (1094):

On page 238, line 37, increase the general fund--state appropriation for fiscal year 2019 by \$20,969,000

On page 239, line 11, decrease the parks renewal and stewardship account--state appropriation by \$20,969,000

On page 244, line 9, increase the general fund--state appropriation for fiscal year 2019 by \$1,997,000

On page 244, line 26, decrease the state wildlife account--state appropriation by \$1,997,000

On page 250, line 36, increase the general fund--state appropriation for fiscal year 2019 by \$1,997,000

On page 252, line 3, correct the total.

On page 406, after line 40, insert the following:

"Sec. 914. RCW 79A.80.020 and 2017 c 121 s 1 are each amended to read as follows:

(1) Except during the 2017-19 biennium and as otherwise provided in this chapter, a discover pass is required for any motor vehicle to:

(a) Park at any recreation site or lands; or

(b) Operate on any recreation site or lands.

(c) During the 2017-19 biennium, no discover pass, vehicle access pass, or day-use permit is required on any recreation site or lands.

(2) Except as provided in RCW 79A.80.110, the cost of a discover pass is thirty dollars. Every four years the office of financial management must review the cost of the discover pass and, if necessary, recommend to the legislature an adjustment to the cost of the discover pass to account for inflation.

(3) A discover pass is valid for one year beginning from the date that the discover pass is marked for activation. The activation date may differ from the purchase date pursuant to any policies developed by the agencies.

(4) Sales of discover passes must be consistent with RCW 79A.80.100.

(5) The discover pass must contain space for two motor vehicle license plate numbers. A discover pass is valid only for those vehicle license plate numbers written on the pass. However, the agencies may offer for sale a family discover pass that is fully transferable

among vehicles and does not require the placement of a license plate number on the pass to be valid. The agencies must collectively set a price for the sale of a family discover pass that is no more than fifty dollars. A discover pass is valid only for use with one motor vehicle at any one time.

(6) (a) One complimentary discover pass must be provided to a volunteer who performed twenty-four hours of service on agency-sanctioned volunteer projects in a year. The agency must provide vouchers to volunteers identifying the number of volunteer hours they have provided for each project. The vouchers may be brought to an agency to be redeemed for a discover pass.

(b) Married spouses under chapter 26.04 RCW may present an agency with combined vouchers demonstrating the collective performance of twenty-four hours of service on agency-sanctioned volunteer projects in a year to be redeemed for a single complimentary discover pass.

Sec. 915. RCW 79A.80.080 and 2013 2nd sp.s. c 15 s 3 are each amended to read as follows:

(1) Except during the 2017-19 biennium, a ((A)) discover pass, vehicle access pass, or day-use permit must be visibly displayed in the front windshield, or otherwise in a prominent location for motor vehicles without a windshield, of any motor vehicle:

(a) Operating on any recreation site or lands; or

(b) Parking at any recreation site or lands.

(2) The discover pass, the vehicle access pass, or the day-use permit is not required:

(a) On private lands, state-owned aquatic lands other than water access areas, or at agency offices, hatcheries, or other facilities where public business is conducted;

(b) For persons who use, possess, or enter lands owned or managed by the agencies for nonrecreational purposes consistent with a written authorization from the agency, including but not limited to leases, contracts, and easements;

(c) On department of fish and wildlife lands only, for persons possessing a

current vehicle access pass pursuant to RCW 79A.80.040; or

(d) When operating on a road managed by the department of natural resources or the department of fish and wildlife, including a forest or land management road, that is not blocked by a gate.

(e) During the 2017-19 biennium.

(3) (a) An agency may waive the requirements of this section for any person who has secured the ability to access specific recreational land through the provision of monetary consideration to the agency or for any person attending an event or function that required the provision of monetary compensation to the agency.

(b) Special events and group activities are core recreational activities and major public service opportunities within state parks. When waiving the requirements of this section for special events, the state parks and recreation commission must consider the direct and indirect costs and benefits to the state, local market rental rates, the public service functions of the event sponsor, and other public interest factors when setting appropriate fees for each event or activity.

(4) Failure to comply with subsection (1) of this section is a natural resource infraction under chapter 7.84 RCW. An agency is authorized to issue a notice of infraction to any person who fails to comply with subsection (1)(a) of this section or to any motor vehicle that fails to comply with subsection (1)(b) of this section.

(5) The penalty for failure to comply with the requirements of this section is ninety-nine dollars. This penalty must be reduced to fifty-nine dollars if an individual provides proof of purchase of a discover pass to the court within fifteen days after the issuance of the notice of violation."

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

Correct the title.

Representatives Manweller, Eslick, Stambaugh and MacEwen spoke in favor of the adoption of the amendment to the striking amendment.

Representative Hudgins spoke against the adoption of the amendment to the striking amendment.

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (1090) and the amendment was not adopted by the following vote: Yeas, 47; Nays, 50; Absent, 0; Excused, 1.

Voting yea: Representatives Barkis, Buys, Calder, Chandler, Condotta, DeBolt, Dent, Dye, Eslick, Graves, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCaslin, McDonald, McCabe, Muri, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, Walsh, Wilcox and Young.

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

Excused: Representative Smith.

Amendment (1090) was not adopted.

Representative Chandler moved the adoption of amendment (1136) to the striking amendment (1094):

On page 238, line 37, increase the general fund--state appropriation for fiscal year 2019 by \$5,000,000

On page 239, line 11, decrease the parks renewal and stewardship account--state appropriation by \$5,000,000

On page 406, after line 40, insert the following:

"Sec. 914. RCW 82.19.040 and 2017 3rd sp.s. c 1 s 989 are each amended to read as follows:

(1) To the extent applicable, all of the definitions of chapter 82.04 RCW and all of the provisions of chapter 82.32 RCW apply to the tax imposed in this chapter.

(2) Until June 30, 2018 (~~(2019)~~), taxes collected under this chapter shall be distributed as follows: (a) Five million dollars per fiscal year must be deposited in equal monthly amounts to the state parks renewal and stewardship account under RCW 79A.05.215; and (b) the remainder to the waste reduction, recycling, and litter control account under RCW 70.93.180.

Sec. 915. RCW 82.19.040 and 2017 3rd sp.s. c 1 s 990 are each amended to read as follows:

(1) To the extent applicable, all of the definitions of chapter 82.04 RCW and all of the provisions of chapter 82.32 RCW apply to the tax imposed in this chapter.

(2) Beginning June 30, 2018 (~~(2019)~~), taxes collected under this chapter shall be deposited in the waste reduction, recycling, and litter control account under RCW 70.93.180."

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

On page 408, after line 28, insert the following:

"NEW SECTION. Sec. 917. Section 914 (RCW 82.19.040) of this act expires June 30, 2018.

NEW SECTION. Sec. 918. Section 915 (RCW 82.19.040) of this act takes effect June 30, 2018."

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

Correct the title.

Representative Chandler spoke in favor of the adoption of the amendment to the striking amendment.

Representative Sullivan spoke against the adoption of the amendment to the striking amendment.

Amendment (1136) was not adopted.

Representative MacEwen moved the adoption of amendment (1086) to the striking amendment (1094):

On page 241, line 28, after "salmon." insert "The board shall amend the grant to specify that all assessment activities conducted as a result of this subsection must be coordinated with the United States Navy."

Representatives MacEwen and Ormsby spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (1086) was adopted.

Representative Buys moved the adoption of amendment (1116) to the striking amendment (1094):

On page 242, line 26, increase the general fund--state appropriation for fiscal year 2018 by \$100,000

On page 242, line 28, increase the general fund--state appropriation for fiscal year 2019 by \$1,900,000

On page 242, line 35, correct the total.

On page 244, after line 2, insert the following:

"(5) \$100,000 of the general fund--state appropriation for fiscal year 2018 and \$1,900,000 of the general fund--state appropriation for fiscal year 2019 are provided solely for the Firewise fire prevention program."

On page 250, line 34, increase the general fund--state appropriation for fiscal year 2018 by \$500,000

On page 250, line 36, increase the general fund--state appropriation for fiscal year 2019 by \$3,500,000

On page 252, line 3, correct the total.

On page 256, after line 15, insert the following:

"(22) \$500,000 of the general fund--state appropriation for fiscal year 2018 and \$3,500,000 of the general fund--state appropriation for fiscal year 2019 are provided solely for the Firewise fire prevention program."

Representatives Buys and Maycumber spoke in favor of the adoption of the amendment to the striking amendment.

Representative Ormsby spoke against the adoption of the amendment to the striking amendment.

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (1116) and the amendment adopted by the following vote: Yeas, 47; Nays, 50; Absent, 0; Excused, 1.

Voting yea: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Eslick, Graves, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCaslin, McDonald, McCabe, Muri, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, Walsh, Wilcox and Young.

Voting nay: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hansen, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, Morris, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stanford,

Stonier, Sullivan, Tarleton, Tharinger, Valdez, Wylie and Mr. Speaker.

Excused: Representative Smith.

Amendment (1116) adopted.

Representative Walsh moved the adoption of amendment (1093) to the striking amendment (1094):

On page 244, line 9, increase the general fund--state appropriation for fiscal year 2019 by \$1,000,000

On page 245, line 10, correct the total.

On page 250, after line 29, insert the following:

"(19) \$1,000,000 of the general fund--state appropriation for fiscal year 2019 is provided solely for negotiated agreements with private landowners to provide hunting opportunities and any enforcement patrols related to those agreements. The department must report to the appropriate committees of the legislature by June 30, 2019 with the details of the negotiated agreements, including the lands that have been opened to hunting, the length of time those lands have been opened to hunting, and the costs of the agreements."

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

Representative Blake spoke against the adoption of the amendment to the striking amendment.

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (1093) and the amendment was not adopted by the following vote: Yeas, 47; Nays, 50; Absent, 0; Excused, 1.

Voting yea: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Eslick, Graves, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCaslin, McDonald, McCabe, Muri, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, Walsh, Wilcox and Young.

Voting nay: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hansen, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, Morris, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stanford,

Stonier, Sullivan, Tarleton, Tharinger, Valdez, Wylie and Mr. Speaker.

Excused: Representative Smith.

Amendment (1093) was not adopted.

Representative Maycumber moved the adoption of amendment (1128) to the striking amendment (1094):

On page 244, line 9, increase the general fund--state appropriation for fiscal year 2019 by \$518,000

On page 244, line 11, increase the general fund--federal appropriation by \$691,000

On page 245, line 10, correct the total.

On page 245, line 19, strike "\$1,098,000" and insert "~~(\$1,098,000)~~ \$1,616,000"

On page 405, after line 24, insert the following:

"Sec. 913. RCW 77.12.203 and 2017 3rd sp.s. c 1 s 984 are each amended to read as follows:

(1) Except as provided in subsection (5) of this section and notwithstanding RCW 84.36.010 or other statutes to the contrary, the director must pay by April 30th of each year on game lands, regardless of acreage, in each county, if requested by an election under RCW 77.12.201, an amount in lieu of real property taxes equal to that amount paid on similar parcels of open space land taxable under chapter 84.34 RCW or the greater of seventy cents per acre per year or the amount paid in 1984 plus an additional amount for control of noxious weeds equal to that which would be paid if such lands were privately owned. This amount may not be assessed or paid on department buildings, structures, facilities, game farms, fish hatcheries, water access sites, tidelands, or public fishing areas.

(2) "Game lands," as used in this section and RCW 77.12.201, means those tracts, regardless of acreage, owned in fee by the department and used for wildlife habitat and public recreational purposes. All lands purchased for wildlife habitat, public access, or recreation purposes with federal funds in the Snake River drainage basin are considered game lands regardless of acreage.

(3) This section does not apply to lands transferred after April 23, 1990, to the department from other state agencies.

(4) The county must distribute the amount received under this section in lieu of real property taxes to all property taxing districts except the state in appropriate tax code areas the same way it would distribute local property taxes from private property. The county must distribute the amount received under this section for weed control to the appropriate weed district.

(5) For the 2013-2015 and 2015-2017 fiscal biennia, the director must pay by April 30th of each year on game lands in each county, if requested by an election under RCW 77.12.201, an amount in lieu of real property taxes and must be distributed as follows:

County	
Adams	1,909
Asotin	36,123
Chelan	24,757
Columbia	7,795
Ferry	6,781
Garfield	4,840
Grant	37,443
Kittitas	143,974
Klickitat	21,906
Lincoln	13,535
Okanogan	151,402
Pend Oreille	3,309
Yakima	126,225

These amounts may not be assessed or paid on department buildings, structures, facilities, game farms, fish hatcheries, water access sites, tidelands, or public fishing areas.

(6) For the 2017-2019 fiscal biennium, the director must pay by April 30th of each year on game lands in each county, if requested by an election under RCW 77.12.201, an amount in lieu of real

property taxes and must be distributed as follows:

County

Adams	((1,235))	<u>1,817</u>
Asotin	((26,425))	<u>38,891</u>
Chelan	((39,858))	<u>58,661</u>
Columbia	((20,713))	<u>30,485</u>
Ferry	((22,798))	<u>33,554</u>
Garfield	((12,744))	<u>18,757</u>
Grant	((71,930))	<u>105,865</u>
Kittitas	((382,638))	<u>563,154</u>
Klickitat	((51,019))	<u>75,088</u>
Lincoln	((13,000))	<u>19,133</u>
Okanogan	((264,036))	<u>388,600</u>
Pend Oreille	((5,546))	<u>8,162</u>
Yakima	((186,056))	<u>273,831</u>

These amounts may not be assessed or paid on department buildings, structures, facilities, game farms, fish hatcheries, water access sites, tidelands, or public fishing areas."

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

Correct the title.

Representatives Maycumber and Ormsby spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (1128) was adopted.

Representative Wilcox moved the adoption of amendment (1134) to the striking amendment (1094):

On page 244, line 9, increase the general fund--state appropriation for fiscal year 2019 by \$50,000,000

On page 245, line 10, correct the total.

On page 250, after line 29, insert the following:

"(19) \$50,000,000 of the general fund--state appropriation for fiscal year 2019 is provided solely for fish passage barrier removal projects as determined by the fish passage barrier removal board

created in RCW 77.95.160. Priority for funding must be given to the following four classes of projects: Transportation projects consistent with RCW 77.95.180 and with other state projects; local projects; projects included in the small forest landowner fish passage program created pursuant to RCW 76.13.150; and other projects, regardless of ownership, identified by the board as necessary to restore access continuity within a watershed."

Representatives Wilcox, Wilcox (again) Taylor and Orcutt spoke in favor of the adoption of the amendment to the striking amendment.

Representative Fitzgibbon spoke against the adoption of the amendment to the striking amendment.

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (1134) and the amendment was not adopted by the following vote: Yeas, 47; Nays, 50; Absent, 0; Excused, 1.

Voting yea: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Eslick, Graves, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCaslin, McDonald, McCabe, Muri, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, Walsh, Wilcox and Young.

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

Excused: Representative Smith.

Amendment (1134) was not adopted.

Representative Tharinger moved the adoption of amendment (1114) to the striking amendment (1094):

On page 250, line 36, increase the general fund--state appropriation for fiscal year 2019 by \$380,000

On page 252, line 3, correct the total.

On page 256, after line 15, insert the following:

"(22) \$380,000 of the general fund--state appropriation for fiscal year 2019 is provided solely for one full-time

natural resource scientist, one full-time information technology specialist, and related support costs dedicated to earthquake and tsunami hazards. Duties for these positions include, but are not limited to, developing inventories, maps, evacuation routes, educational materials, databases, and other activities that increase preparedness for earthquakes and tsunamis."

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

Amendment (1114) was adopted.

Representative Harmsworth moved the adoption of amendment (1121) to the striking amendment (1094):

On page 250, line 36, increase the general fund--state appropriation for fiscal year 2019 by \$250,000

On page 251, line 4, increase the forest development account--state appropriation by \$125,000

On page 251, line 15, increase the resources management cost account--state appropriation by \$125,000

On page 252, line 3, correct the total.

On page 256, after line 15, insert the following:

"(22) \$250,000 of the general fund--state appropriation for fiscal year 2019, \$125,000 of the resources management cost account--state appropriation, and \$125,000 of the forest development account--state appropriation are provided solely for the department to contract for a trust asset accounting and valuation of the lands, based on current use, managed in trust by the department for each state lands trust by geographic region and state forestlands trusts by county and tax code area. This asset accounting and valuation shall be conducted by an independent third-party firm familiar with recreational land, commercial forestland, agricultural land, commercial land, and conservation land management. The department shall submit a report, containing the current trust assets, estimate of current use market value, any restrictions limiting those values, potential secondary non-revenue benefits, and recommendations for ongoing evaluation of trust assets and valuation, to the legislature by May 1, 2019."

Representatives Harmsworth and Blake spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (1121) was adopted.

Representative Kretz moved the adoption of amendment (1148) to the striking amendment (1094):

On page 256, line 22, increase the general fund--state appropriation for fiscal year 2019 by \$80,000

On page 256, line 34, correct the total.

On page 258, after line 18, insert the following:

"(9) \$80,000 of the general fund--state appropriation for fiscal year 2019 is provided solely for the department to provide to the sheriff's departments of ferry county and stevens county to cooperate with the department and the department of fish and wildlife on wolf management activities. Of the amount provided in this subsection, \$40,000 is for the ferry county sheriff's department and \$40,000 is for the stevens county sheriff's department."

Representatives Kretz and Lytton spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (1148) was adopted.

Representative Shea moved the adoption of amendment (1127) to the striking amendment (1094):

On page 257, line 38, after "program." insert "Expenditures shall be prioritized for processing licenses and expanding the industrial hemp market."

Representatives Shea and Kloba spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (1127) was adopted.

Representative Griffey moved the adoption of amendment (1123) to the striking amendment (1094):

On page 261, line 27, increase the general fund--state appropriation for fiscal year 2019 by \$2,500,000

On page 262, line 13, correct the total.

On page 263, after line 27, insert the following:

"(11) \$2,500,000 of the general fund state-appropriation for fiscal year 2019 is provided solely for the tracking and forensic analysis of sexual assault examination kits collected prior to July 24, 2015."

Representatives Griffey and Orwall spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (1123) was adopted.

By the adoption of amendment (1123), amendment (1124) was ruled out of order.

Representative McCabe moved the adoption of amendment (1144) to the striking amendment (1094):

On page 261, line 27, increase the general fund-state appropriation for fiscal year 2019 by \$190,000

On page 262, line 13, correct the total.

On page 263, after line 27, insert the following:

"(11) \$190,000 of the general fund-state appropriation for fiscal year 2019 is provided solely for the Washington state patrol to coordinate with the governor's office of Indian affairs, federally recognized tribal governments, and the U.S. justice department to conduct a study to determine how to increase state criminal justice protective and investigative resources for reporting and identifying missing Native American women in the state."

Representatives McCabe and Ormsby spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (1144) was adopted.

Representative Orwall moved the adoption of amendment (1132) to the striking amendment (1094):

On page 263, after line 27, insert the following:

"(11) The amounts in this subsection are provided solely for implementing the recommendations of the joint legislative task force on sexual assault forensic examination, and for monitoring and testing untested sexual assault examination kits.

(a) \$238,000 of the general fund-state appropriation for fiscal year 2019 is provided solely for the state patrol to:

(i) Work in conjunction with state or non-state entities to test

sexual assault kits pursuant to RCW 43.43.545;

(ii) Conduct forensic analysis of sexual assault examination kits in the

custody of the state patrol pursuant to Chapter 247, Laws of 2015; and

(ii) Continue the task force.

(b) \$1,375,000 of the general fund-state appropriation for fiscal year 2018 and \$1,375,000 of the general fund-state appropriation for fiscal year 2019 are provided solely for the implementation of Chapter 247, Laws of 2015 to address the state's backlog in sexual assault examination kits. The seven full-time employees funded under this subsection must work exclusively on processing sexual assault exam kits through the crime laboratory division.

(c) Within amounts provided in this section, the Washington state patrol shall adopt rules necessary to implement RCW 43.43.545."

Representatives Orwall and McCabe spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (1132) was adopted.

Representative Walsh moved the adoption of amendment (1092) to the striking amendment (1094):

On page 264, line 9, increase the general fund-state appropriation for fiscal year 2019 by \$346,000

On page 264, line 25, correct the total.

On page 282, after line 14, insert the following:

"(71) \$346,000 of the general fund-state appropriation for fiscal year 2019 is provided solely for a grant to the Taholah school district for technical support and school district operations."

Representative Walsh spoke in favor of the adoption of the amendment.

Representative Sullivan spoke against the adoption of the amendment.

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (1092) and the amendment was not adopted by the following vote: Yeas, 47; Nays, 50; Absent, 0; Excused, 1.

Voting yea: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Eslick, Graves, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCaslin, McDonald, McCabe, Muri, Nealey, Orcutt, Pike, Rodne, Schmick, Shea,

Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, Walsh, Wilcox and Young.

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

Excused: Representative Smith.

Amendment (1092) was not adopted.

Representative Manweller moved the adoption of amendment (1089) to the striking amendment (1094):

On page 300, line 7, increase the general fund-state appropriation by \$11,752,000 for fiscal year 2019

One page 300, line 9, correct the total.

On page 301, after line 21, insert the following:

"(9) \$11,752,000 of the general fund-state appropriation for fiscal year 2019 is provided solely for allocation to school districts that experience school bus mileage to and from school in a school year that exceeds the statewide median for school bus mileage in a school year to and from school."

Representatives Manweller, Schmick and Barkis spoke in favor of the adoption of the amendment to the striking amendment.

Representative Sullivan spoke against the adoption of the amendment to the striking amendment.

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (1089) and the amendment was not adopted by the following vote: Yeas, 47; Nays, 50; Absent, 0; Excused, 1.

Voting yea: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Eslick, Graves, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCaslin, McDonald, McCabe, Muri, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, Walsh, Wilcox and Young.

Voting nay: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hansen, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, Morris, Ormsby, Ortiz-Self, Orwall, Pellicciotti,

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

Excused: Representative Smith.

Amendment (1089) was not adopted.

Representative Hayes moved the adoption of amendment (1085) to the striking amendment (1094):

On page 306, line 16, increase the general fund-state appropriation for fiscal year 2019 by \$30,000,000

On page 306, line 18, correct the total.

On page 307, after line 4, insert the following:

"(4) \$30,000,000 of the general fund-state appropriation for fiscal year 2019 is provided solely for education service districts to administer a grant program to provide funding to school districts for school resource officers. School districts that have limited access to school resource officers must be given priority for grant awards."

Representatives Hayes, Irwin, Eslick, Johnson, Dye, Klippert, Vick, Shea and Holy spoke in favor of the adoption of the amendment to the striking amendment.

Representative Robinson spoke against the adoption of the amendment to the striking amendment.

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (1085) and the amendment was not adopted by the following vote: Yeas, 48; Nays, 49; Absent, 0; Excused, 1.

Voting yea: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Eslick, Graves, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Kraft, Kretz, Kristiansen, Lovick, MacEwen, Manweller, Maycumber, McCaslin, McDonald, McCabe, Muri, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, Walsh, Wilcox and Young.

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

Excused: Representative Smith.

Amendment (1085) was not adopted.

Representative Bergquist moved the adoption of amendment (1139) to the striking amendment (1094):

On page 315, line 1, after "teachers" insert ", principals, and principal evaluators"

Representatives Bergquist and McCaslin spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (1139) was adopted.

MOTION

On motion of Representative Tarleton, Representative Morris was excused.

Representative Graves moved the adoption of amendment (1119) to the striking amendment (1094):

On page 322, line 9, increase the Washington opportunity pathways account-state appropriation by \$439,000

On page 322, line 14, correct the total.

Representatives Graves and Sullivan spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (1119) was adopted.

Representative Stambaugh moved the adoption of amendment (1118) to the striking amendment (1094):

On page 328, line 16, increase the general fund-state appropriation for fiscal year 2019 by \$200,000

On page 328, line 35, correct the total.

On page 337, after line 13, insert the following:

"(34) \$200,000 of the general fund-state appropriation for fiscal year 2019 is provided solely for the pre-law pipeline and social justice program at the University of Washington Tacoma."

Representatives Stambaugh and Jinkins spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (1118) was adopted.

Representative Walsh moved the adoption of amendment (1091) to the striking amendment (1094):

On page 337, line 20, increase the general fund-state appropriation for fiscal year 2019 by \$180,000

On page 337, line 30, correct the total.

On page 341, after line 11, insert the following:

"(23) \$180,000 of the general fund-state appropriation for fiscal year 2019 is provided solely for the Long Beach research and extension unit."

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

Amendment (1091) was adopted.

Representative Haler moved the adoption of amendment (1112) to the striking amendment (1094):

On page 348, line 26, increase the general fund-state appropriation for fiscal year 2019 by \$250,000

On page 348, line 33, correct the total.

On page 350, after line 20, insert the following:

"(13) \$250,000 of the general fund-state appropriation for fiscal year 2019 is provided solely for the Washington campus compact to implement the statewide student civic engagement initiative. Amounts provided in this subsection must be used to: issue civic engagement grants, provide training to students, develop a statewide website and database, assess the impact of grants, and provide student leadership awards."

Representatives Haler and Robinson spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (1112) was adopted.

Representative Orcutt moved the adoption of amendment (1120) to the striking amendment (1094):

On page 386, after line 18, insert the following:

"Funeral and Cemetery Account: For transfer to the skeletal human remains assistance account for fiscal year 2018. \$15,000"

On page 408, after line 20, insert the following:

"Sec. 916. RCW 18.39.810 and 2009 c 102 s 24 are each amended to read as follows:

The funeral and cemetery account is created in the custody of the state treasurer. All receipts from fines and

fees collected under this chapter and chapter 68.05 RCW must be deposited in the account. Expenditures from the account may be used only to carry out the duties required for the operation and enforcement of this chapter and chapter 68.05 RCW. Only the director of licensing or the director's designee may authorize expenditures from the account. The account is subject to the allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures. During the 2017-2019 biennium, the legislature may transfer moneys from the funeral and cemetery account to the skeletal human remains assistance account."

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

Correct the title.

Representatives Orcutt and Ortiz-Self spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (1120) was adopted.

Representative McDonald moved the adoption of amendment (1149) to the striking amendment (1094):

On page 386, after line 18, insert
"General Fund: For transfer to the Washington internet crimes
 against children account for
 fiscal year 2018.....\$3,000,000"

Representatives McDonald and Ormsby spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (1149) was adopted.

Representative Haler moved the adoption of amendment (1151) to the striking amendment (1094):

On page 390, line 24, after "be up to" strike "\$168" and insert "\$183"

On page 390, line 27, after "2018, and" strike "\$168" and insert "\$183"

Representative Haler spoke in favor of the adoption of the amendment to the striking amendment.

Representative Ormsby spoke against the adoption of the amendment to the striking amendment.

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (1151) and the amendment was not adopted by the following vote: Yeas, 47; Nays, 49; Absent, 0; Excused, 2.

Voting yea: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Eslick, Graves, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCaslin, McDonald, McCabe, Muri, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, Walsh, Wilcox and Young.

Voting nay: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hansen, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slater, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Valdez, Wylie and Mr. Speaker.

Excused: Representatives Morris and Smith.

Amendment (1151) was not adopted.

Representative Shea moved the adoption of amendment (1109) to the striking amendment (1094):

On page 408, after line 28, insert the following:

"NEW SECTION. Sec. 917. A new section is added to 2017 3rd sp. s. c 1 (uncodified) to read as follows:

(1) The legislature finds that the frequency and severity of natural disasters are taking a toll on states and their budgets and has stressed federal agencies and their capacity to respond. While the highest priority in preparing for and responding to disasters is saving lives, defining, protecting, and restoring critical infrastructure is crucial to saving lives and helping people and communities recover and rebuild.

(2) The joint legislative task force on critical infrastructure is established with membership as follows:

(a) The chair and ranking minority member of the senate committees on: (i) state government, tribal relations, and elections; and (ii) energy, environment, and technology;

(b) One member from each of the two largest caucuses in the senate appointed by the president of the senate;

(c) The chair and ranking minority member of the house of representative committees on: (i) community development, housing, and tribal affairs; and (ii) public safety; and

(d) One member from each of the two largest caucuses in the house of representatives appointed by the speaker.

(3) The task force shall choose a chair or co-chairs from among its members. The chair of the senate state government, tribal relations, and elections committee and the chair of the house of representatives community development, housing, and tribal affairs committee will convene the first meeting of the task force.

(4) The task force must, among other things:

(a) Make a recommendation for funding an all hazard mitigation analysis;

(b) Analyze levels of insurance and the viability of parametric insurance;

(c) Review current approaches and plans for reducing loss of life, mitigating property losses, and recovering and rebuilding in the event of a natural disaster or other catastrophe;

(d) Define critical infrastructure that must be protected and restored in order to reduce loss of life, mitigate property losses, and enable communities to recover and rebuild in the event of a natural disaster or other catastrophe; and

(e) Make findings and recommendations, including proposed legislation if applicable, on protecting and restoring critical infrastructure in the event of a natural disaster or other catastrophe.

(5) The task force should seek input broadly, particularly from experts at all levels of government, tribes, and the private sector, and include both standard and innovative approaches to rebuild and recover, including financing these efforts. Examples of monetary assistance includes federal disaster programs for public and private recovery efforts, state and local bonding for public infrastructure, and insurance, including parametric insurance policies.

(6) The task force will be staffed by the house office of program research and senate committee services.

(7) The task force shall report its findings and any recommendations or proposed legislation to the committees identified in subsection (2) (a) and (2) (c) of this section by December 15, 2018.

(8) This section expires on December 31, 2018."

Renumber the remaining sections consecutively and correct internal references accordingly.

Correct the title.

Representatives Shea and Tarleton spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (1109) was adopted.

MOTION

On motion of Representative Hayes, Representative DeBolt was excused.

Representative McCabe moved the adoption of amendment (1145) to the striking amendment (1094):

On page 408, after line 28, insert the following:

"NEW SECTION Sec. 917. 2017 c 290 s 2 (uncodified) is amended to read as follows:

(1) (a) The joint legislative task force on sexual assault forensic examination best practices is established for the purpose of reviewing best practice models for managing all aspects of sexual assault examinations and for reducing the number of untested sexual assault examination kits in Washington state that were collected prior to the effective date of this section.

(i) The caucus leaders from the senate shall appoint one member from each of the two largest caucuses of the senate.

(ii) The caucus leaders from the house of representatives shall appoint one member from each of the two largest caucuses of the house of representatives.

(iii) The president of the senate and the speaker of the house of representatives shall jointly appoint:

(A) One member representing each of the following:

(I) The Washington state patrol;

(II) The Washington association of sheriffs and police chiefs;

(III) The Washington association of prosecuting attorneys;

(IV) The Washington defender association or the Washington association of criminal defense lawyers;

(V) The Washington association of cities;

(VI) The Washington association of county officials;

(VII) The Washington coalition of sexual assault programs;

(VIII) The office of crime victims advocacy;

(IX) The Washington state hospital association;

(X) The Washington state forensic investigations council;

(XI) A public institution of higher education as defined in RCW 28B.10.016;

(XII) A private higher education institution as defined in RCW 28B.07.020; and

(XIII) The office of the attorney general; and

(B) Two members representing survivors of sexual assault.

(b) The task force shall choose two cochairs from among its legislative membership. The legislative membership shall convene the initial meeting of the task force.

(2) The duties of the task force include, but are not limited to:

(a) Researching and determining the number of untested sexual assault examination kits in Washington state;

(b) Researching the locations where the untested sexual assault examination kits are stored;

(c) Researching, reviewing, and making recommendations regarding legislative policy options for reducing the number of untested sexual assault examination kits;

(d) Researching the best practice models both in state and from other states for collaborative responses to victims of sexual assault from the point the sexual assault examination kit is collected to the conclusion of the investigation and providing recommendations regarding any existing gaps in Washington and resources that may be necessary to address those gaps; and

(e) Researching, identifying, and making recommendations for securing nonstate funding for testing the sexual assault examination kits, and reporting on progress made toward securing such funding.

(3) Staff support for the task force must be provided by the senate committee services and the house of representatives office of program research.

(4) Legislative members of the task force must be reimbursed for travel expenses in accordance with RCW 44.04.120. Nonlegislative members, except those representing an employer or organization, are entitled to be reimbursed for travel expenses in accordance with RCW 43.03.050 and 43.03.060.

(5) The expenses of the task force must be paid jointly by the senate and the house of representatives. Task force meetings and expenditures are subject to approval by the senate facilities and operations committee and the house of representatives executive rules committee, or their successor committees.

(6) The first meeting of the task force must occur prior to October 1, 2015. The task force shall submit a preliminary report regarding its initial findings and recommendations to the appropriate committees of the legislature and the governor no later than December 1, 2015.

(7) The task force must meet no less than twice annually.

(8) The task force shall report its findings and recommendations to the appropriate committees of the legislature and the governor by September 30, 2016, and by December 1st of the following year.

(9) This section expires (~~June 30, 2019~~) June 30, 2019."

Renumber the remaining sections consecutively and correct internal references.

Correct the title.

Representatives McCabe and Orwall spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (1145) was adopted.

MOTION

On motion of Representative Riccelli, Representative Senn was excused.

The striking amendment (1094) as amended, was adopted.

The bill was ordered engrossed.

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

There being no objection, the House deferred action on ENGROSSED SUBSTITUTE HOUSE BILL NO. 2299, and the bill held its place on the third reading calendar.

The Speaker (Representative Lovick presiding) called upon Representative Ortiz-Self to preside.

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

SUPPLEMENTAL REPORTS OF STANDING COMMITTEES

February 21, 2018

HB 2990 Prime Sponsor, Representative Fey: Concerning the Tacoma Narrows bridge debt service payment plan. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Wylie, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Harmsworth, Assistant Ranking Minority Member; Chapman; Gregerson; Hayes; Irwin; Kloba; Lovick; McBride; Ortiz-Self; Pellicciotti; Pike; Riccelli; Rodne; Shea; Stambaugh; Tarleton; Valdez; Van Werven and Young.

Referred to Committee on Rules for second reading.

February 22, 2018

ESB 5450 Prime Sponsor, Senator Liias: Concerning the use of cross-laminated timber for building construction. (REVISED FOR ENGROSSED: Concerning the use of mass timber for building construction.) Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Appleton, Chair; McBride, Vice Chair; Griffey, Ranking Minority Member; Pike, Assistant Ranking Minority Member; Gregerson; Peterson and Taylor.

Referred to Committee on Rules for second reading.

February 22, 2018

SSB 5493 Prime Sponsor, Committee on Labor & Commerce: Establishing the prevailing rate of wage based on collective bargaining agreements or other methods if collective

bargaining agreements are not available. Reported by Committee on Labor & Workplace Standards

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

MINORITY recommendation: Do not pass. Signed by Representatives McCabe, Ranking Minority Member; Pike, Assistant Ranking Minority Member and Manweller.

Referred to Committee on Rules for second reading.

February 21, 2018

ESB 5518 Prime Sponsor, Senator Miloscia: Requiring fair reimbursement for chiropractic services. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 48.43.190 and 2008 c 304 s 1 are each amended to read as follows:

(1)(a) A health carrier may not pay a chiropractor less for a service or procedure identified under a particular physical medicine and rehabilitation code ~~((~~≠~~))~~, evaluation and management code, or spinal manipulation code, as listed in a nationally recognized services and procedures code book such as the American medical association current procedural terminology code book, than it pays any other type of provider licensed under Title 18 RCW for a service or procedure under the same or substantially similar code, except as provided in (b) of this subsection. A carrier may not circumvent this requirement by creating a chiropractor-specific code not listed in the nationally recognized code book otherwise used by the carrier for provider payment.

(b) This section does not affect a health carrier's:

(i) Implementation of a health care quality improvement program to promote cost-effective and clinically efficacious health care services, including but not limited to pay-for-performance payment methodologies and other programs fairly applied to all health care providers licensed under Title 18 RCW that are designed to promote

evidence-based and research-based practices;

(ii) Health care provider contracting to comply with the network adequacy standards;

(iii) Authority to pay in-network providers differently than out-of-network providers; and

(iv) Authority to pay a chiropractor less than another provider for procedures or services under the same or a substantially similar code based upon ((geographic)) differences in the cost of maintaining a practice or carrying malpractice insurance, as recognized by a nationally accepted reimbursement methodology.

(c) This section does not, and may not be construed to:

(i) Require the payment of provider billings that do not meet the definition of a clean claim as set forth in rules adopted by the commissioner;

(ii) Require any health plan to include coverage of any condition; or

(iii) Expand the scope of practice for any health care provider.

(2) This section applies only to payments made on or after January 1, 2009.

NEW SECTION. Sec. 2. The office of the insurance commissioner may adopt any rules necessary to implement section 1 of this act.

NEW SECTION. Sec. 3. Section 1 of this act takes effect January 1, 2019."

Correct the title.

Signed by Representatives Cody, Chair; Macri, Vice Chair; Schmick, Ranking Minority Member; Caldier; Clibborn; DeBolt; Harris; Jinkins; Riccelli; Robinson; Slatter; Stonier and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Graves, Assistant Ranking Minority Member; Maycumber and Rodne.

MINORITY recommendation: Without recommendation. Signed by Representative MacEwen.

Referred to Committee on Rules for second reading.

February 22, 2018

SB 5539

Prime Sponsor, Senator Billig: Creating a pilot program for the supervision of motor vehicle-related felonies. Reported by Committee on Public Safety

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 9.94A RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this purpose, a pilot program is established for the supervision of offenders convicted of felonies relating to the theft or taking of a motor vehicle.

(2) Notwithstanding the provisions of RCW 9.94A.701, a court may sentence an offender to community custody for a term of one year following the term of confinement when the court sentences the person to the custody of the department for theft of a motor vehicle (RCW 9A.56.065), possession of a stolen vehicle (RCW 9A.56.068), taking a motor vehicle without permission in the first degree (RCW 9A.56.070), or taking a motor vehicle without permission in the second degree (RCW 9A.56.075).

(3) Notwithstanding the provisions of RCW 9.94A.501, the department shall supervise any offender sentenced to community custody pursuant to subsection (2) of this section.

(4) No later than November 1, 2024, the department must submit a report to the governor and the appropriate committees of the legislature analyzing the effectiveness of supervision in reducing recidivism among offenders committing felonies relating to the theft or taking of a motor vehicle. The department shall consult with the Washington state institute for public policy in guiding its data tracking efforts and preparing the report.

(5) This section expires June 30, 2025."

Correct the title.

Signed by Representatives Goodman, Chair; Pellicciotti, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Chapman; Griffey; Holy; Orwall; Pettigrew and Van Werven.

Referred to Committee on Appropriations.

February 22, 2018

ESSB 5928 Prime Sponsor, Committee on Financial Institutions & Insurance: Making financial services available to marijuana producers, processors, retailers, qualifying patients, health care professionals, and designated providers as authorized under chapters 69.50 and 69.51A RCW. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Graves, Assistant Ranking Minority Member; Goodman; Hansen; Kirby; Muri; Orwall; Shea and Valdez.

MINORITY recommendation: Do not pass. Signed by Representatives Haler and Klippert.

MINORITY recommendation: Without recommendation. Signed by Representative Rodne, Ranking Minority Member.

Referred to Committee on Rules for second reading.

February 22, 2018

SB 5987 Prime Sponsor, Senator Padden: Concerning pretrial release programs. Reported by Committee on Public Safety

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** A new section is added to chapter 10.21 RCW to read as follows:

A judicial officer in a municipal, district, or superior court imposing conditions of pretrial release for a defendant accused of a misdemeanor, gross misdemeanor, or felony offense, may prohibit the defendant from possessing or consuming any intoxicating liquors or drugs not prescribed to the defendant, and require the defendant to submit to testing to determine the defendant's compliance with this condition, when the judicial officer determines that such condition is necessary to protect the public from harm."

Correct the title.

Signed by Representatives Goodman, Chair; Pellicciotti, Vice Chair; Klippert, Ranking Minority Member;

Hayes, Assistant Ranking Minority Member; Appleton; Chapman; Griffey; Holy; Orwall; Pettigrew and Van Werven.

Referred to Committee on Rules for second reading.

February 22, 2018

SSB 5996 Prime Sponsor, Committee on Labor & Commerce: Encouraging the disclosure and discussion of sexual harassment and sexual assault in the workplace. Reported by Committee on Labor & Workplace Standards

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Gregerson, Vice Chair; McCabe, Ranking Minority Member; Pike, Assistant Ranking Minority Member; Doglio; Frame and Manweller.

Referred to Committee on Rules for second reading.

February 21, 2018

SSB 6009 Prime Sponsor, Committee on Transportation: Authorizing the issuance of personalized collector vehicle license plates. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Wylie, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Harmsworth, Assistant Ranking Minority Member; Chapman; Gregerson; Hayes; Irwin; Kloba; Lovick; McBride; Ortiz-Self; Pellicciotti; Pike; Riccelli; Rodne; Shea; Stambaugh; Tarleton; Valdez; Van Werven and Young.

Referred to Committee on Rules for second reading.

February 22, 2018

2SSB 6015 Prime Sponsor, Committee on Ways & Means: Concerning actions for wrongful injury or death. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Goodman; Hansen; Kirby; Orwall; Shea and Valdez.

MINORITY recommendation: Do not pass. Signed by Representatives Rodne, Ranking Minority Member; Graves, Assistant Ranking Minority Member; Haler; Klippert and Muri.

Referred to Committee on Rules for second reading.

February 22, 2018

SB 6040 Prime Sponsor, Senator Pedersen: Addressing meetings under the business corporations act. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Graves, Assistant Ranking Minority Member; Goodman; Haler; Hansen; Kirby; Klippert; Muri; Orwall; Shea and Valdez.

Referred to Committee on Rules for second reading.

February 22, 2018

ESSB 6065 Prime Sponsor, Committee on Early Learning & K-12 Education: Adopting policy and procedures on student interviews and interrogations. Reported by Committee on Education

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** A new section is added to chapter 28A.345 RCW to read as follows:

(1) The Washington state school directors' association must convene a work group of interested stakeholders to update its model policy and procedure for interviews and interrogations of students on school premises in consideration of necessary accommodations for students who:

(a) Are homeless, or otherwise, without a legal guardian to notify;

(b) Are undocumented;

(c) are in foster care, extended foster care, or aged out of foster care; and

(d) Have intellectual or developmental disabilities or are otherwise unable to make age appropriate decisions when engaging with school administrators, law enforcement, or other authorities.

(2) The Washington state school directors' association must submit its updated model policy and procedure for interviews and interrogations of students on school premises to the appropriate committees of the legislature by December 15, 2018."

Correct the title.

Signed by Representatives Santos, Chair; Dolan, Vice Chair; Stonier, Vice Chair; Harris, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Bergquist; Caldier; Hargrove; Johnson; Kilduff; Lovick; McCaslin; Ortiz-Self; Senn; Slatter; Steele; Stokesbary and Valdez.

Referred to Committee on Rules for second reading.

February 21, 2018

SB 6070 Prime Sponsor, Senator Fortunato: Establishing permissible methods of parking a motorcycle. Reported by Committee on Transportation

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 46.61.575 and 1977 ex.s. c 151 s 41 are each amended to read as follows:

(1) Except as otherwise provided in this section, every vehicle stopped or parked upon a two-way roadway shall be so stopped or parked with the right-hand wheels parallel to and within twelve inches of the right-hand curb or as close as practicable to the right edge of the right-hand shoulder.

(2) Except when otherwise provided by local ordinance, every vehicle stopped or parked upon a one-way roadway shall be so stopped or parked parallel to the curb or edge of the roadway, in the direction of authorized traffic movement, with its right-hand wheels within twelve inches of the right-hand curb or as close as practicable to the right edge of the right-hand shoulder, or with its left-hand wheels within twelve inches of the left-hand curb or as close as practicable to the left edge of the left-hand shoulder. This subsection does not apply to the parking of motorcycles, unless a local jurisdiction prohibits angle parking as permitted under subsection (3)(a)(i) of this section and does not otherwise specify the manner in which a motorcycle must park.

(3) (a) (i) Every motorcycle stopped or parked on a one-way or two-way highway shall be so stopped or parked parallel or at an angle to the curb or edge of the highway with at least one wheel or fender within twelve inches of the curb nearest to which the motorcycle is parked or as close as practicable to the edge of the

shoulder nearest to which the motorcycle is parked. A motorcycle may not be parked in such a manner that it extends into the roadway.

(ii) A county, city, or town may by ordinance prohibit the angle stopping or parking of a motorcycle as specified in (a)(i) of this subsection, but must post visible signage in a location to provide notice of the prohibition on angle stopping or parking for the prohibition to apply to that location.

(b) More than one motorcycle may occupy a parking space, provided that the parked motorcycles occupying the parking space do not exceed the boundaries of that parking space.

(4) Local authorities may by ordinance or resolution permit angle parking on any roadway, except that angle parking shall not be permitted on any federal-aid or state highway unless the secretary of transportation has determined by order that the roadway is of sufficient width to permit angle parking without interfering with the free movement of traffic. The angle parking of motorcycles, which is governed under subsection (3) of this section, is not subject to this determination by the secretary of transportation.

~~((4))~~ (5) The secretary with respect to highways under his or her jurisdiction may place official traffic control devices prohibiting, limiting, or restricting the stopping, standing, or parking of vehicles on any highway where the secretary has determined by order, such stopping, standing, or parking is dangerous to those using the highway or where the stopping, standing, or parking of vehicles would unduly interfere with the free movement of traffic thereon. No person shall stop, stand, or park any vehicle in violation of the restrictions indicated by such devices."

Correct the title.

Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Wylie, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Harnsworth, Assistant Ranking Minority Member; Chapman; Gregerson; Hayes; Irwin; Kloba; Lovick; McBride; Ortiz-Self; Pellicciotti; Pike; Riccelli; Rodne; Shea; Stambaugh; Tarleton; Valdez; Van Werven and Young.

Referred to Committee on Rules for second reading.

February 21, 2018

SB 6093

Prime Sponsor, Senator Cleveland: Adding the Washington State University college of medicine to the family medicine residency network. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Cody, Chair; Macri, Vice Chair; Schmick, Ranking Minority Member; Graves, Assistant Ranking Minority Member; Caldier; Clibborn; DeBolt; Harris; Jinkins; MacEwen; Maycumber; Riccelli; Robinson; Rodne; Slatter; Stonier and Tharinger.

Referred to Committee on Rules for second reading.

February 22, 2018

SSB 6126

Prime Sponsor, Committee on Labor & Commerce: Requiring completion of an apprenticeship program to receive a journey level electrician certificate of competency. Reported by Committee on Labor & Workplace Standards

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 19.28.191 and 2016 c 198 s 2 are each amended to read as follows:

(1) Upon receipt of the application, the department shall review the application and determine whether the applicant is eligible to take an examination for the master journey level electrician, journey level electrician, master specialty electrician, or specialty electrician certificate of competency.

(a) ~~((Before July 1, 2005, an applicant who possesses a valid journey level electrician certificate of competency in effect for the previous four years and a valid general administrator's certificate may apply for a master journey level electrician certificate of competency without examination.~~

~~(b) Before July 1, 2005, an applicant who possesses a valid specialty electrician certificate of competency, in the specialty applied for, for the previous two years and a valid specialty administrator's certificate, in the specialty applied for, may apply for a master specialty electrician certificate of competency without examination.~~

~~(e) Before December 1, 2003, the following persons may obtain an equipment repair specialty electrician certificate of competency without examination:~~

~~(i) A person who has successfully completed an apprenticeship program approved under chapter 49.04 RCW for the machinist trade; and~~

~~(ii) A person who provides evidence in a form prescribed by the department affirming that: (A) He or she was employed as of April 1, 2003, by a factory authorized equipment dealer or service company; and (B) he or she has worked in equipment repair for a minimum of four thousand hours.~~

~~(d)) To be eligible to take the examination for a master journey level electrician certificate of competency, the applicant must have possessed a valid journey level electrician certificate of competency for four years.~~

~~((e)) (b) To be eligible to take the examination for a master specialty electrician certificate of competency, the applicant must have possessed a valid specialty electrician certificate of competency, in the specialty applied for, for two years.~~

~~((f)) (c) To be eligible to take the examination for a journey level certificate of competency, the applicant must have~~

~~(i)) successfully completed an apprenticeship program approved under chapter 49.04 RCW or equivalent apprenticeship program approved by the department for the electrical construction trade in which the applicant worked in the electrical construction trade for a minimum of eight thousand hours ((7 of which)). Four thousand of the hours shall be in industrial or commercial electrical installation under the supervision of a master journey level electrician or journey level electrician and not more than a total of four thousand hours in all specialties under the supervision of a master journey level electrician, journey level electrician, master specialty electrician working in that electrician's specialty, or specialty electrician working in that electrician's specialty. Specialty electricians with less than a four thousand hour work experience requirement cannot credit the time required to obtain that specialty towards qualifying to become a journey level electrician~~

~~(ii) Successfully completed an apprenticeship program approved under chapter 49.04 RCW for the electrical construction trade)). The holder of a specialty electrician certificate of competency with a four thousand hour work experience requirement shall be allowed to credit the work experience required to obtain that certificate towards apprenticeship requirements for qualifying to take the examination for a journey level electrician certificate of competency.~~

~~((g)(i)) (d) To be eligible to take the examination for a specialty electrician certificate of competency, the applicant must have:~~

~~((A)) (i) Worked in the residential (as specified in WAC 296-46B-920(2)(a)), pump and irrigation (as specified in WAC 296-46B-920(2)(b)), sign (as specified in WAC 296-46B-920(2)(d)), limited energy (as specified in WAC 296-46B-920(2)(e)), nonresidential maintenance (as specified in WAC 296-46B-920(2)(g)), or other new nonresidential specialties as determined by the department in rule under the supervision of a master journey level electrician, journey level electrician, master specialty electrician working in that electrician's specialty, or specialty electrician working in that electrician's specialty for a minimum of four thousand hours;~~

~~((B)) (ii) Worked in the appliance repair specialty as determined by the department in rule, restricted nonresidential maintenance as determined by the department in rule, the equipment repair specialty as determined by the department in rule, the pump and irrigation specialty other than as defined by ((g)) (d)(i)((A)) of this subsection or domestic pump specialty as determined by the department in rule, or a specialty other than the designated specialties in ((g)) (d)(i)((A)) of this subsection for a minimum of the initial ninety days, or longer if set by rule by the department. The restricted nonresidential maintenance specialty is limited to a maximum of 277 volts and 20 amperes for lighting branch circuits and/or a maximum of 250 volts and 60 amperes for other circuits excluding the replacement or repair of circuit breakers. The department may alter the scope of work for the restricted nonresidential maintenance specialty by rule. The initial period must be spent~~

under one hundred percent supervision of a master journey level electrician, journey level electrician, master specialty electrician working in that electrician's specialty, or specialty electrician working in that electrician's specialty. After this initial period, a person may take the specialty examination. If the person passes the examination, the person may work unsupervised for the balance of the minimum hours required for certification. A person may not be certified as a specialty electrician in the appliance repair specialty or in a specialty other than the designated specialties in ~~((g))~~ (d)(i) ~~((A))~~ of this subsection, however, until the person has worked a minimum of two thousand hours in that specialty, or longer if set by rule by the department; ~~((e)~~

~~((C))~~ (iii) Successfully completed an approved apprenticeship program under chapter 49.04 RCW for the applicant's specialty in the electrical construction trade ~~((r))~~; or

~~((iii))~~ (iv) In meeting the training requirements for the pump and irrigation or domestic pump specialties, the individual shall be allowed to obtain the experience required by this section at the same time the individual is meeting the experience required by RCW 18.106.040(1)(c). After meeting the training requirements provided in this section, the individual may take the examination and upon passing the examination, meeting additional training requirements as may still be required for those seeking a pump and irrigation, or a domestic pump specialty certificate as defined by rule, and paying the applicable fees, the individual must be issued the appropriate certificate. The department may include an examination for specialty plumbing certificate defined in RCW 18.106.010(10)(c) with the examination required by this section. The department, by rule and in consultation with the electrical board, may establish additional equivalent ways to gain the experience requirements required by this subsection. ~~((Individuals who are able to provide evidence to the department, prior to January 1, 2007, that they have been employed as a pump installer in the pump and irrigation or domestic pump business by an appropriately licensed electrical contractor, registered general contractor defined by chapter 18.27 RCW, or appropriate general specialty~~

~~contractor defined by chapter 18.27 RCW for not less than eight thousand hours in the most recent six calendar years shall be issued the appropriate certificate by the department upon receiving such documentation and applicable fees.))~~ The department shall establish a single document for those who have received both an electrical specialty certification as defined by this subsection and have also met the certification requirements for the specialty plumber as defined by RCW 18.106.010(10)(c), showing that the individual has received both certifications. No other experience or training requirements may be imposed.

~~((iii) Before July 1, 2015, an applicant possessing an electrical training certificate issued by the department is eligible to apply one hour of every two hours of unsupervised telecommunications system installation work experience toward eligibility for examination for a limited energy system certificate of competency (as specified in WAC 296-46B-920(2)(e)), if:~~

~~(A) The telecommunications work experience was obtained while employed by a contractor licensed under this chapter as a general electrical contractor (as specified in WAC 296-46B-920(1)) or limited energy system specialty contractor (as specified in WAC 296-46B-920(2)(e)); and~~

~~(B) Evidence of the telecommunications work experience is submitted in the form of an affidavit prescribed by the department.~~

~~((A))~~ (e) Any applicant for a journey level electrician certificate of competency who has successfully completed a two-year program in the electrical construction trade at public community or technical colleges, or not-for-profit nationally accredited technical or trade schools licensed by the workforce training and education coordinating board under chapter 28C.10 RCW, may substitute up to two years of the technical or trade school program for two years of work experience under a master journey level electrician or journey level electrician required under the apprenticeship program. The applicant shall obtain the additional two years of work experience required in industrial or commercial electrical installation prior to the beginning, or after the completion, of the technical school program. Any applicant who has received training in the electrical

construction trade in the armed service of the United States may be eligible to apply armed service work experience towards qualification to complete an apprenticeship and take the examination for the journey level electrician certificate of competency.

~~((+i))~~ (f) An applicant for a specialty electrician certificate of competency who, after January 1, 2000, has successfully completed a two-year program in the electrical construction trade at a public community or technical college, or a not-for-profit nationally accredited technical or trade school licensed by the workforce training and education coordinating board under chapter 28C.10 RCW, may substitute up to one year of the technical or trade school program for one year of work experience under a master journey level electrician, journey level electrician, master specialty electrician working in that electrician's specialty, or specialty electrician working in that electrician's specialty. Any applicant who has received training in the electrical construction trade in the armed services of the United States may be eligible to apply armed service work experience towards qualification to take the examination for an appropriate specialty electrician certificate of competency.

~~((+j))~~ (g) The department must determine whether hours of training and experience in the armed services or school program are in the electrical construction trade and appropriate as a substitute for hours of work experience. The department must use the following criteria for evaluating the equivalence of classroom electrical training programs and work in the electrical construction trade:

(i) A two-year electrical training program must consist of three thousand or more hours.

(ii) In a two-year electrical training program, a minimum of two thousand four hundred hours of student/instructor contact time must be technical electrical instruction directly related to the scope of work of the electrical specialty. Student/instructor contact time includes lecture and in-school lab.

(iii) The department may not allow credit for a program that accepts more than one thousand hours transferred from another school's program.

(iv) Electrical specialty training school programs of less than two years will have all of the above student/instructor contact time hours proportionately reduced. Such programs may not apply to more than fifty percent of the work experience required to attain certification.

(v) Electrical training programs of less than two years may not be credited towards qualification for journey level electrician unless the training program is used to gain qualification for a four thousand hour electrical specialty.

~~((+k))~~ (h) No other requirement for eligibility may be imposed.

(2) The department shall establish reasonable rules for the examinations to be given applicants for certificates of competency. In establishing the rules, the department shall consult with the board. Upon determination that the applicant is eligible to take the examination, the department shall so notify the applicant, indicating ~~((the time and place))~~ instructions for taking the examination.

(3) No noncertified individual may work unsupervised more than one year beyond the date when the trainee would be eligible to test for a certificate of competency if working on a full-time basis after original application for the trainee certificate. For the purposes of this section, "full-time basis" means two thousand hours.

Sec. 2. RCW 19.28.161 and 2013 c 23 s 29 are each amended to read as follows:

(1) No person may engage in the electrical construction trade without having a valid master journey level electrician certificate of competency, journey level electrician certificate of competency, master specialty electrician certificate of competency, or specialty electrician certificate of competency issued by the department in accordance with this chapter. Electrician certificate of competency specialties include, but are not limited to: Residential, pump and irrigation, limited energy system, signs, nonresidential maintenance, restricted nonresidential maintenance, and appliance repair. ~~((Until July 1, 2007, the department of labor and industries shall issue a written warning to any specialty pump and irrigation or domestic pump electrician not having a valid electrician certification. The warning~~

~~will state that the individual must apply for an electrical training certificate or be qualified for and apply for electrician certification under the requirements in RCW 19.28.191(1)(g) within thirty calendar days of the warning. Only one warning will be issued to any individual. If the individual fails to comply with this section, the department shall issue a penalty as defined in RCW 19.28.271 to the individual.)~~

(2) (a) A person who is ~~((indentured))~~:
 (i) Registered in an apprenticeship program approved under chapter 49.04 RCW or equivalent apprenticeship program approved by the department for the electrical construction trade ~~((or who is))~~; (ii) learning the electrical construction trade while working in a specialty; or (iii) learning the electrical construction trade in a program described in RCW 19.28.191(1) (e) or (f) for a journey level certificate of competency may work in the electrical construction trade if supervised by a certified master journey level electrician, journey level electrician, master specialty electrician in that electrician's specialty, or specialty electrician in that electrician's specialty.

(b) All apprentices and individuals learning the electrical construction trade shall obtain an electrical training certificate from the department. The certificate shall authorize the holder to learn the electrical construction trade while under the direct supervision of a master journey level electrician, journey level electrician, master specialty electrician working in that electrician's specialty, or specialty electrician working in that electrician's specialty. The certificate may include a photograph of the holder. The holder of the electrical training certificate shall renew the certificate biennially. At the time of renewal, the holder shall provide the department with an accurate list of the holder's employers in the electrical construction industry for the previous biennial period and the number of hours worked for each employer. The holder shall also provide proof of ~~((sixteen))~~ forty-eight hours of: Approved classroom training covering this chapter, the national electrical code, or electrical theory; or equivalent classroom training taken as part of an approved apprenticeship program under chapter 49.04 RCW or an approved

electrical training program under RCW 19.28.191(1) ~~((-h))~~ (e). ~~((The number of hours of approved classroom training required for certificate renewal shall increase as follows: (a) Beginning on July 1, 2011, the holder of an electrical training certificate shall provide the department with proof of thirty two hours of approved classroom training; and (b) beginning on July 1, 2013, the holder of an electrical training certificate shall provide the department with proof of forty eight hours of approved classroom training. At the request of the chairs of the house of representatives commerce and labor committee and the senate labor, commerce and consumer protection committee, or their successor committees, the department of labor and industries shall provide information on the implementation of the new classroom training requirements for electrical trainees to both committees by December 1, 2012.))~~ A biennial fee shall be charged for the issuance or renewal of the certificate. The department shall set the fee by rule. The fee shall cover but not exceed the cost of administering and enforcing the trainee certification and supervision requirements of this chapter.

(c) (i) Apprentices and individuals learning the electrical construction trade shall have their electrical training certificates in their possession at all times that they are performing electrical work. They shall show their certificates to an authorized representative of the department at the representative's request.

(ii) Unless working in a specialty, apprentices and individuals learning the electrical construction trade must also have in their possession proof of apprenticeship or training program registration. They shall show their apprenticeship or training program registration documents to an authorized representative of the department at the representative's request.

(3) Any person who has been issued an electrical training certificate under this chapter may work: (a) If that person is under supervision, and is (b) unless working in a specialty, (i) registered in an approved journey level apprenticeship program, as appropriate; or (ii) learning the electrical construction trade in a program described in RCW 19.28.191(1) (e) for a journey level certificate of competency. Supervision shall consist of

a person being on the same job site and under the control of either a certified master journey level electrician, journey level electrician, master specialty electrician working in that electrician's specialty, or specialty electrician working in that electrician's specialty. Either a certified master journey level electrician, journey level electrician, master specialty electrician working in that electrician's specialty, or specialty electrician working in that electrician's specialty shall be on the same job site as the noncertified individual for a minimum of seventy-five percent of each working day unless otherwise provided in this chapter.

(4) The ratio of noncertified individuals to certified master journey level electricians, journey level electricians, master specialty electricians, or specialty electricians on any one job site is as follows:

(a) When working as a specialty electrician, not more than two noncertified individuals for every certified master specialty electrician working in that electrician's specialty, specialty electrician working in that electrician's specialty, master journey level electrician, or journey level electrician, except that the ratio requirements are one certified master specialty electrician working in that electrician's specialty, specialty electrician working in that electrician's specialty, master journey level electrician, or journey level electrician working as a specialty electrician to no more than four students enrolled in and working as part of an electrical construction program at public community or technical colleges, or not-for-profit nationally accredited trade or technical schools licensed by the workforce training and education coordinating board under chapter 28C.10 RCW. In meeting the ratio requirements for students enrolled in an electrical construction program at a trade school, a trade school may receive input and advice from the electrical board; and

(b) When working as a journey level electrician, not more than one noncertified individual for every certified master journey level electrician or journey level electrician, except that the ratio requirements shall be one certified master journey level electrician or

journey level electrician to no more than four students enrolled in and working as part of an electrical construction program at public community or technical colleges, or not-for-profit nationally accredited trade or technical schools licensed by the workforce training and education coordinating board under chapter 28C.10 RCW. In meeting the ratio requirements for students enrolled in an electrical construction program at a trade school, a trade school may receive input and advice from the electrical board.

An individual who has a current training certificate and who has successfully completed or is currently enrolled in an approved apprenticeship program or in an electrical construction program at public community or technical colleges, or not-for-profit nationally accredited technical or trade schools licensed by the workforce training and education coordinating board under chapter 28C.10 RCW, may work without direct on-site supervision during the last six months of meeting the practical experience requirements of this chapter.

(5) For the residential (as specified in WAC 296-46B-920(2)(a)), pump and irrigation (as specified in WAC 296-46B-920(2)(b)), sign (as specified in WAC 296-46B-920(2)(d)), limited energy (as specified in WAC 296-46B-920(2)(e)), nonresidential maintenance (as specified in WAC 296-46B-920(2)(g)), restricted nonresidential maintenance as determined by the department in rule, or other new nonresidential specialties, not including appliance repair, as determined by the department in rule, either a master journey level electrician, journey level electrician, master specialty electrician working in that electrician's specialty, or specialty electrician working in that electrician's specialty must be on the same job site as the noncertified individual for a minimum of seventy-five percent of each working day. Other specialties must meet the requirements specified in RCW 19.28.191(1)(~~(g)~~) (d)(ii). When the ratio of certified electricians to noncertified individuals on a job site is one certified electrician to three or four noncertified individuals, the certified electrician must:

(a) Directly supervise and instruct the noncertified individuals and the certified electrician may not directly

make or engage in an electrical installation; and

(b) Be on the same job site as the noncertified individual for a minimum of one hundred percent of each working day.

(6) The electrical contractor shall accurately verify and attest to the electrical trainee hours worked by electrical trainees on behalf of the electrical contractor.

Sec. 3. RCW 19.28.205 and 2013 c 23 s 32 are each amended to read as follows:

(1) An applicant for a journey level certificate of competency under RCW 19.28.191(1)(~~(f)~~) (c) or a specialty electrician certificate of competency under RCW 19.28.191(1)(~~(g)~~) (d) must demonstrate to the satisfaction of the department completion of in-class education as follows:

(a) Twenty-four hours of in-class education if two thousand hours or more but less than four thousand hours of work are required for the certificate;

(b) Forty-eight hours of in-class education if four thousand or more but less than six thousand hours of work are required for the certificate;

(c) Seventy-two hours of in-class education if six thousand or more but less than eight thousand hours of work are required for the certificate;

(d) Ninety-six hours of in-class education if eight thousand or more hours of work are required for the certificate.

(2) For purposes of this section, "in-class education" means approved classroom training covering this chapter, the national electric code, or electrical theory; or equivalent classroom training taken as part of an approved apprenticeship program under chapter 49.04 RCW or an approved electrical training program under RCW 19.28.191(1)(~~(h)~~) (e).

(3) Classroom training taken to qualify for trainee certificate renewal under RCW 19.28.161 qualifies as in-class education under this section.

NEW SECTION. Sec. 4. A new section is added to chapter 19.28 RCW to read as follows:

(1) The department may permit an applicant who obtained experience and training equivalent to a journey level apprenticeship program to take the

examination if the applicant establishes that the applicant has the equivalent training and experience and demonstrates good cause for not completing the required minimum hours of work under standards applicable on the effective date of this section.

(2) This section expires July 1, 2025.

NEW SECTION. Sec. 5. Sections 1 through 4 of this act take effect July 1, 2023."

Correct the title.

Signed by Representatives Sells, Chair; Gregerson, Vice Chair; Doglio and Frame.

MINORITY recommendation: Do not pass. Signed by Representatives McCabe, Ranking Minority Member; Pike, Assistant Ranking Minority Member and Manweller.

Referred to Committee on Rules for second reading.

February 22, 2018

SB 6134

Prime Sponsor, Senator Wellman: Modifying definitions for alternative learning experience courses. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Santos, Chair; Dolan, Vice Chair; Stonier, Vice Chair; Harris, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Bergquist; Caldier; Hargrove; Johnson; Kilduff; Lovick; McCaslin; Ortiz-Self; Senn; Slatter; Steele; Stokesbary and Valdez.

Referred to Committee on Rules for second reading.

February 22, 2018

SSB 6141

Prime Sponsor, Committee on Ways & Means: Strengthening school district plans for recognition, screening, and response to emotional or behavioral distress in students. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Santos, Chair; Dolan, Vice Chair; Stonier, Vice Chair; Harris, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Bergquist; Caldier; Hargrove; Johnson; Kilduff; Lovick; McCaslin; Ortiz-Self; Senn; Slatter; Steele; Stokesbary and Valdez.

Referred to Committee on Rules for second reading.

February 22, 2018

SSB 6142 Prime Sponsor, Committee on Law & Justice: Revising the authority of commissioners of courts of limited jurisdiction. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Jenkins, Chair; Kilduff, Vice Chair; Hansen; Kirby; Muri; Orwall and Valdez.

MINORITY recommendation: Do not pass. Signed by Representatives Rodne, Ranking Minority Member; Graves, Assistant Ranking Minority Member; Haler; Klippert and Shea.

MINORITY recommendation: Without recommendation. Signed by Representative Goodman.

Referred to Committee on Rules for second reading.

February 22, 2018

ESSB 6143 Prime Sponsor, Committee on Local Government: Concerning unit priced contracting by cities. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Appleton, Chair; McBride, Vice Chair; Gregerson and Peterson.

MINORITY recommendation: Do not pass. Signed by Representatives Pike, Assistant Ranking Minority Member and Taylor.

MINORITY recommendation: Without recommendation. Signed by Representative Griffey, Ranking Minority Member.

Referred to Committee on Rules for second reading.

February 22, 2018

SB 6168 Prime Sponsor, Senator Kuderer: Concerning school composting and recycling. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Santos, Chair; Dolan, Vice Chair; Stonier, Vice Chair; Muri, Assistant Ranking Minority Member; Bergquist; Johnson; Kilduff; Lovick; Ortiz-Self; Senn; Slatter; Steele and Valdez.

MINORITY recommendation: Do not pass. Signed by Representatives Caldier and Stokesbary.

MINORITY recommendation: Without recommendation. Signed by Representatives Harris, Ranking Minority Member; Hargrove and McCaslin.

Referred to Committee on Rules for second reading.

February 21, 2018

SB 6180 Prime Sponsor, Senator Hobbs: Defining the planting and harvest dates for purposes of exemptions for agricultural transporters. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Wylie, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Harmsworth, Assistant Ranking Minority Member; Chapman; Gregerson; Hayes; Irwin; Lovick; McBride; Ortiz-Self; Pelllicciotti; Pike; Riccelli; Rodne; Shea; Stambaugh; Tarleton; Valdez; Van Werven and Young.

MINORITY recommendation: Do not pass. Signed by Representative Kloba.

Referred to Committee on Rules for second reading.

February 22, 2018

SB 6188 Prime Sponsor, Senator Dhingra: Encouraging fairness in disciplinary actions of peace officers. Reported by Committee on Labor & Workplace Standards

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Gregerson, Vice Chair; McCabe, Ranking Minority Member; Pike, Assistant Ranking Minority Member; Doglio; Frame and Manweller.

Referred to Committee on Rules for second reading.

February 22, 2018

SB 6197 Prime Sponsor, Senator Keiser: Regarding an employer's payment of indebtedness upon the death of an employee. Reported by Committee on Labor & Workplace Standards

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Gregerson, Vice Chair; McCabe, Ranking Minority Member; Pike, Assistant Ranking Minority Member; Doglio; Frame and Manweller.

Referred to Committee on Rules for second reading.

February 22, 2018

ESSB 6223 Prime Sponsor, Committee on Early Learning & K-12 Education: Concerning equitable educational outcomes for

vulnerable children and youth. Reported
by Committee on Education

enrollment, and postsecondary
completion; and

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting
clause and insert the following:

"NEW SECTION. Sec. 1. The legislature
intends with this act to powerfully
leverage current collaboration and
investments to align services, outcome
measures, accountability, and resources
to facilitate educational equity by 2027
for children and youth in foster care and
children and youth experiencing
homelessness. The goal of this effort is
that children and youth in foster care
and children and youth experiencing
homelessness achieve educational
outcomes at the same rate as their
general student population peers
throughout the educational continuum
from preschool to postsecondary
education.

NEW SECTION. Sec. 2. (1) For the
purposes of this section, "children and
youth in foster care" means children and
youth under the placement and care
authority of the department of children,
youth, and families, a federally
recognized tribe, or another child-
placing agency; and children and youth
who have experienced foster care and have
achieved permanency.

(2) The department of children, youth,
and families, the office of the
superintendent of public instruction,
the department of commerce office of
homeless youth prevention and protection
programs, and the student achievement
council must convene a work group with
aligned nongovernmental agencies and
representatives from the educational
opportunity gap oversight and
accountability committee created in RCW
28A.300.136, to create a plan for
children and youth in foster care and
children and youth experiencing
homelessness to facilitate educational
equity with their general student
population peers and to close the
disparities between racial and ethnic
groups by 2027. The work group must:

(a) Review the educational outcomes of
children and youth in foster care and
children and youth experiencing
homelessness, including:

(i) Kindergarten readiness, early
grade reading, school stability, high
school completion, postsecondary

(ii) Disaggregated data by race and
ethnicity;

(b) Consider the outcomes, needs, and
services for children and youth in foster
care and children and youth experiencing
homelessness, and the specific needs of
children and youth of color and those
with special education needs;

(c) Map current education support
services, including eligibility, service
levels, service providers, outcomes,
service coordination, data sharing, and
overall successes and challenges;

(d) Engage stakeholders in
participating in the analysis and
development of recommendations,
including foster youth and children and
youth experiencing homelessness, foster
parents and relative caregivers, birth
parents, caseworkers, school districts
and educators, early learning providers,
postsecondary education advocates, and
federally recognized tribes;

(e) Make recommendations for an
optimal continuum of education support
services to foster and homeless children
and youth from preschool to postsecondary
education that would provide for shared
and sustainable accountability to reach
the goal of educational parity, including
recommendations to:

(i) Align indicators and outcomes
across organizations and programs;

(ii) Improve racial and ethnic equity
in educational outcomes;

(iii) Ensure access to consistent and
accurate annual educational outcomes
data;

(iv) Address system barriers such as
data sharing;

(v) Detail options for governance and
oversight to ensure educational services
are continually available to foster and
homeless children and youth regardless of
status;

(vi) Detail a support structure that
will ensure that educational records,
educational needs, individualized
education programs, credits, and other
records will follow children and youth
when they transition from district to
district or another educational program
or facility;

(vii) Explore the option of creating a specific statewide school district that supports the needs of and tracks the educational progress of children and youth in foster care and children and youth experiencing homelessness; and

(viii) Identify where opportunities exist to align policy, practices, and supports for students experiencing homelessness and foster students; and

(f) Outline which recommendations can be implemented using existing resources and regulations and which require policy, administrative, and resource adjustments.

(3) The work group should seek to develop an optimal continuum of services using research-based program strategies and to provide for prevention, early intervention, and seamless transitions.

(4) Nothing in this section permits disclosure of confidential information protected from disclosure under federal or state law, including but not limited to information protected under chapter 13.50 RCW. Confidential information received by the work group retains its confidentiality and may not be further disseminated except as allowed under federal and state law.

(5) By December 17, 2018, the work group must provide a report to the legislature on its analysis as described under this section, the recommended plan, and any legislative and administrative changes needed to facilitate educational equity for children and youth in foster care and children and youth experiencing homelessness with their general student population peers by 2027.

NEW SECTION. **Sec. 3.** This act takes effect July 1, 2018.

NEW SECTION. **Sec. 4.** This act expires December 31, 2018."

Correct the title.

Signed by Representatives Santos, Chair; Dolan, Vice Chair; Stonier, Vice Chair; Harris, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Bergquist; Johnson; Kilduff; Lovick; Ortiz-Self; Senn; Slatter; Steele and Valdez.

MINORITY recommendation: Do not pass. Signed by Representatives Caldier and Stokesbary.

MINORITY recommendation: Without recommendation. Signed by Representatives Hargrove and McCaslin.

Referred to Committee on Rules for second reading.

February 22, 2018

ESSB 6226 Prime Sponsor, Committee on Labor & Commerce: Improving health outcomes for injured workers by facilitating better access to medical records and telemedicine. Reported by Committee on Labor & Workplace Standards

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 51.36.070 and 2001 c 152 s 2 are each amended to read as follows:

(1) Whenever the director or the self-insurer deems it necessary in order to resolve any medical issue, a worker shall submit to examination by a physician or physicians selected by the director, with the rendition of a report to the person ordering the examination. The department or self-insurer shall provide the physician performing an examination with all relevant medical records from the worker's claim file. The director, in his or her discretion, may charge the cost of such examination or examinations to the self-insurer or to the medical aid fund as the case may be. The cost of said examination shall include payment to the worker of reasonable expenses connected therewith.

(2) The self-insured employer shall ensure that all relevant medical records of the injured worker scheduled for an independent medical exam are provided as electronic medical records to the independent medical exam physician or physicians, and, if electronic medical records are not possible, paper records must be delivered to the independent medical exam physician or physicians at least ten business days prior to the scheduled exam. If the independent medical exam is scheduled to occur before ten business days or if a medical record only becomes available to the employer during the ten business days, then the paper records must be delivered to the independent medical exam physician as soon as possible before the exam occurs.

NEW SECTION. **Sec. 2.** The collaborative for the advancement of telemedicine established under section 2, chapter 68, Laws of 2016, in consultation with the department of labor

and industries, shall conduct a study of the feasibility of telemedicine for independent medical examinations under Title 51 RCW. The collaborative shall submit a report on its findings and any recommendations to the appropriate committees of the legislature by December 1, 2018."

Correct the title.

Signed by Representatives Sells, Chair; Gregerson, Vice Chair; McCabe, Ranking Minority Member; Doglio; Frame and Manweller.

MINORITY recommendation: Do not pass. Signed by Representative Pike, Assistant Ranking Minority Member.

Referred to Committee on Rules for second reading.

February 22, 2018

SB 6201 Prime Sponsor, Senator Liias: Making the open educational resources project permanent. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Santos, Chair; Dolan, Vice Chair; Stonier, Vice Chair; Harris, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Bergquist; Caldier; Hargrove; Johnson; Kilduff; Lovick; McCaslin; Ortiz-Self; Senn; Slatter; Steele; Stokesbary and Valdez.

Referred to Committee on Rules for second reading.

February 22, 2018

February 22, 2018

2SSB 6236 Prime Sponsor, Committee on Ways & Means: Establishing the Washington state economic growth commission. Reported by Committee on Technology & Economic Development

MAJORITY recommendation: Do pass as amended.

On page 2, line 11, after "year." insert the following:

"(6) Administrative support for the commission must be provided by the department of commerce."

On page 2, beginning on line 15, after "with" strike "the state's manufacturing extension partnership" and insert "a statewide non-profit organization"

Signed by Representatives Morris, Chair; Kloba, Vice Chair; Tarleton, Vice Chair; Doglio; Hudgins; Manweller; Santos; Slatter and Wylie.

MINORITY recommendation: Do not pass. Signed by Representatives Steele and Young.

MINORITY recommendation: Without recommendation. Signed by Representatives Fey and Harmsworth.

Referred to Committee on Rules for second reading.

February 22, 2018

SB 6240 Prime Sponsor, Senator Sheldon: Regarding miniature hobby boilers. Reported by Committee on Labor & Workplace Standards

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Gregerson, Vice Chair; McCabe, Ranking Minority Member; Pike, Assistant Ranking Minority Member; Doglio; Frame and Manweller.

Referred to Committee on Rules for second reading.

February 22, 2018

SB 6264 Prime Sponsor, Senator Ranker: Regulating contracts by institutions of higher education with private entities. Reported by Committee on Labor & Workplace Standards

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** A new section is added to chapter 50.44 RCW to read as follows:

(1) An institution of higher education, as defined in RCW 28B.10.016, may not contract with a private entity to: Respond on behalf of the institution of higher education to written requests by the department for information relating to an individual's claim or claims; file appeals and petitions for review on behalf of the institution of higher education regarding an individual's right to benefits; or represent the institution of higher education before the appeal tribunal and the commissioner in appeals involving an individual's right to benefits.

(2) Nothing in this section prohibits an institution of higher education from contracting with a private entity, including a third-party payer or professional employer organization, for any services other than the services prohibited by subsection (1) of this section.

Sec. 2. RCW 50.44.037 and 1977 ex.s. c 292 s 16 are each amended to read as follows:

For the purposes of this chapter, except for section 1 of this act, the term "institution of higher education" means an educational institution in this state which:

(1) Admits as regular students only individuals having a certificate of graduation from a high school, or the recognized equivalent of such a certificate;

(2) Is legally authorized within this state to provide a program of education beyond high school;

(3) Provides an educational program for which it awards a bachelor's or higher degree, or provides a program which is acceptable for full credit toward such a degree, or offers a program of training to prepare students for gainful employment in a recognized occupation; and

(4) Is a public or other nonprofit institution.

Notwithstanding any of the foregoing subsections, all colleges and universities in this state are "institutions of higher education".

Correct the title.

Signed by Representatives Sells, Chair; Gregerson, Vice Chair; Doglio and Frame.

MINORITY recommendation: Do not pass. Signed by Representatives McCabe, Ranking Minority Member; Pike, Assistant Ranking Minority Member and Manweller.

Referred to Committee on Rules for second reading.

February 22, 2018

SB 6292

Prime Sponsor, Senator Wilson: Concerning electronic monitoring of domestic violence perpetrators. Reported by Committee on Public Safety

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 10.99.040 and 2015 c 287 s 9 are each amended to read as follows:

(1) Because of the serious nature of domestic violence, the court in domestic violence actions:

(a) Shall not dismiss any charge or delay disposition because of concurrent dissolution or other civil proceedings;

(b) Shall not require proof that either party is seeking a dissolution of marriage prior to instigation of criminal proceedings;

(c) Shall waive any requirement that the victim's location be disclosed to any person, other than the attorney of a criminal defendant, upon a showing that there is a possibility of further violence: PROVIDED, That the court may order a criminal defense attorney not to disclose to his or her client the victim's location; and

(d) Shall identify by any reasonable means on docket sheets those criminal actions arising from acts of domestic violence.

(2)(a) Because of the likelihood of repeated violence directed at those who have been victims of domestic violence in the past, when any person charged with or arrested for a crime involving domestic violence is released from custody before arraignment or trial on bail or personal recognizance, the court authorizing the release may prohibit that person from having any contact with the victim. The jurisdiction authorizing the release shall determine whether that person should be prohibited from having any contact with the victim. If there is no outstanding restraining or protective order prohibiting that person from having contact with the victim, the court authorizing release may issue, by telephone, a no-contact order prohibiting the person charged or arrested from having contact with the victim or from knowingly coming within, or knowingly remaining within, a specified distance of a location.

(b) In issuing the order, the court shall consider the provisions of RCW 9.41.800.

(c) The no-contact order shall also be issued in writing as soon as possible, and shall state that it may be extended as provided in subsection (3) of this section. By January 1, 2011, the administrative office of the courts shall develop a pattern form for all no-contact orders issued under this chapter. A no-contact order issued under this chapter must substantially comply with the pattern form developed by the administrative office of the courts.

(3) At the time of arraignment the court shall determine whether a no-contact order shall be issued or extended. So long as the court finds probable cause, the court may issue or extend a no-contact order even if the defendant fails to appear at arraignment. The no-contact order shall terminate if the defendant is acquitted or the charges are dismissed. If a no-contact order is issued or extended, the court may also include in the conditions of release a requirement that the defendant submit to electronic monitoring (~~as defined in RCW 9.94A.030~~), which may include real-time global positioning system monitoring with victim notification. If electronic monitoring is ordered, the court shall specify who shall provide the monitoring services, and the terms under which the monitoring shall be performed. Upon conviction, the court may require as a condition of the sentence that the defendant reimburse the providing agency for the costs of the electronic monitoring.

(4)(a) Willful violation of a court order issued under subsection (2), (3), or (7) of this section is punishable under RCW 26.50.110.

(b) The written order releasing the person charged or arrested shall contain the court's directives and shall bear the legend: "Violation of this order is a criminal offense under chapter 26.50 RCW and will subject a violator to arrest; any assault, drive-by shooting, or reckless endangerment that is a violation of this order is a felony. You can be arrested even if any person protected by the order invites or allows you to violate the order's prohibitions. You have the sole responsibility to avoid or refrain from violating the order's provisions. Only the court can change the order."

(c) A certified copy of the order shall be provided to the victim.

(5) If a no-contact order has been issued prior to charging, that order shall expire at arraignment or within seventy-two hours if charges are not filed.

(6) Whenever a no-contact order is issued, modified, or terminated under subsection (2) or (3) of this section, the clerk of the court shall forward a copy of the order on or before the next judicial day to the appropriate law enforcement agency specified in the order. Upon receipt of the copy of the order the law enforcement agency shall enter the order for one year or until the expiration date specified on the order into any computer-based criminal intelligence information system available in this state used by law enforcement agencies to list outstanding warrants. Entry into the computer-based criminal intelligence information system constitutes notice to all law enforcement agencies of the existence of the order. The order is fully enforceable in any jurisdiction in the state. Upon receipt of notice that an order has been terminated under subsection (3) of this section, the law enforcement agency shall remove the order from the computer-based criminal intelligence information system.

(7) All courts shall develop policies and procedures by January 1, 2011, to grant victims a process to modify or rescind a no-contact order issued under this chapter. The administrative office of the courts shall develop a model policy to assist the courts in implementing the requirements of this subsection.

(8) The state and its employees and local governments and their subdivisions and employees are immune from civil liability for damages arising from incidents involving persons who are placed on electronic monitoring under this section, except upon a showing of gross negligence or bad faith.

Sec. 2. RCW 10.99.020 and 2004 c 18 s 2 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Agency" means a general authority Washington law enforcement agency as defined in RCW 10.93.020.

(2) "Association" means the Washington association of sheriffs and police chiefs.

(3) "Electronic monitoring" has the same meaning as in RCW 9.94A.030.

(4) "Family or household members" means spouses, former spouses, persons who have a child in common regardless of whether they have been married or have lived together at any time, adult persons related by blood or marriage, adult persons who are presently residing together or who have resided together in the past, persons sixteen years of age or older who are presently residing together or who have resided together in the past and who have or have had a dating relationship, persons sixteen years of age or older with whom a person sixteen years of age or older has or has had a dating relationship, and persons who have a biological or legal parent-child relationship, including stepparents and stepchildren and grandparents and grandchildren.

~~((4))~~ (5) "Dating relationship" has the same meaning as in RCW 26.50.010.

~~((5))~~ (6) "Domestic violence" includes but is not limited to any of the following crimes when committed by one family or household member against another:

(a) Assault in the first degree (RCW 9A.36.011);

(b) Assault in the second degree (RCW 9A.36.021);

(c) Assault in the third degree (RCW 9A.36.031);

(d) Assault in the fourth degree (RCW 9A.36.041);

(e) Drive-by shooting (RCW 9A.36.045);

(f) Reckless endangerment (RCW 9A.36.050);

(g) Coercion (RCW 9A.36.070);

(h) Burglary in the first degree (RCW 9A.52.020);

(i) Burglary in the second degree (RCW 9A.52.030);

(j) Criminal trespass in the first degree (RCW 9A.52.070);

(k) Criminal trespass in the second degree (RCW 9A.52.080);

(l) Malicious mischief in the first degree (RCW 9A.48.070);

(m) Malicious mischief in the second degree (RCW 9A.48.080);

(n) Malicious mischief in the third degree (RCW 9A.48.090);

(o) Kidnapping in the first degree (RCW 9A.40.020);

(p) Kidnapping in the second degree (RCW 9A.40.030);

(q) Unlawful imprisonment (RCW 9A.40.040);

(r) Violation of the provisions of a restraining order, no-contact order, or protection order restraining or enjoining the person or restraining the person from going onto the grounds of or entering a residence, workplace, school, or day care, or prohibiting the person from knowingly coming within, or knowingly remaining within, a specified distance of a location (RCW 10.99.040, 10.99.050, 26.09.300, 26.10.220, 26.26.138, 26.44.063, 26.44.150, 26.50.060, 26.50.070, 26.50.130, 26.52.070, or 74.34.145);

(s) Rape in the first degree (RCW 9A.44.040);

(t) Rape in the second degree (RCW 9A.44.050);

(u) Residential burglary (RCW 9A.52.025);

(v) Stalking (RCW 9A.46.110); and

(w) Interference with the reporting of domestic violence (RCW 9A.36.150).

~~((6))~~ (7) "Employee" means any person currently employed with an agency.

~~((7))~~ (8) "Sworn employee" means a general authority Washington peace officer as defined in RCW 10.93.020, any person appointed under RCW 35.21.333, and any person appointed or elected to carry out the duties of the sheriff under chapter 36.28 RCW.

~~((8))~~ (9) "Victim" means a family or household member who has been subjected to domestic violence.

Sec. 3. RCW 26.50.060 and 2010 c 274 s 304 are each amended to read as follows:

(1) Upon notice and after hearing, the court may provide relief as follows:

(a) Restrain the respondent from committing acts of domestic violence;

(b) Exclude the respondent from the dwelling that the parties share, from the residence, workplace, or school of the petitioner, or from the day care or school of a child;

(c) Prohibit the respondent from knowingly coming within, or knowingly remaining within, a specified distance from a specified location;

(d) On the same basis as is provided in chapter 26.09 RCW, the court shall make residential provision with regard to minor children of the parties. However, parenting plans as specified in chapter 26.09 RCW shall not be required under this chapter;

(e) Order the respondent to participate in a domestic violence perpetrator treatment program approved under RCW 26.50.150;

(f) Order other relief as it deems necessary for the protection of the petitioner and other family or household members sought to be protected, including orders or directives to a peace officer, as allowed under this chapter;

(g) Require the respondent to pay the administrative court costs and service fees, as established by the county or municipality incurring the expense and to reimburse the petitioner for costs incurred in bringing the action, including reasonable attorneys' fees;

(h) Restrain the respondent from having any contact with the victim of domestic violence or the victim's children or members of the victim's household;

(i) Restrain the respondent from harassing, following, keeping under physical or electronic surveillance, cyberstalking as defined in RCW 9.61.260, and using telephonic, audiovisual, or other electronic means to monitor the actions, location, or communication of a victim of domestic violence, the victim's children, or members of the victim's household. For the purposes of this subsection, "communication" includes both "wire communication" and "electronic communication" as defined in RCW 9.73.260;

(j) Require the respondent to submit to electronic monitoring, which may include real-time global positioning system monitoring with victim notification. The order shall specify who shall provide the electronic monitoring

services and the terms under which the monitoring must be performed. The order also may include a requirement that the respondent pay the costs of the monitoring. The court shall consider the ability of the respondent to pay for electronic monitoring;

(k) Consider the provisions of RCW 9.41.800;

(l) Order possession and use of essential personal effects. The court shall list the essential personal effects with sufficient specificity to make it clear which property is included. Personal effects may include pets. The court may order that a petitioner be granted the exclusive custody or control of any pet owned, possessed, leased, kept, or held by the petitioner, respondent, or minor child residing with either the petitioner or respondent and may prohibit the respondent from interfering with the petitioner's efforts to remove the pet. The court may also prohibit the respondent from knowingly coming within, or knowingly remaining within, a specified distance of specified locations where the pet is regularly found; and

(m) Order use of a vehicle.

(2) If a protection order restrains the respondent from contacting the respondent's minor children the restraint shall be for a fixed period not to exceed one year. This limitation is not applicable to orders for protection issued under chapter 26.09, 26.10, or 26.26 RCW. With regard to other relief, if the petitioner has petitioned for relief on his or her own behalf or on behalf of the petitioner's family or household members or minor children, and the court finds that the respondent is likely to resume acts of domestic violence against the petitioner or the petitioner's family or household members or minor children when the order expires, the court may either grant relief for a fixed period or enter a permanent order of protection.

If the petitioner has petitioned for relief on behalf of the respondent's minor children, the court shall advise the petitioner that if the petitioner wants to continue protection for a period beyond one year the petitioner may either petition for renewal pursuant to the provisions of this chapter or may seek relief pursuant to the provisions of chapter 26.09 or 26.26 RCW.

(3) If the court grants an order for a fixed time period, the petitioner may apply for renewal of the order by filing a petition for renewal at any time within the three months before the order expires. The petition for renewal shall state the reasons why the petitioner seeks to renew the protection order. Upon receipt of the petition for renewal the court shall order a hearing which shall be not later than fourteen days from the date of the order. Except as provided in RCW 26.50.085, personal service shall be made on the respondent not less than five days before the hearing. If timely service cannot be made the court shall set a new hearing date and shall either require additional attempts at obtaining personal service or permit service by publication as provided in RCW 26.50.085 or by mail as provided in RCW 26.50.123. If the court permits service by publication or mail, the court shall set the new hearing date not later than twenty-four days from the date of the order. If the order expires because timely service cannot be made the court shall grant an ex parte order of protection as provided in RCW 26.50.070. The court shall grant the petition for renewal unless the respondent proves by a preponderance of the evidence that the respondent will not resume acts of domestic violence against the petitioner or the petitioner's children or family or household members when the order expires. The court may renew the protection order for another fixed time period or may enter a permanent order as provided in this section. The court may award court costs, service fees, and reasonable attorneys' fees as provided in subsection (1)(g) of this section.

(4) In providing relief under this chapter, the court may realign the designation of the parties as "petitioner" and "respondent" where the court finds that the original petitioner is the abuser and the original respondent is the victim of domestic violence and may issue an ex parte temporary order for protection in accordance with RCW 26.50.070 on behalf of the victim until the victim is able to prepare a petition for an order for protection in accordance with RCW 26.50.030.

(5) Except as provided in subsection (4) of this section, no order for protection shall grant relief to any party except upon notice to the respondent and hearing pursuant to a petition or counter-petition filed and

served by the party seeking relief in accordance with RCW 26.50.050.

(6) The court order shall specify the date the order expires if any. The court order shall also state whether the court issued the protection order following personal service, service by publication, or service by mail and whether the court has approved service by publication or mail of an order issued under this section.

(7) If the court declines to issue an order for protection or declines to renew an order for protection, the court shall state in writing on the order the particular reasons for the court's denial.

(8) The state and its employees and local governments and their subdivisions and employees are immune from civil liability for damages arising from incidents involving persons who are placed on electronic monitoring under this section, except upon a showing of gross negligence or bad faith.

NEW SECTION. Sec. 4. A new section is added to chapter 2.56 RCW to read as follows:

Subject to the availability of amounts appropriated for this purpose, the administrative office of the courts must provide funding to counties to cover the cost of electronic monitoring with victim notification technology when a respondent is unable to pay for the cost of electronic monitoring."

Correct the title.

Signed by Representatives Goodman, Chair; Pellicciotti, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Chapman; Griffey; Holy; Orwall; Pettigrew and Van Werven.

Referred to Committee on Appropriations.

February 22, 2018

SSB 6294

Prime Sponsor, Committee on Local Government: Exempting impact fees for low-income housing development. Reported by Committee on Community Development, Housing & Tribal Affairs

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 82.02.060 and 2012 c 200 s 1 are each amended to read as follows:

(1) The local ordinance by which impact fees are imposed:

~~((1) Shall))~~ (a) Must include a schedule of impact fees ~~((which shall be))~~ that are adopted for each type of development activity that is subject to impact fees, specifying the amount of the impact fee to be imposed for each type of system improvement. The schedule ~~((shall))~~ must be based upon a formula or other method of calculating such impact fees. In determining proportionate share, the formula or other method of calculating impact fees ~~((shall))~~ must incorporate, among other things, the following:

~~((a))~~ (i) The cost of public facilities necessitated by new development;

~~((b))~~ (ii) An adjustment to the cost of the public facilities for past or future payments made or reasonably anticipated to be made by new development to pay for particular system improvements in the form of user fees, debt service payments, taxes, or other payments earmarked for or proratable to the particular system improvement;

~~((c))~~ (iii) The availability of other means of funding public facility improvements;

~~((d))~~ (iv) The cost of existing public facilities improvements; and

~~((e))~~ (v) The methods by which public facilities improvements were financed;

~~((2))~~ (b) May provide an exemption for ~~((low income housing, and other))~~ development activities with broad public purposes, from these impact fees, provided that the impact fees for such development activity ~~((shall be))~~ are paid from public funds other than impact fee accounts;

~~((3))~~ (c) May provide an exemption from impact fees for low-income housing. Local governments that grant exemptions for low-income housing under this subsection ~~((3))~~ (1)(c) may either: Grant a partial exemption of not more than eighty percent of impact fees, in which case there is no explicit requirement to pay the exempted portion of the fee from public funds other than impact fee accounts; or provide a full waiver, in which case the remaining

percentage of the exempted fee must be paid from public funds other than impact fee accounts. An exemption for low-income housing granted under (b) of this subsection ~~((2) of this section))~~ or this subsection ~~((3))~~ (1)(c) must be conditioned upon requiring the developer to record a covenant that, except as provided otherwise by this subsection, prohibits using the property for any purpose other than for low-income housing. At a minimum, the covenant must address price restrictions and household income limits for the low-income housing, and that if the property is converted to a use other than for low-income housing, the property owner must pay the applicable impact fees in effect at the time of conversion. Covenants required by this subsection must be recorded with the applicable county auditor or recording officer. A local government granting an exemption under ~~((subsection (2) of this section or))~~ this subsection ~~((3))~~ (1)(c) for low-income housing may not collect revenue lost through granting an exemption by increasing impact fees unrelated to the exemption. A school district who receives school impact fees must approve any exemption under ~~((subsection (2) of this section or))~~ this subsection ~~((3))~~ (1)(c);

~~((4) Shall))~~ (d) Must provide a credit for the value of any dedication of land for, improvement to, or new construction of any system improvements provided by the developer, to facilities that are identified in the capital facilities plan and that are required by the county, city, or town as a condition of approving the development activity;

~~((5) Shall))~~ (e) Must allow the county, city, or town imposing the impact fees to adjust the standard impact fee at the time the fee is imposed to consider unusual circumstances in specific cases to ensure that impact fees are imposed fairly;

~~((6) Shall))~~ (f) Must include a provision for calculating the amount of the fee to be imposed on a particular development that permits consideration of studies and data submitted by the developer to adjust the amount of the fee;

~~((7) Shall))~~ (g) Must establish one or more reasonable service areas within which it ~~((shall))~~ calculates and imposes impact fees for various land use categories per unit of development; and

~~((+8))~~ (h) May provide for the imposition of an impact fee for system improvement costs previously incurred by a county, city, or town to the extent that new growth and development will be served by the previously constructed improvements provided such fee ~~((shall))~~ may not be imposed to make up for any system improvement deficiencies.

(2) For purposes of this section, "low-income housing" means housing with a monthly housing expense, that is no greater than thirty percent of eighty percent of the median family income adjusted for family size, for the county where the project is located, as reported by the United States department of housing and urban development.

Sec. 2. RCW 82.02.090 and 2010 c 86 s 1 are each reenacted and amended to read as follows:

~~((Unless the context clearly requires otherwise, the following definitions shall apply in RCW 82.02.050 through 82.02.090.))~~ The definitions in this section apply throughout RCW 82.02.050 through 82.02.090 unless the context clearly requires otherwise.

(1) "Development activity" means any construction or expansion of a building, structure, or use, any change in use of a building or structure, or any changes in the use of land, that creates additional demand and need for public facilities. "Development activity" does not include:

(a) Buildings or structures constructed by a regional transit authority; or

(b) Buildings or structures constructed as shelters that provide emergency housing for people experiencing homelessness, or emergency shelters for victims of domestic violence, as defined in RCW 70.123.020.

(2) "Development approval" means any written authorization from a county, city, or town which authorizes the commencement of development activity.

(3) "Impact fee" means a payment of money imposed upon development as a condition of development approval to pay for public facilities needed to serve new growth and development, and that is reasonably related to the new development that creates additional demand and need for public facilities, that is a proportionate share of the cost of the

public facilities, and that is used for facilities that reasonably benefit the new development. "Impact fee" does not include a reasonable permit or application fee.

(4) "Owner" means the owner of record of real property, although when real property is being purchased under a real estate contract, the purchaser ~~((shall be))~~ is considered the owner of the real property if the contract is recorded.

(5) "Project improvements" mean site improvements and facilities that are planned and designed to provide service for a particular development project and that are necessary for the use and convenience of the occupants or users of the project, and are not system improvements. ~~((No))~~ An improvement or facility included in a capital facilities plan approved by the governing body of the county, city, or town ~~((shall be))~~ is not considered a project improvement.

(6) "Proportionate share" means that portion of the cost of public facility improvements that are reasonably related to the service demands and needs of new development.

(7) "Public facilities" means the following capital facilities owned or operated by government entities: (a) Public streets and roads; (b) publicly owned parks, open space, and recreation facilities; (c) school facilities; and (d) fire protection facilities.

(8) "Service area" means a geographic area defined by a county, city, town, or intergovernmental agreement in which a defined set of public facilities provide service to development within the area. Service areas ~~((shall))~~ must be designated on the basis of sound planning or engineering principles.

(9) "System improvements" mean public facilities that are included in the capital facilities plan and are designed to provide service to service areas within the community at large, in contrast to project improvements.

NEW SECTION. Sec. 3. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect April 1, 2018."

Correct the title.

Signed by Representatives Ryu, Chair; Macri, Vice Chair; Barkis, Ranking Minority Member; McCabe, Assistant Ranking Minority Member; Jenkin; Reeves and Sawyer.

Referred to Committee on Rules for second reading.

February 21, 2018

SSB 6309 Prime Sponsor, Committee on Ways & Means: Extending the timeline for completing a family assessment response. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: Do pass. Signed by Representatives Kagi, Chair; Senn, Vice Chair; Dent, Ranking Minority Member; McCaslin, Assistant Ranking Minority Member; Eslick; Frame; Goodman; Griffey; Kilduff; Klippert; Lovick; Muri and Ortiz-Self.

Referred to Committee on Rules for second reading.

February 22, 2018

SSB 6313 Prime Sponsor, Committee on Labor & Commerce: Concerning an employee's right to publicly file a complaint or cause of action for discrimination in employment contracts and agreements. Reported by Committee on Labor & Workplace Standards

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** A new section is added to chapter 49.44 RCW to read as follows:

A provision of an employment contract or agreement is against public policy and is void and unenforceable if it requires an employee to waive the employee's right to publicly pursue a cause of action arising under chapter 49.60 RCW or federal antidiscrimination laws or to publicly file a complaint with the appropriate state or federal agencies, or if it requires an employee to resolve claims of discrimination in a dispute resolution process that is confidential."

Correct the title.

Signed by Representatives Sells, Chair; Gregerson, Vice Chair; McCabe, Ranking Minority Member; Pike, Assistant Ranking Minority Member; Doglio; Frame and Manweller.

Referred to Committee on Rules for second reading.

February 22, 2018

SSB 6343 Prime Sponsor, Committee on Labor & Commerce: Establishing the healthy energy workers task force. Reported by Committee on Labor & Workplace Standards

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Gregerson, Vice Chair; McCabe, Ranking Minority Member; Pike, Assistant Ranking Minority Member; Doglio; Frame and Manweller.

Referred to Committee on Rules for second reading.

February 22, 2018

SSB 6361 Prime Sponsor, Committee on Economic Development & International Trade: Authorizing certain cities to establish a limited tax expenditure from local property taxes for the value of new construction to encourage redevelopment of vacant lands in urban areas. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Appleton, Chair; McBride, Vice Chair; Gregerson and Peterson.

MINORITY recommendation: Do not pass. Signed by Representatives Griffey, Ranking Minority Member; Pike, Assistant Ranking Minority Member and Taylor.

Referred to Committee on Rules for second reading.

February 22, 2018

ESB 6379 Prime Sponsor, Senator Fain: Requiring a public hearing before a local government may remove a recorded restrictive covenant from land owned by the local government. (REVISED FOR ENGROSSED: Requiring a public hearing before a local government may remove, vacate, or extinguish certain covenants from land it owns.) Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Appleton, Chair; McBride, Vice Chair; Griffey, Ranking Minority Member; Gregerson and Peterson.

MINORITY recommendation: Do not pass. Signed by Representatives Pike, Assistant Ranking Minority Member and Taylor.

Referred to Committee on Rules for second reading.

February 22, 2018

SSB 6388 Prime Sponsor, Committee on Early Learning & K-12 Education: Concerning paraeducators. Reported by Committee on Education

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"PARAEDUCATOR REQUIREMENTS

Sec. 1. RCW 28A.413.040 and 2017 c 237 s 5 are each amended to read as follows:

~~((Effective September 1, 2018,))~~
(1) (a) A person working as a paraeducator for a school district before or during the 2017-18 school year must meet the requirements of subsection (2) of this section by the date of hire for the 2019-20 school year or any subsequent school year.

(b) A person who has not previously worked as a paraeducator for a school district must meet the requirements of subsection (2) of this section by the date of hire for the 2018-19 school year or any subsequent school year.

(2) The minimum employment requirements for paraeducators are as provided in this subsection. ~~((The))~~ A paraeducator must:

~~((1))~~ (a) Be at least eighteen years of age and hold a high school diploma or its equivalent; and

~~((2) (a))~~ (b) (i) Have received a passing grade on the education testing service paraeducator assessment; or

~~((b))~~ (ii) Hold an associate of arts degree; or

~~((c))~~ (iii) Have earned seventy-two quarter credits or forty-eight semester credits at an institution of higher education; or

~~((d))~~ (iv) Have completed a registered apprenticeship program.

NEW SECTION. Sec. 2. By October 1, 2018, a school district that does not receive funding under Title I of the federal elementary and secondary education act of 1965 must report to the

paraeducator board with the following information about paraeducators hired by the school district for the 2018-19 school year, as of September 1, 2018: The total number of paraeducators and the number who meet the minimum employment requirements provided in RCW 28A.413.040.

Sec. 3. RCW 28A.413.060 and 2017 c 237 s 7 are each amended to read as follows:

~~((Subject to the availability of amounts appropriated for this specific purpose, beginning September 1, 2019,))~~
School districts must implement this section only in school years for which state funding is appropriated specifically for the purposes of this section and only for the number of days that are funded by the appropriation.

(2) School districts must provide a four-day fundamental course of study on the state standards of practice, as defined by the board, to paraeducators who have not completed the course, either in the district or in another district within the state. School districts must use best efforts to provide the fundamental course of study before the paraeducator begins to work with students and their families, and at a minimum by the deadlines provided in subsection ~~((2))~~ (3) of this section.

~~((2))~~ (3) Except as provided in (b) of this subsection, school districts must provide the fundamental course of study required in subsection ~~((1))~~ (2) of this section ~~((as follows))~~ by the deadlines provided in (a) of this subsection:

(a) (i) For paraeducators hired on or before September 1st, by September 30th of that year, regardless of the size of the district; and

~~((b))~~ (ii) For paraeducators hired after September 1st:

~~((1))~~ (A) For districts with ten thousand or more students, within four months of the date of hire; and

~~((1))~~ (B) For districts with fewer than ten thousand students, no later than September 1st of the following year.

~~((3))~~ (b) (i) For paraeducators hired for the 2018-19 school year, by September 1, 2020; and

(ii) For paraeducators not hired for the 2018-19 school year, but hired for

the 2019-20 school year, by September 1, 2021.

(4) School districts may collaborate with other school districts or educational service districts to meet the requirements of this section.

Sec. 4. RCW 28A.413.070 and 2017 c 237 s 8 are each amended to read as follows:

(1) School districts must implement this section only in school years for which state funding is appropriated specifically for the purposes of this section and only for the number of days that are funded by the appropriation.

(2)(a) Paraeducators may become eligible for a general paraeducator certificate by completing the four-day fundamental course of study, as required under RCW 28A.413.060, and an additional ten days of general courses, as defined by the board, on the state paraeducator standards of practice, described in RCW 28A.413.050.

(b) Paraeducators are not required to meet the general paraeducator certificate requirements under this subsection ~~((+1+))~~ (2) unless ~~((amounts are appropriated for the specific purposes of subsection (2) of this section and RCW 28A.413.060))~~ the courses necessary to meet the requirements are funded by the state in accordance with subsection (1) of this section and RCW 28A.413.060(1).

~~((2) Subject to the availability of amounts appropriated for this specific purpose,))~~ (3) Beginning September 1, 2019, school districts must:

(a) Provide paraeducators with general courses on the state paraeducator standards of practice; and

(b) Ensure all paraeducators employed by the district meet the general certification requirements of this section within three years of completing the four-day fundamental course of study.

~~((+3+))~~ (4) The general paraeducator certificate does not expire."

Correct the title.

Signed by Representatives Santos, Chair; Dolan, Vice Chair; Stonier, Vice Chair; Harris, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Bergquist; Caldier; Hargrove; Johnson; Kilduff; Lovick;

McCaslin; Ortiz-Self; Senn; Slatter; Steele; Stokesbary and Valdez.

Referred to Committee on Rules for second reading.

February 21, 2018

ESSB 6434 Prime Sponsor, Committee on Transportation: Concerning electric-assisted bicycles. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Wylie, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Harmsworth, Assistant Ranking Minority Member; Chapman; Gregerson; Hayes; Irwin; Kloba; Lovick; McBride; Ortiz-Self; Pellicciotti; Pike; Riccelli; Rodne; Stambaugh; Tarleton; Valdez and Van Werven.

MINORITY recommendation: Do not pass. Signed by Representatives Shea and Young.

Referred to Committee on Rules for second reading.

February 21, 2018

SSB 6452 Prime Sponsor, Committee on Ways & Means: Expanding the activities of the children's mental health services consultation program. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**NEW SECTION. Sec. 1.** (1) The health care authority and the office of the insurance commissioner shall consult with the University of Washington, Seattle children's hospital, medicaid managed care organizations, and health insurance carriers as defined in RCW 48.44.010 to develop an alternative funding model for the partnership access line. By December 1, 2018, the authority must provide a report to the appropriate committees of the legislature, and the children's mental health work group created in chapter . . . , Laws of 2018 (Engrossed Second Substitute House Bill No. 2779), if chapter . . . , Laws of 2018 (Engrossed Second Substitute House Bill No. 2779) is enacted by the effective date of this section. The funding model must identify potential sources to support:

(a) Current partnership access line services for primary care providers;

(b) An expansion of partnership access line services to include consultation services for primary care providers treating depression in pregnant women and new mothers; and

(c) An expansion of partnership access line services to include referrals to children's mental health services and other resources for parents and guardians with concerns related to their child's mental health.

(2) In the development of the alternative funding model, the authority and office of the insurance commissioner must:

(a) Consider a mechanism that determines the annual cost of operating the partnership access line and collects a proportional share of the program cost from each health insurance carrier;

(b) Differentiate between partnership access line activities eligible for medicaid funding from other nonmedicaid eligible activities; and

(c) Ensure that the expanded services identified in this subsection do not duplicate existing requirements for medicaid managed care organizations as required by RCW 74.09.492.

(3) This section expires December 30, 2018.

Sec. 2. RCW 71.24.061 and 2014 c 225 s 35 are each amended to read as follows:

(1) The department shall provide flexibility in provider contracting to behavioral health organizations for children's mental health services. Beginning with 2007-2009 biennium contracts, behavioral health organization contracts shall authorize behavioral health organizations to allow and encourage licensed community mental health centers to subcontract with individual licensed mental health professionals when necessary to meet the need for an adequate, culturally competent, and qualified children's mental health provider network.

(2) To the extent that funds are specifically appropriated for this purpose or that nonstate funds are available, a children's mental health evidence-based practice institute shall be established at the University of Washington division of public behavioral

health and justice policy. The institute shall closely collaborate with entities currently engaged in evaluating and promoting the use of evidence-based, research-based, promising, or consensus-based practices in children's mental health treatment, including but not limited to the University of Washington department of psychiatry and behavioral sciences, ~~((children's hospital and regional medical center))~~ Seattle children's hospital, the University of Washington school of nursing, the University of Washington school of social work, and the Washington state institute for public policy. To ensure that funds appropriated are used to the greatest extent possible for their intended purpose, the University of Washington's indirect costs of administration shall not exceed ten percent of appropriated funding. The institute shall:

(a) Improve the implementation of evidence-based and research-based practices by providing sustained and effective training and consultation to licensed children's mental health providers and child-serving agencies who are implementing evidence-based or researched-based practices for treatment of children's emotional or behavioral disorders, or who are interested in adapting these practices to better serve ethnically or culturally diverse children. Efforts under this subsection should include a focus on appropriate oversight of implementation of evidence-based practices to ensure fidelity to these practices and thereby achieve positive outcomes;

(b) Continue the successful implementation of the "partnerships for success" model by consulting with communities so they may select, implement, and continually evaluate the success of evidence-based practices that are relevant to the needs of children, youth, and families in their community;

(c) Partner with youth, family members, family advocacy, and culturally competent provider organizations to develop a series of information sessions, literature, and online resources for families to become informed and engaged in evidence-based and research-based practices;

(d) Participate in the identification of outcome-based performance measures under RCW 71.36.025(2) and partner in a statewide effort to implement statewide

outcomes monitoring and quality improvement processes; and

(e) Serve as a statewide resource to the department and other entities on child and adolescent evidence-based, research-based, promising, or consensus-based practices for children's mental health treatment, maintaining a working knowledge through ongoing review of academic and professional literature, and knowledge of other evidence-based practice implementation efforts in Washington and other states.

(3) To the extent that funds are specifically appropriated for this purpose, the ~~((department))~~ health care authority in collaboration with the ~~((evidence-based practice institute))~~ University of Washington department of psychiatry and behavioral sciences and Seattle children's hospital shall:

(a) Implement a ~~((pilot))~~ program to support primary care providers in the assessment and provision of appropriate diagnosis and treatment of children with mental and behavioral health disorders and track outcomes of this program;

(b) Beginning January 1, 2019, implement a two-year pilot program called the partnership access line for moms and kids to:

(i) Support obstetricians, pediatricians, primary care providers, mental health professionals, and other health care professionals providing care to pregnant women and new mothers through same-day telephone consultations in the assessment and provision of appropriate diagnosis and treatment of depression in pregnant women and new mothers; and

(ii) Facilitate referrals to children's mental health services and other resources for parents and guardians with concerns related to the mental health of the parent or guardian's child. Facilitation activities include assessing the level of services needed by the child; within seven days of receiving a call from a parent or guardian, identifying mental health professionals who are in-network with the child's health care coverage who are accepting new patients and taking appointments; coordinating contact between the parent or guardian and the mental health professional; and providing postreferral reviews to determine if the child has outstanding needs. In conducting its referral activities, the program shall collaborate with existing databases and

resources to identify in-network mental health professionals.

(c) The program activities described in (a) and (b)(i) of this subsection shall be designed to promote more accurate diagnoses and treatment through timely case consultation between primary care providers and child psychiatric specialists, and focused educational learning collaboratives with primary care providers.

(4) The health care authority, in collaboration with the University of Washington department of psychiatry and behavioral sciences and Seattle children's hospital, shall report on the following:

(a) The number of individuals who have accessed the resources described in subsection (3) of this section;

(b) The number of providers, by type, who have accessed the resources described in subsection (3) of this section;

(c) Demographic information, as available, for the individuals described in (a) of this subsection. Demographic information may not include any personally identifiable information and must be limited to the individual's age, gender, and city and county of residence;

(d) A description of resources provided;

(e) Average time frames from receipt of call to referral for services or resources provided; and

(f) Systemic barriers to services, as determined and defined by the health care authority, the University of Washington department of psychiatry and behavioral sciences, and Seattle children's hospital.

(5) Beginning December 30, 2019, and annually thereafter, the health care authority must submit, in compliance with RCW 43.01.036, a report to the governor and appropriate committees of the legislature with findings and recommendations for improving services and service delivery from subsection (4) of this section.

(6) The health care authority shall enforce requirements in managed care contracts to ensure care coordination and network adequacy issues are addressed in order to remove barriers to access to mental health services identified in the

report described in subsection (4) of this section."

Correct the title.

Signed by Representatives Kagi, Chair; Senn, Vice Chair; Dent, Ranking Minority Member; McCaslin, Assistant Ranking Minority Member; Eslick; Frame; Goodman; Griffey; Kilduff; Klippert; Lovick; Muri and Ortiz-Self.

Referred to Committee on Rules for second reading.

February 22, 2018

2SSB 6453 Prime Sponsor, Committee on Ways & Means: Concerning legal support for kinship caregivers. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Graves, Assistant Ranking Minority Member; Goodman; Haler; Hansen; Kirby; Klippert; Muri; Orwall and Valdez.

MINORITY recommendation: Do not pass. Signed by Representative Shea.

Referred to Committee on Rules for second reading.

February 22, 2018

SSB 6474 Prime Sponsor, Committee on Early Learning & K-12 Education: Creating a pilot project for tribal compact schools. Reported by Committee on Education

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 28A.715 RCW to read as follows:

(1) A pilot project is established for one or more schools that are the subject of a state-tribal education compact, schools also known as "tribal compact schools," to consider and implement modifications to requirements governing school attendance, calendar requirements, and assessments for the purpose of:

(a) Accommodating cultural, fisheries, and agricultural events; and

(b) Replacing statewide student assessments with culturally relevant and community-based standards.

(2) Schools participating in the pilot project may:

(a) Request a waiver, in accordance with section 2 of this act, to the requirement for a one hundred eighty-day school year established in RCW 28A.150.220;

(b) Develop curricula that links student learning with engagement in cultural, fisheries, and agricultural programs and aligns with the Washington state learning standards;

(c) Request authorization to consider student participation in cultural, fisheries, or agricultural programs as instructional days for the purposes of RCW 28A.150.220(5);

(d) Categorize, subject to the requirements of section 3 or 4 of this act, the participation in cultural or agricultural events as an excused absence under RCW 28A.225.010;

(e) Explore ways that cultural and agricultural events are or can be reflected in data concerning absenteeism;

(f) Replace statewide student assessments required for earning a certificate of academic achievement with culturally relevant and community-based standards; and

(g) Consider and implement other modifications to requirements as determined by each participating school.

(3) The office of native education within the office of the superintendent of public instruction must collaborate with each tribal compact school participating in the pilot project and review any terms of the compact that relate to the school's pilot project.

(4) If appropriate, the superintendent of public instruction shall convene a government-to-government meeting with the tribal compact school for the purpose of revising the compact to reflect the terms of the pilot project.

(5) Nothing contained in this section may be construed to limit the amount of funding allocated to tribal compact schools participating in the pilot project.

(6) Each tribal compact school participating in the pilot shall submit a report every two years to the appropriate committees of the house of representatives, the senate, and the

office of the superintendent of public instruction. The final report of each school must include a recommendation of whether the pilot project should be modified, continued, expanded, or discontinued. Reports submitted to the house of representatives and the senate in accordance with this subsection must comply with RCW 43.01.036.

(7) The pilot project expires August 1, 2023.

(8) This section expires September 1, 2023.

NEW SECTION. Sec. 2. A new section is added to chapter 28A.300 RCW to read as follows:

(1) The superintendent of public instruction may, upon receipt of an application from a school that is the subject of a state-tribal education compact and that is participating in the pilot project established in section 1 of this act:

(a) Grant a waiver from the requirements for a one hundred eighty-day school year under RCW 28A.150.220; and

(b) Authorize the school to consider student participation in cultural, fisheries, or agricultural programs as instructional days for the purposes of RCW 28A.150.220 (5).

(2) This section expires September 1, 2023.

Sec. 3. RCW 28A.225.010 and 2014 c 168 s 3 are each amended to read as follows:

(1) All parents in this state of any child eight years of age and under eighteen years of age shall cause such child to attend the public school of the district in which the child resides and such child shall have the responsibility to and therefore shall attend for the full time when such school may be in session unless:

(a) The child is attending an approved private school for the same time or is enrolled in an extension program as provided in RCW 28A.195.010 (4);

(b) The child is receiving home-based instruction as provided in subsection (4) of this section;

(c) The child is attending an education center as provided in chapter 28A.205 RCW;

(d) The school district superintendent of the district in which the child resides shall have excused such child from attendance because the child is physically or mentally unable to attend school, is attending a residential school operated by the department of social and health services, is incarcerated in an adult correctional facility, or has been temporarily excused upon the request of his or her parents for purposes agreed upon by the school authorities and the parent: PROVIDED, That such excused absences shall not be permitted if deemed to cause a serious adverse effect upon the student's educational progress: PROVIDED FURTHER, That students excused for such temporary absences may be claimed as full-time equivalent students to the extent they would otherwise have been so claimed for the purposes of RCW 28A.150.250 and 28A.150.260 and shall not affect school district compliance with the provisions of RCW 28A.150.220;

(e) The child is excused from school subject to approval by the student's parent for a reason of faith or conscience, or an organized activity conducted under the auspices of a religious denomination, church, or religious organization, for up to two days per school year without any penalty. Such absences may not mandate school closures. Students excused for such temporary absences may be claimed as full-time equivalent students to the extent they would otherwise have been so claimed for the purposes of RCW 28A.150.250 and 28A.150.260 and may not affect school district compliance with the provisions of RCW 28A.150.220; (~~(e)~~)

(f) The child is participating in cultural or agricultural events in accordance with the pilot project established in section 1 of this act, for up to two days per school year without any penalty; or

(g) The child is sixteen years of age or older and:

(i) The child is regularly and lawfully employed and either the parent agrees that the child should not be required to attend school or the child is emancipated in accordance with chapter 13.64 RCW;

(ii) The child has already met graduation requirements in accordance with state board of education rules and regulations; or

(iii) The child has received a certificate of educational competence under rules and regulations established by the state board of education under RCW 28A.305.190.

(2) A parent for the purpose of this chapter means a parent, guardian, or person having legal custody of a child.

(3) An approved private school for the purposes of this chapter and chapter 28A.200 RCW shall be one approved under regulations established by the state board of education pursuant to RCW 28A.305.130.

(4) For the purposes of this chapter and chapter 28A.200 RCW, instruction shall be home-based if it consists of planned and supervised instructional and related educational activities, including a curriculum and instruction in the basic skills of occupational education, science, mathematics, language, social studies, history, health, reading, writing, spelling, and the development of an appreciation of art and music, provided for a number of hours equivalent to the total annual program hours per grade level established for approved private schools under RCW 28A.195.010 and 28A.195.040 and if such activities are:

(a) Provided by a parent who is instructing his or her child only and are supervised by a certificated person. A certificated person for purposes of this chapter and chapter 28A.200 RCW shall be a person certified under chapter 28A.410 RCW. For purposes of this section, "supervised by a certificated person" means: The planning by the certificated person and the parent of objectives consistent with this subsection; a minimum each month of an average of one contact hour per week with the child being supervised by the certificated person; and evaluation of such child's progress by the certificated person. The number of children supervised by the certificated person shall not exceed thirty for purposes of this subsection; or

(b) Provided by a parent who is instructing his or her child only and who has either earned forty-five college level quarter credit hours or its equivalent in semester hours or has completed a course in home-based instruction at a postsecondary institution or a vocational-technical institute; or

(c) Provided by a parent who is deemed sufficiently qualified to provide home-based instruction by the superintendent of the local school district in which the child resides.

(5) The legislature recognizes that home-based instruction is less structured and more experiential than the instruction normally provided in a classroom setting. Therefore, the provisions of subsection (4) of this section relating to the nature and quantity of instructional and related educational activities shall be liberally construed.

Sec. 4. RCW 28A.225.010 and 2017 3rd sp.s. c 6 s 630 are each amended to read as follows:

(1) All parents in this state of any child eight years of age and under eighteen years of age shall cause such child to attend the public school of the district in which the child resides and such child shall have the responsibility to and therefore shall attend for the full time when such school may be in session unless:

(a) The child is attending an approved private school for the same time or is enrolled in an extension program as provided in RCW 28A.195.010(4);

(b) The child is receiving home-based instruction as provided in subsection (4) of this section;

(c) The child is attending an education center as provided in chapter 28A.205 RCW;

(d) The school district superintendent of the district in which the child resides shall have excused such child from attendance because the child is physically or mentally unable to attend school, is attending a residential school operated by the department of social and health services or the department of children, youth, and families, is incarcerated in an adult correctional facility, or has been temporarily excused upon the request of his or her parents for purposes agreed upon by the school authorities and the parent: PROVIDED, That such excused absences shall not be permitted if deemed to cause a serious adverse effect upon the student's educational progress: PROVIDED FURTHER, That students excused for such temporary absences may be claimed as full-time equivalent students to the extent they would otherwise have been so claimed for

the purposes of RCW 28A.150.250 and 28A.150.260 and shall not affect school district compliance with the provisions of RCW 28A.150.220;

(e) The child is excused from school subject to approval by the student's parent for a reason of faith or conscience, or an organized activity conducted under the auspices of a religious denomination, church, or religious organization, for up to two days per school year without any penalty. Such absences may not mandate school closures. Students excused for such temporary absences may be claimed as full-time equivalent students to the extent they would otherwise have been so claimed for the purposes of RCW 28A.150.250 and 28A.150.260 and may not affect school district compliance with the provisions of RCW 28A.150.220; ((e#))

(f) Until August 1, 2023, the child is participating in cultural or agricultural events in accordance with the pilot project established in section 1 of this act, for up to two days per school year without any penalty; or

(g) The child is sixteen years of age or older and:

(i) The child is regularly and lawfully employed and either the parent agrees that the child should not be required to attend school or the child is emancipated in accordance with chapter 13.64 RCW;

(ii) The child has already met graduation requirements in accordance with state board of education rules and regulations; or

(iii) The child has received a certificate of educational competence under rules and regulations established by the state board of education under RCW 28A.305.190.

(2) A parent for the purpose of this chapter means a parent, guardian, or person having legal custody of a child.

(3) An approved private school for the purposes of this chapter and chapter 28A.200 RCW shall be one approved under regulations established by the state board of education pursuant to RCW 28A.305.130.

(4) For the purposes of this chapter and chapter 28A.200 RCW, instruction shall be home-based if it consists of planned and supervised instructional and related educational activities,

including a curriculum and instruction in the basic skills of occupational education, science, mathematics, language, social studies, history, health, reading, writing, spelling, and the development of an appreciation of art and music, provided for a number of hours equivalent to the total annual program hours per grade level established for approved private schools under RCW 28A.195.010 and 28A.195.040 and if such activities are:

(a) Provided by a parent who is instructing his or her child only and are supervised by a certificated person. A certificated person for purposes of this chapter and chapter 28A.200 RCW shall be a person certified under chapter 28A.410 RCW. For purposes of this section, "supervised by a certificated person" means: The planning by the certificated person and the parent of objectives consistent with this subsection; a minimum each month of an average of one contact hour per week with the child being supervised by the certificated person; and evaluation of such child's progress by the certificated person. The number of children supervised by the certificated person shall not exceed thirty for purposes of this subsection; or

(b) Provided by a parent who is instructing his or her child only and who has either earned forty-five college level quarter credit hours or its equivalent in semester hours or has completed a course in home-based instruction at a postsecondary institution or a vocational-technical institute; or

(c) Provided by a parent who is deemed sufficiently qualified to provide home-based instruction by the superintendent of the local school district in which the child resides.

(5) The legislature recognizes that home-based instruction is less structured and more experiential than the instruction normally provided in a classroom setting. Therefore, the provisions of subsection (4) of this section relating to the nature and quantity of instructional and related educational activities shall be liberally construed."

Correct the title.

Signed by Representatives Santos, Chair; Dolan, Vice Chair; Stonier, Vice Chair; Harris, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Bergquist; Johnson; Kilduff; Lovick; Ortiz-Self; Senn; Slatter; Steele; Stokesbary and Valdez.

MINORITY recommendation: Do not pass. Signed by Representatives Caldier; Hargrove and McCaslin.

Referred to Committee on Rules for second reading.

February 21, 2018

SSB 6519 Prime Sponsor, Committee on Transportation: Revising the establishment of marine pilotage tariffs. Reported by Committee on Transportation

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** A new section is added to chapter 88.16 RCW to read as follows:

(1) The utilities and transportation commission shall under sections 7 through 12 of this act periodically, but not more frequently than annually, establish the pilotage tariffs for pilotage services provided under this chapter: PROVIDED, That the utilities and transportation commission may establish extra compensation for extra services to vessels in distress, for awaiting vessels, for all vessels in direct transit to or from a Canadian port where Puget Sound pilotage is required for a portion of the voyage, or for being carried to sea on vessels against the will of the pilot, and for such other services as may be determined by the commission: PROVIDED FURTHER, That as an element of the Puget Sound pilotage district tariff, the utilities and transportation commission may consider pilot retirement expenses incurred in the prior year in the Puget Sound pilotage district. However, under no circumstances shall the state be obligated to fund or pay for any portion of retirement payments for pilots or retired pilots.

(2) By December 1, 2018, the utilities and transportation commission shall submit to the transportation committees of the legislature any additional statutory changes necessary to implement this act.

(3) By July 1, 2020, the utilities and transportation commission shall provide a report to the governor and the transportation committees of the legislature regarding matters pertaining to establishing tariffs under this section that includes a comparison of the process and outcomes in relation to the recommendations made in the January 2018 joint transportation committee Washington state pilotage final report and recommendations.

Sec. 2. RCW 53.08.390 and 2010 c 8 s 16003 are each amended to read as follows:

A countywide port district located in part or in whole within the Grays Harbor pilotage district, as defined by RCW 88.16.050(2), may commence pilotage service with the following powers and subject to the conditions contained in this section.

(1) Persons employed to perform the pilotage service of a port district must be licensed under chapter 88.16 RCW to provide pilotage.

(2) Before establishing pilotage service, a port district shall give at least sixty days' written notice to the chair of the board of pilotage commissioners to provide pilotage.

(3) A port district providing pilotage service under this section requiring additional pilots may petition the board of pilotage commissioners to qualify and license as a pilot a person who has passed the examination and is on the waiting list for the training program for the district. If there are no persons on the waiting list, the board shall solicit applicants and offer the examination.

(4) In addition to the power to employ or contract with pilots, a port district providing pilotage services under this section has such other powers as are reasonably necessary to accomplish the purpose of this section including, but not limited to, providing through ownership or contract pilots launches, dispatcher services, or ancillary tug services required for operations or safety.

(5) (a) A port district providing pilotage services under this section may recommend to the utilities and transportation commission tariffs for pilotage services provided under chapter 88.16 RCW, and may recommend to the board of pilotage commissioners rules of

service governing its pilotage services for consideration and adoption consistent with RCW 88.16.035. The rules of service, rates, and tariffs ((governing its pilotage services for consideration and adoption pursuant to RCW 88.16.035. The rules, rates, and tariffs)) recommended by the port district must have been approved in open meetings of the port district ((ten)) thirty or more days after published notice in a newspaper of general circulation and after mailing a copy of the notice to: (i) The utilities and transportation commission for rate and tariff consideration, or (ii) the chair of the board of pilotage commissioners for rules of service consideration. The port district shall release its pilotage budget, including the five year capital spending plan, prior year pilotage financial statement, and the proposed pilotage tariff, no later than thirty days prior to a public hearing. The port district shall receive public comments for thirty days before the port district commission may approve and recommend the pilotage tariff, rates, or rules of service.

(b) The port district must include a charge in its tariff until such time as the pilot retirement agreement expenses for Grays Harbor pilotage district pilots employed prior to October 1, 2001, are no longer owed. The port district shall determine the charge owed as pilot retirement agreement expenses. The charge must be sufficient to cover costs associated with the pilot retirement agreement expenses for Grays Harbor pilots employed prior to October 1, 2001. The revenue collected from the charge must be deposited into an account maintained by the port district solely for the pilot retirement agreement expenses of the Grays Harbor pilots employed prior to October 1, 2001. Under no circumstances shall the port district be obligated to fund or pay for any portion of the retirement agreement expenses for Grays Harbor pilots employed prior to October 1, 2001.

(6) A pilot providing pilotage services under this section must comply with all requirements of the pilotage act, chapter 88.16 RCW, and all rules adopted thereunder.

Sec. 3. RCW 88.16.035 and 2009 c 496 s 1 are each amended to read as follows:

(1) The board of pilotage commissioners shall:

(a) Adopt rules, pursuant to chapter 34.05 RCW, necessary for the enforcement and administration of this chapter;

(b) (i) Issue training licenses and pilot licenses to pilot applicants meeting the qualifications provided for in RCW 88.16.090 and such additional qualifications as may be determined by the board;

(ii) Establish a comprehensive training program to assist in the training and evaluation of pilot applicants before final licensing; and

(iii) Establish additional training requirements, including a program of continuing education developed after consultation with pilot organizations, including those located within the state of Washington, as required to maintain a competent pilotage service;

(c) Maintain a register of pilots, records of pilot accidents, and other history pertinent to pilotage;

(d) Determine from time to time the number of pilots necessary to be licensed in each district of the state to optimize the operation of a safe, fully regulated, efficient, and competent pilotage service in each district;

(e) ((Annually fix the pilotage tariffs for pilotage services provided under this chapter: PROVIDED, That the board may fix extra compensation for extra services to vessels in distress, for awaiting vessels, for all vessels in direct transit to or from a Canadian port where Puget Sound pilotage is required for a portion of the voyage, or for being carried to sea on vessels against the will of the pilot, and for such other services as may be determined by the board: PROVIDED FURTHER, That as an element of the Puget Sound pilotage district tariff, the board may consider pilot retirement plan expenses incurred in the prior year in either pilotage district. However, under no circumstances shall the state be obligated to fund or pay for any portion of retirement payments for pilots or retired pilots)) Provide assistance to the utilities and transportation commission, as requested by the utilities and transportation commission, in its performance of pilotage tariff setting functions under sections 7 through 12 of this act;

(f) File annually with the governor and the chairs of the transportation

committees of the senate and house of representatives a report which includes, but is not limited to, the following: The number, names, ages, pilot license number, training license number, and years of service as a Washington licensed pilot of any person licensed by the board as a Washington state pilot or trainee; the names, employment, and other information of the members of the board; the total number of pilotage assignments by pilotage district, including information concerning the various types and sizes of vessels and the total annual tonnage; the annual earnings or stipends of individual pilots and trainees before and after deduction for expenses of pilot organizations, including extra compensation as a separate category; the annual expenses of private pilot associations, including personnel employed and capital expenditures; the status of pilotage tariffs, extra compensation, and travel; the retirement contributions paid to pilots and the disposition thereof; the number of groundings, marine occurrences, or other incidents which are reported to or investigated by the board, and which are determined to be accidents, as defined by the board, including the vessel name, location of incident, pilot's or trainee's name, and disposition of the case together with information received before the board acted from all persons concerned, including the United States coast guard; the names, qualifications, time scheduled for examinations, and the district of persons desiring to apply for Washington state pilotage licenses; summaries of dispatch records, quarterly reports from pilots, and the bylaws and operating rules of pilotage organizations; the names, sizes in deadweight tons, surcharges, if any, port of call, name of the pilot or trainee, and names and horsepower of tug boats for any and all oil tankers subject to the provisions of RCW 88.16.190 together with the names of any and all vessels for which the United States coast guard requires special handling pursuant to their authority under the Ports and Waterways Safety Act of 1972; the expenses of the board; and any and all other information which the board deems appropriate to include;

(g) Make available information that includes the pilotage act and other statutes of Washington state and the federal government that affect pilotage, including the rules of the board,

together with such additional information as may be informative for pilots, agents, owners, operators, and masters;

(h) Appoint advisory committees and employ marine experts as necessary to carry out its duties under this chapter;

(i) Provide for the maintenance of efficient and competent pilotage service on all waters covered by this chapter; and do such other things as are reasonable, necessary, and expedient to insure proper and safe pilotage upon the waters covered by this chapter and facilitate the efficient administration of this chapter.

(2) The board may pay stipends to pilot trainees under subsection (1)(b) of this section.

Sec. 4. RCW 88.16.070 and 2017 c 88 s 1 are each amended to read as follows:

Every vessel not exempt under this section that operates in the waters of the Puget Sound pilotage district or Grays Harbor pilotage district is subject to compulsory pilotage under this chapter.

(1) A United States vessel on a voyage in which it is operating exclusively on its coastwise endorsement, its fishery endorsement (including catching and processing its own catch outside United States waters and economic zone for delivery in the United States), and/or its recreational (or pleasure) endorsement, and all United States and Canadian vessels engaged exclusively in the coasting trade on the west coast of the continental United States (including Alaska) and/or British Columbia shall be exempt from the provisions of this chapter unless a pilot licensed under this chapter be actually employed, in which case the pilotage rates provided for in this chapter or established under sections 7 through 12 of this act shall apply.

(2) The board may, upon the written petition of any interested party, and upon notice and opportunity for hearing, grant an exemption from the provisions of this chapter to any vessel that the board finds is (a) a small passenger vessel that is not more than one thousand three hundred gross tons (international), does not exceed two hundred feet in overall length, is manned by United States-licensed deck and engine officers appropriate to the size of the vessel

with merchant mariner credentials issued by the United States coast guard or Canadian deck and engine officers with Canadian-issued certificates of competency appropriate to the size of the vessel, and is operated exclusively in the waters of the Puget Sound pilotage district and lower British Columbia, or (b) a yacht that is not more than one thousand three hundred gross tons (international) and does not exceed two hundred feet in overall length. Such an exemption shall not be detrimental to the public interest in regard to safe operation preventing loss of human lives, loss of property, and protecting the marine environment of the state of Washington. Such petition shall set out the general description of the vessel, the contemplated use of same, the proposed area of operation, and the name and address of the vessel's owner. The board shall annually, or at any other time when in the public interest, review any exemptions granted to this specified class of small vessels to insure that each exempted vessel remains in compliance with the original exemption. The board shall have the authority to revoke such exemption where there is not continued compliance with the requirements for exemption. The board shall maintain a file which shall include all petitions for exemption, a roster of vessels granted exemption, and the board's written decisions which shall set forth the findings for grants of exemption. Each applicant for exemption or annual renewal shall pay a fee, payable to the pilotage account. Fees for initial applications and for renewals shall be established by rule, and shall not exceed one thousand five hundred dollars. The board shall report annually to the legislature on such exemptions.

(3) Every vessel not exempt under subsection (1) or (2) of this section shall, while navigating the Puget Sound and Grays Harbor pilotage districts, employ a pilot licensed under the provisions of this chapter and shall be liable for and pay pilotage rates in accordance with the pilotage rates herein established or which may hereafter be established under the provisions of this chapter or under sections 7 through 12 of this act: PROVIDED, That any vessel inbound to or outbound from Canadian ports is exempt from the provisions of this section, if said vessel actually employs a pilot licensed by the Pacific pilotage authority (the pilot licensing

authority for the western district of Canada), and if it is communicating with the vessel traffic system and has appropriate navigational charts, and if said vessel uses only those waters east of the international boundary line which are west of a line which begins at the southwestern edge of Point Roberts then to Alden Point (Patos Island), then to Skipjack Island light, then to Turn Point (Stuart Island), then to Kellet Bluff (Henry Island), then to Lime Kiln (San Juan Island) then to the intersection of one hundred twenty-three degrees seven minutes west longitude and forty-eight degrees twenty-five minutes north latitude then to the international boundary. The board shall correspond with the Pacific pilotage authority from time to time to ensure the provisions of this section are enforced. If any exempted vessel does not comply with these provisions it shall be deemed to be in violation of this section and subject to the penalties provided in RCW 88.16.150 as now or hereafter amended and liable to pilotage fees as determined by the board. The board shall investigate any accident on the waters covered by this chapter involving a Canadian pilot and shall include the results in its annual report.

Sec. 5. RCW 88.16.120 and 1987 c 485 s 4 are each amended to read as follows:

No pilot shall charge, collect or receive and no person, firm, corporation or association shall pay for pilotage or other services performed hereunder any greater, less or different amount, directly or indirectly, than the rates or charges herein established or (~~which may be hereafter fixed~~) subsequently established by the utilities and transportation commission under sections 7 through 12 of this act and by the board (~~pursuant to~~) under this chapter. Any pilot, person, firm, corporation or association violating the provisions of this section shall be guilty of a misdemeanor and shall be punished pursuant to RCW 88.16.150 as now or hereafter amended, said prosecution to be conducted by the attorney general or the prosecuting attorney of any county wherein the offense or any part thereof was committed.

Sec. 6. RCW 88.16.130 and 2013 c 23 s 533 are each amended to read as follows:

Any person not holding a license as pilot under the provisions of this chapter who pilots any vessel subject to the provisions of this chapter on waters

covered by this chapter shall pay to the board the pilotage rates (~~(payable under the provisions of this chapter)~~) established by the utilities and transportation commission under sections 7 through 12 of this act. Any master or owner of a vessel required to employ a pilot licensed under the provisions of this chapter who refuses to do so when such a pilot is available shall be punished pursuant to RCW 88.16.150 as now or hereafter amended and shall be imprisoned in the county jail of the county wherein he or she is so convicted until said fine and the costs of his or her prosecution are paid.

NEW SECTION. Sec. 7. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Board" means the board of pilotage commissioners.

(2) "Commission" means the utilities and transportation commission.

(3) "Person with a substantial interest" means: (a) A pilot or group of pilots licensed under chapter 88.16 RCW; (b) a vessel operator or other person utilizing the services of a licensed pilot and paying pilotage fees and charges for such services or an organization representing such vessel operators or persons; and (c) any other person or business that can show that the requested tariff changes would be likely to have a substantial economic impact on its operations.

NEW SECTION. Sec. 8. (1) The commission shall establish in tariffs the rates for pilotage services provided under chapter 88.16 RCW.

(2) The commission shall maintain a list of persons who have indicated to the commission a desire to be notified of any potential change in pilotage tariffs and in any proposed rules regarding the setting of pilotage tariffs.

(3) The commission shall ensure that the tariffs provide rates that are fair, just, reasonable, and sufficient for the provision of pilotage services.

(4) In setting tariffs, the commission may fix extra compensation for extra services to vessels in distress, for awaiting vessels, for all vessels in direct transit to or from a Canadian port where Puget Sound pilotage is required for a portion of the voyage, or for being

carried to sea on vessels against the will of the pilot, and for such other services as may be determined by the board. In setting tariffs, the commission must include a tariff surcharge to fund the stipend the board of pilotage commissioners is authorized to pay to pilot trainees and to use in its pilot training program under RCW 88.16.035. As an element of the Puget Sound pilotage district tariff, the commission may consider pilot retirement expenses incurred in the prior year in the Puget Sound pilotage district. However, under no circumstances shall the state be obligated to fund or pay for any portion of retirement payments for pilots or retired pilots.

(5) In exercising duties under this section, the commission may:

(a) Request assistance from the board;

(b) Assign an administrative law judge to handle the proceeding and prepare an initial order, which the commission may review pursuant to RCW 34.05.464, or assign an administrative law judge as a facilitator for settlement purposes; and

(c) Adopt rules or issue orders to implement the provisions of this act.

NEW SECTION. Sec. 9. (1) Any person with a substantial interest may file with the commission a revised tariff with an effective date no earlier than thirty days from the date of filing and no earlier than one year following the effective date the tariffs in effect at the time of filing were established.

(2) The proposed tariff must be accompanied by:

(a) The names and contact information of the person or persons requesting the tariff revision;

(b) A description of why the existing tariffs are not fair, just, reasonable, and sufficient, along with financial information to demonstrate a need for the tariff revision and information addressing the criteria for approval of tariff revisions set forth in section 8(3) of this act;

(c) If the petitioner proposes a tariff with an annual or periodic adjustment mechanism, information justifying such a mechanism; and

(d) Any other information required by the commission by rule or by order.

(3) After receipt of a proper petition, the commission shall give notice of the petition to interested persons that have stated a desire to be notified pursuant to section 8(2) of this act. Any person with a substantial interest in the proposed tariff revision may submit comments in support or opposition of the petition within twenty days of the notice.

(4) The filed tariff shall take effect on its stated effective date unless, within thirty days of filing of the tariff, the commission suspends it. The commission may suspend the tariff for a period not exceeding ten months from the time the change would otherwise go into effect. During that time, the commission may set the matter for a hearing pursuant to chapter 34.05 RCW or set the matter for consideration at a subsequent open public meeting.

(5) The burden of proof to show that the tariff rates are not fair, just, reasonable, and sufficient is upon the person with a substantial interest that files the revised tariff.

NEW SECTION. Sec. 10. The commission shall encourage alternative forms of dispute resolution to resolve disputes between an association or group of pilots and any other person regarding matters covered by this chapter.

NEW SECTION. Sec. 11. The tariffs established by the board prior to the effective date of this section shall remain in effect and be deemed pilotage tariffs set by the commission until such time as they are changed by the commission pursuant to this chapter.

NEW SECTION. Sec. 12. The commission may include as part of the tariff for pilotage services provided under chapter 88.16 RCW reasonable costs for the setting of tariff rates under this chapter. The costs of the commission included as part of the tariff must be appropriated from the pilotage account in RCW 88.16.061.

Sec. 13. RCW 88.16.061 and 2008 c 128 s 17 are each amended to read as follows:

~~((The account in the general fund designated in RCW 43.79.330(17) as the "Puget Sound pilotage account" is hereby redesignated as the "pilotage account".))~~

The pilotage account is ~~((hereby redesignated as a nonappropriated~~

~~account, and is therefore)) created in the ((custody of the)) state ((treasurer. All receipts designated, credited, or transferred to the pilotage account must be deposited into the account)) treasury. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only for the purposes of the board of pilotage commissioners as prescribed under this chapter ~~((Only the board or the board's designee may authorize expenditures from the account))~~ and by the utilities and transportation commission for purposes related to pilotage tariff rate setting. The account is subject to allotment procedures under chapter 43.88 RCW ~~((but an appropriation is not required for expenditures))~~.~~

NEW SECTION. Sec. 14. Sections 7 through 12 of this act constitute a new chapter in Title 81 RCW.

NEW SECTION. Sec. 15. To ensure that this act is implemented in a timely manner, the utilities and transportation commission may adopt rules under section 8 of this act prior to July 1, 2019, and may accept tariff filings from a person with a substantial interest beginning thirty days after the effective date of these adopted rules. The utilities and transportation commission must suspend a tariff filing made before July 1, 2019, within thirty days of receipt of the filing. Any tariff filings made under this section may not take effect until after June 30, 2019.

NEW SECTION. Sec. 16. Except for section 15 of this act, this act takes effect July 1, 2019."

Correct the title.

Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Wylie, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Harmsworth, Assistant Ranking Minority Member; Chapman; Gregerson; Hayes; Irwin; Kloba; Lovick; McBride; Ortiz-Self; Pellicciotti; Pike; Riccelli; Rodne; Shea; Stambaugh; Tarleton; Valdez; Van Werven and Young.

Referred to Committee on Rules for second reading.

February 21, 2018

ESSB 6550 Prime Sponsor, Committee on Human Services & Corrections: Concerning diversion of juvenile offenses. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: Do pass. Signed by Representatives Kagi, Chair; Senn, Vice Chair; Frame; Goodman; Kilduff; Lovick; Muri and Ortiz-Self.

MINORITY recommendation: Do not pass. Signed by Representatives Dent, Ranking Minority Member; McCaslin, Assistant Ranking Minority Member; Eslick and Klippert.

MINORITY recommendation: Without recommendation. Signed by Representative Griffey.

Referred to Committee on Rules for second reading.

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

There being no objection, the House adjourned until 11:00 a.m., February 26, 2018, the 50th Day of the Regular Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

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