

**THIRTY THIRD DAY**

---

MORNING SESSION

---

Senate Chamber, Olympia, Friday, February 13, 2015

The Senate was called to order at 10:00 o'clock a.m. by President Owen. The Secretary called the roll and announced to the President that all Senators were present with the exceptions of Senators Benton and Ericksen.

The Sergeant at Arms Color Guard consisting of Pages Kolton Watkins and Annie Bradshaw, presented the Colors. Senior Pastor Bill Knepper of Mountain View Baptist Church, Centralia offered the prayer.

MOTION

On motion of Senator Fain, the reading of the Journal of the previous day was dispensed with and it was approved.

MOTION

There being no objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

February 12, 2015  
SB 5018 Prime Sponsor, Senator Honeyford: Concerning underground artificial storage and recovery projects. Reported by Committee on Agriculture, Water & Rural Economic Development

MAJORITY recommendation: That Substitute Senate Bill No. 5018 be substituted therefor, and the substitute bill do pass. Signed by Senators Warnick, Chair; Dansel, Vice Chair; Hatfield, Ranking Minority Member; Hobbs and Honeyford.

Passed to Committee on Rules for second reading.

February 12, 2015  
SB 5065 Prime Sponsor, Senator Frockt: Improving educational outcomes for homeless students through increased in-school guidance supports, housing stability, and identification services. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 5065 be substituted therefor, and the substitute bill do pass. Signed by Senators Litzow, Chair; Dammeier, Vice Chair; Billig; Fain; Rivers and Rolfes.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators McAuliffe, Ranking Member and Mullet.

Passed to Committee on Ways & Means.

February 12, 2015  
SB 5070 Prime Sponsor, Senator Pearson: Requiring the department of corrections to supervise domestic violence offenders who have a conviction and were sentenced for a domestic violence felony offense that was plead and proven. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Padden, Chair; Pedersen, Ranking Minority Member; Darneille; Kohl-Welles; Pearson and Roach.

Passed to Committee on Ways & Means.

February 12, 2015  
SB 5129 Prime Sponsor, Senator Pearson: Concerning overriding considerations of the public interest in management of the waters of the state. Reported by Committee on Agriculture, Water & Rural Economic Development

MAJORITY recommendation: That Substitute Senate Bill No. 5129 be substituted therefor, and the substitute bill do pass. Signed by Senators Warnick, Chair; Dansel, Vice Chair; Hatfield, Ranking Minority Member and Honeyford.

Passed to Committee on Rules for second reading.

February 12, 2015  
SB 5136 Prime Sponsor, Senator Bailey: Repealing an instream flow rule and adopting a new instream flow rule. Reported by Committee on Agriculture, Water & Rural Economic Development

MAJORITY recommendation: Do pass. Signed by Senators Warnick, Chair; Dansel, Vice Chair; Hatfield, Ranking Minority Member; Hobbs and Honeyford.

Passed to Committee on Rules for second reading.

February 12, 2015  
SB 5158 Prime Sponsor, Senator McCoy: Requiring call location information to be provided to law enforcement responding to an emergency. Reported by Committee on Ways & Means

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Bailey; Billig; Brown; Conway; Fraser; Hasegawa; Hatfield; Hewitt; Kohl-Welles; O'Ban; Padden; Parlette; Rolfes; Schoesler and Warnick.

Passed to Committee on Rules for second reading.

February 12, 2015  
SB 5179 Prime Sponsor, Senator Hill: Concerning paraeducators. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 5179 be substituted therefor, and the substitute bill do pass. Signed by Senators Litzow, Chair; Dammeier, Vice Chair; McAuliffe, Ranking Member; Billig; Fain; Mullet; Rivers and Rolfes.

Passed to Committee on Ways & Means.

February 12, 2015

SB 5203 Prime Sponsor, Senator Warnick: Modifying certain job order contracting requirements. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Bailey; Billig; Brown; Conway; Fraser; Hasegawa; Hatfield; Hewitt; Kohl-Welles; O'Ban; Padden; Parlette; Rolfes; Schoesler and Warnick.

Passed to Committee on Rules for second reading.

February 12, 2015

SB 5209 Prime Sponsor, Senator Warnick: Concerning a hazardous substance tax exemption for certain hazardous substances defined under RCW 82.21.020(1)(c) that are used as agricultural crop protection products and warehoused but not otherwise used, manufactured, packaged, or sold in this state. Reported by Committee on Agriculture, Water & Rural Economic Development

MAJORITY recommendation: That Substitute Senate Bill No. 5209 be substituted therefor, and the substitute bill do pass. Signed by Senators Warnick, Chair; Dansel, Vice Chair; Hatfield, Ranking Minority Member; Hobbs and Honeyford.

Passed to Committee on Ways & Means.

February 12, 2015

SB 5218 Prime Sponsor, Senator Hobbs: Expanding the definition of unlawful detainer to include a provision governing at-will tenancies. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: That Substitute Senate Bill No. 5218 be substituted therefor, and the substitute bill do pass. Signed by Senators Benton, Chair; Angel, Vice Chair; Mullet, Ranking Minority Member; Darneille; Fain; Hobbs; Litzow and Roach.

Passed to Committee on Rules for second reading.

February 12, 2015

SB 5235 Prime Sponsor, Senator Sheldon: Requiring a state resident preference for all newly hired state classified employees and lower level Washington management service employees. Reported by Committee on Government Operations & Security

MAJORITY recommendation: That Substitute Senate Bill No. 5235 be substituted therefor, and the substitute bill do pass. Signed by Senators Roach, Chair; Benton, Vice Chair; Pearson, Vice Chair; Liias, Ranking Minority Member and McCoy.

Passed to Committee on Rules for second reading.

February 12, 2015

SB 5255 Prime Sponsor, Senator Hasegawa: Concerning the linked deposit program. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: That Substitute Senate Bill No. 5255 be substituted therefor, and the substitute bill do

pass. Signed by Senators Benton, Chair; Angel, Vice Chair; Darneille; Hobbs and Roach.

Passed to Committee on Rules for second reading.

February 12, 2015

SB 5277 Prime Sponsor, Senator Kohl-Welles: Making the crime of patronizing a prostitute a gross misdemeanor. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5277 be substituted therefor, and the substitute bill do pass. Signed by Senators Padden, Chair; Pedersen, Ranking Minority Member; Darneille; Kohl-Welles; Pearson and Roach.

Passed to Committee on Rules for second reading.

February 12, 2015

SB 5291 Prime Sponsor, Senator Mullet: Allowing authorized health care providers to prescribe epinephrine autoinjectors. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Senators Becker, Chair; Frockt, Ranking Minority Member; Angel; Baumgartner; Cleveland; Conway; Jayapal; Keiser and Rivers.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Dammeier, Vice Chair; Bailey; Brown and Parlette.

Passed to Committee on Rules for second reading.

February 12, 2015

SB 5310 Prime Sponsor, Senator Ericksen: Addressing enforcement actions at facilities sited by the energy facility site evaluation council. Reported by Committee on Energy, Environment & Telecommunications

MAJORITY recommendation: Do pass. Signed by Senators Ericksen, Chair; Sheldon, Vice Chair; McCoy, Ranking Minority Member; Braun; Brown; Cleveland; Habib; Honeyford and Ranker.

Passed to Committee on Rules for second reading.

February 12, 2015

SB 5311 Prime Sponsor, Senator Rolfes: Requiring crisis intervention training for peace officers. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5311 be substituted therefor, and the substitute bill do pass. Signed by Senators Padden, Chair; Pedersen, Ranking Minority Member; Darneille; Kohl-Welles; Pearson and Roach.

Passed to Committee on Ways & Means.

February 12, 2015

SB 5316 Prime Sponsor, Senator Dammeier: Concerning privacy and security of personally identifiable student information. Reported by Committee on Early Learning & K-12 Education

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MAJORITY recommendation: That Substitute Senate Bill No. 5316 be substituted therefor, and the substitute bill do pass. Signed by Senators Litzow, Chair; Dammeier, Vice Chair; McAuliffe, Ranking Member; Billig; Fain; Rivers and Rolfes.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Mullet.

Passed to Committee on Rules for second reading.

February 12, 2015

SB 5318 Prime Sponsor, Senator Parlette: Creating the wildlife college student loan program. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Senators Bailey, Chair; Baumgartner, Vice Chair; Kohl-Welles, Ranking Minority Member; Becker; Frockt and Liias.

Passed to Committee on Rules for second reading.

February 12, 2015

SB 5330 Prime Sponsor, Senator Braun: Concerning stage II gasoline vapor control programs. Reported by Committee on Energy, Environment & Telecommunications

MAJORITY recommendation: Do pass. Signed by Senators Ericksen, Chair; Sheldon, Vice Chair; McCoy, Ranking Minority Member; Braun; Brown; Cleveland; Habib; Honeyford and Ranker.

Passed to Committee on Rules for second reading.

February 12, 2015

SB 5344 Prime Sponsor, Senator Hasegawa: Providing prepaid postage for primary and general election ballots. Reported by Committee on Government Operations & Security

MAJORITY recommendation: Do pass. Signed by Senators Roach, Chair; Benton, Vice Chair; Pearson, Vice Chair; Liias, Ranking Minority Member and McCoy.

Passed to Committee on Ways & Means.

February 12, 2015

SB 5355 Prime Sponsor, Senator Bailey: Modifying the definition of resident student to comply with federal requirements established by the veterans access, choice, and accountability act of 2014. Reported by Committee on Higher Education

MAJORITY recommendation: That Substitute Senate Bill No. 5355 be substituted therefor, and the substitute bill do pass. Signed by Senators Bailey, Chair; Baumgartner, Vice Chair; Kohl-Welles, Ranking Minority Member; Becker; Frockt and Liias.

Passed to Committee on Ways & Means.

February 12, 2015

SB 5407 Prime Sponsor, Senator Pearson: Concerning existing lots and the Skagit instream flow rule. Reported by Committee on Agriculture, Water & Rural Economic Development

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MAJORITY recommendation: That Substitute Senate Bill No. 5407 be substituted therefor, and the substitute bill do pass. Signed by Senators Warnick, Chair; Dansel, Vice Chair; Hatfield, Ranking Minority Member and Honeyford.

Passed to Committee on Rules for second reading.

February 12, 2015

SB 5437 Prime Sponsor, Senator Litzow: Concerning breakfast after the bell programs. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 5437 be substituted therefor, and the substitute bill do pass. Signed by Senators Litzow, Chair; McAuliffe, Ranking Member; Billig; Fain; Rivers and Rolfes.

MINORITY recommendation: Do not pass. Signed by Senator Mullet.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Dammeier, Vice Chair.

Passed to Committee on Ways & Means.

February 12, 2015

SB 5446 Prime Sponsor, Senator Hobbs: Requiring incentives for electric vehicle readiness in buildings. Reported by Committee on Energy, Environment & Telecommunications

MAJORITY recommendation: That Substitute Senate Bill No. 5446 be substituted therefor, and the substitute bill do pass. Signed by Senators Ericksen, Chair; Sheldon, Vice Chair; McCoy, Ranking Minority Member; Braun; Brown; Cleveland; Habib and Ranker.

MINORITY recommendation: Do not pass. Signed by Senator Honeyford.

Passed to Committee on Rules for second reading.

February 12, 2015

SB 5485 Prime Sponsor, Senator Hobbs: Concerning nonprofit organizations engaged in debt adjusting. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: That Substitute Senate Bill No. 5485 be substituted therefor, and the substitute bill do pass. Signed by Senators Benton, Chair; Angel, Vice Chair; Mullet, Ranking Minority Member; Darneille; Hobbs and Roach.

Passed to Committee on Rules for second reading.

February 12, 2015

SB 5496 Prime Sponsor, Senator Litzow: Changing explicit alternative routes to teacher certification program requirements to expectations for program outcomes. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Litzow, Chair; Dammeier, Vice Chair; McAuliffe, Ranking Member; Billig; Fain; Mullet; Rivers and Rolfes.

Passed to Committee on Rules for second reading.

February 12, 2015

SB 5497 Prime Sponsor, Senator Litzow: Confirming that the professional educator standards board is an authorized representative of the state educational agencies. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Litzow, Chair; Dammeier, Vice Chair; McAuliffe, Ranking Member; Billig; Fain; Mullet; Rivers and Rolfes.

Passed to Committee on Rules for second reading.

February 12, 2015

SB 5501 Prime Sponsor, Senator Fain: Preventing animal cruelty. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5501 be substituted therefor, and the substitute bill do pass. Signed by Senators Padden, Chair; Pedersen, Ranking Minority Member; Darneille; Kohl-Welles; Pearson and Roach.

Passed to Committee on Rules for second reading.

February 12, 2015

SB 5518 Prime Sponsor, Senator Kohl-Welles: Creating procedures to address campus sexual violence. Reported by Committee on Higher Education

MAJORITY recommendation: That Substitute Senate Bill No. 5518 be substituted therefor, and the substitute bill do pass. Signed by Senators Bailey, Chair; Baumgartner, Vice Chair; Kohl-Welles, Ranking Minority Member; Frockt and Liias.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Becker.

Passed to Committee on Rules for second reading.

February 12, 2015

SB 5534 Prime Sponsor, Senator Bailey: Creating the certified public accounting scholarship program. Reported by Committee on Higher Education

MAJORITY recommendation: That Substitute Senate Bill No. 5534 be substituted therefor, and the substitute bill do pass. Signed by Senators Bailey, Chair; Baumgartner, Vice Chair; Kohl-Welles, Ranking Minority Member; Becker and Liias.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Frockt.

Passed to Committee on Rules for second reading.

February 12, 2015

SB 5543 Prime Sponsor, Senator Hill: Improving the administration of unclaimed property laws. Reported by Committee on Government Operations & Security

MAJORITY recommendation: Do pass. Signed by Senators Roach, Chair; Benton, Vice Chair; Pearson, Vice Chair; Liias, Ranking Minority Member and McCoy.

Passed to Committee on Ways & Means.

February 12, 2015

SB 5554 Prime Sponsor, Senator Warnick: Clarifying that irrigation district facilities are not within the definition of shorelands. Reported by Committee on Agriculture, Water & Rural Economic Development

MAJORITY recommendation: That Substitute Senate Bill No. 5554 be substituted therefor, and the substitute bill do pass. Signed by Senators Warnick, Chair; Dansel, Vice Chair; Hatfield, Ranking Minority Member; Hobbs and Honeyford.

Passed to Committee on Rules for second reading.

February 12, 2015

SB 5577 Prime Sponsor, Senator Braun: Concerning pharmaceutical waste. Reported by Committee on Energy, Environment & Telecommunications

MAJORITY recommendation: Do pass. Signed by Senators Ericksen, Chair; Sheldon, Vice Chair; Braun; Brown; Cleveland; Habib and Honeyford.

MINORITY recommendation: Do not pass. Signed by Senator McCoy, Ranking Minority Member.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Ranker.

Passed to Committee on Rules for second reading.

February 12, 2015

SB 5590 Prime Sponsor, Senator Dammeier: Concerning medicaid managed health care system payments for health care services provided by nonparticipating providers. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Senators Becker, Chair; Dammeier, Vice Chair; Frockt, Ranking Minority Member; Angel; Bailey; Brown; Cleveland; Conway; Jayapal; Keiser; Parlette and Rivers.

Passed to Committee on Ways & Means.

February 12, 2015

SB 5593 Prime Sponsor, Senator Dammeier: Concerning delivery and payment for health care services by hospitals for inmates and persons detained by law enforcement. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Padden, Chair; Pedersen, Ranking Minority Member; Darneille; Kohl-Welles; Pearson and Roach.

Passed to Committee on Ways & Means.

February 12, 2015

SB 5601 Prime Sponsor, Senator Warnick: Requiring the Washington state department of agriculture to approve the comparable recertification standards of private entities for the purposes of waiving the recertification requirements under the Washington pesticide control act. Reported by Committee on Agriculture, Water & Rural Economic Development

MAJORITY recommendation: That Substitute Senate Bill No. 5601 be substituted therefor, and the substitute bill do pass. Signed by Senators Warnick, Chair; Dansel, Vice Chair; Hatfield, Ranking Minority Member; Hobbs and Honeyford.

Passed to Committee on Rules for second reading.

February 12, 2015

SB 5624 Prime Sponsor, Senator Keiser: Concerning financing essential public infrastructure. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Bailey; Billig; Brown; Conway; Fraser; Hatfield; Hewitt; Kohl-Welles; O'Ban; Parlette; Rolfes; Schoesler and Warnick.

MINORITY recommendation: Do not pass. Signed by Senator Padden.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Hasegawa.

Passed to Committee on Rules for second reading.

February 12, 2015

SB 5633 Prime Sponsor, Senator Conway: Creating a coordinator for the helmets to hardhats program in the department of veterans affairs. Reported by Committee on Government Operations & Security

MAJORITY recommendation: Do pass. Signed by Senators Roach, Chair; Benton, Vice Chair; Pearson, Vice Chair; Liias, Ranking Minority Member and McCoy.

Passed to Committee on Ways & Means.

February 12, 2015

SB 5658 Prime Sponsor, Senator Dansel: Concerning the role of parties in cases related to certain notices and records. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Padden, Chair; Pedersen, Ranking Minority Member; Darneille; Kohl-Welles; Pearson and Roach.

Passed to Committee on Rules for second reading.

February 12, 2015

SB 5674 Prime Sponsor, Senator Cleveland: Concerning enforcement standards for residential services and support providers. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Senators Becker, Chair; Dammeier, Vice Chair; Frockt, Ranking Minority Member; Angel; Bailey; Baumgartner; Brown; Cleveland; Conway; Jayapal; Keiser; Parlette and Rivers.

Passed to Committee on Rules for second reading.

February 12, 2015

SB 5678 Prime Sponsor, Senator Pearson: Concerning requesting public records for the purpose of obtaining exempted information relating to employment and licensing. Reported by Committee on Government Operations & Security

MAJORITY recommendation: That Substitute Senate Bill No. 5678 be substituted therefor, and the substitute bill do pass. Signed by Senators Roach, Chair; Benton, Vice Chair; Pearson, Vice Chair; Liias, Ranking Minority Member and McCoy.

Passed to Committee on Rules for second reading.

February 12, 2015

SB 5689 Prime Sponsor, Senator Becker: Concerning the scope and costs of the diabetes epidemic in Washington. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Senators Becker, Chair; Dammeier, Vice Chair; Frockt, Ranking Minority Member; Angel; Bailey; Baumgartner; Brown; Cleveland; Conway; Jayapal; Keiser; Parlette and Rivers.

Passed to Committee on Rules for second reading.

February 12, 2015

SB 5694 Prime Sponsor, Senator Padden: Allowing assessments for nuisance abatement in cities and towns. Reported by Committee on Government Operations & Security

MAJORITY recommendation: That Substitute Senate Bill No. 5694 be substituted therefor, and the substitute bill do pass. Signed by Senators Roach, Chair; Pearson, Vice Chair; Liias, Ranking Minority Member and McCoy.

Passed to Committee on Rules for second reading.

February 12, 2015

SB 5698 Prime Sponsor, Senator Hewitt: Extending the expiration date of tax preferences for food processing. Reported by Committee on Agriculture, Water & Rural Economic Development

MAJORITY recommendation: Do pass. Signed by Senators Warnick, Chair; Dansel, Vice Chair; Hatfield, Ranking Minority Member; Hobbs and Honeyford.

Passed to Committee on Ways & Means.

February 12, 2015

SB 5719 Prime Sponsor, Senator Bailey: Creating a task force on campus sexual violence prevention. Reported by Committee on Higher Education

MAJORITY recommendation: That Substitute Senate Bill No. 5719 be substituted therefor, and the substitute bill do pass. Signed by Senators Bailey, Chair; Baumgartner, Vice Chair; Kohl-Welles, Ranking Minority Member; Becker; Frockt and Liias.

Passed to Committee on Rules for second reading.

February 12, 2015

SB 5728 Prime Sponsor, Senator Darneille: Allowing patients to opt out of HIV testing. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Senators Becker, Chair; Dammeier, Vice Chair; Frockt, Ranking Minority Member; Bailey; Baumgartner; Brown; Cleveland; Conway; Jayapal; Keiser; Parlette and Rivers.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Angel.

Passed to Committee on Rules for second reading.

February 12, 2015

SB 5767 Prime Sponsor, Senator Cleveland: Revising local government treasury practices and procedures. Reported by Committee on Government Operations & Security

MAJORITY recommendation: That Substitute Senate Bill No. 5767 be substituted therefor, and the substitute bill do pass. Signed by Senators Roach, Chair; Benton, Vice Chair; Pearson, Vice Chair; Liias, Ranking Minority Member and McCoy.

Passed to Committee on Rules for second reading.

February 12, 2015

SB 5768 Prime Sponsor, Senator Cleveland: Concerning county electronic public auctions. Reported by Committee on Government Operations & Security

MAJORITY recommendation: Do pass. Signed by Senators Roach, Chair; Benton, Vice Chair; Pearson, Vice Chair; Liias, Ranking Minority Member and McCoy.

Passed to Committee on Rules for second reading.

February 12, 2015

SB 5771 Prime Sponsor, Senator Liias: Addressing investigations under the ethics act. Reported by Committee on Government Operations & Security

MAJORITY recommendation: Do pass. Signed by Senators Roach, Chair; Benton, Vice Chair; Pearson, Vice Chair; Liias, Ranking Minority Member and McCoy.

Passed to Committee on Ways & Means.

February 12, 2015

SB 5778 Prime Sponsor, Senator Becker: Concerning ambulatory surgical facilities. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Senators Becker, Chair; Dammeier, Vice Chair; Frockt, Ranking Minority Member; Angel; Bailey; Baumgartner; Brown; Cleveland; Conway; Jayapal; Keiser and Parlette.

Passed to Committee on Rules for second reading.

February 12, 2015

SB 5785 Prime Sponsor, Senator Rivers: Revising the definition of official duties of state officers. Reported by Committee on Government Operations & Security

MAJORITY recommendation: That Substitute Senate Bill No. 5785 be substituted therefor, and the substitute bill do pass. Signed by Senators Roach, Chair; Benton, Vice Chair; Pearson, Vice Chair; Liias, Ranking Minority Member and McCoy.

Passed to Committee on Rules for second reading.

February 12, 2015

SB 5802 Prime Sponsor, Senator Becker: Concerning assisted living payment rates. Reported by Committee on Health Care

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Becker, Chair; Dammeier, Vice Chair; Frockt, Ranking Minority Member; Angel; Bailey; Baumgartner; Brown; Cleveland; Conway; Jayapal; Keiser; Parlette and Rivers.

Passed to Committee on Ways & Means.

February 12, 2015

SB 5829 Prime Sponsor, Senator Ericksen: Conducting remedial actions under the model toxics control act. Reported by Committee on Energy, Environment & Telecommunications

MAJORITY recommendation: That Substitute Senate Bill No. 5829 be substituted therefor, and the substitute bill do pass. Signed by Senators Ericksen, Chair; Sheldon, Vice Chair; McCoy, Ranking Minority Member; Braun; Brown; Cleveland; Habib; Honeyford and Ranker.

Passed to Committee on Rules for second reading.

February 12, 2015

SB 5871 Prime Sponsor, Senator Angel: Creating appeal procedures for single-family homeowners with failing septic systems required to connect to public sewer systems. Reported by Committee on Government Operations & Security

MAJORITY recommendation: Do pass. Signed by Senators Roach, Chair; Benton, Vice Chair; Pearson, Vice Chair; Liias, Ranking Minority Member and McCoy.

Passed to Committee on Rules for second reading.

February 12, 2015

SJM 8006 Prime Sponsor, Senator Kohl-Welles: Requesting Congress, the President, and the Departments of Education, Health and Human Services, and Justice to take action to implement the recommendations of the Government Accountability Office concerning efforts to prevent and respond to child sexual abuse by school personnel and sexual abuse between peers. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Litzow, Chair; Dammeier, Vice Chair; McAuliffe, Ranking Member; Billig; Fain; Mullet; Rivers and Rolfes.

Passed to Committee on Rules for second reading.

February 12, 2015

SJM 8008 Prime Sponsor, Senator Hobbs: Calling for a National Guard Stryker Brigade stationed on the west coast. Reported by Committee on Government Operations & Security

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MAJORITY recommendation: Do pass. Signed by Senators Roach, Chair; Benton, Vice Chair; Pearson, Vice Chair; Liias, Ranking Minority Member and McCoy.

Vice Chair; McAuliffe, Ranking Member; Billig; Fain; Mullet; Rivers and Rolfes.

Passed to Committee on Rules for second reading.

Passed to Committee on Rules for second reading.

February 12, 2015

SJR 8204 Prime Sponsor, Senator Keiser: Amending the Constitution to allow the state to guarantee debt issued on behalf of a political subdivision for essential public infrastructure. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Billig; Brown; Conway; Fraser; Hatfield; Hewitt; Kohl-Welles; O'Ban; Rolfes; Schoesler and Warnick.

MINORITY recommendation: Do not pass. Signed by Senators Hasegawa and Padden.

Passed to Committee on Rules for second reading.

February 12, 2015

SCR 8402 Prime Sponsor, Senator Kohl-Welles: Establishing the Washington state commission on the evaluation of the legislature. Reported by Committee on Government Operations & Security

MAJORITY recommendation: That Substitute Senate Concurrent Resolution No. 8402 be substituted therefor, and the substitute concurrent resolution do pass. Signed by Senators Roach, Chair; Benton, Vice Chair; Pearson, Vice Chair; Liias, Ranking Minority Member and McCoy.

Passed to Committee on Rules for second reading.

REPORTS OF STANDING COMMITTEES  
GUBERNATORIAL APPOINTMENTS

February 12, 2015

SGA 9069 JAY W HOLZMILLER, appointed on June 10, 2013, for the term ending December 31, 2018, as Member of the Fish and Wildlife Commission. Reported by Committee on Natural Resources & Parks

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Pearson, Chair; Dansel, Vice Chair; Hatfield, Ranking Minority Member; Chase; Hewitt; McAuliffe and Warnick.

Passed to Committee on Rules for second reading.

February 12, 2015

SGA 9161 NANCY J SINKOVITZ, appointed on September 10, 2014, for the term ending July 1, 2015, as Member of the Board of Trustees for the Center of Childhood Deafness and Hearing Loss. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Litzow, Chair; Dammeier,

February 12, 2015

SGA 9197 ROBERT F KEHOE, reappointed on January 1, 2015, for the term ending December 31, 2020, as Member of the Fish and Wildlife Commission. Reported by Committee on Natural Resources & Parks

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Pearson, Chair; Dansel, Vice Chair; Hatfield, Ranking Minority Member; Chase; Hewitt; McAuliffe and Warnick.

Passed to Committee on Rules for second reading.

MOTION

On motion of Fain, all measures listed on the Standing Committee report were referred to the committees as designated with the exception of Senate Bill No. 5728 which was referred to the Committee on Ways & Means.

MOTION

On motion of Senator Fain, the Senate advanced to the fourth order of business.

MESSAGE FROM THE HOUSE

February 12, 2015

MR. PRESIDENT:

The House concurred in the Senate amendments to the following bills and passed the bills as amended by the Senate:

SUBSTITUTE HOUSE BILL NO. 1105  
and the same is herewith transmitted.

BARBARA BAKER, Chief Clerk

MESSAGE FROM THE HOUSE

February 12, 2015

MR. PRESIDENT:

The House has passed:  
HOUSE BILL NO. 1013,  
HOUSE BILL NO. 1032,  
SUBSTITUTE HOUSE BILL NO. 1043,  
SUBSTITUTE HOUSE BILL NO. 1070,  
SUBSTITUTE HOUSE BILL NO. 1100,  
HOUSE BILL NO. 1111,  
HOUSE BILL NO. 1129,  
HOUSE BILL NO. 1134

and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

MOTION

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

INTRODUCTION AND FIRST READING

SB 5956 by Senators Liias, Billig and Pedersen

AN ACT Relating to limiting defenses based on victim identity; and adding a new section to chapter 9A.16 RCW.

Referred to Committee on Law & Justice.

SB 5957 by Senators Liias, Rivers, Billig, King, Hobbs, Frockt and Hasegawa

AN ACT Relating to creating a pedestrian fatality and serious injury review panel; amending RCW 43.59.040; and adding a new section to chapter 43.59 RCW.

Referred to Committee on Transportation.

SB 5958 by Senators Roach, Liias, Benton, McCoy, Angel and Chase

AN ACT Relating to providing for representation of the state veterans' homes on the governor's veterans affairs advisory committee; and amending RCW 43.60A.080.

Referred to Committee on Community Development, Housing & Tribal Affairs.

ESB 5959 by Senator Hatfield

AN ACT Relating to agreements with the federal government, such as those available under the endangered species act, affecting the state's management of its natural resources; reenacting and amending RCW 43.30.411; and creating a new section.

Referred to Committee on Agriculture & Natural Resources.

SB 5960 by Senator Dansel

AN ACT Relating to requiring the department of fish and wildlife to update the 2011 wolf conservation and management plan to ensure the establishment of a self-sustaining population of gray wolves while also ensuring social tolerance of wolf recovery; creating a new section; and providing an expiration date.

Referred to Committee on Ways & Means.

SB 5961 by Senators Benton and Hobbs

AN ACT Relating to modifying certain construction defect action procedures; and amending RCW 64.50.020.

Referred to Committee on Commerce & Labor.

SB 5962 by Senators Dansel and Warnick

AN ACT Relating to requiring the department of fish and wildlife to amend the existing wolf conservation and management plan; creating a new section; and providing an expiration date.

Referred to Committee on Natural Resources & Parks.

SB 5963 by Senators Dansel and Warnick

AN ACT Relating to requiring the department of fish and wildlife to manage wolf-related wildlife interactions using lethal means when certain conditions are satisfied; and adding a new section to chapter 77.36 RCW.

Referred to Committee on Natural Resources & Parks.

SB 5964 by Senators Roach and Liias

AN ACT Relating to infill development; and amending RCW 43.21C.229.

Referred to Committee on Government Operations & Security.

SB 5965 by Senators Warnick, Hatfield, Pearson, Hobbs and Bailey

AN ACT Relating to evaluating mitigation options for impacts to base flows and minimum instream flows; creating new sections; and declaring an emergency.

Referred to Committee on Agriculture, Water & Rural Economic Development.

SB 5966 by Senators Rolfes, Litzow, McAuliffe and Frockt

AN ACT Relating to mathematics and science course equivalencies for high school career and technical courses; and reenacting and amending RCW 28A.230.097.

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

SB 5967 by Senator McCoy

AN ACT Relating to eliminating the state board of education; amending RCW 28A.300.020, 28A.300.035, 28A.300.041, 28A.305.130, 28A.310.010, 28A.310.280, 28A.310.340, 28A.315.005, 28A.315.115, 28A.410.010, 28A.410.210, 43.06B.010, 43.06B.030, and 43.06B.050; creating a new section; decodifying RCW 28A.305.902; repealing RCW 28A.305.011, 28A.305.021, 28A.305.035, and 28A.310.480; and providing an effective date.

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

SB 5968 by Senators Hobbs, Benton, Mullet, Hatfield and Miloscia

AN ACT Relating to clarification that the owner or holder of a trust deed, or the owner or holder's designee, may initiate foreclosure proceedings; and amending RCW 61.24.030, 61.24.040, and 61.24.163.

Referred to Committee on Financial Institutions & Insurance.

SB 5969 by Senators Brown and Braun

AN ACT Relating to updating the state environmental policy act; adding new sections to chapter 43.21C RCW; and creating a new section.

Referred to Committee on Trade & Economic Development.

SB 5970 by Senator Hasegawa

AN ACT Relating to creating a best investment selection option for use in public works contracts; amending RCW 39.04.010, 39.04.015, 39.04.155, and 39.04.190; adding a new section to chapter 39.04 RCW; and creating a new section.

Referred to Committee on Government Operations & Security.

SB 5971 by Senators Hasegawa, Chase, Darneille, Conway and Frockt

AN ACT Relating to establishing the Washington publicly owned trust in order to create a financing infrastructure to implement Initiative Measure No. 502 that complies with the United States attorney general's guidance letter of August 29,

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2013, thereby providing resources for public infrastructure and other public purposes; amending RCW 30A.04.020, 42.56.400, 43.08.135, and 43.84.080; reenacting and amending RCW 42.56.270 and 42.56.400; adding a new section to chapter 39.58 RCW; adding a new section to chapter 41.06 RCW; adding a new chapter to Title 43 RCW; creating a new section; providing effective dates; providing expiration dates; and declaring an emergency.

Referred to Committee on Financial Institutions & Insurance.

SB 5972 by Senators Schoesler, Hatfield and Warnick

AN ACT Relating to procurement of seeds by state agencies; and adding a new section to chapter 39.26 RCW.

Referred to Committee on Agriculture, Water & Rural Economic Development.

SB 5973 by Senators Benton and Angel

AN ACT Relating to raffle tickets for traffic congestion relief; amending RCW 67.70.240; adding a new section to chapter 67.70 RCW; and adding a new section to chapter 46.68 RCW.

Referred to Committee on Ways & Means.

SB 5974 by Senators Benton, Bailey, Hobbs, Chase, Cleveland, Angel, Hasegawa, Roach, Jayapal, Fraser, McCoy and Hewitt

AN ACT Relating to the insurance commissioner review of barriers to offering supplemental coverage options to disabled veterans and their dependents; and creating a new section.

Referred to Committee on Health Care & Wellness.

SB 5975 by Senators Benton and Angel

AN ACT Relating to parent taught driver training education courses, including online courses; and amending RCW 28A.220.020, 46.82.280, and 46.82.290.

Referred to Committee on Transportation.

SB 5976 by Senators Litzow, Keiser, Becker, Rivers, Hobbs, Hill, Hatfield, Fain, Baumgartner, McAuliffe and Dammeier

AN ACT Relating to establishing a consolidating purchasing system for public school employees; amending RCW 41.05.011, 41.05.021, 41.05.022, 41.05.026, 41.05.050, 41.05.055, 41.05.075, 41.05.130, 41.05.143, 41.05.670, 28A.400.270, 28A.400.275, 28A.400.280, 28A.400.350, 41.56.500, and 41.59.105; reenacting and amending RCW 41.05.120; adding a new section to chapter 41.05 RCW; and creating new sections.

Referred to Committee on Ways & Means.

SB 5977 by Senators Bailey, Kohl-Welles and McAuliffe

AN ACT Relating to decodifying, expiring, and making nonsubstantive changes to community and technical college provisions; amending RCW 28B.15.546, 28B.50.1401, 28B.50.1402, 28B.50.1403, 28B.50.1404, 28B.50.1405, 28B.50.1406, 28B.50.256, 28B.50.285, 28B.50.327, 28B.50.482, 28B.50.534, 28B.10.025, 28B.10.280, 28B.10.570, 28B.10.571, 28B.10.650, 28B.10.679, 28B.15.012, 28B.15.014, 28B.15.025, 28B.15.041, 28B.15.067, 28B.15.069, 28B.15.100, 28B.15.385,

28B.15.395, 28B.15.520, 28B.15.522, 28B.15.543, 28B.15.545, 28B.15.558, 28B.15.621, 28B.15.740, 28B.15.910, 28B.15.915, 28B.50.030, 28B.50.455, 28B.50.850, 28B.50.851, and 28B.50.862; reenacting and amending RCW 28B.15.515; adding a new section to chapter 28B.04 RCW; adding a new section to chapter 28B.06 RCW; decodifying RCW 28B.56.010, 28B.56.020, 28B.56.040, 28B.56.050, 28B.56.070, 28B.56.080, 28B.56.090, 28B.56.100, 28B.56.110, 28B.56.120, 28B.57.010, 28B.57.020, 28B.57.030, 28B.57.040, 28B.57.060, 28B.57.070, 28B.57.080, 28B.57.090, 28B.57.100, 28B.58.010, 28B.58.020, 28B.58.030, 28B.58.040, 28B.58.050, 28B.58.060, 28B.58.070, 28B.58.080, 28B.58.090, 28B.59.010, 28B.59.020, 28B.59.030, 28B.59.040, 28B.59.050, 28B.59.060, 28B.59.070, 28B.59.080, 28B.59.090, 28B.59B.010, 28B.59B.020, 28B.59B.030, 28B.59B.040, 28B.59B.050, 28B.59B.060, 28B.59B.070, 28B.59B.080, 28B.59B.090, 28B.59C.010, 28B.59C.020, 28B.59C.030, 28B.59C.040, 28B.59C.050, 28B.59C.060, 28B.59C.070, 28B.59C.080, 28B.59D.010, 28B.59D.020, 28B.59D.030, 28B.59D.040, 28B.59D.050, 28B.59D.060, 28B.59D.070, 28B.50.301, 28B.50.302, 28B.50.914, 28B.50.915, and 28B.50.917; and providing expiration dates.

Referred to Committee on Higher Education.

SB 5978 by Senators Roach, Lias and Fain

AN ACT Relating to the presidential primary; and amending RCW 29A.56.010, 29A.56.020, 29A.56.030, and 29A.56.050.

Referred to Committee on State Government.

SB 5979 by Senator Braun

AN ACT Relating to providing salary increases in the form of flat dollar monthly increases calculated using the state average wage determined under RCW 50.04.355; reenacting and amending RCW 41.06.070; adding a new section to chapter 28B.52 RCW; adding a new section to chapter 41.76 RCW; adding a new section to chapter 41.80 RCW; adding a new section to chapter 41.56 RCW; providing an effective date; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 5980 by Senator Braun

AN ACT Relating to creating a defined contribution retirement plan option for elected officials; amending RCW 41.04.440, 41.04.445, 41.04.450, 41.50.030, and 43.33A.190; reenacting and amending RCW 41.50.110; adding a new section to chapter 41.50 RCW; adding a new chapter to Title 41 RCW; and providing an effective date.

Referred to Committee on Ways & Means.

SB 5981 by Senator Braun

AN ACT Relating to limitations on state debt; and amending RCW 39.42.140.

Referred to Committee on Ways & Means.

SB 5982 by Senator Braun

AN ACT Relating to retirement age provisions for new members of the state retirement systems administered by the

department of retirement systems; amending RCW 41.26.430, 41.26.470, 41.32.765, 41.32.790, 41.32.875, 41.32.880, 41.35.420, 41.35.440, 41.35.680, 41.35.690, 41.37.210, 41.37.230, 41.40.630, 41.40.670, 41.40.820, 41.40.825, 43.43.250, and 43.43.280; providing an effective date; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 5983 by Senator Warnick

AN ACT Relating to services performed by an individual for remuneration; and amending RCW 51.08.195 and 50.04.140.

Referred to Committee on Commerce & Labor.

SB 5984 by Senators Kohl-Welles and Roach

AN ACT Relating to a leasehold excise tax credit for properties of market value in excess of ten million dollars; and amending RCW 82.29A.120.

Referred to Committee on Ways & Means.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

HB 1013 by Representatives Appleton, Johnson, Hansen, Takko, Gregerson and Fey

AN ACT Relating to authorizing regular meetings of county legislative authorities to be held at alternate locations within the county; and amending RCW 36.32.080.

Referred to Committee on Government Operations & Security.

HB 1032 by Representatives Blake, Hurst and Moeller

AN ACT Relating to amending the fee structure provided in RCW 77.55.321 to encourage habitat projects that provide a public benefit; and amending RCW 77.55.321 and 77.55.341.

Referred to Committee on Natural Resources & Parks.

SHB 1043 by House Committee on Business & Financial Services (originally sponsored by Representatives Ryu and Parker)

AN ACT Relating to self-service storage facilities; amending RCW 19.150.010, 19.150.040, and 19.150.060; and adding new sections to chapter 19.150 RCW.

Referred to Committee on Commerce & Labor.

SHB 1070 by House Committee on Judiciary (originally sponsored by Representatives Goodman, Rodne and Jinkins)

AN ACT Relating to international commercial arbitration; and adding a new chapter to Title 7 RCW.

Referred to Committee on Law & Justice.

SHB 1100 by House Committee on Technology & Economic Development (originally sponsored by Representatives Morris, S. Hunt, Hudgins, Ormsby and Fey)

AN ACT Relating to creating new appliance efficiency standards; amending RCW 19.260.030, 19.260.040, and 19.260.050; reenacting and amending RCW 19.260.020; and creating a new section.

Referred to Committee on Energy, Environment & Telecommunications.

HB 1111 by Representatives Kilduff, Stokesbary, Walkinshaw, Goodman, Gregerson, Jinkins, Muri, Rodne and Moeller

AN ACT Relating to court transcripts; and amending RCW 2.32.240, 2.32.250, 3.02.040, and 36.18.016.

Referred to Committee on Law & Justice.

HB 1129 by Representatives Goodman, Walsh, Jinkins, Ortiz-Self, Gregerson and Pollet

AN ACT Relating to juvenile case records access for the office of civil legal aid; and reenacting and amending RCW 13.50.010.

Referred to Committee on Human Services, Mental Health & Housing.

HB 1134 by Representatives Moeller and Harris

AN ACT Relating to scope of practice for certified counselors and advisers; and amending RCW 18.19.020 and 18.19.200.

Referred to Committee on Health Care.

MOTION

On motion of Senator Fain, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

MOTION TO LIMIT DEBATE

Pursuant to Senate Rule 29, Senator Fain moved that the members of the Senate be allowed to speak but once on each question before the Senate, that such speech be limited to three minutes and that members be prohibited from yielding their time, however, the maker of a motion shall be allowed to open and close debate and, further, that such limitations be in effect through the remainder of the day.

MOTION

On motion of Senator Fain and without objection, the motion by Senator Fain to limit debate was withdrawn.

Senator Parlette announced a meeting of the Senate Majority Coalition Caucus to begin immediately after going at ease.

Senator Fraser announced a meeting of the Senate Democratic Caucus to begin immediately after going at ease.

MOTION

At 10:10 a.m., on motion of Senator Fain, the Senate was declared to be at ease subject to the call of the President.

The Senate was called to order at 11:37 a.m. by President Owen.

MOTION

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

MESSAGE FROM THE HOUSE

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MR. PRESIDENT:

The Speaker has signed:

SUBSTITUTE HOUSE BILL NO. 1105

and the same is herewith transmitted.

BERNARD DEAN, Deputy Chief Clerk

SIGNED BY THE PRESIDENT

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

SUBSTITUTE HOUSE BILL NO. 1105.

MOTION

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

SECOND READING

SENATE BILL NO. 5052, by Senators Rivers, Hatfield and Conway

Establishing the cannabis patient protection act.

MOTION

On motion of Senator Rivers, Second Substitute Senate Bill No. 5052 was substituted for Senate Bill No. 5052 and the second substitute bill was placed on the second reading and read the second time.

POINT OF ORDER

Senator Kohl-Welles: "One of my amendments is a striking amendment to the main bill and the other page and line amendments of mine are to the original bill. So, I'm wondering if we should take up this striking amendment first?"

RULING BY THE PRESIDENT

President Owen: "You perfect and then you strike. So we would take these amendments first."

MOTION

Senator Kohl-Welles moved that the following amendment by Senator Kohl-Welles be adopted:

On page 10, after line 25, insert the following:

"(ss) "Immature plant" means a marijuana plant with no observable flowers or buds.

(tt) "Mature plant" means a marijuana plant with observable flowers or buds.

On page 10, line 29, after "marijuana" insert "and immature plants"

On page 10, line 32, after "marijuana" insert "and immature plants"

On page 11, line 7, after "marijuana" insert "and immature plants"

On page 11, line 12, after "useable marijuana," insert "immature plants."

On page 11, line 28, after "concentrates," insert "immature plants."

On page 11, line 32, after "useable marijuana," insert "immature plants."

On page 17, line 10, after "concentrates." insert "immature plants."

On page 17, line 14, after "concentrates." insert "immature plants."

On page 18, line 13, after "concentrates." insert "immature plants."

On page 18, line 17, after "concentrates." insert "immature plants."

On page 22, line 10, after "concentrates," insert "immature plants."

On page 22, line 12, after "concentrates," insert "immature plants."

On page 22, line 34, after "marijuana," insert "immature plants,"

On page 24, line 6, after "concentrates," insert "immature plants."

On page 25, line 5, after "concentrates." insert "immature plants."

On page 25, line 26, after "marijuana," insert "immature plants."

On page 25, line 30, after "marijuana," insert "immature plants."

On page 25, line 32, after "69.50.345(5);" strike "and" and insert "~~((and))~~"

On page 25, line 35, after "marijuana," insert "immature plants."

On page 26, line 2, after "form;" strike "or" and insert "~~((or))~~"

On page 26, line 26, after "concentrate" insert "; or (e) Six immature plants; and

(4) Resale or return of mature plants to a marijuana producer or a marijuana processor"

On page 26, line 15, after "marijuana," insert "plants."

On page 26, line 20, after "concentrates." insert "plants."

On page 26, after line 23, insert the following:  
"(5) it is not a violation of this section, this chapter, or any other provision of Washington state law for a person to:

(a) Transport immature plants from a marijuana retailer to his or her domicile, or to possess mature plants in the person's domicile;

or  
(b) To share up to one ounce of useable marijuana with another person; remuneration for the provision of marijuana is prohibited."

On page 31, after line 23, insert the following:

"(21) "Immature plant" has the meaning provided in RCW 69.50.101.

(22) "Mature plant" has the meaning provided in RCW 69.50.101."

On page 34, at the beginning of line 20, strike all material through "patient" on line 21 and insert "purchase at a retail outlet up to six plants"

On page 52, line 20, after "marijuana," insert "immature plants,"

On page 53, line 11, after "useable marijuana," insert "immature plants,"

On page 53, line 24, after "concentrates," insert "immature plants,"

On page 54, line 35, after "marijuana," insert "immature plants,"

On page 56, line 1, after "marijuana," insert "immature plants,"

Senator Kohl-Welles spoke in favor of adoption of the amendment.

#### POINT OF ORDER

Senator Sheldon: "Shouldn't the speaker be speaking to the amendment before us?"

#### RULING BY THE PRESIDENT

President Owen: "That's correct Senator."

Senator Rivers spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of the amendment by Senator Kohl-Welles on page 10, after line 25 to Second Substitute Senate Bill No. 5052.

The motion by Senator Kohl-Welles did not carry and the amendment was not adopted by voice vote.

#### MOTION

Senator Kohl-Welles moved that the following amendment by Senator Kohl-Welles be adopted:

On page 18, beginning on line 28, after "outlets" strike all material through "endorsements" on line 29 and insert "relating to products intended for medical use"

On page 19, at the beginning of line 3, strike all material through "endorsements" on line 4 and insert "intended for medical use"

On page 19, line 14, after "for" strike all material through "endorsements" and insert "medical use"

On page 19, beginning on line 23, after "for" strike all material through "endorsements" on line 24 and insert "medical use"

On page 19, beginning on line 37, after "outlets" strike all material through "endorsements" on line 38

On page 21, beginning on line 21, after "(d)" strike all material through "outlets" on line 22 and insert "Permitting retail outlets to advertise whether they have medical marijuana consultants on staff"

Beginning on page 22, line 20, after "(1)" strike all material through "(4)" on page 23, line 5

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

On page 23, at the beginning of line 8, strike "may be" and insert "are likely to be used for medical purposes and that are intended to be"

On page 23, line 9, after "outlet" strike "holding a medical marijuana endorsement"

On page 23, line 18, after "ratios" insert "and information regarding indicated uses"

On page 23, beginning on line 27, after "(5)" strike all material through "outlet." on line 33 and insert "A licensed marijuana retailer may hire a medical marijuana consultant to assist qualifying patients and designated providers in determining products that may be appropriate for medical use."

On page 23, beginning on line 36, after "A marijuana retailer" strike all material through "endorsement" on line 37

Beginning on page 23, line 38, after "Marijuana retailers" strike all material through "endorsement" on page 24, line 1

On page 24, beginning on line 14, after "outlet" strike "holding a medical marijuana endorsement"

On page 24, beginning on line 18, after "outlet" strike all material through "endorsement" on line 19

On page 24, beginning on line 21, after "(a)" strike all material through "(b)" on line 27

Correct any internal references accordingly.

On page 24, beginning on line 27, after "retailers" strike all material through "endorsement" on line 28

On page 24, at the beginning of line 29, strike all material through "well as"

On page 24, line 30, after "cards" insert ", rules adopted to implement this chapter, identification of persons under the age of twenty-one, and other requirements adopted by the liquor and cannabis board to ensure that, other than qualifying patients and designated providers, persons under the age of twenty-one are not permitted to enter or remain on the premises of a retail outlet"

On page 24, after line 35, insert the following:

"(b) Licensed marijuana retailers may advertise the fact that they stock marijuana concentrates, useable marijuana, and marijuana-infused products identified by the department under section 10 of this act as beneficial for the medical use of qualifying patients.

(c) Licensed marijuana retailers may hire medical marijuana consultants to assist qualifying patients and designated providers in identifying products that are likely to be of beneficial medical use of qualifying patients."

On page 25, beginning on line 2, after "name." strike all material through "signage." on line 3

On page 34, beginning on line 14, after "outlet" strike all material through "endorsement" on line 15

On page 35, line 7, after "retailer" strike all material through "endorsement"

On page 36, line 9, after "retailer" strike all material through "endorsement"

On page 39, line 31, after "retailer" strike all material through "endorsement"

On page 48, line 18, after "retailer" strike all material through "endorsement"

On page 48, line 31, after "outlet" strike all material through "endorsement"

On page 51, beginning on line 27, after "69.50.354" strike all material through "act" on line 28

On page 52, beginning on line 9, after "69.50.354" strike all material through "act" on line 10

On page 52, beginning on line 22, after "retailers" strike all material through "endorsements" on line 23

On page 52, line 28, after "retailers" strike all material through "endorsements"

On page 53, line 37, after "retailer" strike all material through "endorsement"

On page 54, line 2, after "retailer" strike all material through "endorsement"

On page 54, beginning on line 3, after "retailers" strike all material through "endorsement" on line 4

On page 55, line 32, after "retailer" strike all material through "endorsement"

#### WITHDRAWAL OF AMENDMENT

On motion of Senator Kohl-Welles, the amendment by Senator Kohl-Welles on page 18, line 28 to Second Substitute Senate Bill No. 5052 was withdrawn.

#### MOTION

Senator Kohl-Welles moved that the following amendment by Senator Kohl-Welles be adopted.

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On page 28, beginning on line 24, after "been" strike all material through "database" on line 25 and insert "provided an authorization card"

On page 29, beginning on line 20, after "been" strike all material through "database" on line 21, and insert "provided an authorization card"

On page 30, beginning on line 32, after "providers" strike all material through "database" on line 33 and insert "who have been approved for a medical marijuana waiver under section 21 of this act"

On page 31, line 7, after "marijuana" strike "authorization database" and insert "waiver"

On page 31, beginning on line 7, after "the" strike all material through "in" on line 8 and insert "application system provided under"

Beginning on page 31, line 24, strike all of section 18 and insert:

"**Sec. 18.** RCW 69.51A.030 and 2011 c 181 s 301 are each amended to read as follows:

((~~4~~)) The following acts do not constitute crimes under state law or unprofessional conduct under chapter 18.130 RCW, and a health care professional may not be arrested, searched, prosecuted, disciplined, or subject to other criminal sanctions or civil consequences or liability under state law, or have real or personal property searched, seized, or forfeited pursuant to state law, notwithstanding any other provision of law ((~~as long as the health care professional complies with subsection (2) of this section~~)):

((~~a~~)) (1) Advising a patient about the risks and benefits of medical use of ((~~cannabis~~)) marijuana or that the patient may benefit from the medical use of ((~~cannabis~~)) marijuana; or

((~~b~~)) ~~Providing a patient meeting the criteria established under RCW 69.51A.010(26) with valid documentation, based upon the health care professional's assessment of the patient's medical history and current medical condition, where such use is within a professional standard of care or in the individual health care professional's medical judgment.~~

(2)(a) ~~A health care professional may only provide a patient with valid documentation authorizing the medical use of cannabis or register the patient with the registry established in section 901 of this act if he or she has a newly initiated or existing documented relationship with the patient, as a primary care provider or a specialist, relating to the diagnosis and ongoing treatment or monitoring of the patient's terminal or debilitating medical condition, and only after:~~

(i) ~~Completing a physical examination of the patient as appropriate, based on the patient's condition and age;~~

(ii) ~~Documenting the terminal or debilitating medical condition of the patient in the patient's medical record and that the patient may benefit from treatment of this condition or its symptoms with medical use of cannabis;~~

(iii) ~~Informing the patient of other options for treating the terminal or debilitating medical condition; and~~

(iv) ~~Documenting other measures attempted to treat the terminal or debilitating medical condition that do not involve the medical use of cannabis.~~

(b) ~~A health care professional shall not:~~

(i) ~~Accept, solicit, or offer any form of pecuniary remuneration from or to a licensed dispenser, licensed producer, or licensed processor of cannabis products;~~

(ii) ~~Offer a discount or any other thing of value to a qualifying patient who is a customer of, or agrees to be a customer of, a particular licensed dispenser, licensed producer, or licensed processor of cannabis products;~~

~~(iii) Examine or offer to examine a patient for purposes of diagnosing a terminal or debilitating medical condition at a location where cannabis is produced, processed, or dispensed;~~

~~(iv) Have a business or practice which consists solely of authorizing the medical use of cannabis;~~

~~(v) Include any statement or reference, visual or otherwise, on the medical use of cannabis in any advertisement for his or her business or practice; or~~

~~(vi) Hold an economic interest in an enterprise that produces, processes, or dispenses cannabis if the health care professional authorizes the medical use of cannabis.~~

~~(3) A violation of any provision of subsection (2) of this section constitutes unprofessional conduct under chapter 18.130 RCW.)~~

(2) Confirming with the department that a patient has a terminal or debilitating medical condition.

Correct any internal references accordingly.

On page 34, beginning on line 5, strike all of section 19

Remember the remaining sections consecutively and correct any internal references accordingly.

On page 34, line 34, after "may" strike "authorize" and insert "discuss"

On page 35, line 8, after "who" strike "authorizes" and insert "discusses"

On page 35, at the beginning of line 11, strike "authorizing" and insert "recommending"

On page 35, beginning on line 14, after "indicated" strike all material through "marijuana" on line 15

On page 35, line 24, after "(c)" strike "Enter both" and insert "Recommend that both"

On page 35, line 25, after "provider" strike all material through "database" on line 26 and insert "must seek a medical marijuana waiver through the department"

Beginning on page 35, line 27, strike all of sections 21 through 23 and insert the following:

"NEW SECTION. Sec. 21. A new section is added to chapter 69.51A RCW to read as follows:

(1) A medical marijuana waiver is established to be issued by the department. The medical marijuana waiver permits a qualifying patient or his or her designated provider to:

(a) Possess and purchase more marijuana concentrates, marijuana-infused products, plants, or useable marijuana than what is permitted under RCW 69.50.360 and up to a combination of the following: (i) Three ounces of useable marijuana; (ii) forty-eight ounces of marijuana-infused products in solid form; (iii) two hundred sixteen ounces of marijuana-infused products in liquid form; or (iv) twenty-one grams of marijuana concentrates. The medical marijuana waiver also permits the qualifying patient or his or her designated provider to grow, in his or her domicile, up to six plants for the personal medical use of the qualifying patient; and

(b) Purchase marijuana concentrates, marijuana-infused products, plants, or useable marijuana without paying sales and use tax.

(2) A qualifying patient who is twenty-one years of age or older and who, after consultation with his or her health care professional, determines that the amounts of marijuana concentrates, marijuana-infused products, plants, or useable marijuana permitted under RCW 69.50.360 will not address his or her medical needs may apply to the department for a medical marijuana waiver.

(3) A qualifying patient who is between eighteen and twenty-one years of age and who, after consultation with his or her health care professional, determines that he or she wishes to use marijuana for the treatment of his or her terminal or

debilitating medical condition may apply to the department for a waiver permitting the patient to purchase marijuana concentrates, marijuana-infused products, or useable marijuana at a marijuana retailer holding a medical marijuana endorsement. Unless otherwise specified in the waiver, the patient may only possess the amounts provided in subsection (1) of this section. The patient may also apply to possess up to fifteen plants if more useable marijuana is needed to address his or her terminal or debilitating medical condition.

(4) A parent or guardian of a qualifying patient who is under the age of eighteen and who, after consultation with the minor's health care professional, determines that the minor would benefit from the medical use of marijuana for treatment of the minor's terminal or debilitating medical condition may apply to the department for a waiver permitting the parent or guardian to become the designated provider for the minor. The parent or guardian designated provider may only possess the amounts provided under subsection (1) of this section and must have sole control over the minor's marijuana. The minor may possess up to the amount of marijuana that is necessary for his or her next dose. The minor may not purchase products from a marijuana retailer, nor may the minor grow plants for his or her medical use. The parent or guardian may also apply to possess up to the amounts provided under subsection (3) of this section if the additional amounts of useable marijuana are required to treat the minor's terminal or debilitating medical condition.

**NEW SECTION. Sec. 22.** A new section is added to chapter 69.51A RCW to read as follows:

(1) The department must develop a medical marijuana waiver process in order to process and approve or deny waiver applications submitted under section 21 of this act.

(2) The medical marijuana waiver process must include:

(a) Development of a waiver application. The application must be completed by the qualifying patient if there is not a designated provider or both the designated provider and the qualifying patient for whom the marijuana will be provided. The application must include:

(i) For qualifying patients, a statement that the applicant has a terminal or debilitating medical condition as described in RCW 69.50.101 and that he or she has been diagnosed with that condition by a health care professional;

(ii) For designated providers, a statement that the qualifying patient for whom the applicant intends to provide marijuana has a terminal or debilitating medical condition as described in RCW 69.50.101 and, in the case of designated providers for people under the age of eighteen, have discussed the medical use of marijuana with the diagnosing health care professional;

(iii) A statement that the applicant understands that the department may contact the diagnosing health care professional to confirm the existence of a terminal or debilitating medical condition and that no waiver will be issued if the condition is not confirmed by the health care professional;

(iv) If the amount of marijuana needed for the medical use of the qualifying patient is higher than the amounts listed in section 21(1) of this act, an option for the qualifying patient to request higher amounts up to fifteen plants. Higher amounts will not be authorized unless the health care professional confirms the medical need for these higher amounts.

(b) Development of an authorization card which qualifying patients and designated providers may use to demonstrate they have been approved for a medical marijuana waiver. The card must include:

(i) The name of the qualifying patient or designated provider who applied for and was approved for a waiver;

(ii) The amount of marijuana concentrates, useable marijuana, marijuana-infused products, and plants for which the qualifying patient or designated provider has been authorized;

(iii) The expiration date of the authorization card.

(3) Approved applicants must be issued a medical marijuana authorization card. The authorization card:

(a) May be provided to law enforcement officers who are engaged in a bona fide specific investigation of suspected marijuana-related activity that may be illegal under Washington state law to confirm the validity of the waiver of the qualifying patient or designated provider;

(b) May be provided to a marijuana retailer holding a medical marijuana endorsement to confirm the validity of the waiver and to allow waiver holders to purchase marijuana for their medical use without paying sales and use taxes;

(c) For people over the age of eighteen, is valid for one year after the date of issuance. For people under the age of eighteen, is valid for six months after the date of issuance. The waiver card may not be renewed until the qualifying patient has completed a new application.

**NEW SECTION. Sec. 23.** A new section is added to chapter 42.56 RCW to read as follows:

Medical marijuana waiver applications submitted to the department of health containing names and other personally identifiable information of qualifying patients and designated providers are exempt from disclosure under this chapter.

**NEW SECTION. Sec. 24.** A new section is added to chapter 69.51A RCW to read as follows:

(1) It is unlawful for a person to knowingly or intentionally:

(a) Create or present a medical marijuana authorization card or to tamper with a medical marijuana authorization card for the purposes of having it accepted by a marijuana retailer in order to purchase marijuana as a qualifying patient or designated provider or to grow marijuana;

(b) If a person is a designated provider to a qualifying patient, sell marijuana produced for the qualifying patient to another person; or

(c) If the person is a qualifying patient, sell marijuana produced by the qualifying patient to another person.

(2) A person who violates this section is guilty of a class C felony and upon conviction may be imprisoned for not more than two years, fined not more than two thousand dollars, or both."

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

On page 49, beginning on line 23, after "the" strike all material through "administrator" on line 24 and insert "department"

On page 49, beginning on line 30, after "the" strike all material through "administrator" on line 31 and insert "department"

On page 49, beginning on line 37, after "to" strike all material through "under" on line 39, and insert "revoke an authorization card as required by"

Senators Kohl-Welles and Liias spoke in favor of adoption of the amendment.

Senator Liias demanded a roll call.

The President declared that one-sixth of the members supported the demand and the demand was sustained.

Senator Rivers spoke against adoption of the amendment.

Senators Dansel and Frockt spoke in favor of adoption of the amendment.

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The President declared the question before the Senate to be the adoption of the amendment by Senator Kohl-Welles on page 28, line 24 to Second Substitute Senate Bill No. 5052.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. This act may be known and cited as the comprehensive marijuana reform act.

#### ROLL CALL

#### Part I - Intent

The Secretary called the roll on the adoption of the amendment by Senator Kohl-Welles and the amendment was not adopted by the following vote: Yeas, 21; Nays, 26; Absent, 2; Excused, 0.

NEW SECTION. Sec. 101. The legislature finds that the voters of Washington state have consistently acted in a progressive manner when it comes to marijuana policy, beginning in 1998 with Initiative Measure No. 692, when voters authorized the medical use of marijuana, and continuing in 2012 with Initiative Measure No. 502, when voters authorized the recreational use of marijuana by enacting a system to bring the illicit marijuana market under regulatory control and directed tax revenues to prevention, treatment, research, education, and evaluation.

Voting yea: Senators Billig, Chase, Cleveland, Conway, Dansel, Darneille, Fraser, Frockt, Hargrove, Hasegawa, Jayapal, Keiser, Kohl-Welles, Liias, McAuliffe, McCoy, Nelson, Pedersen, Ranker, Rolfes and Warnick

However, the road from 1998 to 2012 has not been entirely smooth. In 2011, a comprehensive regulatory scheme relating to the medical use of marijuana was passed by both houses of the legislature but was partially vetoed by the governor who voiced concerns about federal intervention. Unfortunately, the partial veto did not add clarity to the medical marijuana system and is responsible for some of the confusion relating to it that exists to this day. The 2011 bill, chapter 181, Laws of 2011 (Engrossed Second Substitute Senate Bill No. 5073), provided for licensed producers, processors, and distributors of marijuana. It also provided for small patient collective gardens to allow for their own personal, medical use. These collective gardens were intended by the legislature to supplement the licensed producers; they were never intended to become storefront businesses, operating without regulatory oversight. Yet, today, collective gardens have developed into dispensaries, selling marijuana for the medical use of patients, without testing or safe handling standards and without regulatory oversight.

Voting nay: Senators Angel, Bailey, Baumgartner, Becker, Braun, Brown, Dammeier, Fain, Habib, Hatfield, Hewitt, Hill, Hobbs, Honeyford, King, Litzow, Miloscia, Mullet, O'Ban, Padden, Parlette, Pearson, Rivers, Roach, Schoesler and Sheldon  
Absent: Senators Benton and Ericksen

#### MOTION

On motion of Senator Fain, Senators Benton and Ericksen were excused.

The resulting landscape is untenable. The state has two contradictory methods of addressing marijuana: A medical system without regulation and a recreational system subject to strict regulation, including agency oversight, seed to sale tracking, product testing and labeling, and strict controls relating to underage use. Law enforcement does not have bright lines to follow in determining who are recreational users and who are medical users. Consequently, medical dispensaries are operating, many of which are selling untested products to medical users and without any assurances that people who truly need medical products are accessing those products or that the products they purchase are free from contaminants and have the THC/CBD level that would benefit their medical conditions. The legislature intends to draw bright line rules to aid enforcement of both medical and recreational systems, to merge medical into the recreational regulatory scheme so all products sold in the state meet at least the same testing and product safety requirements, and to ensure that people who require marijuana for their medical care are still provided adequate access to this product.

#### MOTION

Senator Hobbs moved that the following amendment by Senators Frockt, Hobbs and Rolfes be adopted:

On page 30, line 16, after "(f)" insert "Posttraumatic stress disorder;

(g)"

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

Senator Hobbs spoke in favor of adoption of the amendment.

#### WITHDRAWAL OF AMENDMENT

On motion of Senator Hobbs, the amendment by Senators Hobbs, Frockt and Rolfes on page 30, line 16 to Second Substitute Senate Bill No. 5052 was withdrawn.

#### MOTION

Senator Kohl-Welles moved that the following amendment by Senator Kohl-Welles be adopted:

On page 42, beginning on line 3, after "(2)" strike all material through "retailer" on line 4

On page 42, beginning on line 12, after "location." strike all material through "retailer." on line 14

Senator Kohl-Welles spoke in favor of adoption of the amendment.

Senator Rivers spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of the amendment by Senator Kohl-Welles on page 42, line 3 to Second Substitute Senate Bill No. 5052.

The motion by Senator Kohl-Welles did not carry and the amendment was not adopted by voice vote.

#### MOTION

Senator Kohl-Welles moved that the following striking amendment by Senator Kohl-Welles be adopted:

The legislature further finds that, while Initiative Measure No. 502 began the discussion for this state in regulating the recreational use of marijuana, there is much work that needs to be done. This includes: Developing safe delivery methods for marijuana, becoming a leader in the country in research related to the use of marijuana, permitting all people regardless of whether they are medical or recreational users to grow up to six plants for their personal use, permitting all people to purchase products low in THC and high in CBD without paying sales and use tax, permitting qualifying patients and designated providers to purchase medical grade marijuana without paying sales and use tax, addressing local government regulation by requiring that all moratoria and bans on marijuana be subject to public vote, and

limiting access to marijuana by minors. Further qualifying patients need assurances that they will continue to have access to marijuana for their personal, medical use. The legislature intends to adopt a medical marijuana waiver system that allows patients to directly apply with the department of health to get a waiver from the limits provided by this bill in order to address their unique medical needs. This system eliminates the need for a medical marijuana registry that involves the health care professional as the "gatekeeper" to entry and will eliminate abuse of authorizations.

## Part II – Definitions

**Sec. 201.** RCW 69.50.101 and 2014 c 192 s 1 are each amended to read as follows:

Unless the context clearly requires otherwise, definitions of terms shall be as indicated where used in this chapter:

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

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

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

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

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

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

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

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

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

(2) The term does not include:

(i) a controlled substance;

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

(iii) a substance with respect to which an exemption is in effect for investigational use by a particular person under Section 505 of the federal Food, Drug and Cosmetic Act, 21 U.S.C. Sec. 355, to the extent conduct with respect to the substance is pursuant to the exemption; or

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

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

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

(h) "Dispense" means the interpretation of a prescription or order for a controlled substance and, pursuant to that prescription

or order, the proper selection, measuring, compounding, labeling, or packaging necessary to prepare that prescription or order for delivery.

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

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

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

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

(m) "Drug enforcement administration" means the drug enforcement administration in the United States Department of Justice, or its successor agency.

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

(o) "Immediate precursor" means a substance:

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

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

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

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

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

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

(s) "Manufacture" means the production, preparation, propagation, compounding, conversion, or processing of a controlled substance, either directly or indirectly or by extraction from substances of natural origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis, and includes any packaging or repackaging of the substance or labeling or relabeling of its container. The term does not include the preparation, compounding, packaging, repackaging, labeling, or relabeling of a controlled substance:

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

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

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

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

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

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

(x) "Marijuana-infused products" means products that contain marijuana or marijuana extracts, are intended for human use, and have a THC concentration greater than 0.3 percent and no greater than sixty percent. The term "marijuana-infused products" does not include either useable marijuana or marijuana concentrates.

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

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

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

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

(3) Poppy straw and concentrate of poppy straw.

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

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

(6) Cocaine base.

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

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

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

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

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

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

(ee) "Practitioner" means:

(1) A physician under chapter 18.71 RCW; a physician assistant under chapter 18.71A RCW; an osteopathic physician and surgeon under chapter 18.57 RCW; an osteopathic physician assistant under chapter 18.57A RCW who is licensed under RCW 18.57A.020 subject to any limitations in RCW 18.57A.040; an optometrist licensed under chapter 18.53 RCW who is certified by the optometry board under RCW 18.53.010 subject to any limitations in RCW 18.53.010; a dentist under chapter 18.32 RCW; a podiatric physician and surgeon under chapter 18.22 RCW; a veterinarian under chapter 18.92 RCW; a registered nurse, advanced registered nurse practitioner, or licensed practical nurse under chapter 18.79 RCW; a naturopathic physician under chapter 18.36A RCW who is licensed under RCW 18.36A.030 subject to any limitations in RCW 18.36A.040; a pharmacist under chapter 18.64 RCW or a scientific investigator under this chapter, licensed, registered or otherwise permitted insofar as is consistent with those licensing laws to distribute, dispense, conduct research with respect to or administer a controlled substance in the course of their professional practice or research in this state.

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

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

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

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

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

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

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

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

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

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

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

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

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

(qq) "Plant" means a marijuana plant having at least three distinguishable and distinct leaves, each leaf being at least three centimeters in diameter, and a readily observable root formation consisting of at least two separate and distinct roots, each being at least two centimeters in length. Multiple stalks emanating from the same root ball or root system is considered part of the same single plant.

(rr) "Health care professional" has the meaning provided in RCW 69.51A.010.

(ss) "Evidence-based" means a program or practice that has been tested in heterogeneous or intended populations with multiple randomized, or statistically controlled evaluations, or both; or one large multiple site randomized, or statistically controlled evaluation, or both, where the weight of the evidence from a systemic review demonstrates sustained improvements in at least one outcome. "Evidence-based" also means a program or practice that can be implemented with a set of procedures to allow successful replication in Washington and, when possible, is determined to be cost-beneficial.

(tt) "Research-based" means a program or practice that has been tested with a single randomized, or statistically controlled evaluation, or both, demonstrating sustained desirable outcomes; or where the weight of the evidence from a systemic review supports sustained outcomes as described in (ss) of this subsection but does not meet the full criteria for evidence-based.

(uu) "Emerging best practices" or "promising practice" means a program or practice that, based on statistical analyses or a well established theory of change, shows potential for meeting the evidence-based or research-based criteria, which may include the use of a program that is evidence-based for outcomes other than those listed in (ss) of this subsection.

(vv) "Immature plant" means a marijuana plant with no observable flowers or buds.

(ww) "Mature plant" means a marijuana plant with observable flowers or buds.

(xx) "Waiver" or "waiver card" has the meaning provided in RCW 69.51A.010.

(yy) "Medical grade marijuana" has the meaning provided in RCW 69.51A.010.

**Sec. 202.** RCW 69.51A.010 and 2010 c 284 s 2 are each amended to read as follows:

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

(1) "Designated provider" means a person who ~~(+)~~ ~~(+))~~ ~~(+))~~ is ~~((eighteen))~~ twenty-one years of age or older ~~(+)~~ ~~(+))~~ ~~(+))~~ and:

(a)(i) Is the parent or guardian of a qualifying patient who is under the age of eighteen; or

(ii) Has been designated in writing by a qualifying patient to serve as a designated provider ((under this chapter)) for that patient;

(b) Has been listed on a waiver application as being the designated provider to a qualifying patient and may only provide marijuana to that qualifying patient under the department-approved waiver;

(c) Is prohibited from consuming marijuana obtained for the personal, medical use of the qualifying patient for whom the individual is acting as designated provider; ~~((and))~~

(d) Is in compliance with the terms and conditions of this chapter; and

(e) Is the designated provider to only one patient at any one time.

(2) "Health care professional," for purposes of this chapter only, means a physician licensed under chapter 18.71 RCW, a physician assistant licensed under chapter 18.71A RCW, an osteopathic physician licensed under chapter 18.57 RCW, an osteopathic physicians' assistant licensed under chapter 18.57A RCW, a naturopath licensed under chapter 18.36A RCW, or an advanced registered nurse practitioner licensed under chapter 18.79 RCW.

(3) "Medical use of marijuana" means the production, possession, transportation, delivery, ingestion, application, or administration of marijuana ~~((as defined in RCW 69.50.101(q+))~~) for the exclusive benefit of a qualifying patient in the treatment of his or her terminal or debilitating ~~((illness))~~ medical condition.

(4) "Qualifying patient" means a person who:

(a)(i) Is a patient of a health care professional;

~~((+))~~ (ii) Has been diagnosed by that health care professional as having a terminal or debilitating medical condition;

~~((+))~~ (iii) Is a resident of the state of Washington at the time of such diagnosis;

~~((+))~~ (iv) Has been advised by that health care professional about the risks and benefits of the medical use of marijuana((+ and

~~((+))~~ (v) Has been advised by that health care professional that ((they)) he or she may benefit from the medical use of marijuana; and

(vi) Is otherwise in compliance with the terms and conditions established in this chapter.

(b) "Qualifying patient" does not include a person who is actively being supervised for a criminal conviction by a corrections agency or department that has determined that the terms of this chapter are inconsistent with and contrary to his or her supervision and all related processes and procedures related to that supervision.

(5) ("Tamper resistant paper" means paper that meets one or more of the following industry recognized features:

(a) One or more features designed to prevent copying of the paper;

(b) One or more features designed to prevent the erasure or modification of information on the paper; or

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~~(c) One or more features designed to prevent the use of counterfeit valid documentation.~~

~~(6)) "Terminal or debilitating medical condition" means a condition severe enough to significantly interfere with the patient's activities of daily living and ability to function, which can be objectively assessed and evaluated and limited to the following:~~

~~(a) Cancer, human immunodeficiency virus (HIV), multiple sclerosis, epilepsy or other seizure disorder, or spasticity disorders; ((e))~~

~~(b) Intractable pain, limited for the purpose of this chapter to mean pain unrelieved by standard medical treatments and medications; ((e))~~

~~(c) Glaucoma, either acute or chronic, limited for the purpose of this chapter to mean increased intraocular pressure unrelieved by standard treatments and medications; ((e))~~

~~(d) Crohn's disease with debilitating symptoms unrelieved by standard treatments or medications; ((e))~~

~~(e) Hepatitis C with debilitating nausea or intractable pain unrelieved by standard treatments or medications; ((e))~~

~~(f) Diseases, including anorexia, which result in nausea, vomiting, wasting, appetite loss, cramping, seizures, muscle spasms, or spasticity, when these symptoms are unrelieved by standard treatments or medications;~~

~~(g) Posttraumatic stress disorder; or~~

~~((g)) (h) Any other medical condition duly approved by the Washington state medical quality assurance commission in consultation with the board of osteopathic medicine and surgery as directed in this chapter.~~

~~((7) "Valid documentation" means:~~

~~(a) A statement signed and dated by a qualifying patient's health care professional written on tamper-resistant paper, which states that, in the health care professional's professional opinion, the patient may benefit from the medical use of marijuana; and~~

~~(b) Proof of identity such as a Washington state driver's license or identicaid, as defined in RCW 46.20.035)) (6) "CBD concentration" means the percent of cannabidiol content per dry weight of any part of the plant *Cannabis*, or per volume or weight of marijuana product.~~

~~(7) "Department" means the department of health.~~

~~(8) "Marijuana" has the meaning provided in RCW 69.50.101.~~

~~(9) "Marijuana concentrates" has the meaning provided in RCW 69.50.101.~~

~~(10) "Marijuana processor" has the meaning provided in RCW 69.50.101.~~

~~(11) "Marijuana producer" has the meaning provided in RCW 69.50.101.~~

~~(12) "Marijuana-infused products" has the meaning provided in RCW 69.50.101.~~

~~(13) "Plant" has the meaning provided in RCW 69.50.101.~~

~~(14) "THC concentration" has the meaning provided in RCW 69.50.101.~~

~~(15) "Useable marijuana" has the meaning provided in RCW 69.50.101.~~

~~(16) "Waiver" or "waiver card" means the document provided by the department under section 603 of this act that permits a qualifying patient or designated provider to possess more useable marijuana or marijuana plants than what is permitted under chapter 69.50 RCW, that permits persons between the ages of eighteen and twenty-one to purchase marijuana from a marijuana retailer that holds a medical marijuana endorsement, and permits all marijuana purchases made with the card at a marijuana retailer that holds a medical marijuana endorsement to be exempt from sales and use tax.~~

~~(17) "Immature plant" has the meaning provided in RCW 69.50.101.~~

~~(18) "Mature plant" has the meaning provided in RCW 69.50.101.~~

~~(19) "Medical grade marijuana" means marijuana concentrates, useable marijuana, marijuana-infused products, and plants that are identified under section 308 of this act as beneficial to qualifying patients.~~

~~Sec. 203. RCW 66.08.012 and 2012 c 117 s 265 are each amended to read as follows:~~

~~There shall be a board, known as the "Washington state liquor ((control)) and cannabis board," consisting of three members, to be appointed by the governor, with the consent of the senate, who shall each be paid an annual salary to be fixed by the governor in accordance with the provisions of RCW 43.03.040. The governor may, in his or her discretion, appoint one of the members as chair of the board, and a majority of the members shall constitute a quorum of the board.~~

**Part III – Licenses**

~~Sec. 301. RCW 69.50.325 and 2014 c 192 s 2 are each amended to read as follows:~~

~~(1) There shall be a marijuana producer's license to produce marijuana and immature marijuana plants for sale at wholesale to marijuana processors and other marijuana producers, regulated by the state liquor ((control)) and cannabis board and subject to annual renewal. The production, possession, delivery, distribution, and sale of marijuana and immature marijuana plants in accordance with the provisions of this chapter ((3, Laws of 2013)) and the rules adopted to implement and enforce it, by a validly licensed marijuana producer, shall not be a criminal or civil offense under Washington state law. Every marijuana producer's license shall be issued in the name of the applicant, shall specify the location at which the marijuana producer intends to operate, which must be within the state of Washington, and the holder thereof shall not allow any other person to use the license. The application fee for a marijuana producer's license shall be two hundred fifty dollars. The annual fee for issuance and renewal of a marijuana producer's license shall be one thousand dollars. A separate license shall be required for each location at which a marijuana producer intends to produce marijuana.~~

~~(2) There shall be a marijuana processor's license to process, package, and label marijuana concentrates, useable marijuana, immature marijuana plants, and marijuana-infused products for sale at wholesale to marijuana processors and marijuana retailers, regulated by the state liquor ((control)) and cannabis board and subject to annual renewal. The processing, packaging, possession, delivery, distribution, and sale of marijuana, useable marijuana, marijuana-infused products, immature marijuana plants, and marijuana concentrates in accordance with the provisions of this chapter ((3, Laws of 2013)) and the rules adopted to implement and enforce it, by a validly licensed marijuana processor, shall not be a criminal or civil offense under Washington state law. Every marijuana processor's license shall be issued in the name of the applicant, shall specify the location at which the licensee intends to operate, which must be within the state of Washington, and the holder thereof shall not allow any other person to use the license. The application fee for a marijuana processor's license shall be two hundred fifty dollars. The annual fee for issuance and renewal of a marijuana processor's license shall be one thousand dollars. A separate license shall be required for each location at which a marijuana processor intends to process marijuana.~~

~~(3) There shall be a marijuana retailer's license to sell marijuana concentrates, useable marijuana, immature marijuana plants, and marijuana-infused products at retail in retail outlets,~~

regulated by the state liquor ~~((control))~~ and cannabis board and subject to annual renewal. The possession, delivery, distribution, and sale of marijuana concentrates, useable marijuana, immature marijuana plants, and marijuana-infused products in accordance with the provisions of this chapter ((3, Laws of 2013)) and chapter 69.51A RCW and the rules adopted to implement and enforce ~~((#))~~ these chapters, by a validly licensed marijuana retailer, shall not be a criminal or civil offense under Washington state law. Every marijuana retailer's license shall be issued in the name of the applicant, shall specify the location of the retail outlet the licensee intends to operate, which must be within the state of Washington, and the holder thereof shall not allow any other person to use the license. The application fee for a marijuana retailer's license shall be two hundred fifty dollars. The annual fee for issuance and renewal of a marijuana retailer's license shall be one thousand dollars. A separate license shall be required for each location at which a marijuana retailer intends to sell marijuana concentrates, useable marijuana, and marijuana-infused products.

**Sec. 302.** RCW 69.50.331 and 2013 c 3 s 6 are each amended to read as follows:

(1) For the purpose of considering any application for a license to produce, process, or sell marijuana, or for the renewal of a license to produce, process, or sell marijuana, the state liquor ~~((control))~~ and cannabis board must conduct a comprehensive, fair, and impartial evaluation of the applications timely received.

(a) The state liquor and cannabis board must develop a competitive, merit-based basis application process that includes at a minimum, the opportunity for an applicant to demonstrate experience and qualifications in the marijuana industry. Operating a collective garden before the effective date of this section and having a business license and a history of paying sales tax to the department of revenue may be factors used to establish the experience and qualifications of the applicant.

(b) The state liquor and cannabis board may cause an inspection of the premises to be made, and may inquire into all matters in connection with the construction and operation of the premises. For the purpose of reviewing any application for a license and for considering the denial, suspension, revocation, or renewal or denial thereof, of any license, the state liquor ~~((control))~~ and cannabis board may consider any prior criminal conduct of the applicant including an administrative violation history record with the state liquor ~~((control))~~ and cannabis board and a criminal history record information check. The state liquor ~~((control))~~ and cannabis board may submit the criminal history record information check to the Washington state patrol and to the identification division of the federal bureau of investigation in order that these agencies may search their records for prior arrests and convictions of the individual or individuals who filled out the forms. The state liquor ~~((control))~~ and cannabis board shall require fingerprinting of any applicant whose criminal history record information check is submitted to the federal bureau of investigation. The provisions of RCW 9.95.240 and of chapter 9.96A RCW shall not apply to these cases. Subject to the provisions of this section, the state liquor ~~((control))~~ and cannabis board may, in its discretion, grant or deny the renewal or license applied for. Denial may be based on, without limitation, the existence of chronic illegal activity documented in objections submitted pursuant to subsections (7)(c) and (9) of this section. Authority to approve an uncontested or unopposed license may be granted by the state liquor ~~((control))~~ and cannabis board to any staff member the board designates in writing. Conditions for granting this authority shall be adopted by rule.

(c) No license of any kind may be issued to:

~~((#))~~ (i) A person under the age of twenty-one years;

~~((#))~~ (ii) A person doing business as a sole proprietor who has not lawfully resided in the state for at least three months prior to applying to receive a license;

~~((#))~~ (iii) A partnership, employee cooperative, association, nonprofit corporation, or corporation unless formed under the laws of this state, and unless all of the members thereof are qualified to obtain a license as provided in this section; or

~~((#))~~ (iv) A person whose place of business is conducted by a manager or agent, unless the manager or agent possesses the same qualifications required of the licensee.

(2)(a) The state liquor ~~((control))~~ and cannabis board may, in its discretion, subject to the provisions of RCW 69.50.334, suspend or cancel any license; and all protections of the licensee from criminal or civil sanctions under state law for producing, processing, or selling marijuana, useable marijuana, or marijuana-infused products thereunder shall be suspended or terminated, as the case may be.

(b) The state liquor ~~((control))~~ and cannabis board shall immediately suspend the license of a person who has been certified pursuant to RCW 74.20A.320 by the department of social and health services as a person who is not in compliance with a support order. If the person has continued to meet all other requirements for reinstatement during the suspension, reissuance of the license shall be automatic upon the state liquor ~~((control))~~ and cannabis board's receipt of a release issued by the department of social and health services stating that the licensee is in compliance with the order.

(c) The state liquor ~~((control))~~ and cannabis board may request the appointment of administrative law judges under chapter 34.12 RCW who shall have power to administer oaths, issue subpoenas for the attendance of witnesses and the production of papers, books, accounts, documents, and testimony, examine witnesses, and to receive testimony in any inquiry, investigation, hearing, or proceeding in any part of the state, under rules and regulations the state liquor ~~((control))~~ and cannabis board may adopt.

(d) Witnesses shall be allowed fees and mileage each way to and from any inquiry, investigation, hearing, or proceeding at the rate authorized by RCW 34.05.446. Fees need not be paid in advance of appearance of witnesses to testify or to produce books, records, or other legal evidence.

(e) In case of disobedience of any person to comply with the order of the state liquor ~~((control))~~ and cannabis board or a subpoena issued by the state liquor ~~((control))~~ and cannabis board, or any of its members, or administrative law judges, or on the refusal of a witness to testify to any matter regarding which he or she may be lawfully interrogated, the judge of the superior court of the county in which the person resides, on application of any member of the board or administrative law judge, shall compel obedience by contempt proceedings, as in the case of disobedience of the requirements of a subpoena issued from said court or a refusal to testify therein.

(3) Upon receipt of notice of the suspension or cancellation of a license, the licensee shall forthwith deliver up the license to the state liquor ~~((control))~~ and cannabis board. Where the license has been suspended only, the state liquor ~~((control))~~ and cannabis board shall return the license to the licensee at the expiration or termination of the period of suspension. The state liquor ~~((control))~~ and cannabis board shall notify all other licensees in the county where the subject licensee has its premises of the suspension or cancellation of the license; and no other licensee or employee of another licensee may allow or cause any marijuana, useable marijuana, or marijuana-infused products to be delivered to or for any person at the premises of the subject licensee.

(4) Every license issued under chapter 3, Laws of 2013 shall be subject to all conditions and restrictions imposed by chapter 3,

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Laws of 2013 or by rules adopted by the state liquor ~~((control))~~ and cannabis board to implement and enforce chapter 3, Laws of 2013. All conditions and restrictions imposed by the state liquor ~~((control))~~ and cannabis board in the issuance of an individual license shall be listed on the face of the individual license along with the trade name, address, and expiration date.

(5) Every licensee shall post and keep posted its license, or licenses, in a conspicuous place on the premises.

(6) No licensee shall employ any person under the age of twenty-one years.

(7)(a) Before the state liquor ~~((control))~~ and cannabis board issues a new or renewed license to an applicant it shall give notice of the application to the chief executive officer of the incorporated city or town, if the application is for a license within an incorporated city or town, or to the county legislative authority, if the application is for a license outside the boundaries of incorporated cities or towns.

(b) The incorporated city or town through the official or employee selected by it, or the county legislative authority or the official or employee selected by it, shall have the right to file with the state liquor ~~((control))~~ and cannabis board within twenty days after the date of transmittal of the notice for applications, or at least thirty days prior to the expiration date for renewals, written objections against the applicant or against the premises for which the new or renewed license is asked. The state liquor ~~((control))~~ and cannabis board may extend the time period for submitting written objections.

(c) The written objections shall include a statement of all facts upon which the objections are based, and in case written objections are filed, the city or town or county legislative authority may request, and the state liquor ~~((control))~~ and cannabis board may in its discretion hold, a hearing subject to the applicable provisions of Title 34 RCW. If the state liquor ~~((control))~~ and cannabis board makes an initial decision to deny a license or renewal based on the written objections of an incorporated city or town or county legislative authority, the applicant may request a hearing subject to the applicable provisions of Title 34 RCW. If a hearing is held at the request of the applicant, state liquor ~~((control))~~ and cannabis board representatives shall present and defend the state liquor ~~((control))~~ and cannabis board's initial decision to deny a license or renewal.

(d) Upon the granting of a license under this title the state liquor ~~((control))~~ and cannabis board shall send written notification to the chief executive officer of the incorporated city or town in which the license is granted, or to the county legislative authority if the license is granted outside the boundaries of incorporated cities or towns.

(8)(a) Except as provided in (b) of this subsection, the state liquor ~~((control))~~ and cannabis board shall not issue a license for any premises within one thousand feet of the perimeter of the grounds of any elementary or secondary school, playground, recreation center or facility, child care center, public park, public transit center, or library, or any game arcade admission to which is not restricted to persons aged twenty-one years or older.

(b) If a city or county adopts an ordinance under section 701 of this act, the state liquor and cannabis board shall not issue a license if the premises violates the terms of the ordinance.

(9) In determining whether to grant or deny a license or renewal of any license, the state liquor ~~((control))~~ and cannabis board shall give substantial weight to objections from an incorporated city or town or county legislative authority based upon chronic illegal activity associated with the applicant's operations of the premises proposed to be licensed or the applicant's operation of any other licensed premises, or the

conduct of the applicant's patrons inside or outside the licensed premises. "Chronic illegal activity" means (a) a pervasive pattern of activity that threatens the public health, safety, and welfare of the city, town, or county including, but not limited to, open container violations, assaults, disturbances, disorderly conduct, or other criminal law violations, or as documented in crime statistics, police reports, emergency medical response data, calls for service, field data, or similar records of a law enforcement agency for the city, town, county, or any other municipal corporation or any state agency; or (b) an unreasonably high number of citations for violations of RCW 46.61.502 associated with the applicant's or licensee's operation of any licensed premises as indicated by the reported statements given to law enforcement upon arrest.

**Sec. 303.** RCW 69.50.342 and 2013 c 3 s 9 are each amended to read as follows:

For the purpose of carrying into effect the provisions of this chapter ((3, Laws of 2013)) according to their true intent or of supplying any deficiency therein, the state liquor ~~((control))~~ and cannabis board may adopt rules not inconsistent with the spirit of this chapter ((3, Laws of 2013)) as are deemed necessary or advisable. Without limiting the generality of the preceding sentence, the state liquor ~~((control))~~ and cannabis board is empowered to adopt rules regarding the following:

(1) The equipment and management of retail outlets and premises where marijuana is produced or processed, and inspection of the retail outlets and premises;

(2) The books and records to be created and maintained by licensees, the reports to be made thereon to the state liquor ~~((control))~~ and cannabis board, and inspection of the books and records;

(3) Methods of producing, processing, ~~((and))~~ packaging, and transporting marijuana, useable marijuana, marijuana concentrates, immature plants, and marijuana-infused products; conditions of sanitation; safe handling requirements; and standards of ingredients, quality, and identity of marijuana, useable marijuana, marijuana concentrates, immature plants, and marijuana-infused products produced, processed, packaged, or sold by licensees;

(4) Security requirements for retail outlets and premises where marijuana is produced or processed, and safety protocols for licensees and their employees;

(5) Security requirements for marijuana distributor and marijuana delivery licensees, and safety protocols for these licensees and their employees;

(6) Screening, hiring, training, and supervising employees of licensees;

~~((6))~~ (7) Retail outlet locations and hours of operation;

~~((7))~~ (8) Labeling requirements and restrictions on advertisement of marijuana, useable marijuana, marijuana concentrates, and marijuana-infused products for sale in retail outlets;

~~((8))~~ (9) Forms to be used for purposes of this chapter ((3, Laws of 2013)) or the rules adopted to implement and enforce it, the terms and conditions to be contained in licenses issued under this chapter ((3, Laws of 2013)), and the qualifications for receiving a license issued under this chapter ((3, Laws of 2013)), including a criminal history record information check. The state liquor ~~((control))~~ and cannabis board may submit any criminal history record information check to the Washington state patrol and to the identification division of the federal bureau of investigation in order that these agencies may search their records for prior arrests and convictions of the individual or individuals who filled out the forms. The state liquor ~~((control))~~ and cannabis board shall require fingerprinting of any applicant whose criminal

history record information check is submitted to the federal bureau of investigation;

~~((9))~~ (10) Application, reinstatement, and renewal fees for licenses issued under this chapter (~~(3, Laws of 2013)~~), and fees for anything done or permitted to be done under the rules adopted to implement and enforce this chapter (~~(3, Laws of 2013)~~);

~~((10))~~ (11) The manner of giving and serving notices required by this chapter (~~(3, Laws of 2013)~~) or rules adopted to implement or enforce it;

~~((11))~~ (12) Times and periods when, and the manner, methods, and means by which, licensees shall transport and deliver marijuana, marijuana concentrates, immature or mature plants, useable marijuana, and marijuana-infused products within the state;

~~((12))~~ (13) Identification, seizure, confiscation, destruction, or donation to law enforcement for training purposes of all marijuana, marijuana concentrates, immature or mature plants, useable marijuana, and marijuana-infused products produced, processed, sold, or offered for sale within this state which do not conform in all respects to the standards prescribed by this chapter (~~(3, Laws of 2013)~~) or the rules adopted to implement and enforce ~~((it: PROVIDED, That nothing in chapter 3, Laws of 2013 shall be construed as authorizing the state liquor control board to seize, confiscate, destroy, or donate to law enforcement marijuana, useable marijuana, or marijuana infused products produced, processed, sold, offered for sale, or possessed in compliance with the Washington state medical use of cannabis act, chapter 69.51A RCW))~~ this chapter.

**Sec. 304.** RCW 69.50.345 and 2013 c 3 s 10 are each amended to read as follows:

The state liquor ~~((control))~~ and cannabis board, subject to the provisions of this chapter (~~(3, Laws of 2013)~~), must adopt rules ~~((by December 1, 2013,))~~ that establish the procedures and criteria necessary to implement the following:

(1) Licensing of marijuana producers, marijuana processors, and marijuana retailers, including prescribing forms and establishing application, reinstatement, and renewal fees, Application forms for marijuana producers must request the applicant to state whether the applicant intends to produce medical grade marijuana for sale by marijuana retailers who hold medical marijuana endorsements and the amount of or percentage of canopy the applicant intends to commit to growing medical grade marijuana;

(2) Reconsidering limits on the amount of square feet permitted to be in production on the effective date of this section and increasing the percentage of production space for those marijuana producers who intend to grow medical grade marijuana if the marijuana producer designates the increased production space to medical grade marijuana. If current marijuana producers do not use all the increased production space, the state liquor and cannabis board may reopen the license period for new marijuana producer license applicants but only to those marijuana producers who agree to grow medical grade marijuana for medical marijuana endorsed retail outlets;

~~((2))~~ (3) Determining, in consultation with the office of financial management, the maximum number of retail outlets that may be licensed in each county, taking into consideration:

(a) Population distribution;

(b) Security and safety issues; ~~((and))~~

(c) The provision of adequate access to licensed sources of marijuana concentrates, useable marijuana, and marijuana-infused products to discourage purchases from the illegal market; and

(d) The number of retail outlets holding medical marijuana endorsements necessary to meet the medical needs of qualifying patients. The state liquor and cannabis board must reconsider the

maximum number of retail outlets it established before the effective date of this section and allow for a new license application period and a greater number of retail outlets to be permitted in order to accommodate the medical needs of qualifying patients and designated providers;

~~((3))~~ (4) Determining the maximum quantity of marijuana a marijuana producer may have on the premises of a licensed location at any time without violating Washington state law;

~~((4))~~ (5) Determining the maximum quantities of marijuana, marijuana concentrates, useable marijuana, and marijuana-infused products a marijuana processor may have on the premises of a licensed location at any time without violating Washington state law;

~~((5))~~ (6) Determining the maximum quantities of marijuana concentrates, useable marijuana, and marijuana-infused products a marijuana retailer may have on the premises of a retail outlet at any time without violating Washington state law;

~~((6))~~ (7) In making the determinations required by ~~((subsections (3) through (5) of))~~ this section, the state liquor ~~((control))~~ and cannabis board shall take into consideration:

(a) Security and safety issues;

(b) The provision of adequate access to licensed sources of marijuana, marijuana concentrates, useable marijuana, and marijuana-infused products to discourage purchases from the illegal market; and

(c) Economies of scale, and their impact on licensees' ability to both comply with regulatory requirements and undercut illegal market prices;

~~((7))~~ (8) Determining the nature, form, and capacity of all containers to be used by licensees to contain marijuana, marijuana concentrates, useable marijuana, and marijuana-infused products, and their labeling requirements, to include but not be limited to:

(a) The business or trade name and Washington state unified business identifier number of the licensees that grew, processed, and sold the marijuana, marijuana concentrates, useable marijuana, or marijuana-infused product;

(b) Lot numbers of the marijuana, marijuana concentrates, useable marijuana, or marijuana-infused product;

(c) THC concentration of the marijuana, marijuana concentrates, useable marijuana, or marijuana-infused product;

(d) Medically and scientifically accurate information about the health and safety risks posed by marijuana use; and

(e) Language required by RCW 69.04.480;

~~((8))~~ (9) In consultation with the department of agriculture, establishing classes of marijuana, marijuana concentrates, useable marijuana, and marijuana-infused products according to grade, condition, cannabinoid profile, THC concentration, or other qualitative measurements deemed appropriate by the state liquor ~~((control))~~ and cannabis board;

~~((9))~~ (10) Establishing reasonable time, place, and manner restrictions and requirements regarding advertising of marijuana, marijuana concentrates, useable marijuana, and marijuana-infused products that are not inconsistent with the provisions of this chapter (~~(3, Laws of 2013)~~), taking into consideration:

(a) Federal laws relating to marijuana that are applicable within Washington state;

(b) Minimizing exposure of people under twenty-one years of age to the advertising; ~~((and))~~

(c) The inclusion of medically and scientifically accurate information about the health and safety risks posed by marijuana use in the advertising; and

(d) Ensuring that retail outlets with medical marijuana endorsements may advertise themselves as medical retail outlets;

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~~((10))~~ (11) Specifying and regulating the time and periods when, and the manner, methods, and means by which, licensees shall transport and deliver marijuana, marijuana concentrates, useable marijuana, and marijuana-infused products within the state;

~~((11))~~ (12) In consultation with the department and the department of agriculture, establishing accreditation requirements for testing laboratories used by licensees to demonstrate compliance with standards adopted by the state liquor ~~((control))~~ and cannabis board, and prescribing methods of producing, processing, and packaging marijuana, marijuana concentrates, useable marijuana, and marijuana-infused products; conditions of sanitation; and standards of ingredients, quality, and identity of marijuana, marijuana concentrates, useable marijuana, and marijuana-infused products produced, processed, packaged, or sold by licensees;

~~((12))~~ (13) Specifying procedures for identifying, seizing, confiscating, destroying, and donating to law enforcement for training purposes all marijuana, marijuana concentrates, useable marijuana, and marijuana-infused products produced, processed, packaged, labeled, or offered for sale in this state that do not conform in all respects to the standards prescribed by this chapter ~~((3, Laws of 2013))~~ or the rules of the state liquor ~~((control))~~ and cannabis board.

**Sec. 305.** RCW 69.50.348 and 2013 c 3 s 11 are each amended to read as follows:

(1) On a schedule determined by the state liquor ~~((control))~~ and cannabis board, every licensed marijuana producer and processor must submit representative samples of marijuana, marijuana concentrates, useable marijuana, or marijuana-infused products produced or processed by the licensee to an independent, third-party testing laboratory meeting the accreditation requirements established by the state liquor ~~((control))~~ and cannabis board, for inspection and testing to certify compliance with standards adopted by the state liquor ~~((control))~~ and cannabis board. Any sample remaining after testing shall be destroyed by the laboratory or returned to the licensee.

(2) Licensees must submit the results of this inspection and testing to the state liquor ~~((control))~~ and cannabis board on a form developed by the state liquor ~~((control))~~ and cannabis board.

(3) If a representative sample inspected and tested under this section does not meet the applicable standards adopted by the state liquor ~~((control))~~ and cannabis board, the entire lot from which the sample was taken must be destroyed.

**Sec. 306.** RCW 69.50.351 and 2013 c 3 s 12 are each amended to read as follows:

Except as provided by chapter 42.52 RCW, no member of the state liquor ~~((control))~~ and cannabis board and no employee of the state liquor ~~((control))~~ and cannabis board shall have any interest, directly or indirectly, in the producing, processing, or sale of marijuana, marijuana concentrates, useable marijuana, immature plants, or marijuana-infused products, or derive any profit or remuneration from the sale of marijuana, marijuana concentrates, useable marijuana, immature plants, or marijuana-infused products other than the salary or wages payable to him or her in respect of his or her office or position, and shall receive no gratuity from any person in connection with the business.

**Sec. 307.** RCW 69.50.354 and 2014 c 192 s 3 are each amended to read as follows:

There may be licensed, in no greater number in each of the counties of the state than as the state liquor ~~((control))~~ and cannabis board shall deem advisable, retail outlets established for the purpose of making marijuana concentrates, immature plants,

useable marijuana, and marijuana-infused products available for sale to adults aged twenty-one and over. Retail sale of marijuana concentrates, immature plants, useable marijuana, and marijuana-infused products in accordance with ~~((the provisions of))~~ this chapter ~~((3, Laws of 2013))~~ and the rules adopted to implement and enforce it, by a validly licensed marijuana retailer or retail outlet employee, shall not be a criminal or civil offense under Washington state law.

**NEW SECTION. Sec. 308.** A new section is added to chapter 69.50 RCW to read as follows:

(1) A medical marijuana endorsement to a marijuana retail license is hereby established to permit a marijuana retailer to sell medical grade marijuana to persons over the age of twenty-one or to persons holding waiver cards as provided in sections 602 and 603 of this act.

(2) An applicant may apply for a medical marijuana endorsement concurrently with an application for a marijuana retail license.

(3) To be issued an endorsement, a marijuana retailer must:

(a) Not authorize the medical use of marijuana for qualifying patients at the retail outlet or permit health care professionals to authorize the medical use of marijuana for qualifying patients at the retail outlet;

(b) Carry medical grade marijuana identified by the state liquor and cannabis board under subsection (5) of this section;

(c) Not use labels or market marijuana concentrates, useable marijuana, immature plants, or marijuana-infused products in a way that make them intentionally attractive to minors;

(d) Keep copies of the qualifying patient's or designated provider's waiver card, or keep equivalent records as required by rule of the state liquor and cannabis board or the department of revenue to document the validity of tax exempt sales under RCW 69.50.535; and

(e) Meet other requirements as adopted by rule of the department or the state liquor and cannabis board.

(4) A marijuana retailer holding a medical marijuana endorsement may sell or provide at no charge products with a THC concentration of 0.3 percent or less to qualifying patients or designated providers who possess valid waiver cards.

(5) The state liquor and cannabis board must, in consultation with the department and the department of agriculture, establish a medical grade standard and identify medical grade marijuana products that may be sold to qualifying patients or designated providers under a medical marijuana endorsement. These rules must include:

(a) THC concentration, CBD concentration, and THC to CBD ratios appropriate for marijuana concentrates, immature plants, useable marijuana, or marijuana-infused products sold to qualifying patients;

(b) Labeling requirements for medical grade marijuana;

(c) The number and type of medical grade marijuana products that must be offered at medical marijuana endorsed stores;

(d) Safe handling requirements for products intended for medical use;

(e) Laboratory testing requirements for products intended for medical use to ensure medical grade marijuana products meet the medical grade standard, including requirements for molds, pesticides, and other contaminants; and

(f) Other product requirements the state liquor and cannabis board determines necessary to address the medical needs of qualifying patients.

(6) A marijuana retailer holding an endorsement to sell medical grade marijuana to qualifying patients must train its employees on recognition of valid waiver cards as well as strains,

varieties, THC concentration, CBD concentration, and THC to CBD ratios of marijuana concentrates, useable marijuana, and marijuana-infused products, available for sale when assisting qualifying patients and designated providers at the retail outlet. To meet the requirements of this subsection, the marijuana retailer may employ a medical marijuana consultant, certified by the department under section 611 of this act. The medical marijuana consultant must be available on the retail outlet premises during business hours to provide advice to consumers on the potential medical benefits of marijuana.

**Sec. 309.** RCW 69.50.357 and 2014 c 192 s 4 are each amended to read as follows:

(1)(a) Retail outlets ~~((shall))~~ may sell ~~((no products or services other than))~~ marijuana concentrates, useable marijuana, marijuana-infused products, ~~((or))~~ immature plants, products containing THC with a THC concentration of 0.3 percent or less, and other nonedible consumer goods including, but not limited to, clothing with the retail outlet's name or logo on it. Retail outlets may also sell paraphernalia intended for the storage or use of marijuana concentrates, useable marijuana, or marijuana-infused products.

(b) Retail outlets shall not sell liquor, as that term is defined in RCW 66.04.010.

(c) The state liquor and cannabis board may adopt rules on nonedible consumer goods that may not be sold in retail outlets, including prohibiting consumer goods that are intended for use by persons under the age of eighteen.

(2) Licensed marijuana retailers shall not employ persons under twenty-one years of age or allow persons under twenty-one years of age to enter or remain on the premises of a retail outlet. However, qualifying patients between eighteen and twenty-one years of age who hold waiver cards may enter and remain on the premises of a retail outlet holding a medical marijuana endorsement and may purchase products for their personal medical use.

(3)(a) Licensed marijuana retailers must ensure that all employees are trained on the rules adopted to implement this chapter, identification of persons under the age of twenty-one, and other requirements adopted by the state liquor and cannabis board to ensure that persons under the age of twenty-one are not permitted to enter or remain on the premises of a retail outlet.

(b) Licensed marijuana retailers with a medical marijuana endorsement must ensure that all employees are trained on the subjects required by (a) of this subsection as well as identification of waiver cards issued under section 602 of this act. Employees must also be trained to permit qualifying patients who hold waiver cards and are between the ages of eighteen and twenty-one to enter the premises and purchase marijuana for their personal medical use.

~~((3))~~ (4) Licensed marijuana retailers shall not display any signage in a window, on a door, or on the outside of the premises of a retail outlet that is visible to the general public from a public right-of-way, other than a single sign no larger than one thousand six hundred square inches identifying the retail outlet by the licensee's business or trade name. Retail outlets that hold medical marijuana endorsements may include this information on signage.

~~((4))~~ (5) Licensed marijuana retailers shall not display marijuana concentrates, immature plants, useable marijuana, or marijuana-infused products in a manner that is visible to the general public from a public right-of-way.

~~((5))~~ (6) No licensed marijuana retailer or employee of a retail outlet shall open or consume, or allow to be opened or consumed, any marijuana concentrates, useable marijuana, or marijuana-infused product on the outlet premises.

~~((6))~~ (7) The state liquor ~~((control))~~ and cannabis board shall fine a licensee one thousand dollars for each violation of any subsection of this section. Fines collected under this section must be deposited into the dedicated marijuana fund created under RCW 69.50.530.

**Sec. 310.** RCW 69.50.360 and 2014 c 192 s 5 are each amended to read as follows:

The following acts, when performed by a validly licensed marijuana retailer or employee of a validly licensed retail outlet in compliance with rules adopted by the state liquor ~~((control))~~ and cannabis board to implement and enforce this chapter ~~((3, Laws of 2013))~~, shall not constitute criminal or civil offenses under Washington state law:

(1) Purchase and receipt of marijuana concentrates, useable marijuana, immature plants, or marijuana-infused products that have been properly packaged and labeled from a marijuana processor validly licensed under this chapter ~~((3, Laws of 2013))~~;

(2) Possession of quantities of marijuana concentrates, useable marijuana, immature plants, or marijuana-infused products that do not exceed the maximum amounts established by the state liquor ~~((control))~~ and cannabis board under RCW 69.50.345~~((5))~~ (6); ~~((and))~~

(3) Delivery, distribution, and sale, on the premises of the retail outlet, of any combination of the following amounts of marijuana concentrates, useable marijuana, immature plants, or marijuana-infused product to any person twenty-one years of age or older:

(a) One ounce of useable marijuana;

(b) Sixteen ounces of marijuana-infused product in solid form;

(c) Seventy-two ounces of marijuana-infused product in liquid form; ~~((or))~~

(d) Seven grams of marijuana concentrate; or

(e) Six immature plants; and

(4) Resale or return of mature plants to a marijuana producer or marijuana processor.

**NEW SECTION. Sec. 311.** The department of health must develop recommendations on establishing medical marijuana specialty clinics that would allow for the authorization and dispensing of marijuana to patients of health care professionals who work on-site of the clinic and who are certified by the department of health in the medical use of marijuana.

Recommendations must be reported to the chairs of the health care committees of both the house of representatives and the senate by December 1, 2015.

**NEW SECTION. Sec. 312.** A new section is added to chapter 69.50 RCW to read as follows:

(1) There shall be a marijuana research license that permits a licensee to produce and possess marijuana for the following limited research purposes:

(a) To test chemical potency and composition levels;

(b) To conduct clinical investigations of marijuana-derived drug products;

(c) To conduct research on the efficacy and safety of administering marijuana as part of medical treatment; and

(d) To conduct genomic or agricultural research.

(2) As part of the application process for a marijuana research license, an applicant must submit to the life sciences discovery fund authority a description of the research that is intended to be conducted. The life sciences discovery fund authority must review the project and determine that it meets the requirements of subsection (1) of this section. If the life sciences discovery fund authority determines that the research project does not meet the requirements of subsection (1) of this section, the application must be denied.

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(3) A marijuana research licensee may only sell marijuana grown or within its operation to other marijuana research licensees. The state liquor and cannabis board may revoke a marijuana research license for violations of this subsection.

(4) A marijuana research licensee may contract with the University of Washington or Washington State University to perform research in conjunction with the university. All research projects must be approved by the life sciences discovery fund authority and meet the requirements of subsection (1) of this section.

(5) In establishing a marijuana research license, the state liquor and cannabis board may adopt rules on the following:

- (a) Application requirements;
- (b) Marijuana research license renewal requirements, including whether additional research projects may be added or considered;
- (c) Conditions for license revocation;
- (d) Security measures to ensure marijuana is not diverted to purposes other than research;
- (e) Amount of plants, useable marijuana, marijuana concentrates, or marijuana-infused products a licensee may have on its premises;
- (f) Licensee reporting requirements;
- (g) Conditions under which marijuana grown by marijuana processors may be donated to marijuana research licensees; and
- (h) Additional requirements deemed necessary by the state liquor and cannabis board.

(6) The production, possession, delivery, donation, and sale of marijuana in accordance with this section and the rules adopted to implement and enforce it, by a validly licensed marijuana researcher, shall not be a criminal or civil offense under Washington state law. Every marijuana research license shall be issued in the name of the applicant, shall specify the location at which the marijuana researcher intends to operate, which must be within the state of Washington, and the holder thereof shall not allow any other person to use the license.

(7) The application fee for a marijuana research license is two hundred fifty dollars. The annual fee for issuance and renewal of a marijuana research license is one thousand dollars. Fifty percent of the application fee and the renewal fee must be deposited to the life sciences discovery fund under RCW 43.350.070.

**Sec. 313.** RCW 28B.20.502 and 2011 c 181 s 1002 are each amended to read as follows:

(1) The University of Washington and Washington State University may conduct scientific research on the efficacy and safety of administering ~~((cannabis))~~ marijuana as part of medical treatment. As part of this research, the University of Washington and Washington State University may develop and conduct studies to ascertain the general medical safety and efficacy of ~~((cannabis))~~ marijuana, and may develop medical guidelines for the appropriate administration and use of ~~((cannabis))~~ marijuana.

(2) The University of Washington and Washington State University may, in accordance with section 312 of this act, contract with marijuana research licensees to conduct research permitted under this section and section 312 of this act.

**Sec. 314.** RCW 43.350.030 and 2005 c 424 s 4 are each amended to read as follows:

In addition to other powers and duties prescribed in this chapter, the authority is empowered to:

(1) Use public moneys in the life sciences discovery fund, leveraging those moneys with amounts received from other public and private sources in accordance with contribution agreements, to promote life sciences research;

(2) Solicit and receive gifts, grants, and bequests, and enter into contribution agreements with private entities and public entities other than the state to receive moneys in consideration of the authority's promise to leverage those moneys with amounts received through appropriations from the legislature and contributions from other public entities and private entities, in order to use those moneys to promote life sciences research. Nonstate moneys received by the authority for this purpose shall be deposited in the life sciences discovery fund created in RCW 43.350.070;

(3) Hold funds received by the authority in trust for their use pursuant to this chapter to promote life sciences research;

(4) Manage its funds, obligations, and investments as necessary and as consistent with its purpose including the segregation of revenues into separate funds and accounts;

(5) Make grants to entities pursuant to contract for the promotion of life sciences research to be conducted in the state. Grant agreements shall specify deliverables to be provided by the recipient pursuant to the grant. The authority shall solicit requests for funding and evaluate the requests by reference to factors such as: (a) The quality of the proposed research; (b) its potential to improve health outcomes, with particular attention to the likelihood that it will also lower health care costs, substitute for a more costly diagnostic or treatment modality, or offer a breakthrough treatment for a particular disease or condition; (c) its potential for leveraging additional funding; (d) its potential to provide health care benefits or benefit human learning and development; (e) its potential to stimulate the health care delivery, biomedical manufacturing, and life sciences related employment in the state; (f) the geographic diversity of the grantees within Washington; (g) evidence of potential royalty income and contractual means to recapture such income for purposes of this chapter; and (h) evidence of public and private collaboration;

(6) Create one or more advisory boards composed of scientists, industrialists, and others familiar with life sciences research; ~~((and))~~

(7) Review and approve or disapprove marijuana research license applications under section 312 of this act;

(8) Review any reports made by marijuana research licensees under state liquor and cannabis board rule and provide the state liquor and cannabis board with its determination on whether the research project continues to meet research qualifications under section 312(1) of this act; and

(9) Adopt policies and procedures to facilitate the orderly process of grant application, review, and reward.

**NEW SECTION. Sec. 315.** A new section is added to chapter 42.56 RCW to read as follows:

Reports submitted by marijuana research licensees in accordance with rules adopted by the state liquor and cannabis board under section 312 of this act that contain proprietary information are exempt from disclosure under this chapter.

**NEW SECTION. Sec. 316.** A new section is added to chapter 69.50 RCW to read as follows:

(1) There shall be a marijuana distribution license that permits a licensee to transport:

(a) Marijuana and immature plants from marijuana producers to marijuana processors and other marijuana producers;

(b) Marijuana concentrates, useable marijuana, immature plants, and marijuana-infused products from marijuana processors to marijuana retailers and other marijuana processors;

(c) Plants from marijuana retailers that are being returned to marijuana producers or marijuana processors;

(d) Marijuana grown by marijuana researchers that are being sold to other marijuana researchers; and

(e) Cash and receipts from marijuana producers, marijuana processors, and marijuana retailers to a financial institution.

(2) The state liquor and cannabis board must adopt rules to implement this section. The rules must address, at a minimum, the following:

(a) Hours during which marijuana distribution licensees may deliver marijuana, plants, marijuana concentrates, marijuana-infused products, useable marijuana, and cash and receipts;

(b) Safety standards for marijuana distribution licensees, including requirements relating to the size of the delivery vehicle and what signage is permissible on the vehicle;

(c) Background check requirements for marijuana distribution licensees;

(d) Insurance or bonding requirements for marijuana distribution licensees;

(e) License fees; and

(f) License renewals and suspensions.

(3) Other than remuneration for services rendered, marijuana distribution licensees may not have a financial interest in a marijuana producer, processor, retailer, or research licensee.

(4) The possession and delivery of marijuana in accordance with this section and the rules adopted to implement and enforce it, by a marijuana distribution licensee, shall not be a criminal or civil offense under Washington state law. Every marijuana distribution license shall be issued in the name of the applicant, shall specify a permanent physical location out of which the marijuana distribution licensee intends to operate, which must be within the state of Washington, and the holder thereof shall not allow any other person to use the license.

**NEW SECTION. Sec. 317.** A new section is added to chapter 69.50 RCW to read as follows:

(1) There shall be a marijuana delivery license that permits a licensee to transport marijuana concentrates, immature plants, marijuana-infused products, and useable marijuana from a marijuana retailer to a marijuana consumer.

(2) The state liquor and cannabis board must adopt rules to implement this section. The rules must address, at a minimum, the following:

(a) Hours during which marijuana delivery licensees may deliver marijuana concentrates, immature plants, marijuana-infused products, and useable marijuana;

(b) Safety standards for marijuana delivery licensees, including requirements related to the delivery vehicle and what signage is permissible on the vehicle;

(c) Marijuana delivery licensee identification requirements;

(d) Background check requirements for marijuana delivery licensees;

(e) Insurance or bonding requirements for marijuana delivery licensees;

(f) License fees; and

(g) License renewals and suspensions.

(3) Other than remuneration for services rendered, marijuana delivery licensees may not have a financial interest in a marijuana retailer.

(4) The possession and delivery of marijuana in accordance with this section and the rules adopted to implement and enforce it, by a marijuana delivery licensee, shall not be a criminal or civil offense under Washington state law. Every marijuana delivery license shall be issued in the name of the applicant, shall specify a permanent physical location out of which the marijuana delivery licensee intends to operate, which must be within the state of Washington, and the holder thereof shall not allow any other person to use the license.

#### Part IV - Tax Provisions

**NEW SECTION. Sec. 401.** A new section is added to chapter 82.08 RCW to read as follows:

(1) The tax levied by RCW 82.08.020 shall not apply to:

(a) Sales of marijuana concentrates, useable marijuana, immature plants, or marijuana-infused products with a low THC, high CBD ratio, as established by the department of health under section 308 of this act, by marijuana retailers;

(b) Beginning July 1, 2015, sales of medical grade marijuana, or products containing THC with a THC concentration of 0.3 percent or less by marijuana retailers who hold medical marijuana endorsements under section 308 of this act to qualifying patients or designated providers who hold medical marijuana waiver cards; or

(c) Until September 1, 2015, sales of marijuana concentrates, useable marijuana, marijuana-infused products, or products containing THC with a THC concentration of 0.3 percent or less by collective gardens under RCW 69.51A.085.

(2) Each seller making exempt sales under subsection (1) of this section must maintain information establishing the purchaser's eligibility for the exemption in the form and manner required by the department.

(3) For the purposes of this section, the terms "THC concentration," "marijuana concentrates," "useable marijuana," "marijuana-infused products," and "marijuana retailers" have the meanings provided in RCW 69.50.101 and the terms "qualifying patients," "designated providers," "medical grade marijuana," and "waiver card" have the meanings provided in RCW 69.51A.010.

**NEW SECTION. Sec. 402.** A new section is added to chapter 82.12 RCW to read as follows:

(1) The provisions of this chapter do not apply to:

(a) The use of marijuana concentrates, useable marijuana, immature plants, or marijuana-infused products with a low THC, high CBD ratio, as established by the department of health in section 308 of this act;

(b) The use of marijuana concentrates, useable marijuana, marijuana-infused products, or products containing THC with a THC concentration of 0.3 percent or less in compliance with chapters 69.50 and 69.51A RCW by:

(i) Until September 1, 2015, collective gardens under RCW 69.51A.085 and the qualifying patients participating in the collective gardens;

(ii) Beginning July 1, 2015, qualifying patients or designated providers who hold medical marijuana waiver cards; or

(iii) Beginning July 1, 2015, marijuana retailers who hold a medical marijuana endorsement under chapter 69.50 RCW with respect to medical grade marijuana, or products containing THC with a THC concentration of 0.3 percent or less if such marijuana or product is provided at no charge to a qualifying patient or designated provider who holds a valid waiver card. Each such retailer providing such marijuana or product at no charge must maintain information establishing eligibility for this exemption in the form and manner required by the department.

(2) For the purposes of this section, the terms "THC concentration," "marijuana concentrates," "useable marijuana," "marijuana-infused products," and "marijuana retailers" have the meanings provided in RCW 69.50.101 and the terms "qualifying patients," "designated providers," "medical grade marijuana," and "waiver card" have the meanings provided in RCW 69.51A.010.

**NEW SECTION. Sec. 403.** (1) The legislature finds marijuana use for qualifying patients is a valid and necessary option health care professionals may recommend for their patients. The legislature further finds that qualifying patients benefit from a wide range of products, but products with a low THC, high CBD ratio are of particular use to persons seeking

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marijuana for medical use and these products are least likely to be purchased by recreational users. Acknowledging that the implementation of this act may result in changes to how qualifying patients access medical marijuana, the legislature intends to ease the transition towards a regulated market and provide a statutory means for an adequate, safe, consistent, and secure source of marijuana for qualifying patients. Therefore, the legislature intends to provide all people who seek to purchase marijuana products with a low THC, high CBD ratio with a retail sales and use tax exemption. Also recognizing that the medical needs of all patients may not be met through purchase of low THC, high CBD products, the legislature intends to provide qualifying patients who are approved for a waiver from the department of health with a retail sales and use tax exemption on purchases of marijuana for medical use. Because marijuana is neither a prescription medicine nor an over-the-counter medication, this policy should in no way be construed as precedence for changes in the treatment of prescription medications or over-the-counter medications.

(2)(a) This section is the tax preference performance statement for the retail sales and use tax exemptions for marijuana concentrates, useable marijuana, immature plants, and marijuana-infused products purchased by qualifying patients and designated providers provided in sections 401 and 402 of this act. The performance statement is only intended to be used for subsequent evaluation of the tax preference. It is not intended to create a private right of action by any party or be used to determine eligibility for preferential tax treatment.

(b) The legislature categorizes the tax preference as one intended to accomplish the general purposes indicated in RCW 82.32.808(2)(e).

(c) It is the legislature's specific public policy objective to provide qualifying patients and designated providers a retail sales and use tax exemption on purchases of marijuana concentrates, useable marijuana, and marijuana-infused products for medical use when approved for a waiver by the department of health and for all people purchasing products with a low THC, high CBD ratio.

(d) To measure the effectiveness of the exemption provided in this act in achieving the specific public policy objectives described in (c) of this subsection, the joint legislative audit and review committee must evaluate the actual fiscal impact of the sales and use tax exemption in this act compared to the estimated impact in the fiscal note for this act.

#### Part V – Penalties

**Sec. 501.** RCW 69.50.401 and 2013 c 3 s 19 are each amended to read as follows:

(1) Except as authorized by this chapter, it is unlawful for any person to manufacture, deliver, or possess with intent to manufacture or deliver, a controlled substance.

(2) Any person who violates this section with respect to:

(a) A controlled substance classified in Schedule I or II which is a narcotic drug or flunitrazepam, including its salts, isomers, and salts of isomers, classified in Schedule IV, is guilty of a class B felony and upon conviction may be imprisoned for not more than ten years, or (i) fined not more than twenty-five thousand dollars if the crime involved less than two kilograms of the drug, or both such imprisonment and fine; or (ii) if the crime involved two or more kilograms of the drug, then fined not more than one hundred thousand dollars for the first two kilograms and not more than fifty dollars for each gram in excess of two kilograms, or both such imprisonment and fine;

(b) Amphetamine, including its salts, isomers, and salts of isomers, or methamphetamine, including its salts, isomers, and salts of isomers, is guilty of a class B felony and upon conviction

may be imprisoned for not more than ten years, or (i) fined not more than twenty-five thousand dollars if the crime involved less than two kilograms of the drug, or both such imprisonment and fine; or (ii) if the crime involved two or more kilograms of the drug, then fined not more than one hundred thousand dollars for the first two kilograms and not more than fifty dollars for each gram in excess of two kilograms, or both such imprisonment and fine. Three thousand dollars of the fine may not be suspended. As collected, the first three thousand dollars of the fine must be deposited with the law enforcement agency having responsibility for cleanup of laboratories, sites, or substances used in the manufacture of the methamphetamine, including its salts, isomers, and salts of isomers. The fine moneys deposited with that law enforcement agency must be used for such clean-up cost;

(c) Any other controlled substance classified in Schedule I, II, or III, is guilty of a class C felony punishable according to chapter 9A.20 RCW;

(d) A substance classified in Schedule IV, except flunitrazepam, including its salts, isomers, and salts of isomers, is guilty of a class C felony punishable according to chapter 9A.20 RCW; or

(e) A substance classified in Schedule V, is guilty of a class C felony punishable according to chapter 9A.20 RCW.

(3) The production, manufacture, processing, packaging, delivery, distribution, sale, or possession of marijuana in compliance with the terms set forth in ~~((RCW 69.50.360, 69.50.363, or 69.50.366))~~ this chapter or chapter 69.51A RCW shall not constitute a violation of this section, this chapter, or any other provision of Washington state law.

**Sec. 502.** RCW 69.50.4013 and 2013 c 3 s 20 are each amended to read as follows:

(1) It is unlawful for any person to possess a controlled substance unless the substance was obtained directly from, or pursuant to, a valid prescription or order of a practitioner while acting in the course of his or her professional practice, or except as otherwise authorized by this chapter.

(2) Except as provided in RCW 69.50.4014, any person who violates this section is guilty of a class C felony punishable under chapter 9A.20 RCW.

(3) ~~((The possession, by a person twenty-one years of age or older, of))~~ It is not a violation of this section, this chapter, or any other provision of Washington state law for a person twenty-one years of age or older to possess marijuana concentrates, useable marijuana, plants, or marijuana-infused products in amounts that do not exceed ((those set forth in RCW 69.50.360(3)) is not a violation of this section, this chapter, or any other provision of Washington state law));

(a) One ounce of useable marijuana. If the person grows his or her own plants, the amount not to be exceeded is eight ounces of useable marijuana;

(b) Sixteen ounces of marijuana-infused product in solid form;

(c) Seventy-two ounces of marijuana-infused product in liquid form;

(d) Seven grams of marijuana concentrate; or

(e) Six plants.

(4) It is not a violation of this section, this chapter, or any other provision of Washington state law for a qualifying patient or designated provider to possess marijuana concentrates, useable marijuana, plants, or marijuana-infused products in amounts that do not exceed the amounts described in subsection (3) of this section or a greater amount authorized in accordance with section 602 of this act.

(5) It is not a violation of this section, this chapter, or any other provision of Washington state law for a person to:

(a) Transport immature plants from a marijuana retailer to his or her domicile, or to possess mature plants in the person's domicile; or

(b) To share up to one ounce of useable marijuana with another person; remuneration for the provision of this marijuana is prohibited.

#### Part VI - Medical Use of Marijuana

**Sec. 601.** RCW 69.51A.030 and 2011 c 181 s 301 are each amended to read as follows:

(1) The following acts do not constitute crimes under state law or unprofessional conduct under chapter 18.130 RCW, and a health care professional may not be arrested, searched, prosecuted, disciplined, or subject to other criminal sanctions or civil consequences or liability under state law, or have real or personal property searched, seized, or forfeited pursuant to state law, notwithstanding any other provision of law as long as the health care professional complies with subsection (2) of this section:

(a) Advising a patient about the risks and benefits of medical use of ~~((cannabis))~~ marijuana or that the patient may benefit from the medical use of ~~((cannabis))~~ marijuana; or

~~(b) Providing ((a patient meeting the criteria established under RCW 69.51A.010(26) with valid documentation, based upon the health care professional's assessment of the patient's medical history and current medical condition, where such use is within a professional standard of care or in the individual health care professional's medical judgment)) information to the department in order to verify that an applicant for a waiver has been diagnosed by the health care professional with a terminal or debilitating medical condition.~~

~~(2)((a) A health care professional may only provide a patient with valid documentation authorizing the medical use of cannabis or register the patient with the registry established in section 901 of this act if he or she has a newly initiated or existing documented relationship with the patient, as a primary care provider or a specialist, relating to the diagnosis and ongoing treatment or monitoring of the patient's terminal or debilitating medical condition, and only after:~~

~~(i) Completing a physical examination of the patient as appropriate, based on the patient's condition and age;~~

~~(ii) Documenting the terminal or debilitating medical condition of the patient in the patient's medical record and that the patient may benefit from treatment of this condition or its symptoms with medical use of cannabis;~~

~~(iii) Informing the patient of other options for treating the terminal or debilitating medical condition; and~~

~~(iv) Documenting other measures attempted to treat the terminal or debilitating medical condition that do not involve the medical use of cannabis.~~

~~(b)) A health care professional who advises a patient on the risks or benefits of the medical use of marijuana shall not:~~

~~((i) Accept, solicit, or offer any form of pecuniary remuneration from or to a licensed dispenser, licensed producer, or licensed processor of cannabis products;~~

~~((ii)) (a) Offer a discount or any other thing of value to a qualifying patient who is a customer of, or agrees to be a customer of, a particular ((licensed dispenser, licensed producer, or licensed processor of cannabis products)) marijuana retailer;~~

~~((iii)) (b) Examine or offer to examine a patient for purposes of diagnosing a terminal or debilitating medical condition and agreeing to verify this condition with the department at a location where ~~((cannabis))~~ marijuana is produced, processed, or dispensed; or~~

~~((iv)) (c) Have a business or practice which consists ~~((solely))~~ primarily of authorizing the medical use of ~~((cannabis))~~;~~

~~(v) Include any statement or reference, visual or otherwise, on the medical use of cannabis in any advertisement for his or her business or practice; or~~

~~(vi) Hold an economic interest in an enterprise that produces, processes, or dispenses cannabis if the health care professional authorizes the medical use of cannabis.~~

~~(3) A violation of any provision of subsection (2) of this section constitutes unprofessional conduct under chapter 18.130 RCW)) marijuana.~~

**NEW SECTION. Sec. 602.** A new section is added to chapter 69.51A RCW to read as follows:

(1)(a) A medical marijuana waiver is established to be issued by the department. The medical marijuana waiver permits a qualifying patient or his or her designated provider to:

(i) Possess and purchase more marijuana concentrates, marijuana-infused products, plants, or useable marijuana than what is permitted under RCW 69.50.4013(3) and up to a combination of the following: (A) Three ounces of useable marijuana; (B) forty-eight ounces of marijuana-infused products in solid form; (C) two hundred sixteen ounces of marijuana-infused products in liquid form; or (D) twenty-one grams of marijuana concentrates. The medical marijuana waiver also permits the qualifying patient or his or her designated provider to grow, in his or her domicile, up to fifteen plants for the personal medical use of the qualifying patient;

(ii) Purchase marijuana concentrates, marijuana-infused products, plants, or useable marijuana without paying sales and use tax; and

(iii) If the waiver is for purchases of high THC products, to be able to purchase those products without paying sales and use tax.

(b) Unless approved by the state liquor and cannabis board and the department, the waiver does not permit a qualifying patient or designated provider to produce marijuana concentrates. The state liquor and cannabis board, in conjunction with the department, may adopt rules permitting waiver holders to produce marijuana concentrates using nonbutane extraction methods. At a minimum, the rules must require that waiver holders who produce marijuana concentrates register this information with the state liquor and cannabis board.

(2) A qualifying patient who is twenty-one years of age or older and who, after consultation with his or her health care professional, determines that the amounts of marijuana concentrates, marijuana-infused products, plants, or useable marijuana permitted under RCW 69.50.4013(3) will not address his or her medical needs may apply to the department for a medical marijuana waiver.

(3) A qualifying patient who, after consultation with his or her health care professional, determines that marijuana products with high THC levels are necessary to address his or her medical needs may apply to the department for a waiver.

(4) A qualifying patient who is between eighteen and twenty-one years of age and who, after consultation with his or her health care professional, determines that he or she wishes to use marijuana for the treatment of his or her terminal or debilitating medical condition may apply to the department for a waiver permitting the patient to purchase marijuana concentrates, marijuana-infused products, useable marijuana, or immature plants at a marijuana retailer holding a medical marijuana endorsement. Unless otherwise specified in the waiver, the patient may only possess the amounts provided under RCW 69.50.4013(3). The patient may also apply to possess up to the amounts provided under subsection (1) of this section if the additional amounts of marijuana are required to treat his or her terminal or debilitating medical condition.

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(5) A parent or guardian of a qualifying patient who is under the age of eighteen and who, after consultation with the minor's health care professional, determines that the minor would benefit from the medical use of marijuana for treatment of the minor's terminal or debilitating medical condition may apply to the department for a waiver permitting the parent or guardian to become the designated provider for the minor. The parent or guardian designated provider may only possess the amounts provided under RCW 69.50.4013 and must have sole control over the minor's marijuana. The minor may possess up to the amount of marijuana that is necessary for his or her next dose. The minor may not purchase products from a marijuana retailer, nor may the minor grow plants for his or her medical use. The parent or guardian may also apply to possess up to the amounts provided under subsection (1) of this section if the additional amounts of marijuana are required to treat the minor's terminal or debilitating medical condition.

**NEW SECTION. Sec. 603.** A new section is added to chapter 69.51A RCW to read as follows:

(1) The department must develop a medical marijuana waiver process in order to process and approve or deny waiver applications submitted under section 602 of this act.

(2) The medical marijuana waiver process must include:

(a) Development of a waiver application. The application must be completed by the qualifying patient if there is not a designated provider or both the designated provider and the qualifying patient for whom the marijuana will be provided. The application must include:

(i) For qualifying patients, a statement that the applicant has a terminal or debilitating medical condition as described in RCW 69.50.101 and that he or she has been diagnosed with that condition by a health care professional;

(ii) For designated providers, a statement that the qualifying patient for whom the applicant intends to provide marijuana has a terminal or debilitating medical condition as described in RCW 69.50.101 and, in the case of designated providers for people under the age of eighteen, have discussed the medical use of marijuana with the diagnosing health care professional;

(iii) A statement that the applicant understands that the department may contact the diagnosing health care professional to confirm the existence of a terminal or debilitating medical condition and that no waiver will be issued if the condition is not confirmed by the health care professional;

(iv) If the amount of marijuana needed for the medical use of the qualifying patient is higher than the amounts listed in RCW 69.50.4013(3), an option for the qualifying patient to request higher amounts up to the amounts provided in section 602 of this act. The need for this higher amount may also be confirmed by the department with the diagnosing health care professional. Higher amounts will not be authorized unless the health care professional confirms the medical need for these higher amounts.

(b) Development of a waiver card which qualifying patients and designated providers may use to demonstrate they have been approved for a medical marijuana waiver. The card must include:

(i) The name of the qualifying patient or designated provider who applied for and was approved for a waiver;

(ii) If the waiver permits possession of a greater amount of marijuana than what is permitted under RCW 69.50.4013(3), the amount of marijuana concentrates, useable marijuana, marijuana-infused products, and plant for which the qualifying patient or designated provider has been authorized;

(iii) The expiration date of the waiver card.

(3) Approved applicants must be issued a medical marijuana waiver card. The waiver card:

(a) May be provided to law enforcement officers who are engaged in a bona fide specific investigation of suspected marijuana-related activity that may be illegal under Washington state law to confirm the validity of the waiver of the qualifying patient or designated provider;

(b) May be provided to a marijuana retailer holding a medical marijuana endorsement to confirm the validity of the waiver and to allow waiver holders to purchase medical grade marijuana without paying taxes in accordance with sections 401 and 402 of this act;

(c) Is valid for one year after the date of issuance. The waiver card may not be renewed until the qualifying patient has completed a new application.

**NEW SECTION. Sec. 604.** A new section is added to chapter 42.56 RCW to read as follows:

Medical marijuana waiver applications submitted to the department of health under sections 602 and 603 of this act containing names and other personally identifiable information of qualifying patients and designated providers are exempt from disclosure under this chapter.

**NEW SECTION. Sec. 605.** A new section is added to chapter 69.51A RCW to read as follows:

(1) It is unlawful for a person to knowingly or intentionally:

(a) Create or present a medical marijuana waiver card or to tamper with a medical marijuana waiver card for the purposes of having it accepted by a medical marijuana retailer in order to purchase marijuana as a qualifying patient or designated provider or to grow marijuana in greater amounts than those permitted under RCW 69.50.4013(3);

(b) If a person is a designated provider to a qualifying patient, sell marijuana produced for the qualifying patient to another person, or to donate or supply more than one ounce of useable marijuana produced for the qualifying patient to another person; or

(c) If the person is a qualifying patient, sell marijuana produced by the qualifying patient to another person or to donate or supply more than one ounce of useable marijuana produced for the qualifying patient to another person.

(2) A person who violates this section is guilty of a class C felony and upon conviction may be imprisoned for not more than two years, fined not more than two thousand dollars, or both.

**Sec. 606.** RCW 69.51A.040 and 2011 c 181 s 401 are each amended to read as follows:

The medical use of ~~((cannabis))~~ marijuana in accordance with the terms and conditions of this chapter does not constitute a crime and a qualifying patient or designated provider in compliance with the terms and conditions of this chapter may not be arrested, prosecuted, or subject to other criminal sanctions or civil consequences, for possession, manufacture, or delivery of, or for possession with intent to manufacture or deliver, ~~((cannabis))~~ marijuana under state law, or have real or personal property seized or forfeited for possession, manufacture, or delivery of, or for possession with intent to manufacture or deliver, ~~((cannabis))~~ marijuana under state law, and investigating ~~((peace officers and))~~ law enforcement ~~((agencies))~~ officers may not be held civilly liable for failure to seize ~~((cannabis))~~ marijuana in this circumstance, if:

(1)(a) The qualifying patient or designated provider possesses no more than ~~((fifteen cannabis plants and:~~

~~(i) No more than twenty four ounces of useable cannabis;~~

~~(ii) No more cannabis product than what could reasonably be produced with no more than twenty four ounces of useable cannabis; or~~

~~(iii) A combination of useable cannabis and cannabis product that does not exceed a combined total representing~~

~~possession and processing of no more than twenty-four ounces of useable cannabis)) the amount of marijuana permitted under RCW 69.50.4013.~~

(b) If a person is both a qualifying patient and a designated provider for another qualifying patient, the person may possess no more than twice the amounts described in (a) of this subsection, whether the marijuana concentrates, plants, useable ~~((cannabis))~~ marijuana, and ~~((cannabis))~~ marijuana-infused products are possessed individually or in combination between the qualifying patient and his or her designated provider;

(2) The qualifying patient or designated provider presents his or her ~~((proof of registration with the department of health))~~ waiver card, to any ~~((peace))~~ law enforcement officer who questions the patient or provider regarding his or her medical use of ~~((cannabis))~~ marijuana;

(3) The qualifying patient or designated provider ~~((keeps a copy of his or her proof of registration with the registry established in section 901 of this act and the qualifying patient or designated provider's contact information))~~ is permitted to possess more marijuana than what is allowed under RCW 69.50.4013(3), he or she keeps a copy of his or her contact information and waiver card posted prominently next to any ~~((cannabis))~~ marijuana plants, ~~((cannabis))~~ marijuana-infused products, marijuana concentrates, or useable ~~((cannabis))~~ marijuana located at his or her residence;

(4) The investigating ~~((peace))~~ law enforcement officer does not possess evidence that:

(a) The designated provider has converted ~~((cannabis))~~ more than one ounce of marijuana produced or obtained for the qualifying patient for his or her own personal use or benefit; or

(b) The qualifying patient has converted ~~((cannabis))~~ more than one ounce of marijuana produced or obtained for his or her own medical use to the qualifying patient's personal, nonmedical use or benefit; and

(5) The investigating peace officer does not possess evidence that the designated provider has served as a designated provider to more than one qualifying patient within a fifteen-day period;~~(; and~~

~~((6) The investigating peace officer has not observed evidence of any of the circumstances identified in section 901(4) of this act)).~~

**Sec. 607.** RCW 69.51A.045 and 2011 c 181 s 405 are each amended to read as follows:

A qualifying patient or designated provider in possession of ~~((cannabis))~~ plants, marijuana concentrates, useable ~~((cannabis))~~ marijuana, or ~~((cannabis))~~ marijuana-infused products exceeding the limits set forth in RCW ~~((69.51A.040(1)))~~ 69.50.4013 but otherwise in compliance with all other terms and conditions of this chapter and chapter 69.50 RCW may establish an affirmative defense to charges of violations of state law relating to ~~((cannabis))~~ marijuana through proof at trial, by a preponderance of the evidence, that the qualifying patient's necessary medical use exceeds the amounts set forth in RCW ~~((69.51A.040(1)))~~ 69.50.4013. An investigating ~~((peace))~~ law enforcement officer may seize ~~((cannabis))~~ plants, marijuana concentrates, useable ~~((cannabis))~~ marijuana, or ~~((cannabis))~~ marijuana-infused products exceeding the amounts set forth in RCW ~~((69.51A.040(1)))~~ 69.50.4013: PROVIDED, That in the case of ~~((cannabis))~~ plants, the qualifying patient or designated provider shall be allowed to select the plants that will remain at the location. The officer and his or her law enforcement agency may not be held civilly liable for failure to seize ~~((cannabis))~~ marijuana in this circumstance.

**Sec. 608.** RCW 69.51A.055 and 2011 c 181 s 1105 are each amended to read as follows:

(1)(a) The arrest and prosecution protections established in RCW 69.51A.040 may not be asserted in a supervision revocation or violation hearing by a person who is supervised by a corrections agency or department, including local governments or jails, that has determined that the terms of this section are inconsistent with and contrary to his or her supervision.

(b) The affirmative defenses established in RCW ~~((69.51A.043,))~~ 69.51A.045~~((, 69.51A.047, and section 407 of this act))~~ may not be asserted in a supervision revocation or violation hearing by a person who is supervised by a corrections agency or department, including local governments or jails, that has determined that the terms of this section are inconsistent with and contrary to his or her supervision.

(2) ~~((The provisions of))~~ RCW 69.51A.040~~((, 69.51A.085, and 69.51A.025 do))~~ does not apply to a person who is supervised for a criminal conviction by a corrections agency or department, including local governments or jails, that has determined that the terms of this chapter are inconsistent with and contrary to his or her supervision.

~~((3) A person may not be licensed as a licensed producer, licensed processor of cannabis products, or a licensed dispenser under section 601, 602, or 701 of this act if he or she is supervised for a criminal conviction by a corrections agency or department, including local governments or jails, that has determined that licensure is inconsistent with and contrary to his or her supervision.))~~

**Sec. 609.** RCW 69.51A.060 and 2011 c 181 s 501 are each amended to read as follows:

(1) It shall be a class 3 civil infraction to use or display marijuana intended for medical ~~((cannabis))~~ use in a manner or place which is open to the view of the general public.

(2) Nothing in this chapter establishes a right of care as a covered benefit or requires any state purchased health care as defined in RCW 41.05.011 or other health carrier or health plan as defined in Title 48 RCW to be liable for any claim for reimbursement for the medical use of ~~((cannabis))~~ marijuana. Such entities may enact coverage or noncoverage criteria or related policies for payment or nonpayment of medical ~~((cannabis))~~ marijuana in their sole discretion.

~~((3) (Nothing in this chapter requires any health care professional to authorize the medical use of cannabis for a patient.~~

~~((4))~~ Nothing in this chapter requires any accommodation of any on-site medical use of ~~((cannabis))~~ marijuana in any place of employment, in any school bus or on any school grounds, in any youth center, in any correctional facility, or smoking ~~((cannabis))~~ marijuana in any public place or hotel or motel.

~~((5))~~ (4) Nothing in this chapter authorizes the use of medical ~~((cannabis))~~ marijuana by any person who is subject to the Washington code of military justice in chapter 38.38 RCW.

~~((6))~~ (5) Employers may establish drug-free work policies. Nothing in this chapter requires an accommodation for the medical use of ~~((cannabis))~~ marijuana if an employer has a drug-free work place.

~~((7) It is a class C felony to fraudulently produce any record purporting to be, or tamper with the content of any record for the purpose of having it accepted as, valid documentation under RCW 69.51A.010(32)(a), or to backdate such documentation to a time earlier than its actual date of execution.~~

~~((8))~~ (6) No person shall be entitled to claim the protection from arrest and prosecution under RCW 69.51A.040 or the affirmative defense under RCW ~~((69.51A.043))~~ 69.51A.045 for engaging in the medical use of ~~((cannabis))~~ marijuana in a way that endangers the health or well-being of any person through the use of a motorized vehicle on a street, road, or highway, including

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violations of RCW 46.61.502 or 46.61.504, or equivalent local ordinances.

**Sec. 610.** RCW 69.51A.070 and 2007 c 371 s 7 are each amended to read as follows:

The Washington state medical quality assurance commission in consultation with the board of osteopathic medicine and surgery, or other appropriate agency as designated by the governor, shall accept for consideration petitions submitted to add terminal or debilitating conditions to those included in this chapter. In considering such petitions, the Washington state medical quality assurance commission in consultation with the board of osteopathic medicine and surgery shall include public notice of, and an opportunity to comment in a public hearing upon, such petitions. The Washington state medical quality assurance commission in consultation with the board of osteopathic medicine and surgery may make a preliminary finding of good cause before the public hearing and shall, after hearing, approve or deny such petitions within ~~((one))~~ two hundred ~~((eighty))~~ ten days of submission. The approval or denial of such a petition shall be considered a final agency action, subject to judicial review.

**NEW SECTION. Sec. 611.** A new section is added to chapter 69.51A RCW to read as follows:

(1) A medical marijuana consultant certificate is hereby established. The department shall adopt rules establishing certification requirements, including:

- (a) Products that meet the definition of medical grade marijuana under section 308 of this act;
- (b) The medical conditions that constitute terminal or debilitating conditions;
- (c) Demonstrated knowledge of this chapter and the rules adopted to implement it;
- (d) Training and education requirements relating to the medical use of marijuana; and
- (e) Other items deemed necessary and appropriate by the department to ensure medical marijuana consultant certificate holders are able to provide professional advice on the medical use of marijuana.

(2) Medical marijuana consultant certificates are subject to annual renewals and continuing education requirements established by the department.

#### **Part VII - Local Governments**

**NEW SECTION. Sec. 701.** A new section is added to chapter 69.50 RCW to read as follows:

(1) Except as provided in subsection (2) of this section, no marijuana producer, marijuana processor, marijuana retailer, or marijuana researcher may locate its premises within one thousand feet of the perimeter of the grounds of any elementary or secondary school, playground, recreation center or facility, child care center, public park, public transit center, or library, or any game arcade admission to which is not restricted to persons aged twenty-one years or older.

(2) A city, town, or county may adopt an ordinance to decrease to no less than five hundred feet the distance that marijuana producers, marijuana processors, marijuana retailers, or marijuana researchers must be located from recreation centers or facilities, child care centers, public parks, public transit centers, or libraries, or any game arcades admission to which is not restricted to persons aged twenty-one years or older. A city, town, or county may adopt an ordinance to prohibit a marijuana producer, marijuana processor, marijuana retailer, or marijuana researcher from locating its premises up to one thousand feet from a church.

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(3) For the purposes of this section, "church" means a building erected for and used exclusively for religious worship and schooling or other activity in connection therewith.

**NEW SECTION. Sec. 702.** A new section is added to chapter 69.50 RCW to read as follows:

No city, town, or county may adopt, renew, or extend a prohibition or moratorium on marijuana licensees except by ordinance and no such ordinance may take effect unless it is submitted to a vote of the people at a general or special election and approved by a majority of those voting thereon.

**Sec. 703.** RCW 69.50.369 and 2013 c 3 s 18 are each amended to read as follows:

(1) No licensed marijuana producer, processor, or retailer shall place or maintain, or cause to be placed or maintained, an advertisement of marijuana, useable marijuana, or a marijuana-infused product in any form or through any medium whatsoever:

(a) Within one thousand feet of the perimeter of a school grounds, playground, recreation center or facility, child care center, public park, or library, or any game arcade admission to which is not restricted to persons aged twenty-one years or older, or if an ordinance has been adopted under section 701 of this act, the minimum distance for these facilities permitted under the ordinance;

(b) On or in a public transit vehicle or public transit shelter; or

(c) On or in a publicly owned or operated property.

(2) Merchandising within a retail outlet is not advertising for the purposes of this section.

(3) This section does not apply to a noncommercial message.

(4) The state liquor ~~((control))~~ and cannabis board shall fine a licensee one thousand dollars for each violation of subsection (1) of this section. Fines collected under this subsection must be deposited into the dedicated marijuana fund created under RCW 69.50.530.

#### **Part VIII - Repealers and Effective Dates**

**NEW SECTION. Sec. 801.** The following acts or parts of acts are each repealed:

(1)RCW 69.51A.005 (Purpose and intent) and 2011 c 181 s 102, 2010 c 284 s 1, 2007 c 371 s 2, & 1999 c 2 s 2;

(2)RCW 69.51A.020 (Construction of chapter) and 2011 c 181 s 103 & 1999 c 2 s 3;

(3)RCW 69.51A.025 (Construction of chapter—Compliance with RCW 69.51A.040) and 2011 c 181 s 413;

(4)RCW 69.51A.043 (Failure to register—Affirmative defense) and 2011 c 181 s 402;

(5)RCW 69.51A.047 (Failure to register or present valid documentation—Affirmative defense) and 2011 c 181 s 406;

(6)RCW 69.51A.090 (Applicability of valid documentation definition) and 2010 c 284 s 5;

(7)RCW 69.51A.140 (Counties, cities, towns—Authority to adopt and enforce requirements) and 2011 c 181 s 1102; and

(8)RCW 69.51A.200 (Evaluation) and 2011 c 181 s 1001.

**NEW SECTION. Sec. 802.** RCW 69.51A.085 (Collective gardens) and 2011 c 181 s 403 are each repealed.

**NEW SECTION. Sec. 803.** Section 802 of this act takes effect August 1, 2016."

On page 1, line 1 of the title, after "Relating to" strike the remainder of the title and insert "the comprehensive marijuana reform act; amending RCW 69.50.101, 69.51A.010, 66.08.012, 69.50.325, 69.50.331, 69.50.342, 69.50.345, 69.50.348, 69.50.351, 69.50.354, 69.50.357, 69.50.360, 28B.20.502, 43.350.030, 69.50.401, 69.50.4013, 69.51A.030, 69.51A.040, 69.51A.045, 69.51A.055, 69.51A.060, 69.51A.070, and

69.50.369; adding new sections to chapter 69.50 RCW; adding new sections to chapter 42.56 RCW; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; adding new sections to chapter 69.51A RCW; creating new sections; repealing RCW 69.51A.005, 69.51A.020, 69.51A.025, 69.51A.043, 69.51A.047, 69.51A.090, 69.51A.140, 69.51A.200, and 69.51A.085; prescribing penalties; and providing an effective date."

Senator Kohl-Welles spoke in favor of adoption of the striking amendment.

Senator Rivers spoke against adoption of the striking amendment.

The President declared the question before the Senate to be the adoption of the striking amendment by Senator Kohl-Welles to Second Substitute Senate Bill No. 5052.

The motion by Senator Kohl-Welles did not carry and the striking amendment was not adopted by voice vote.

#### MOTION

On motion of Senator Rivers, the rules were suspended, Second Substitute Senate Bill No. 5052 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Rivers, Hargrove, Keiser and Hatfield spoke in favor of passage of the bill.

Senator Dansel, Fraser and Chase spoke against passage of the bill.

Senators Rolfes, Ranker and Hasegawa spoke on final passage of the bill.

Senator Kohl-Welles spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 5052.

#### ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5052 and the bill passed the Senate by the following vote: Yeas, 36; Nays, 11; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Braun, Brown, Cleveland, Conway, Dammeier, Darneille, Fain, Frockt, Habib, Hargrove, Hatfield, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Litzow, McCoy, Miloscia, Mullet, O'Ban, Padden, Parlette, Pearson, Pedersen, Rivers, Roach, Schoesler, Sheldon and Warnick

Voting nay: Senators Billig, Chase, Dansel, Fraser, Hasegawa, Kohl-Welles, Lias, McAuliffe, Nelson, Ranker and Rolfes

Excused: Senators Benton and Ericksen

SECOND SUBSTITUTE SENATE BILL NO. 5052, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 5464, by Senators Warnick, Hatfield, Parlette, Hargrove, Ranker, Hewitt, Fraser and Chase

Concerning unlawfully engaging in fishing guide activity.

The measure was read the second time.

#### MOTION

On motion of Senator Warnick, the rules were suspended, Senate Bill No. 5464 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Warnick in favor of passage of the bill.

Senators Schoesler, Becker, Keiser, Parlette, Pearson, Nelson, Angel, Jayapal, Fraser and Baumgartner spoke on passage of the bill.

#### MOTION

On motion of Senator Habib, Senator Hatfield was excused.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5464.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5464 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Billig, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Kohl-Welles, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon and Warnick

Excused: Senators Benton, Ericksen and Hatfield

SENATE BILL NO. 5464, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### PERSONAL PRIVILEGE

Senator Warnick: "I just want to say thank you for allowing me rise for the first time on this floor. I have heard about the tradition of the gifts. I was told at one point it was a Native American tradition to do giveaways at special occasions so thank you for making this a special occasion. I just wanted to let you know what is going to be in these gifts. And it's kind of a tradition to do from our own districts. The potato issues there, the potato gifts have been kind of coming. Potatoes would be a good one from my district but I was going to tie a pony to everybody's car out in the parking lot in my attempt to reduce the carbon fuels but I couldn't round up enough ponies. So, the bag includes a scarf from Central Washington University donated by the Alumni Association of CWU. It includes a cedar block that shows that Lincoln County is, ... 'Wheat is king in Lincoln County.' It includes a bottle of honey from a Moses Lake Company and one very legal hop-infused 'lolly-hop.' It's a sucker made out of hops from the Yakima area and it is not a prohibited product. The stickers on the outside show the amount of crops that we grow in the state of Washington and being the Chair of the Ag Committee I thought that would be appropriate as well. Thank you very much for this special introduction to the senate. Thank you very much."

#### SECOND READING

SENATE BILL NO. 5267, by Senators Habib, Roach, Lias, Pearson, Keiser, Mullet and Chase

Ordering development of processes to allow prerecorded video testimony and written testimony on pending legislation.

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## MOTION

On motion of Senator Habib, Substitute Senate Bill No. 5267 was substituted for Senate Bill No. 5267 and the substitute bill was placed on the second reading and read the second time.

## MOTION

Senator Habib moved that the following amendment by Senator Habib be adopted:

On page 2, line 13, after "processes." insert "The systems committee must set up parameters around whether some prerecorded videos and written statements contain inappropriate content and should not be made available to members of the legislature unless requested by a member of the legislature."

Senators Habib and Roach spoke in favor of adoption of the amendment.

## POINT OF INQUIRY

Senator Fain: "Would the Senator from the 48<sup>th</sup> yield to a question? My question is that this inappropriate material will be made available to the member of the legislature at their request? Is that correct? Do I understand that?"

Senator Habib: "Senator Fain, my intent, with this amendment, is to make sure that the committee, before immediately making the material available, will comply with content rules that the committee will have posted for the public and that, despite the fact, and, even if it doesn't meet those rules, it can still be, as you suggest, made available to a member upon request."

Senator Fain: "My only question is if the maker of the amendment would be open to a friendly amendment that would make it public any member of the legislature that is requesting this material so that the public would know that?"

Senator Habib: "I'd be happy to discuss that at some later stage."

Senator Nelson spoke on adoption of the amendment.

The President declared the question before the Senate to be the adoption of the amendment by Senator Habib on page 2, line 13 to Substitute Senate Bill No. 5267.

The motion by Senator Habib carried and the amendment was adopted by voice vote.

## MOTION

On motion of Senator Habib, the rules were suspended, Engrossed Substitute Senate Bill No. 5267 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Habib spoke in favor of passage of the bill.

Senators Liias, Dammeier, Chase and Mullet spoke on passage of the bill.

## PERSONAL PRIVILEGE

Senator Habib: "Thank you Mr. President. You know, I'm so glad my friend Senator Mullet pointed out the issue of eye

sight and before we take a roll call vote on this highly controversial measure I want to thank the body for hearing me out, hearing my first speech, suffering through this first speech. As Senator Dammeier said, so late in the day. And I know Senators tend to be in bed by two or three in the afternoon and so this is getting awfully close. So, I do appreciate that. And as a token of my gratitude for your enduring my speech today..."

## POINT OF ORDER

Senator Fain: "Thank you Mr. President. I just would encourage a roll call vote on the underlying bill before any further action is taken my Senator Habib. In light of making sure that we are not trying to influence the votes of the members of the chamber by providing any sort of remuneration prior to their vote."

## PERSONAL PRIVILEGE

Senator Habib: "My point of personal privilege is brought before the roll call vote as I know how eager Senator Fain is to get back to the constituents of the Forty-seventh and his name coming so early in the alphabet I'm afraid he might scamper out before receiving my small token of appreciation. So with his indulgence and with no consideration requested, I just want to offer a token of gratitude to each and every one of you and there's two pieces to it that I want to explain. The first is, a pair of sunglasses. And, to Senator Mullet's point to my eye sight, many people often ask me why I wear sunglasses. And I can honestly say today, when we've come together in a bipartisan way to support so many pieces of important legislation, including, perhaps especially, mine that I know our future is bright Mr. President together. So, I urge us all to wear these shades, to wear these sunglasses as a sign of bipartisan optimism for is what to come. And, what's more, a symbol of the summer time which after rainy, winter and spring we will all be able to enjoy after completing our work in 105 days. That is the optimism with which I ask you to share the wearing of sunglasses. The other item though Mr. President relates directly to this bill, philosophically, because what it does is, it's a pen from Microsoft Corporation which is a business I'm very proud to have in my district. But this bill has two sides to it, one side you can write with symbolizing old technology, symbolizing tradition, the very things this upper chamber, this elite, prestigious, august upper chamber stands for, tradition and the ways of doing things but the other end you can use with a tablet and a touch screen surface symbolizing the new wave of technology and the future. So, it's in that spirit this bill was offered and that I offer these gifts to each and every one of you. Thank you very much Mr. President."

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5267.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5267 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Billig, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Kohl-Welles, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon and Warnick

Excused: Senators Benton, Ericksen and Hatfield  
ENGROSSED SUBSTITUTE SENATE BILL NO. 5267, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Fain announced an opportunity for a group photograph at the rostrum with all senators wearing their new sunglasses with Senator Habib immediately following adjournment.

At 1:06 p.m., on motion of Senator Fain, the Senate adjourned until 12:00 o'clock noon, Monday, February 16, 2015.

BRAD OWEN, President of the Senate

HUNTER G. GOODMAN, Secretary of the Senate

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