FORTY SEVENTH DAY

MORNING SESSION

Senate Chamber, Olympia, Friday, February 27, 2015

The Senate was called to order at 9:00 a.m. by President Owen. The Secretary called the roll and announced to the President that all Senators were present.

The Sergeant at Arms Color Guard consisting of Eagle Scouts Zachary Demars, Everett, Troop #18 and Adam Sirkis, Everett, Troop #91 presented the Colors. Imam Zafar Sawar of Ahmadiyya Muslim Community 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 25, 2015

SB 5187 Prime Sponsor, Senator Benton: Concerning voter approval of a high capacity transportation system plan and financing plan. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators King, Chair; Benton, Vice Chair; Fain, Vice Chair; Baumgartner; Ericksen; Miloscia; Rivers and Sheldon.

MINORITY recommendation: Do not pass. Signed by Senators Hobbs, Ranking Minority Member; Liias; Cleveland; Habib; Jayapal and Pedersen.

Passed to Committee on Rules for second reading.

February 25, 2015

SB 5199 Prime Sponsor, Senator Benton: Concerning members of regional transportation planning organizations representing out-of-state governments or organizations. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators King, Chair; Benton, Vice Chair; Fain, Vice Chair; Baumgartner; Ericksen; Miloscia; Rivers and Sheldon.

MINORITY recommendation: Do not pass. Signed by Senators Hobbs, Ranking Minority Member; Liias; Cleveland; Habib; Jayapal and Pedersen.

Passed to Committee on Rules for second reading.

February 25, 2015

SB 5323 Prime Sponsor, Senator King: Extending and modifying the commute trip reduction tax credit. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5323 be substituted therefor, and the substitute bill do pass. Signed by Senators King, Chair; Benton, Vice Chair; Fain, Vice Chair; Hobbs, Ranking Minority Member; Liias; Cleveland; Ericksen; Habib; Jayapal; Litzow; Miloscia; Pedersen; Rivers and Sheldon.

Passed to Committee on Rules for second reading.

February 25, 2015

SB 5333 Prime Sponsor, Senator Mullet: Extending the sales and use tax exemption for clean alternative fuel vehicles. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5333 be substituted therefor, and the substitute bill do pass. Signed by Senators King, Chair; Fain, Vice Chair; Liias; Cleveland; Ericksen; Habib; Jayapal; Litzow and Miloscia.

MINORITY recommendation: Do not pass. Signed by Senators Baumgartner; Pedersen and Rivers.

Passed to Committee on Ways & Means.

February 25, 2015

SB 5410 Prime Sponsor, Senator Roach: Modifying qualifications for disabled veterans to receive fee exempt license plates. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5410 be substituted therefor, and the substitute bill do pass. Signed by Senators King, Chair; Benton, Vice Chair; Fain, Vice Chair; Hobbs, Ranking Minority Member; Liias; Baumgartner; Cleveland; Ericksen; Habib; Jayapal; Litzow; Miloscia and Sheldon.

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

Passed to Committee on Rules for second reading.

February 25, 2015

SB 5481 Prime Sponsor, Senator Hill: Concerning tolling customer service reform. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5481 be substituted therefor, and the substitute bill do pass. Signed by Senators King, Chair; Benton, Vice Chair; Fain, Vice Chair; Hobbs, Ranking Minority Member; Liias; Baumgartner; Cleveland; Ericksen; Habib; Jayapal; Litzow; Miloscia; Pedersen; Rivers and Sheldon.

Passed to Committee on Rules for second reading.

February 25, 2015

SB 5550 Prime Sponsor, Senator Habib: Regulating providers of commercial transportation services. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5550 be substituted therefor, and the substitute bill do pass. Signed by Senators King, Chair; Fain, Vice Chair; Hobbs, Ranking Minority Member; Liias; Cleveland; Ericksen; Habib; Litzow; Miloscia; Rivers and Sheldon.

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MINORITY recommendation: Do not pass. Signed by Senators Jayapal and Pedersen.

Passed to Committee on Rules for second reading.

February 25, 2015

SB 5623 Prime Sponsor, Senator Sheldon: Modifying the operation of motorcycles on roadways laned for traffic. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5623 be substituted therefor, and the substitute bill do pass. Signed by Senators King, Chair; Benton, Vice Chair; Fain, Vice Chair; Baumgartner; Ericksen; Miloscia; Rivers and Sheldon.

MINORITY recommendation: Do not pass. Signed by Senators Liias; Cleveland; Jayapal and Pedersen.

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

Passed to Committee on Rules for second reading.

February 25, 2015

SB 5640 Prime Sponsor, Senator Ericksen: Concerning deficiency claims after auction of a private property vehicle impound. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5640 be substituted therefor, and the substitute bill do pass. Signed by Senators King, Chair; Benton, Vice Chair; Fain, Vice Chair; Liias; Baumgartner; Ericksen; Miloscia; Rivers and Sheldon.

MINORITY recommendation: Do not pass. Signed by Senators Cleveland; Jayapal and Pedersen.

Passed to Committee on Rules for second reading.

February 25, 2015

SB 5656 Prime Sponsor, Senator Rivers: Enhancing public safety by reducing distracted driving incidents caused by the use of personal wireless communications devices. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5656 be substituted therefor, and the substitute bill do pass. Signed by Senators King, Chair; Fain, Vice Chair; Hobbs, Ranking Minority Member; Liias; Cleveland; Ericksen; Habib; Jayapal; Litzow; Miloscia; Pedersen and Rivers.

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

Passed to Committee on Rules for second reading.

February 25, 2015

SB 5816 Prime Sponsor, Senator Liias: Expanding traffic safety education requirements for certain driver's license applicants and drivers. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5816 be substituted therefor, and the substitute bill do pass. Signed by Senators King, Chair; Fain, Vice Chair; Hobbs, Ranking Minority Member; Liias; Cleveland; Habib; Jayapal; Litzow; Miloscia; Pedersen and Rivers.

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

Passed to Committee on Rules for second reading.

February 25, 2015

SB 5820 Prime Sponsor, Senator King: Concerning the sale of certain department of transportation surplus property. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5820 be substituted therefor, and the substitute bill do pass. Signed by Senators King, Chair; Benton, Vice Chair; Fain, Vice Chair; Hobbs, Ranking Minority Member; Liias; Cleveland; Ericksen; Habib; Jayapal; Litzow; Miloscia; Pedersen; Rivers and Sheldon.

Passed to Committee on Rules for second reading.

February 25, 2015

ESB 5863 Prime Sponsor, Senator Jayapal: Concerning highway construction workforce development. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators King, Chair; Benton, Vice Chair; Fain, Vice Chair; Hobbs, Ranking Minority Member; Liias; Cleveland; Habib; Jayapal; Litzow; Miloscia; Pedersen; Rivers and Sheldon.

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

Passed to Committee on Rules for second reading.

February 25, 2015

SB 5957 Prime Sponsor, Senator Liias: Creating a pedestrian fatality and serious injury review panel. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5957 be substituted therefor, and the substitute bill do pass. Signed by Senators King, Chair; Benton, Vice Chair; Fain, Vice Chair; Hobbs, Ranking Minority Member; Liias; Cleveland; Ericksen; Habib; Jayapal; Litzow; Pedersen; Rivers and Sheldon.

Passed to Committee on Rules for second reading.

February 25, 2015

SB 5975 Prime Sponsor, Senator Benton: Authorizing parent taught driver training education courses. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators King, Chair; Benton, Vice Chair; Fain, Vice Chair; Baumgartner; Ericksen; Litzow; Rivers and Sheldon.

MINORITY recommendation: Do not pass. Signed by Senators Habib; Jayapal and Pedersen.

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MINORITY recommendation: That it be referred without recommendation. Signed by Senators Hobbs, Ranking Minority Member and Liias.

Passed to Committee on Rules for second reading.

February 25, 2015

SB 6015 Prime Sponsor, Senator Roach: Providing funding for the hunter education training program through the issuance of national rifle association special license plates. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 6015 be substituted therefor, and the substitute bill do pass. Signed by Senators King, Chair; Benton, Vice Chair; Fain, Vice Chair; Hobbs, Ranking Minority Member; Baumgartner; Ericksen; Litzow; Rivers and Sheldon.

MINORITY recommendation: Do not pass. Signed by Senators Liias; Cleveland; Habib; Jayapal and Pedersen.

Passed to Committee on Rules for second reading.

February 25, 2015

ESB 6044 Prime Sponsor, Senator Ericksen: Requiring the consideration of public access when designing a transportation facility adjacent to or across a waterway. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators King, Chair; Benton, Vice Chair; Fain, Vice Chair; Hobbs, Ranking Minority Member; Liias; Ericksen; Habib; Jayapal; Litzow; Pedersen and Sheldon.

Passed to Committee on Rules for second reading.

February 25, 2015

MOTION

On motion of Senator Fain, all measures listed on the Standing Committee report were referred to the committees as designated.

MOTION

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

MESSAGE FROM GOVERNOR
GUBERNATORIAL APPOINTMENTS

February 25, 2015

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON
Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

TIM CLARK, appointed January 19, 2015, for the term ending September 30, 2018, as Member of the Green River Community College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education.

February 25, 2015

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON
Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

LAWRENCE M. GLENN, appointed February 6, 2015, for the term ending September 30, 2019, as Member of the Peninsula College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education.

February 25, 2015

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON
Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

DOUGLASS L. JACKSON, appointed February 9, 2015, for the term ending September 30, 2017, as Member of the Shoreline Community College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education.

February 25, 2015

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON
Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

ELIZABETH K. JENSEN, reappointed January 22, 2015, for the term ending January 19, 2019, as Member of the Pharmacy Quality Assurance Commission.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Health Care.

February 25, 2015

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON
Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

D. MICHAEL KELLY, appointed March 5, 2014, for the term ending September 30, 2018, as Member of the Cascadia Community College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education.

February 25, 2015

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON
Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

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RICHARD MORGAN, reappointed February 6, 2015, for the term ending April 15, 2016, as Member of the Indeterminate Sentence Review Board.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Law & Justice.

February 25, 2015

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

MEGAN S. O'BRYAN, appointed February 9, 2015, for the term ending September 30, 2019, as Member of the Skagit Valley College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education.

February 25, 2015

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

EARL OVERSTREET, appointed October 1, 2014, for the term ending September 30, 2020, as Member of the Western Washington University Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education.

February 25, 2015

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

JON TUNHEIM, appointed February 6, 2015, for the term ending August 2, 2017, as Member of the Sentencing Guidelines Commission.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Law & Justice.

MOTION

On motion of Senator Fain, all appointees listed on the Gubernatorial Appointments report were referred to the committees as designated.

MOTION

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

MESSAGE FROM THE HOUSE

February 26, 2015

MR. PRESIDENT:
The Speaker has signed:

HOUSE CONCURRENT RESOLUTION NO. 4403.

and the same is herewith transmitted.

BARBARA BAKER, 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:

HOUSE CONCURRENT RESOLUTION NO. 4403.

MOTION

On motion of Senator Fain, Senate Rule 20 was suspended for the remainder of the day to allow consideration of additional floor resolutions.

EDITOR'S NOTE: Senate Rule 20 limits consideration of floor resolutions not essential to the operation of the Senate to one per day during regular daily sessions.

MOTION

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

MOTION

Senator Benton moved adoption of the following resolution:

SENATE RESOLUTION
8624

By Senator Benton

WHEREAS, The Boy Scouts of America have marked the closing of their 105th year of service to America on February 8th, and will continue serving to their communities; and

WHEREAS, The mission of the Boy Scouts of America is to prepare young people to make ethical and moral choices over their lifetimes by instilling in them the values of the Scout Oath and Scout Law; and

WHEREAS, The Scouting program has maintained a strong ethical standard among every community of which the program has influence; and

WHEREAS, Through the Boy Scouts of America, programs such as the Venturing and Varsity Crew, Sea Scouts, Cub Scouts, and Order of the Arrow have received outstanding recognition for the training and life experiences taught to our young scouts, exemplifying commitment and dedication to their communities; and

WHEREAS, In 2013 alone, the Boy Scouts of America program reported over 17 million service hours for Journey to Excellence across the nation in areas such as food collection and distribution, litter cleanup and community beautification, conservation projects, serving food at shelters, fun runs and hikes, and military support and appreciation; and

WHEREAS, In 2013 over one million volunteers gave of their time assuming leadership positions for various Scouting programs; and

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WHEREAS, Baden Powell, founder of the Boy Scouts of America and decorated military leader, is recognized for his sincere devotion and countless hours of service to the preservation of America and the exceptional success of the Boy Scouts of America program; and

WHEREAS, Since 1910, more than 100 million citizens have become registered members; and

WHEREAS, 2.7 million scouts have served and worked diligently in their communities to receive the high honor and prestigious award of Eagle Scout;

NOW, THEREFORE, BE IT RESOLVED, That after 105 years of service, it is with great respect that the Washington State Senate honor and recognize the service, character, and strong ethical standing that the Boy Scouts of America have exemplified within our state, nation, and throughout the world; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to the National Boy Scouts of America office, the National Director of the Boy Scouts of America, and the Boy Scouts of America Councils in Washington: Chief Seattle Council, Pacific Harbors Council, Mount Baker Council, Grand Columbia Council, Blue Mountain Council, and Inland Northwest Council.

Senators Benton, Roach, Bailey, Hargrove, Hewitt, Fraser, Parlette and Kohl-Welles spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8624.

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

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced Eagle Scout Lee Thibodeau from Olympia Troop No. 266 who was seated at the rostrum.

REMARKS BY LEE THIBODEAU

Lee Thibodeau: "Good morning. My name is Lee Thibodeau and I am an Eagle Scout from Boy Scout Troop 226 in Olympia Washington. I and ten other Eagle Scouts are here today representing the seven Boy Scout councils in our state. Collectively, we are here to present the annual report on Scouting in the state of Washington. This past year over fifty-eight thousand young people in Washington State participated in scouting programs through the mentorship of more than twenty-five thousand adult volunteers. Of these scouts twenty-four thousand five hundred eighty nine attended camp and a record one thousand four hundred sixty seven achieved the pinnacle of scouting by earning the rank of Eagle Scout in our state last year. The Boy Scouts of American was founded on the premise that to be a good citizen you must do for others. Since its inceptions scouts and volunteers have committed to serving others with enthusiasm and conviction at all times. Over the years scouts have also worked diligently to protect the environment and learn the value of 'Leave no trace'. For one hundred and five years the Boy Scouts of America has stood as the involvement to the duty of God, duty to county and service to others. In 2014 Washington Scouts donated more than four hundred seven thousand hours of community service to our state. Based on the data provided by the business times, Scouts provided over 8.8 million dollars of service to organizations and communities throughout Washington State in 2014. By continuing to recruit quality leadership, inviting youths from all background and circumstances to become a part of scouting and offering fun and excited program will continue to help ordinary people become extraordinary adults. On behalf of the seven Boy Scouts Councils in Washington State would like to present Lieutenant Governor Brad Owen with a copy of the 2015 report to the State."

REMARKS BY THE PRESIDENT

President Owen: "Great job. We're very appreciative of everything that you and all the scouts in the state of Washington do for the people of the state of Washington."

INTRODUCTION OF SPECIAL GUESTS

The President welcomed Eagle Scouts throughout the state and Chip Schwarze, District Director, Capital Area District Boy Scouts of America Pacific Harbors Council who were seated in the gallery.

MOTION

Senator Warnick moved adoption of the following resolution:

SENATE RESOLUTION
8613

By Senator Warnick

WHEREAS, This Resolution encourages Washington families and children to participate in outdoor activities and discover their heritage, developing a connection with nature and building a foundation for lifelong environmental stewardship; and

WHEREAS, Numerous studies have shown that children who regularly and frequently participate in outdoor activities are healthier, perform better in school, possess better social skills and higher self-images, and lead more fulfilled lives; and

WHEREAS, The health and well-being of the children of Washington is vital to the future success of this great state and the United States of America; and

WHEREAS, Embracing Washington's natural beauty and outdoor heritage can play a significant role in encouraging families to increase levels of participation in outdoor activities, which bring them satisfaction and appreciation for our state's natural wonders; and

WHEREAS, It is in the interests of the citizens of Washington State to encourage families and children to explore and enjoy outdoor activities that interest them; and

WHEREAS, More than 13 states, including California, Colorado, Florida, Georgia, Illinois, Maryland, Nebraska, Nevada, North Carolina, Ohio, Oregon, Tennessee, and Wisconsin, similarly recognize the importance of outdoor activities to the future well-being of their citizens;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate honor the tradition of engaging the vast wealth of Washington's natural beauty and affirm that the children of Washington greatly benefit by discovering and experiencing the outdoors through activities such as hiking,

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adventuring, camping, fishing, hunting, family picnics, community parks, beach combing, and many more activities, thereby developing a relationship with Washington's great natural resources and learning respect and safety for the tools of outdoor recreation and exploration.

Senator Warnick spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8613.

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

INTRODUCTION OF SPECIAL GUESTS

The President welcomed the Washington State Outdoor Heritage; Kittitas County Auditor Jerry Pettit; Kittitas county Commissioners Office; Youth Outdoors Unlimited; Hunters Heritage Council and Washingtonians for Wildlife Conservation creating who were seated in the gallery.

MOTION

At 9:29 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 10:45 a.m. by President Owen.

MOTION

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

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced the teacher of the Year, Lyon Terry who was seated in the gallery.

THIRD READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Dammeier moved that Jennette J. Munoz-Colon, Gubernatorial Appointment No. 9123, be confirmed as a member of the State Board of Education.

Senator Dammeier spoke in favor of the motion.

APPOINTMENT OF JENNETTE J. MUNOZ-COLON

The President declared the question before the Senate to be the confirmation of Jennette J. Munoz-Colon, Gubernatorial Appointment No. 9123, as a member of the State Board of Education.

The Secretary called the roll on the confirmation of Jennette J. Munoz-Colon, Gubernatorial Appointment No. 9123, as a member of the State Board of Education and the appointment was confirmed by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hatfield, 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

Jennette J. Munoz-Colon, Gubernatorial Appointment No. 9123, having received the constitutional majority was declared confirmed as a member of the State Board of Education.

THIRD READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Litzow moved that Tammie J. Schrader, Gubernatorial Appointment No. 9158, be confirmed as a member of the Professional Educator Standards Board.

Senator Litzow spoke in favor of the motion.

APPOINTMENT OF TAMMIE J. SCHRADER

The President declared the question before the Senate to be the confirmation of Tammie J. Schrader, Gubernatorial Appointment No. 9158, as a member of the Professional Educator Standards Board.

The Secretary called the roll on the confirmation of Tammie J. Schrader, Gubernatorial Appointment No. 9158, as a member of the Professional Educator Standards Board and the appointment was confirmed by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hatfield, 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

Tammie J. Schrader, Gubernatorial Appointment No. 9158, having received the constitutional majority was declared confirmed as a member of the Professional Educator Standards Board.

THIRD READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Rivers moved that Michael J. Ciraulo, Gubernatorial Appointment No. 9026, be confirmed as a member of the Board of Trustees, Clark Community College District No. 14.

Senators Rivers and Cleveland spoke in favor of passage of the motion.

APPOINTMENT OF MICHAEL J. CIRAULO

The President declared the question before the Senate to be the confirmation of Michael J. Ciraulo, Gubernatorial Appointment No. 9026, as a member of the Board of Trustees, Clark Community College District No. 14.

The Secretary called the roll on the confirmation of Michael J. Ciraulo, Gubernatorial Appointment No. 9026, as a member of the Board of Trustees, Clark Community College District No. 14 and the appointment was confirmed by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hatfield, 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

Michael J. Ciraulo, Gubernatorial Appointment No. 9026, having received the constitutional majority was declared confirmed as a member of the Board of Trustees, Clark Community College District No. 14.

THIRD READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Litzow moved that Sidney Weldele-Wallace, Gubernatorial Appointment No. 9187, be confirmed as a member of the Board of Trustees for the Center of Childhood Deafness and Hearing Loss.

Senator Litzow spoke in favor of the motion.

APPOINTMENT OF SIDNEY WELDELE-WALLACE

The President declared the question before the Senate to be the confirmation of Sidney Weldele-Wallace, Gubernatorial Appointment No. 9187, as a member of the Board of Trustees for the Center of Childhood Deafness and Hearing Loss.

The Secretary called the roll on the confirmation of Sidney Weldele-Wallace, Gubernatorial Appointment No. 9187, as a member of the Board of Trustees for the Center of Childhood Deafness and Hearing Loss and the appointment was confirmed by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hatfield, 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

Sidney Weldele-Wallace, Gubernatorial Appointment No. 9187, having received the constitutional majority was declared confirmed as a member of the Board of Trustees for the Center of Childhood Deafness and Hearing Loss.

THIRD READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Dammeier moved that Larry E. Swift, Gubernatorial Appointment No. 9174, be confirmed as a member of the Board of Trustees for the Center of Childhood Deafness and Hearing Loss.

Senators Dammeier and Fraser spoke in favor of passage of the motion.

APPOINTMENT OF LARRY E. SWIFT

The President declared the question before the Senate to be the confirmation of Larry E. Swift, Gubernatorial Appointment No. 9174, as a member of the Board of Trustees for the Center of Childhood Deafness and Hearing Loss.

The Secretary called the roll on the confirmation of Larry E. Swift, Gubernatorial Appointment No. 9174, as a member of the Board of Trustees for the Center of Childhood Deafness and Hearing Loss and the appointment was confirmed by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hatfield, 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

Larry E. Swift, Gubernatorial Appointment No. 9174, having received the constitutional majority was declared confirmed as a member of the Board of Trustees for the Center of Childhood Deafness and Hearing Loss.

MOTION

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

SECOND READING

SENATE BILL NO. 5296, by Senators Conway, King, McAuliffe, Hasegawa and Chase

Concerning locksmith services. Revised for 1st Substitute: Concerning regulation of locksmith services.

MOTIONS

On motion of Senator Conway, Substitute Senate Bill No. 5296 was substituted for Senate Bill No. 5296 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Conway, the rules were suspended, Substitute Senate Bill No. 5296 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Conway and King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5296.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5296 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hatfield, 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

SUBSTITUTE SENATE BILL NO. 5296, having received the constitutional majority, was declared passed. There being no

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objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5470, by Senators Warnick and Liias

Concerning municipal procurement of water services.

MOTION

On motion of Senator Warnick, Substitute Senate Bill No. 5470 was substituted for Senate Bill No. 5470 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Warnick moved that the following amendment by Senator Warnick be adopted:

On page 1, line 6, after "municipality" strike "or water district"

On page 1, line 8, after "municipality" strike "or water district"

On page 1, line 16, after "municipality" strike "or water district"

On page 1, beginning on line 19, after "municipality" strike "or water district"

On page 2, line 1, after "municipality" strike "or water district"

Senators Warnick and McCoy spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of the amendment by Senator Warnick on page 1, line 6 to Substitute Senate Bill No. 5470.

The motion by Senator Warnick carried and the amendment was adopted by voice vote.

MOTION

On motion of Senator Warnick, the rules were suspended, Engrossed Substitute Senate Bill No. 5470 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Warnick spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5470.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5470 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hatfield, 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

ENGROSSED SUBSTITUTE SENATE BILL NO. 5470, 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. 5501, by Senators Fain, Frockt, Kohl-Welles and Chase

Preventing animal cruelty.

MOTIONS

On motion of Senator Fain, Substitute Senate Bill No. 5501 was substituted for Senate Bill No. 5501 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Fain, the rules were suspended, Substitute Senate Bill No. 5501 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Fain spoke in favor of passage of the bill.

POINT OF INQUIRY

Senator Dammeier: "Would Senator Fain yield to a question? So Senator Fain, is there any truth to the rumor that this bill if enacted would be the Waffles Act."

Senator Fain: "Thank you Senator. I appreciate that. I think originally we had coined this as the Waffles Act but I'm amending that. I think it should be the Waffles and Ruger Act."

Senators Kohl-Welles and Padden spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5501.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5501 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hatfield, 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

SUBSTITUTE SENATE BILL NO. 5501, 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. 5381, by Senators Billig, Frockt, Pedersen, Kohl-Welles, Rolfes, Liias, Nelson, Fraser, Cleveland, McCoy and McAuliffe

Creating a protocol for the return of firearms in the possession of law enforcement agencies.

MOTIONS

draft

On motion of Senator Billig, Substitute Senate Bill No. 5381 was substituted for Senate Bill No. 5381 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Billig, the rules were suspended, Substitute Senate Bill No. 5381 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Billig and Padden spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5381.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5381 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hatfield, 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

SUBSTITUTE SENATE BILL NO. 5381, 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. 5995, by Senators King, Hobbs, Fain, Liias, Litzow, Braun, Schoesler, Parlette, Dammeier, Warnick, Sheldon, O'Ban, Becker, Brown and Bailey

Modifying the transportation system policy goal of mobility.

The measure was read the second time.

MOTION

Senator King moved that the following striking amendment by Senator King and others be adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 47.04.280 and 2013 c 199 s 1 are each amended to read as follows:

(1) It is the intent of the legislature to establish policy goals for the planning, operation, performance of, and investment in, the state's transportation system. The policy goals established under this section are deemed consistent with the benchmark categories adopted by the state's blue ribbon commission on transportation on November 30, 2000. Public investments in transportation should support achievement of these policy goals:

(a) Economic vitality: To promote and develop transportation systems that stimulate, support, and enhance the movement of people and goods to ensure a prosperous economy;

(b) Preservation: To maintain, preserve, and extend the life and utility of prior investments in transportation systems and services;

(c) Safety: To provide for and improve the safety and security of transportation customers and the transportation system;

(d) Mobility: To improve the predictable movement of goods and people throughout Washington state<u>, including congestion relief and improved freight mobility</u>;

(e) Environment: To enhance Washington's quality of life through transportation investments that promote energy conservation, enhance healthy communities, and protect the environment; and

(f) Stewardship: To continuously improve the quality, effectiveness, and efficiency of the transportation system.

(2) The powers, duties, and functions of state transportation agencies must be performed in a manner consistent with the policy goals set forth in subsection (1) of this section.

(3) These policy goals are intended to be the basis for establishing detailed and measurable objectives and related performance measures.

(4) It is the intent of the legislature that the office of financial management establish objectives and performance measures for the department of transportation and other state agencies with transportation-related responsibilities to ensure transportation system performance at local, regional, and state government levels progresses toward the attainment of the policy goals set forth in subsection (1) of this section. The office of financial management shall submit initial objectives and performance measures to the legislature for its review and shall provide copies of the same to the commission during the 2008 legislative session. The office of financial management shall submit objectives and performance measures to the legislature for its review and shall provide copies of the same to the commission during each regular session of the legislature during an even-numbered year thereafter.

(5) A local or regional agency engaging in transportation planning may voluntarily establish objectives and performance measures to demonstrate progress toward the attainment of the policy goals set forth in subsection (1) of this section or any other transportation policy goals established by the local or regional agency. A local or regional agency engaging in transportation planning is encouraged to provide local and regional objectives and performance measures to be included with the objectives and performance measures submitted to the legislature pursuant to subsection (4) of this section.

(6) This section does not create a private right of action.

<u>NEW SECTION.</u> **Sec. 2.** The provisions of this act apply to projects identified as connecting Washington projects and supported by revenues generated under chapter ... (Substitute Senate Bill No. 5987), Laws of 2015.

<u>NEW SECTION.</u> **Sec. 3.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect July 1, 2015.

<u>NEW SECTION.</u> **Sec. 4.** This act takes effect only if chapter ... (Senate Bill No. ... (S-1301/15)), Laws of 2015 is enacted by June 30, 2015."

Senators King and Hobbs spoke in favor of adoption of the striking amendment.

The President declared the question before the Senate to be the adoption of the striking amendment by Senator King and others to Senate Bill No. 5995.

The motion by Senator King carried and the striking amendment was adopted by voice vote.

MOTION

There being no objection, the following title amendment was adopted:

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On page 1, line 2 of the title, after "mobility;" strike the remainder of the title and insert "amending RCW 47.04.280; creating a new section; providing an effective date; providing a contingent effective date; and declaring an emergency."

MOTION

On motion of Senator King, the rules were suspended ,Engrossed Senate Bill No. 5995 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5995.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5995 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hatfield, 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

ENGROSSED SENATE BILL NO. 5995, 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. 5997, by Senators King, Hobbs, Fain, Liias, Litzow, Braun, Schoesler, Parlette, Dammeier, Warnick, Sheldon, O'Ban, Hewitt, Becker and Brown

Concerning transportation project delivery.

MOTION

On motion of Senator King, Substitute Senate Bill No. 5997 was substituted for Senate Bill No. 5997 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator King moved that the following striking amendment by Senator King be adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 47.20.785 and 2006 c 37 s 1 are each amended to read as follows:

(1) The department of transportation ((~~may~~)) <u>is authorized and strongly encouraged to</u> use the design-build procedure for public works projects over ten million dollars ((~~where~~)) <u>when</u>:

(a) The construction activities are highly specialized and a design-build approach is critical in developing the construction methodology; or

(b) The projects selected provide opportunity for greater innovation and efficiencies between the designer and the builder; or

(c) Significant savings in project delivery time would be realized.

(2) To test the applicability of the design-build procedure on smaller projects and specialty projects, the department may conduct up to five pilot projects on projects that cost between two and ten million dollars. The department shall evaluate these pilot projects with respect to cost, time to complete, efficiencies gained, if any, and other pertinent information to facilitate analysis regarding the further use of the design-build process on projects of this size. <u>This subsection expires upon the completion of the five pilot projects authorized under this subsection.</u>

<u>NEW SECTION.</u> **Sec. 2.** (1) The joint transportation committee must convene a design-build contracting review panel to examine the department's implementation and use of design-build contracting under RCW 47.20.785.

(2) The design-build contracting review panel must provide a report detailing any recommended changes or improvements that the department of transportation should make to the design-build process in order to maximize cost and schedule efficiencies and ensure that design risk is borne by the appropriate party. The report is due to the transportation committees of the legislature and the governor by December 1, 2016.

(3) The design-build contracting review panel must be comprised of six members, two of which are nationally recognized experts in the field of design-build project delivery, a representative from the association of general contractors, a representative from the American council of engineering companies of Washington, a representative of the professional and technical employees local 17, and a representative from the department of transportation. The two nationally recognized experts must be selected cooperatively by the chairs and ranking members of the senate and house transportation committees from of a list of five to seven proposed candidates provided by the secretary of transportation and the governor. The chair of the design-build contracting review panel must be designated by the appointing authorities. The two experts serving on the panel must be compensated at a rate commensurate with their experience, including reimbursement for expenses according to RCW 43.03.050 and 43.03.060. The joint transportation committee will provide staff support to the design-build contracting review panel.

(4) This section expires June 30, 2017.

<u>NEW SECTION.</u> **Sec. 3.** The provisions of this act apply to projects identified as connecting Washington projects and supported by revenues generated under chapter ... (Substitute Senate Bill No. 5987), Laws of 2015.

<u>NEW SECTION.</u> **Sec. 4.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect July 1, 2015.

<u>NEW SECTION.</u> **Sec. 5.** This act takes effect only if chapter ... (Senate Bill No. ... (S-1301/15)), Laws of 2015 is enacted by June 30, 2015."

MOTION

There being no objection, the following title amendment was adopted:

On page 1, line 1 of the title, after "delivery;" strike the remainder of the title and insert "amending RCW 47.20.785; creating new sections; providing an effective date; providing a contingent effective date; providing an expiration date; providing a contingent expiration date; and declaring an emergency."

Senators King and Hobbs spoke in favor of adoption of the striking amendment.

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The President declared the question before the Senate to be the adoption of the striking amendment by Senator King to Substitute Senate Bill No. 5997.

The motion by Senator King carried and the striking amendment was adopted by voice vote.

MOTION

On motion of Senator King, the rules were suspended, Engrossed Substitute Senate Bill No. 5997 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators King and Hobbs spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5997.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5997 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hatfield, 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

ENGROSSED SUBSTITUTE SENATE BILL NO. 5997, 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. 5996, by Senators King, Hobbs, Fain, Liias, Litzow, Braun, Schoesler, Parlette, Dammeier, Warnick, Sheldon, O'Ban, Hewitt, Becker and Brown

Concerning Washington state department of transportation projects.

MOTION

On motion of Senator King, Substitute Senate Bill No. 5996 was substituted for Senate Bill No. 5996 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator King moved that the following striking amendment by Senator King and others be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** It is the intent of the legislature to achieve transportation regulatory reform that expedites the delivery of transportation projects through a streamlined approach to environmental decision making. The department of transportation should work cooperatively and proactively with state regulatory and natural resource agencies, public and private sector interests, and Indian tribes to avoid project delays. The department and state regulatory and natural resource agencies should continue to implement and improve upon the successful policies, guidance, tools, and procedures that were created as a result of transportation permit efficiency and accountability committee efforts. The department should expedite project delivery and routine maintenance activities through the use of programmatic agreements and permits where possible and seek new opportunities to eliminate duplicative processes.

NEW SECTION. **Sec. 2.** The legislature recognizes the value that tribal governments provide in the review of transportation projects. The legislature expects the department to continue its efforts to provide consistent consultation and communication during the environmental review of proposed transportation projects.

NEW SECTION. **Sec. 3.** The department must streamline the permitting process by developing and maintaining positive relationships with the regulatory agencies and the Indian tribes. The department can reduce the time it takes to obtain permits by incorporating impact avoidance and minimization measures into project design and by developing complete permit applications. To streamline the permitting process, the department must:

(1) Implement a multiagency permit program, commensurate with program funding levels, consisting of appropriate regulatory agency staff with oversight and management from the department.

(a) The multiagency permit program must provide early project coordination, expedited project review, project status updates, technical and regulatory guidance, and construction support to ensure compliance.

(b) The multiagency permit program staff must assist department project teams with developing complete biological assessments and permit applications, provide suggestions for how the project can avoid and minimize impacts, and provide input regarding mitigation for unavoidable impacts;

(2) Establish, implement, and maintain programmatic agreements and permits with federal and state agencies to expedite the process of ensuring compliance with the endangered species act, section 106 of the national historic preservation act, hydraulic project approvals, the clean water act, and other federal acts as appropriate;

(3) Collaborate with permitting staff from the United States army corps of engineers, Seattle district, department of ecology, and department of fish and wildlife to develop, implement, and maintain complete permit application guidance. The guidance must identify the information that is required for agencies to consider a permit application complete; and

(4) Perform internal quality assurance and quality control to ensure that permit applications are complete before submitting them to the regulatory agencies.

NEW SECTION. **Sec. 4.** The legislature finds that an essential component of streamlined permit decision making is the ability of the department to demonstrate the capacity to meet environmental responsibilities. Therefore, the legislature directs that:

(1) Qualified environmental staff within the department must supervise the development of all environmental documentation in accordance with the department's project delivery tools;

(2) The department must conduct special prebid meetings for projects that are environmentally complex. In addition, the department must review environmental requirements related to these projects during the preconstruction meeting held with the contractor who is awarded the bid;

(3) Environmental staff at the department, or consultant staff hired directly by the department, must conduct field inspections

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to ensure that project activities comply with permit conditions and environmental commitments. These inspectors:

(a) Must notify the department's project engineer when compliance with permit conditions or environmental regulations are not being met; and

(b) Must immediately notify the regulatory agencies with jurisdiction over the nonconforming work; and

(4) When a project is not complying with a permit or environmental regulation, the project engineer must immediately order the contractor to stop all nonconforming work and implement measures necessary to bring the project into compliance with permits and regulations.

NEW SECTION. **Sec. 5.** The legislature expects the department to continue its efforts to improve training and compliance. The department must:

(1) Provide training in environmental procedures and permit requirements for those responsible for project delivery activities;

(2) Require wetland mitigation sites to be designed by qualified technical specialists that meet training requirements developed by the department in consultation with the department of ecology. Environmental mitigation site improvements must have oversight by environmental staff;

(3) Develop, implement, and maintain an environmental compliance data system to track permit conditions, environmental commitments, and violations;

(4) Continue to implement the environmental compliance assurance procedure to ensure that appropriate agencies are notified and that action is taken to remedy noncompliant work as soon as possible. When work occurs that does not comply with environmental permits or regulations, the project engineer must document the lessons learned to make other project teams within the department aware of the violation to prevent reoccurrence; and

(5) Provide an annual report summarizing violations of environmental permits and regulations to the department of ecology and the legislature on March 1st of each year for violations occurring during the preceding year.

NEW SECTION. **Sec. 6.** The legislature finds that local land use reviews under chapter 90.58 RCW need to be harmonized with the efficient accomplishment of necessary maintenance and improvement to state transportation facilities. Local land use review procedures are highly variable and pose distinct challenges for linear facility maintenance and improvement projects sponsored by the department. In particular, clearer procedures for local permitting under chapter 90.58 RCW are needed to meet the objectives of chapter 36.70A RCW regarding department facilities designated as essential public facilities.

NEW SECTION. **Sec. 7.** Nothing in this chapter may be interpreted to create a private right of action or right of review. Judicial review of the department's environmental review is limited to that available under chapter 43.21C RCW or applicable federal law.

NEW SECTION. **Sec. 8.** A new section is added to chapter 47.01 RCW to read as follows:

(1) The department shall submit a report to the transportation committees of the legislature detailing engineering errors on highway construction projects resulting in project cost increases in excess of five hundred thousand dollars. The department must submit a full report within ninety days of the negotiated change order resulting from the engineering error.

(2) The department's full report must include an assessment and review of:

(a) How the engineering error happened;

(b) The department of the employee or employees responsible for the engineering error, without disclosing the name of the employee or employees;

(c) What corrective action was taken;

(d) The estimated total cost of the engineering error and how the department plans to mitigate that cost;

(e) Whether the cost of the engineering error will impact the overall project financial plan; and

(f) What action the secretary has recommended to avoid similar engineering errors in the future.

NEW SECTION. **Sec. 9.** Beginning in 2015-2017, the department of transportation shall include in the department of transportation "Grey Notebook" (the department's data driven performance-based reporting structure) and provide an annual agency "LEAN & Performance & Accountability Report." A summary of this report must be provided annually to the office of financial management and the joint transportation committee of the legislature. This report must include progress made on achieving:

(1) Criteria to prioritize asset management for maintenance, preservation, and capital improvements according to the legislatively mandated transportation goals;

(2) The agency's strategic core values, goals, and outcomes to meet the legislatively mandated goals;

(3) Results of LEAN efforts;

(4) Challenges in sustainable approaches to meeting statutory policy goals;

(5) Status on specific reforms initiated by the secretary of the department of transportation and operational effectiveness; and

(6) Completion of a Baldrige assessment every three years with a goal of achieving a score of sixty percent within seven years of the first assessment.

NEW SECTION. **Sec. 10.** Sections 1 through 7 of this act constitute a new chapter in Title 47 RCW.

NEW SECTION. **Sec. 11.** The provisions of this act apply to projects identified as connecting Washington projects and supported by revenues generated under chapter ... (Substitute Senate Bill No. 5987), Laws of 2015.

NEW SECTION. **Sec. 12.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect July 1, 2015.

NEW SECTION. **Sec. 13.** This act takes effect only if chapter ... (Senate Bill No. ... (S-1301/15)), Laws of 2015 is enacted by June 30, 2015."

Senators King and Hobbs spoke in favor of adoption of the striking amendment.

MOTION

There being no objection, the following title amendment was adopted:

On page 1, line 2 of the title, after "projects;" strike the remainder of the title and insert "adding a new section to chapter 47.01 RCW; adding a new chapter to Title 47 RCW; creating new sections; providing an effective date; providing a contingent effective date; and declaring an emergency."

MOTION

The President declared the question before the Senate to be the adoption of the striking amendment by Senator King and others to Substitute Senate Bill No. 5996.

The motion by Senator King carried and the striking amendment was adopted by voice vote.

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On motion of Senator King, the rules were suspended, Engrossed Substitute Senate Bill No. 5996 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators King and Hobbs spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5996.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5996 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 2; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Darneille, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hatfield, 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

Voting nay: Senators Dansel and Ericksen

ENGROSSED SUBSTITUTE SENATE BILL NO. 5996, 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. 5994, by Senators King, Hobbs, Fain, Liias, Litzow, Braun, Schoesler, Parlette, Dammeier, Warnick, Sheldon, Hewitt, Becker, Brown and Bailey

Concerning permits for state transportation corridor projects.

MOTION

On motion of Senator King, Substitute Senate Bill No. 5994 was substituted for Senate Bill No. 5994 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Fraser moved that the following amendment by Senator Fraser be adopted:

On page 1, after line 8, strike all of section 1

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

On page 1, beginning on line 2 of the title, after "70.95.030;" strike "adding a new section to chapter 36.70A RCW;"

PARLIAMENTARY INQUIRY

Senator Fraser: "Are we, does this amendment amend the underline bill or the striking amendment that has been moved?"

REPLY BY THE PRESIDENT

President Owen: "It amends the substitute."

PARLIAMENTARY INQUIRY

Senator Fraser: "The substitute, and there is a striking amendment. So, I would like a little clear on which I'm using."

REPLY BY THE PRESIDENT

President Owen: "Yes the striking amendment will come last as you perfect and then you strike. So it is the amendment to the substitute at this point. You do have an amendment by the way Senator that is similar to the striking amendment. But right now we are amending the substitute."

WITHDRAWAL OF AMENDMENT

On motion of Senator Fraser, the amendment by Senator Fraser on page 1, line 8 to Substitute Senate Bill No. 5994 was withdrawn.

MOTION

Senator Ranker moved that the following amendment by Senator Ranker be adopted:

Beginning on page 3, after line 29, strike all of section 9

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

On page 1, line 2 of the title, after "RCW" strike "90.58.355 and"

WITHDRAWAL OF AMENDMENT

On motion of Senator Ranker, the amendment by Senator Ranker on page 3, line 29 to Substitute Senate Bill No. 5994 was withdrawn.

MOTION

Senator Liias moved that the following striking amendment by Senator Liias and others be adopted:

On page 2, after line 9, strike all of sections 3 through 5

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

On page 1, at the beginning of line 4 of the title, strike all material through "35A.21 RCW;" on line 5 and insert "adding a new section to chapter 35.21 RCW; adding a new section to chapter 36.01 RCW; adding a new section to chapter 35A.21 RCW;"

MOTION

Senator Fraser moved that the following amendment by Senator Fraser to the striking amendment be adopted:

On page 1, after line 2, strike all of section 1

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

Senators Fraser and Ranker spoke in favor of adoption of the amendment to the striking amendment.

Senators King and Hobbs spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of the amendment by Senator Fraser on page 1, after line 2 to the striking amendment to Substitute Senate Bill No. 5994.

The motion by Senator Fraser failed and the amendment to the striking amendment was not adopted by voice vote.

MOTION

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Senator Ranker moved that the following amendment by Senator Ranker to the striking amendment be adopted:

Beginning on page 3, after line 13 of the amendment, strike all of section 9

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

On page 5, line 2 of the title amendment, after "insert "" strike "amending RCW 90.58.355;"

Senators Ranker and Nelson spoke in favor of adoption of the amendment to the striking amendment.

Senators King and Hobbs spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of the amendment by Senator Ranker on page 3, after line 13 to the striking amendment to Substitute Senate Bill No. 5994.

The motion by Senator Ranker failed and the amendment to the striking amendment was not adopted by voice vote.

MOTION

Senator Ericksen moved that the following amendment by Senator Ericksen to the striking amendment be adopted:

On page 4, after line 28 of the amendment, insert the following:

"NEW SECTION. **Sec. 12.** A new section is added to chapter 47.01 RCW to read as follows:

For state highway projects, the department must follow the same expedited permitting process that applied to the Interstate 5 Skagit river bridge replacement project. The expedited permitting process must be used with the following permit or environmental exemption applied for on any state highway project:

(1) The department must grant or reject a state environmental policy act categorical exemption permit within eight days of application;

(2) A local government entity with jurisdiction must grant or reject a written shoreline exemption within eight days of application;

(3) The department of ecology must grant or reject a coastal zone management act consistency determination within twelve days of application;

(4) The department of fish and wildlife must grant or reject an emergency hydraulic project approval permit within eight days of application;

(5) The department of natural resources must grant or reject an aquatic lands right of entry permit within thirteen days of application; and

(6) Any other local government or state agency permit or environmental exemption not identified in this section required for a state highway project must be granted or denied within thirteen days of application.

NEW SECTION. **Sec. 13.** A new section is added to chapter 35.21 RCW to read as follows:

Construction may continue during an appeal of a permit issued under this chapter for state highway projects. However, if, as a result of judicial review, the courts order the removal or alteration of any portion of the construction or the restoration of any portion of the environment involved, the permittee is barred from recovering damages or costs involved in adhering to the requirements of the permit.

NEW SECTION. **Sec. 14.** A new section is added to chapter 36.01 RCW to read as follows:

Construction may continue during an appeal of a permit issued under this chapter for state highway projects. However, if, as a result of judicial review, the courts order the removal or alteration of any portion of the construction or the restoration of any portion of the environment involved, the permittee is barred from recovering damages or costs involved in adhering to the requirements of the permit.

NEW SECTION. **Sec. 15.** A new section is added to chapter 35A.21 RCW to read as follows:

Construction may continue during an appeal of a permit issued under this chapter for state highway projects. However, if, as a result of judicial review, the courts order the removal or alteration of any portion of the construction or the restoration of any portion of the environment involved, the permittee is barred from recovering damages or costs involved in adhering to the requirements of the permit.

NEW SECTION. **Sec. 16.** A new section is added to chapter 36.70A RCW to read as follows:

Construction may continue during an appeal of a permit issued under this chapter for state highway projects. However, if, as a result of judicial review, the courts order the removal or alteration of any portion of the construction or the restoration of any portion of the environment involved, the permittee is barred from recovering damages or costs involved in adhering to the requirements of the permit.

Sec. 17. RCW 90.58.140 and 2012 c 84 s 2 are each amended to read as follows:

(1) A development shall not be undertaken on the shorelines of the state unless it is consistent with the policy of this chapter and, after adoption or approval, as appropriate, the applicable guidelines, rules, or master program.

(2) A substantial development shall not be undertaken on shorelines of the state without first obtaining a permit from the government entity having administrative jurisdiction under this chapter.

A permit shall be granted:

(a) From June 1, 1971, until such time as an applicable master program has become effective, only when the development proposed is consistent with: (i) The policy of RCW 90.58.020; and (ii) after their adoption, the guidelines and rules of the department; and (iii) so far as can be ascertained, the master program being developed for the area;

(b) After adoption or approval, as appropriate, by the department of an applicable master program, only when the development proposed is consistent with the applicable master program and this chapter.

(3) The local government shall establish a program, consistent with rules adopted by the department, for the administration and enforcement of the permit system provided in this section. The administration of the system so established shall be performed exclusively by the local government.

(4) Except as otherwise specifically provided in subsection (11) of this section, the local government shall require notification of the public of all applications for permits governed by any permit system established pursuant to subsection (3) of this section by ensuring that notice of the application is given by at least one of the following methods:

(a) Mailing of the notice to the latest recorded real property owners as shown by the records of the county assessor within at least three hundred feet of the boundary of the property upon which the substantial development is proposed;

(b) Posting of the notice in a conspicuous manner on the property upon which the project is to be constructed; or

(c) Any other manner deemed appropriate by local authorities to accomplish the objectives of reasonable notice to adjacent landowners and the public.

The notices shall include a statement that any person desiring to submit written comments concerning an application, or

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desiring to receive notification of the final decision concerning an application as expeditiously as possible after the issuance of the decision, may submit the comments or requests for decisions to the local government within thirty days of the last date the notice is to be published pursuant to this subsection. The local government shall forward, in a timely manner following the issuance of a decision, a copy of the decision to each person who submits a request for the decision.

If a hearing is to be held on an application, notices of such a hearing shall include a statement that any person may submit oral or written comments on an application at the hearing.

(5) The system shall include provisions to assure that construction pursuant to a permit will not begin or be authorized until twenty-one days from the date the permit decision was filed as provided in subsection (6) of this section; or until all review proceedings are terminated if the proceedings were initiated within twenty-one days from the date of filing as defined in subsection (6) of this section except as follows:

(a) In the case of any permit issued to the state of Washington, department of transportation, for the construction and modification of SR 90 (I-90) on or adjacent to Lake Washington, the construction may begin after thirty days from the date of filing, and the permits are valid until December 31, 1995;

(b)(i) In the case of any permit or decision to issue any permit to the state of Washington, department of transportation, for the replacement of the floating bridge and landings of the state route number 520 Evergreen Point bridge on or adjacent to Lake Washington, the construction may begin twenty-one days from the date of filing. Any substantial development permit granted for the floating bridge and landings is deemed to have been granted on the date that the local government's decision to grant the permit is issued. This authorization to construct is limited to only those elements of the floating bridge and landings that do not preclude the department of transportation's selection of a four-lane alternative for state route number 520 between Interstate 5 and Medina. Additionally, the Washington state department of transportation shall not engage in or contract for any construction on any portion of state route number 520 between Interstate 5 and the western landing of the floating bridge until the legislature has authorized the imposition of tolls on the Interstate 90 floating bridge and/or other funding sufficient to complete construction of the state route number 520 bridge replacement and HOV program. For the purposes of this subsection (5)(b), the "western landing of the floating bridge" means the least amount of new construction necessary to connect the new floating bridge to the existing state route number 520 and anchor the west end of the new floating bridge;

(ii) Nothing in this subsection (5)(b) precludes the shorelines hearings board from concluding that the project or any element of the project is inconsistent with the goals and policies of the shoreline management act or the local shoreline master program;

(iii) This subsection (5)(b) applies retroactively to any appeals filed after January 1, 2012, and to any appeals filed on or after March 23, 2012, and expires June 30, 2014((.)); <u>;</u>

(c) <u>In the case of any permit issued to the state of Washington, department of transportation, for the construction of a state highway project, the construction may begin twenty-one days from the date of filing;</u>

<u>(d)</u> Except as authorized in (b) <u>and (c)</u> of this subsection, construction may be commenced no sooner than thirty days after the date of the appeal of the board's decision is filed if a permit is granted by the local government and (i) the granting of the permit is appealed to the shorelines hearings board within twenty-one days of the date of filing, (ii) the hearings board approves the granting of the permit by the local government or approves a portion of the substantial development for which the local government issued the permit, and (iii) an appeal for judicial review of the hearings board decision is filed pursuant to chapter 34.05 RCW. The appellant may request, within ten days of the filing of the appeal with the court, a hearing before the court to determine whether construction pursuant to the permit approved by the hearings board or to a revised permit issued pursuant to the order of the hearings board should not commence. If, at the conclusion of the hearing, the court finds that construction pursuant to such a permit would involve a significant, irreversible damaging of the environment, the court shall prohibit the permittee from commencing the construction pursuant to the approved or revised permit until all review proceedings are final. Construction pursuant to a permit revised at the direction of the hearings board may begin only on that portion of the substantial development for which the local government had originally issued the permit, and construction pursuant to such a revised permit on other portions of the substantial development may not begin until after all review proceedings are terminated. In such a hearing before the court, the burden of proving whether the construction may involve significant irreversible damage to the environment and demonstrating whether such construction would or would not be appropriate is on the appellant;

((~~(d)~~)) <u>(e)</u> Except as authorized in (b) <u>and (c)</u> of this subsection, if the permit is for a substantial development meeting the requirements of subsection (11) of this section, construction pursuant to that permit may not begin or be authorized until twenty-one days from the date the permit decision was filed as provided in subsection (6) of this section.

If a permittee begins construction pursuant to (a), (b), (c), ((~~or~~)) (d)<u>, or (e)</u> of this subsection, the construction is begun at the permittee's own risk. If, as a result of judicial review, the courts order the removal of any portion of the construction or the restoration of any portion of the environment involved or require the alteration of any portion of a substantial development constructed pursuant to a permit, the permittee is barred from recovering damages or costs involved in adhering to such requirements from the local government that granted the permit, the hearings board, or any appellant or intervener.

(6) Any decision on an application for a permit under the authority of this section, whether it is an approval or a denial, shall, concurrently with the transmittal of the ruling to the applicant, be filed with the department and the attorney general. This shall be accomplished by return receipt requested mail. A petition for review of such a decision must be commenced within twenty-one days from the date of filing of the decision.

(a) With regard to a permit other than a permit governed by subsection (10) of this section, "date of filing" as used in this section refers to the date of actual receipt by the department of the local government's decision.

(b) With regard to a permit for a variance or a conditional use governed by subsection (10) of this section, "date of filing" means the date the decision of the department is transmitted by the department to the local government.

(c) When a local government simultaneously transmits to the department its decision on a shoreline substantial development with its approval of either a shoreline conditional use permit or variance, or both, "date of filing" has the same meaning as defined in (b) of this subsection.

(d) The department shall notify in writing the local government and the applicant of the date of filing by telephone or electronic means, followed by written communication as necessary, to ensure that the applicant has received the full written decision.

Draft

(7) Applicants for permits under this section have the burden of proving that a proposed substantial development is consistent with the criteria that must be met before a permit is granted. In any review of the granting or denial of an application for a permit as provided in RCW 90.58.180 (1) and (2), the person requesting the review has the burden of proof.

(8) Any permit may, after a hearing with adequate notice to the permittee and the public, be rescinded by the issuing authority upon the finding that a permittee has not complied with conditions of a permit. If the department is of the opinion that noncompliance exists, the department shall provide written notice to the local government and the permittee. If the department is of the opinion that the noncompliance continues to exist thirty days after the date of the notice, and the local government has taken no action to rescind the permit, the department may petition the hearings board for a rescission of the permit upon written notice of the petition to the local government and the permittee if the request by the department is made to the hearings board within fifteen days of the termination of the thirty-day notice to the local government.

(9) The holder of a certification from the governor pursuant to chapter 80.50 RCW shall not be required to obtain a permit under this section.

(10) Any permit for a variance or a conditional use issued with approval by a local government under their approved master program must be submitted to the department for its approval or disapproval.

(11)(a) An application for a substantial development permit for a limited utility extension or for the construction of a bulkhead or other measures to protect a single-family residence and its appurtenant structures from shoreline erosion shall be subject to the following procedures:

(i) The public comment period under subsection (4) of this section shall be twenty days. The notice provided under subsection (4) of this section shall state the manner in which the public may obtain a copy of the local government decision on the application no later than two days following its issuance;

(ii) The local government shall issue its decision to grant or deny the permit within twenty-one days of the last day of the comment period specified in (a)(i) of this subsection; and

(iii) If there is an appeal of the decision to grant or deny the permit to the local government legislative authority, the appeal shall be finally determined by the legislative authority within thirty days.

(b) For purposes of this section, a limited utility extension means the extension of a utility service that:

(i) Is categorically exempt under chapter 43.21C RCW for one or more of the following: Natural gas, electricity, telephone, water, or sewer;

(ii) Will serve an existing use in compliance with this chapter; and

(iii) Will not extend more than twenty-five hundred linear feet within the shorelines of the state.

NEW SECTION. **Sec. 18.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

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

Senators Ericksen and Benton spoke in favor of adoption of the amendment to the striking amendment.

Senators Hobbs and King spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of the amendment by Senator Ericksen on page 4, line 28 to the striking amendment to Substitute Senate Bill No. 5994.

The motion by Senator Ericksen carried and the amendment to the striking amendment was adopted by voice vote.

The President declared the question before the Senate to be the adoption of the striking amendment by Senator Liias and others to Substitute Senate Bill No. 5994.

Senators Liias and King spoke in favor of adoption of the striking amendment.

Senator Nelson spoke against adoption of the striking amendment.

The motion by Senator Liias carried and the striking amendment was adopted by voice vote.

MOTION

There being no objection, the following title amendment was adopted:

On page 5, line 2 of the title amendment, after "90.58.355" strike all material through "47.01 RCW" on line 4 and insert "and 90.58.140; adding new sections to chapter 36.70A RCW; adding new sections to chapter 47.01 RCW"

MOTION

On motion of Senator King, the rules were suspended, Engrossed Substitute Senate Bill No. 5994 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators King, Hobbs and Dansel spoke in favor of passage of the bill.

Senators Fraser, Rolfes and McCoy spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5994.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5994 and the bill passed the Senate by the following vote: Yeas, 30; Nays, 19; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Braun, Brown, Dammeier, Dansel, Ericksen, Fain, Hargrove, Hatfield, Hewitt, Hill, Hobbs, Honeyford, King, Liias, Litzow, Miloscia, O'Ban, Padden, Parlette, Pearson, Rivers, Roach, Schoesler, Sheldon and Warnick

Voting nay: Senators Billig, Chase, Cleveland, Conway, Darneille, Fraser, Frockt, Habib, Hasegawa, Jayapal, Keiser, Kohl-Welles, McAuliffe, McCoy, Mullet, Nelson, Pedersen, Ranker and Rolfes

ENGROSSED SUBSTITUTE SENATE BILL NO. 5994, 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. 5992, by Senators King, Hobbs, Fain, Liias, Litzow, Braun, Schoesler, Parlette, Warnick, Sheldon, Becker and Brown

draft

Modifying certain requirements for ferry vessel construction.

MOTION

On motion of Senator King, Substitute Senate Bill No. 5992 was substituted for Senate Bill No. 5992 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator King moved that the following striking amendment by Senator King and others be adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 47.60.005 and 2008 c 124 s 1 are each amended to read as follows:

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

(1) "Adaptive management" means a systematic process for continually improving management policies and practices by learning from the outcomes of operational programs.

(2) "Capital plan" means the state ferry system plan developed by the department as described in RCW 47.06.050(2), reviewed by the commission, and reported to the transportation committees of the legislature by the ((~~commission~~)) department.

(3) "Capital project" has the same meaning as used in budget instructions developed by the office of financial management.

(4) "Commission" means the transportation commission created in RCW 47.01.051.

(5) "Improvement project" has the same meaning as in the budget instructions developed by the office of financial management. If the budget instructions do not define improvement project, then it has the same meaning as "program project" in the budget instructions. If a project meets both the improvement project and preservation project definitions in this section it must be defined as an improvement project. New vessel acquisitions must be defined as improvement projects.

(6) "Life-cycle cost model" means that portion of a capital asset inventory system which, among other things, is used to estimate future preservation needs.

(7) "Maintenance cost" has the same meaning as used in budget instructions developed by the office of financial management.

(8) "Preservation project" has the same meaning as used in budget instructions developed by the office of financial management.

(9) "Route" means all ferry sailings from one location to another, such as the Seattle to Bainbridge route or the Port Townsend to Keystone route.

(10) "Sailing" means an individual ferry sailing for a specific route, such as the 5:00 p.m. sailing from Seattle to Bremerton.

(11) "Travel shed" means one or more ferry routes with distinct characteristics as determined by the department.

(12) "Fixed price contract" means a contract that requires the contractor to deliver a specified project for a set price. Change orders on fixed price contracts are allowable but should be used on a very limited basis.

Sec. 2. RCW 47.60.010 and 2008 c 122 s 20 are each amended to read as follows:

The department is authorized to acquire by lease, charter, contract, purchase, condemnation, or construction, and partly by any or all of such means, and to thereafter operate, improve, and extend, a system of ferries on and crossing Puget Sound and any of its tributary waters and connections thereof, and connecting with the public streets and highways in the state. However, any new vessel planning, construction, purchase, analysis, or design work must be consistent with RCW 47.60.810. The system of ferries shall include such boats, vessels, wharves, docks, approaches, landings, franchises, licenses, and appurtenances as shall be determined by the department to be necessary or desirable for efficient operation of the ferry system and best serve the public. Subject to RCW 47.56.820, the department may in like manner acquire by purchase, condemnation, or construction and include in the ferry system such toll bridges, approaches, and connecting roadways as may be deemed by the department advantageous in channeling traffic to points served by the ferry system. In addition to the powers of acquisition granted by this section, the department is empowered to enter into any contracts, agreements, or leases with any person, firm, or corporation and to thereby provide, on such terms and conditions as it shall determine, for the operation of any ferry or ferries or system thereof, whether acquired by the department or not.

The authority of the department to sell and lease back any state ferry, for federal tax purposes only, as authorized by 26 U.S.C., Sec. 168(f)(8) is confirmed. Legal title and all incidents of legal title to any ferry sold and leased back (except for the federal tax benefits attributable to the ownership thereof) shall remain in the state of Washington.

Sec. 3. RCW 47.60.810 and 2001 c 226 s 4 are each amended to read as follows:

(1) The department ((~~may purchase new auto ferries through~~)) shall use ((~~of~~)) a modified request for proposals process when purchasing new auto ferries, except for new 144-auto ferries purchased through an option on a contract executed before the effective date of this section, whereby the prevailing shipbuilder and the department engage in a design and build partnership for the design and construction of the auto ferries. The process consists of the three phases described in subsection ((~~(2)~~)) (3) of this section.

(2) Throughout the three phases described in subsection (3) of this section, the department shall employ an independent owners representative to serve as a third-party intermediary between the department and the proposers, and subsequently the successful proposer. The independent owners representative shall:

(a) Serve as the department's primary advocate and communicator with the proposers and successful proposer;

(b) Perform project quality oversight;

(c) Manage any change order requests;

(d) Ensure that the contract is adhered to and the department's best interests are considered in all decisions; and

(e) Possess knowledge of and experience with inland waterways, Puget Sound vessel operations, the propulsion system of the new vessels, and Washington state ferries operations.

(3) The definitions in this subsection apply throughout RCW 47.60.812 through 47.60.822.

(a) "Phase one" means the evaluation and selection of proposers to participate in development of technical proposals in phase two.

(b) "Phase two" means the preparation of technical proposals by the selected proposers in consultation with the department.

(c) "Phase three" means the submittal and evaluation of bids, the award of the contract to the successful proposer, and the design and construction of the auto ferries.

Sec. 4. RCW 47.60.814 and 2001 c 226 s 6 are each amended to read as follows:

Subject to legislative appropriation for the procurement of vessels, the department shall issue a request for proposals to interested parties that must include, at least, the following:

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(1) Solicitation of a proposal to participate in a design and build partnership with the department to design and construct the auto ferries;

(2) Instructions on the prequalification process and procedures;

(3) A description of the modified request for proposals process. Under this process, the department may modify any component of the request for proposals, including the outline specifications, by addendum at any time before the submittal of bids in phase three;

(4) A description of the design and build partnership process to be used for procurement of the vessels;

(5) Outline specifications that provide the requirements for the vessels including, but not limited to, items such as length, beam, displacement, speed, propulsion requirements, capacities for autos and passengers, passenger space characteristics, and crew size. The department will produce notional line drawings depicting hull geometry that will interface with Washington state ferries terminal facilities. Notional lines may be modified in phase two, subject to approval by the department;

(6) Instructions for the development of technical proposals in phase two, and information regarding confidentiality of technical proposals;

(7) The vessel delivery schedule, identification of the port on Puget Sound where delivery must take place, and the location where acceptance trials must be held;

(8) The estimated price range for the contract;

(9) Notification that the contract will be a fixed price contract;

(10) The form and amount of the required bid deposit and contract security;

((~~(10)~~)) (11) A copy of the contract that will be signed by the successful proposer;

((~~(11)~~)) (12) The date by which proposals in phase one must be received by the department in order to be considered;

((~~(12)~~)) (13) A description of information to be submitted in the proposals in phase one concerning each proposer's qualifications, capabilities, and experience;

((~~(13)~~)) (14) A statement of the maximum number of proposers that may be selected in phase one for development of technical proposals in phase two;

((~~(14)~~)) (15) Criteria that will be used for the phase one selection of proposers to participate in the phase two development of technical proposals;

((~~(15)~~)) (16) A description of the process that will be used for the phase three submittal and evaluation of bids, award of the contract, and postaward administrative activities;

((~~(16)~~)) (17) A requirement that the contractor comply with all applicable laws, rules, and regulations including but not limited to those pertaining to the environment, worker health and safety, and prevailing wages;

((~~(17)~~)) (18) A requirement that the vessels be constructed within the boundaries of the state of Washington except that equipment furnished by the state and components, products, and systems that are standard manufactured items are not subject to the in-state requirement under this subsection. For the purposes of this subsection, "constructed" means the fabrication, by the joining together by welding or fastening of all steel parts from which the total vessel is constructed, including, but not limited to, all shell frames, longitudinals, bulkheads, webs, piping runs, wire ways, and ducting. "Constructed" also means the installation of all components and systems, including, but not limited to, equipment and machinery, castings, electrical, electronics, deck covering, lining, paint, and joiner work required by the contract. "Constructed" also means the interconnection of all equipment, machinery, and services, such as piping, wiring, and ducting; ((~~and~~

~~(18)~~)) (19) A requirement that all vessel design specifications and drawings must be complete and, when applicable, meet United States coast guard standards before vessel construction begins; and

(20) A requirement that all warranty work on the vessel must be performed within the boundaries of the state of Washington, insofar as practical.

NEW SECTION. **Sec. 5.** A new section is added to chapter 47.60 RCW to read as follows:

If all responses to the initial request for proposals under RCW 47.60.814 are greater than five percent above the department's engineer's estimate for the project, the department must reject all proposals and issue a subsequent request for proposal that is not subject to RCW 47.60.814(18).

Sec. 6. RCW 47.60.820 and 2001 c 226 s 9 are each amended to read as follows:

Phase three consists of the submittal and evaluation of bids and the award of the contract to the successful proposer for the final design and construction of the auto ferries, as follows:

(1) The department shall request bids for detailed design and construction of the vessels after completion of the review of technical proposals in phase two. The department will review detailed design drawings in phase three for conformity with the technical proposals submitted in phase two. In no case may the department's review replace the builder's responsibility to deliver a product meeting the phase two technical proposal. The department may only consider bids from selected proposers that have qualified to bid by submitting technical proposals that have been approved by the department.

(2) Each qualified proposer must submit its total bid price for all vessels, including certification that the bid is based upon its approved technical proposal and the request for proposals.

(3) Bids constitute an offer and remain open for ninety days from the date of the bid opening. A deposit in cash, certified check, cashier's check, or surety bond in an amount specified in the request for proposals must accompany each bid and no bid may be considered unless the deposit is enclosed.

(4) The department shall evaluate the submitted bids. Upon completing the bid evaluation, the department may select the responsive and responsible proposer that offers the lowest total fixed price bid ((~~price~~)) for all vessels.

(5) The department may waive informalities in the proposal and bid process, accept a bid from the lowest responsive and responsible proposer, reject any or all bids, republish, and revise or cancel the request for proposals to serve the best interests of the department.

(6) The department may:

(a) Award the contract to the proposer that has been selected as the responsive and responsible proposer that has submitted the lowest total fixed price bid ((~~price~~));

(b) If a contract cannot be signed with the apparent successful proposer, award the contract to the next lowest responsive and responsible proposer; or

(c) If necessary, repeat this procedure with each responsive and responsible proposer in order of rank until the list of those proposers has been exhausted.

(7) If the department awards a contract to a proposer under this section, and the proposer fails to enter into the contract and furnish satisfactory contract security as required by chapter 39.08 RCW within twenty days from the date of award, its deposit is forfeited to the state and will be deposited by the state treasurer to the credit of the Puget Sound capital construction account. Upon the execution of a ferry design and construction contract all proposal deposits will be returned.

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(8) The department may provide an honorarium to reimburse each unsuccessful phase three proposer for a portion of its technical proposal preparation costs at a preset, fixed amount to be specified in the request for proposals. If the department rejects all bids, the department may provide the honoraria to all phase three proposers that submitted bids.

(9) To accommodate change orders on a fixed price contract, the department shall request that the legislative appropriation for any auto ferry construction project include up to, but no more than, a five percent price contingency. This contingency must be identified in the funding request to the legislature and held in reserve until the office of financial management approves the expenditure.

Sec. 7. RCW 47.56.030 and 2008 c 122 s 8 are each amended to read as follows:

(1) Except as permitted under chapter 47.29 or 47.46 RCW:

(a) Unless otherwise delegated, and subject to RCW 47.56.820, the department of transportation shall have full charge of the planning, analysis, and construction of all toll bridges and other toll facilities including the Washington state ferries, and the operation and maintenance thereof.

(b) The transportation commission shall determine and establish the tolls and charges thereon.

(c) Unless otherwise delegated, and subject to RCW 47.56.820, the department shall have full charge of planning, analysis, and design of all toll facilities. The department may conduct the planning, analysis, and design of toll facilities as necessary to support the legislature's consideration of toll authorization.

(d) The department shall utilize and administer toll collection systems that are simple, unified, and interoperable. To the extent practicable, the department shall avoid the use of toll booths. The department shall set the statewide standards and protocols for all toll facilities within the state, including those authorized by local authorities.

(e) Except as provided in this section, the department shall proceed with the construction of such toll bridges and other facilities and the approaches thereto by contract in the manner of state highway construction immediately upon there being made available funds for such work and shall prosecute such work to completion as rapidly as practicable. The department is authorized to negotiate contracts for any amount without bid under (e)(i) and (ii) of this subsection:

(i) Emergency contracts, in order to make repairs to ferries or ferry terminal facilities or removal of such facilities whenever continued use of ferries or ferry terminal facilities constitutes a real or immediate danger to the traveling public or precludes prudent use of such ferries or facilities; and

(ii) Single source contracts for vessel dry dockings, when there is clearly and legitimately only one available bidder to conduct dry dock-related work for a specific class or classes of vessels. The contracts may be entered into for a single vessel dry docking or for multiple vessel dry dockings for a period not to exceed two years.

(f) Any new vessel planning, construction, purchase, analysis, or design work must be consistent with RCW 47.60.810.

(2) The department shall proceed with the procurement of materials, supplies, services, and equipment needed for the support, maintenance, and use of a ferry, ferry terminal, or other facility operated by Washington state ferries, in accordance with chapter 43.19 RCW except as follows:

(a) When the secretary of the department of transportation determines in writing that the use of invitation for bid is either not practicable or not advantageous to the state and it may be necessary to make competitive evaluations, including technical or performance evaluations among acceptable proposals to complete the contract award, a contract may be entered into by use of a competitive sealed proposals method, and a formal request for proposals solicitation. Such formal request for proposals solicitation shall include a functional description of the needs and requirements of the state and the significant factors.

(b) When purchases are made through a formal request for proposals solicitation the contract shall be awarded to the responsible proposer whose competitive sealed proposal is determined in writing to be the most advantageous to the state taking into consideration price and other evaluation factors set forth in the request for proposals. No significant factors may be used in evaluating a proposal that are not specified in the request for proposals. Factors that may be considered in evaluating proposals include but are not limited to: Price; maintainability; reliability; commonality; performance levels; life cycle cost if applicable under this section; cost of transportation or delivery; delivery schedule offered; installation cost; cost of spare parts; availability of parts and service offered; and the following:

(i) The ability, capacity, and skill of the proposer to perform the contract or provide the service required;

(ii) The character, integrity, reputation, judgment, experience, and efficiency of the proposer;

(iii) Whether the proposer can perform the contract within the time specified;

(iv) The quality of performance of previous contracts or services;

(v) The previous and existing compliance by the proposer with laws relating to the contract or services;

(vi) Objective, measurable criteria defined in the request for proposal. These criteria may include but are not limited to items such as discounts, delivery costs, maintenance services costs, installation costs, and transportation costs; and

(vii) Such other information as may be secured having a bearing on the decision to award the contract.

(c) When purchases are made through a request for proposal process, proposals received shall be evaluated based on the evaluation factors set forth in the request for proposal. When issuing a request for proposal for the procurement of propulsion equipment or systems that include an engine, the request for proposal must specify the use of a life cycle cost analysis that includes an evaluation of fuel efficiency. When a life cycle cost analysis is used, the life cycle cost of a proposal shall be given at least the same relative importance as the initial price element specified in the request of proposal documents. The department may reject any and all proposals received. If the proposals are not rejected, the award shall be made to the proposer whose proposal is most advantageous to the department, considering price and the other evaluation factors set forth in the request for proposal.

NEW SECTION. **Sec. 8.** RCW 47.56.780 (New ferry vessel construction for service on routes that require a vessel that carries no more than one hundred motor vehicles—How constructed—Warranty work) and 2008 c 4 s 2 are each repealed.

NEW SECTION. **Sec. 9.** The provisions of this act apply to new project contracts identified as connecting Washington projects and supported by revenues generated under chapter ... (Substitute Senate Bill No. 5987), Laws of 2015.

NEW SECTION. **Sec. 10.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect July 1, 2015.

NEW SECTION. **Sec. 11.** This act takes effect only if chapter ... (Senate Bill No. ... (S-1301/15)), Laws of 2015 is enacted by June 30, 2015."

Draft

MOTION

Senator Ericksen moved that the following amendment by Senator Ericksen to the striking amendment be adopted:

On page 6, line 2 of the amendment, after "RCW 47.60.814(18)." insert "When developing the engineer's estimate for the initial request for proposals, the department must estimate costs assuming that RCW 47.60.814(18) does not apply."

Senator Ericksen spoke in favor of adoption of the amendment to the striking amendment.

Senators Hobbs and King spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of the amendment by Senator Ericksen on page 6, line 2 to the striking amendment to Substitute Senate Bill No. 5992.

The motion by Senator Ericksen failed and the amendment to the striking amendment was not adopted by voice vote.

The President declared the question before the Senate to be the adoption of the striking amendment by Senator King and others to Substitute Senate Bill No. 5992.

The motion by Senator King carried and the striking amendment was adopted by voice vote.

MOTION

There being no objection, the following title amendment was adopted:

On page 1, line 2 of the title, after "construction;" strike the remainder of the title and insert "amending RCW 47.60.005, 47.60.010, 47.60.810, 47.60.814, 47.60.820, and 47.56.030; adding a new section to chapter 47.60 RCW; creating a new section; repealing RCW 47.56.780; providing an effective date; providing a contingent effective date; and declaring an emergency."

MOTION

On motion of Senator King, the rules were suspended, Engrossed Substitute Senate Bill No. 5992 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5992.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5992 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hatfield, 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

Voting nay: Senator Ericksen

ENGROSSED SUBSTITUTE SENATE BILL NO. 5992, 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. 5991, by Senators King, Hobbs, Fain, Liias, Litzow, Braun, Schoesler, Parlette, Warnick, Sheldon, Becker and Brown

Concerning activities at the department of transportation funded by the environmental legacy stewardship account.

MOTION

On motion of Senator King, Substitute Senate Bill No. 5991 was substituted for Senate Bill No. 5991 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator King moved that the following striking amendment by Senator King and others be adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 70.105D.170 and 2013 2nd sp.s. c 28 s 1, 2013 2nd sp.s. c 19 s 7042, and 2013 2nd sp.s. c 4 s 991 are each reenacted and amended to read as follows:

(1) The environmental legacy stewardship account is created in the state treasury. Beginning July 1, 2013, and every fiscal year thereafter, the annual amount received from the tax imposed by RCW 82.21.030 that exceeds one hundred forty million dollars must be deposited into the environmental legacy stewardship account, twenty percent of which must be used solely for the purposes identified in subsection (2) (e) and (f) of this section beginning July 1, 2015, and every fiscal year thereafter. The state treasurer may make periodic deposits into the environmental legacy stewardship account based on forecasted revenue. Moneys in the account may only be spent after appropriation.

(2) Moneys in the environmental legacy stewardship account may be spent on:

(a) Grants or loans to local governments for performance and outcome-based projects, model remedies, demonstration projects, procedures, contracts, and project management and oversight that result in significant reductions in the time to complete compared to baseline averages;

(b) Purposes authorized under RCW 70.105D.070 (3) and (4);

(c) Grants or loans awarded through a competitive grant program administered by the department to fund design and construction of low-impact development retrofit projects and other high quality projects that reduce storm water pollution from existing infrastructure. The competitive grant program must apply criteria to review, rank, and prioritize projects for funding based on their water quality benefits, ecological benefits, and effectiveness at reducing environmental degradation; ((~~and~~))

(d) Cleanup and disposal of hazardous substances from abandoned or derelict vessels, defined for the purposes of this section as vessels that have little or no value and either have no identified owner or have an identified owner lacking financial resources to clean up and dispose of the vessel, that pose a threat to human health or the environment;

(e) Legacy storm water permit compliance activities at the department of transportation; and

(f) Fish passage barrier removal activities at the department of transportation.

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(3) Except as provided under RCW 70.105D.070(3) (k) and (q), nothing in chapter 1, Laws of 2013 2nd sp. sess. expands the ability of a potentially liable person to receive public funding.

(4) Moneys in the environmental legacy stewardship account may also be used as follows:

(a) During the 2013-2015 fiscal biennia, shoreline update technical assistance and for local government shoreline master program update grants;

(b) During the 2013-2015 fiscal biennium, solid and hazardous waste compliance at the department of corrections;

(c) During the 2013-2015 fiscal biennium, activities at the department of fish and wildlife concerning water quality monitoring, hatchery water quality regulatory compliance, and technical assistance to local governments on growth management and shoreline management;

(d) During the 2013-2015 fiscal biennium, forest practices regulation and aquatic land investigation and cleanup activities at the department of natural resources.

(5) For the 2013-2015 fiscal biennium, moneys in the environmental legacy stewardship account may be transferred to the local toxics control account.

NEW SECTION. **Sec. 2.** The provisions of this act apply to projects identified as connecting Washington projects and supported by revenues generated under chapter ... (Substitute Senate Bill No. 5987), Laws of 2015.

NEW SECTION. **Sec. 3.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect July 1, 2015.

NEW SECTION. **Sec. 4.** This act takes effect only if chapter ... (Senate Bill No. ... (S-1301/15)), Laws of 2015 is enacted by June 30, 2015."

On page 1, line 2 of the title, after "account;" strike the remainder of the title and insert "reenacting and amending RCW 70.105D.170; creating a new section; providing an effective date; providing a contingent effective date; and declaring an emergency."

Senators King and Hobbs spoke in favor of adoption of the striking amendment.

Senator McCoy 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 King and others to Substitute Senate Bill No. 5991.

The motion by Senator King carried and the striking amendment was adopted by voice vote.

MOTION

There being no objection, the following title amendment was adopted:

MOTION

On motion of Senator King, the rules were suspended, Engrossed Substitute Senate Bill No. 5991 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator King spoke in favor of passage of the bill.

Senators Ranker and Billig spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5991.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5991 and the bill passed the Senate by the following vote: Yeas, 27; Nays, 22; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Braun, Brown, Dammeier, Dansel, Fain, Hatfield, Hewitt, Hill, Hobbs, Honeyford, King, Liias, Litzow, Miloscia, O'Ban, Padden, Parlette, Pearson, Rivers, Schoesler, Sheldon and Warnick

Voting nay: Senators Billig, Chase, Cleveland, Conway, Darneille, Ericksen, Fraser, Frockt, Habib, Hargrove, Hasegawa, Jayapal, Keiser, Kohl-Welles, McAuliffe, McCoy, Mullet, Nelson, Pedersen, Ranker, Roach and Rolfes

ENGROSSED SUBSTITUTE SENATE BILL NO. 5991, 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. 5993, by Senators King, Fain, Litzow, Braun, Schoesler, Parlette, Warnick, Sheldon, Hewitt, Becker and Brown

Concerning public works contracts and projects.

The measure was read the second time.

MOTION

Senator Hobbs moved that the following striking amendment by Senator Hobbs and others be adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 39.04.320 and 2009 c 197 s 1 are each amended to read as follows:

(1)(a) Except as provided in (b) through (d) of this subsection, from January 1, 2005, and thereafter, for all public works estimated to cost one million dollars or more, all specifications shall require that no less than fifteen percent of the labor hours be performed by apprentices.

(b)(i) This section does not apply to contracts advertised for bid before July 1, 2007, for any public works by the department of transportation.

(ii) For contracts advertised for bid on or after July 1, 2007, and before July 1, 2008, for all public works by the department of transportation estimated to cost five million dollars or more, all specifications shall require that no less than ten percent of the labor hours be performed by apprentices.

(iii) For contracts advertised for bid on or after July 1, 2008, and before July 1, 2009, for all public works by the department of transportation estimated to cost three million dollars or more, all specifications shall require that no less than twelve percent of the labor hours be performed by apprentices.

(iv) For contracts advertised for bid on or after July 1, ((~~2009~~)) 2015, and before July 1, 2020, for all public works by the department of transportation estimated to cost ((~~two~~)) three million dollars or more, all specifications shall require that no less than fifteen percent of the labor hours be performed by apprentices.

(v) For contracts advertised for bid on or after July 1, 2020, for all public works by the department of transportation estimated to cost two million dollars or more, all specifications shall require

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that no less than fifteen percent of the labor hours be performed by apprentices.

(c)(i) This section does not apply to contracts advertised for bid before January 1, 2008, for any public works by a school district, or to any project funded in whole or in part by bond issues approved before July 1, 2007.

(ii) For contracts advertised for bid on or after January 1, 2008, for all public works by a school district estimated to cost three million dollars or more, all specifications shall require that no less than ten percent of the labor hours be performed by apprentices.

(iii) For contracts advertised for bid on or after January 1, 2009, for all public works by a school district estimated to cost two million dollars or more, all specifications shall require that no less than twelve percent of the labor hours be performed by apprentices.

(iv) For contracts advertised for bid on or after January 1, 2010, for all public works by a school district estimated to cost one million dollars or more, all specifications shall require that no less than fifteen percent of the labor hours be performed by apprentices.

(d)(i) For contracts advertised for bid on or after January 1, 2010, for all public works by a four-year institution of higher education estimated to cost three million dollars or more, all specifications must require that no less than ten percent of the labor hours be performed by apprentices.

(ii) For contracts advertised for bid on or after January 1, 2011, for all public works by a four-year institution of higher education estimated to cost two million dollars or more, all specifications must require that no less than twelve percent of the labor hours be performed by apprentices.

(iii) For contracts advertised for bid on or after January 1, 2012, for all public works by a four-year institution of higher education estimated to cost one million dollars or more, all specifications must require that no less than fifteen percent of the labor hours be performed by apprentices.

(2) Awarding entities may adjust the requirements of this section for a specific project for the following reasons:

(a) The demonstrated lack of availability of apprentices in specific geographic areas;

(b) A disproportionately high ratio of material costs to labor hours, which does not make feasible the required minimum levels of apprentice participation;

(c) Participating contractors have demonstrated a good faith effort to comply with the requirements of RCW 39.04.300 and 39.04.310 and this section; or

(d) Other criteria the awarding entity deems appropriate, which are subject to review by the office of the governor.

(3) The secretary of the department of transportation shall adjust the requirements of this section for a specific project for the following reasons:

(a) The demonstrated lack of availability of apprentices in specific geographic areas; or

(b) A disproportionately high ratio of material costs to labor hours, which does not make feasible the required minimum levels of apprentice participation.

(4) This section applies to public works contracts awarded by the state, to public works contracts awarded by school districts, and to public works contracts awarded by state four-year institutions of higher education. However, this section does not apply to contracts awarded by state agencies headed by a separately elected public official.

(5)(a) The department of ((~~general administration~~)) enterprise services must provide information and technical assistance to affected agencies and collect the following data from affected agencies for each project covered by this section:

(i) The name of each apprentice and apprentice registration number;

(ii) The name of each project;

(iii) The dollar value of each project;

(iv) The date of the contractor's notice to proceed;

(v) The number of apprentices and labor hours worked by them, categorized by trade or craft;

(vi) The number of journey level workers and labor hours worked by them, categorized by trade or craft; and

(vii) The number, type, and rationale for the exceptions granted under subsection (2) of this section.

(b) The department of labor and industries shall assist the department of ((~~general administration~~)) enterprise services in providing information and technical assistance.

(6) The secretary of transportation shall establish and maintain an apprenticeship utilization advisory committee, which shall include statewide geographic representation and consist of equal numbers of representatives of contractors and labor. The committee must include at least one member representing contractor businesses with less than thirty-five employees. The advisory committee shall meet regularly with the secretary of transportation to discuss implementation of this section by the department of transportation, including development of the process to be used to adjust the requirements of this section for a specific project. ((~~The committee shall provide a report to the legislature by January 1, 2008, on the effects of the apprentice labor requirement on transportation projects and on the availability of apprentice labor and programs statewide.~~))

(7) At the request of the senate labor, commerce, research and development committee, the house of representatives commerce and labor committee, or their successor committees, and the governor, the department of ((~~general administration~~)) enterprise services and the department of labor and industries shall compile and summarize the agency data and provide a joint report to both committees. The report shall include recommendations on modifications or improvements to the apprentice utilization program and information on skill shortages in each trade or craft.

Sec. 2. RCW 39.12.026 and 2003 c 363 s 206 are each amended to read as follows:

(1) In establishing the prevailing rate of wage under RCW 39.12.010, 39.12.015, and 39.12.020, all data collected by the department of labor and industries may be used only in the county for which the work was performed.

(2) ((~~This section applies only to prevailing wage surveys initiated on or after August 1, 2003.~~)) The department of labor and industries must provide registered contractors with the option of completing a wage survey electronically.

NEW SECTION. **Sec. 3.** A new section is added to chapter 47.01 RCW to read as follows:

The state coordinator for the federal helmets to hardhats program is created in the department, subject to the availability of amounts appropriated for this specific purpose. The department must establish procedures, in consultation with the department of veterans affairs and applicable veterans and labor organizations, for coordinating with the federal helmets to hardhats program and other opportunities for veterans to obtain skilled training and employment in the construction industry.

NEW SECTION. **Sec. 4.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect July 1, 2015."

Senators Hobbs and King spoke in favor of adoption of the striking amendment.

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The President declared the question before the Senate to be the adoption of the striking amendment by Senator Hobbs and others to Senate Bill No. 5993.

The motion by Senator Hobbs carried and the striking amendment was adopted by voice vote.

MOTION

There being no objection, the following title amendment was adopted:

On page 1, line 1 of the title, after "projects;" strike the remainder of the title and insert "amending RCW 39.04.320 and 39.12.026; adding a new section to chapter 47.01 RCW; providing an effective date; and declaring an emergency."

MOTION

On motion of Senator King, the rules were suspended, Engrossed Senate Bill No. 5993 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators King and Hobbs spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5993.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5993 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hatfield, 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

Voting nay: Senator Ericksen

ENGROSSED SENATE BILL NO. 5993, 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. 5990, by Senators King, Fain, Litzow, Braun, Schoesler, Parlette, Dammeier, Warnick, Sheldon, Hewitt, Becker, Brown and Bailey

Transferring certain state sales and use taxes collected on transportation projects to the connecting Washington account.

MOTION

On motion of Senator King, Substitute Senate Bill No. 5990 was substituted for Senate Bill No. 5990 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Ericksen moved that the following striking amendment by Senator Ericksen be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** A new section is added to chapter 82.32 RCW to read as follows:

(1) The state sales and use taxes paid with funds appropriated in an omnibus transportation appropriations act for transportation projects that are not exempt under sections 2 and 3 of this act must be transferred from the general fund to the connecting Washington account created in chapter ... (Substitute Senate Bill No. 5987), Laws of 2015.

(2) The transfer required under this section applies to:

(a) Between the effective date of this section and June 30, 2019, transportation projects funded from the connecting Washington account and any other projects identified by the legislature as connecting Washington projects; and

(b) Beginning July 1, 2019, all transportation projects.

(3) Quarterly, beginning in the calendar quarter immediately following the calendar quarter that this section is enacted into law, the department of transportation must submit a report to the department detailing the amount of state sales and use tax paid during the previous calendar quarter for which this section is applicable. The quarterly reports must contain such other information as required by the department to administer this section; are due by the tenth day of March, June, September, and December; and must be provided in a form and manner acceptable to the department. The department must notify the state treasurer of the amount of the transfer by the last working day of each calendar quarter.

(4) For purposes of this section, "state sales and use tax" means the taxes imposed under RCW 82.08.020 and 82.12.020, not reduced by any sales or use taxes imposed under the authority of chapter 82.14 RCW that are deducted from or credited against the taxes imposed under RCW 82.08.020 and 82.12.020.

NEW SECTION. **Sec. 2.** A new section is added to chapter 82.08 RCW to read as follows:

(1) The tax levied by RCW 82.08.020 does not apply to highway improvement or preservation projects that are administered by the state department of transportation, with respect to the sale of or charges made for:

(a) Labor and services described in RCW 82.04.050(2)(b) and rendered in respect to such highway improvement or preservation projects; and

(b) Tangible personal property that becomes an ingredient or component of such highway improvement or preservation projects.

(2) The exemption under this section applies to:

(a) Between the effective date of this section and June 30, 2019, highway improvement or preservation projects as described in subsection (1) of this section that are identified by the legislature as connecting Washington projects; and

(b) Beginning July 1, 2019, all highway improvement or preservation projects as described in subsection (1) of this section.

(3) The exemption under this section is available only when the buyer provides the seller with an exemption certificate in a form and manner prescribed by the department. The seller must retain a copy of the certificate for the seller's files.

(4) For purposes of this section, "highway improvement or preservation project" means the building, repairing, or improving of a publicly owned highway, street, place, road, easement, right-of-way, parking facility, bridge, tunnel, or trestle.

NEW SECTION. **Sec. 3.** A new section is added to chapter 82.12 RCW to read as follows:

(1) The tax levied by RCW 82.12.020 does not apply to the use of tangible personal property that becomes an ingredient or

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component of a highway improvement or preservation project administered by the state department of transportation.

(2) The exemption under this section applies to:

(a) Between the effective date of this section and June 30, 2019, the use of tangible personal property that becomes an ingredient or component of a highway improvement or preservation project that is identified by the legislature as a connecting Washington project; and

(b) Beginning July 1, 2019, the use of all tangible personal property that becomes an ingredient or component of a highway improvement or preservation project.

(3) For purposes of this section, "highway improvement or preservation project" has the same meaning as defined in section 2(4) of this act.

NEW SECTION. **Sec. 4.** The provisions of this act do not constitute a tax preference as defined in RCW 82.32.805 and are not subject to the provisions of RCW 82.32.805 or 82.32.808.

NEW SECTION. **Sec. 5.** (1) If a court of competent jurisdiction enters a final judgment on the merits that is no longer subject to appeal, preventing the state from collecting sales and use taxes from federal contractors based on a claim of discrimination against federal contractors in violation of the Supremacy Clause, sections 2 and 3 of this act expire as of the date that such judgment becomes nonappealable.

(2) For purposes of this section:

(a) "Federal contractor" means any person that is defined as a consumer under RCW 82.04.190 (3), (6), or (8), as a result of performing work for the United States.

(b) "Sales and use taxes" means the taxes imposed in RCW 82.08.020 and 82.12.020.

NEW SECTION. **Sec. 6.** The department of revenue must provide notice of the expiration date of sections 2 and 3 of this act to taxpayers, the legislature, the office of the code reviser, and others as deemed appropriate by the department.

NEW SECTION. **Sec. 7.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect July 1, 2015."

On page 1, line 3 of the title, after "account;" strike the remainder of the title and insert "adding a new section to chapter 82.32 RCW; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; creating new sections; providing an effective date; providing a contingent expiration date; and declaring an emergency."

Senator Ericksen spoke in favor of adoption of the striking amendment.

MOTION

Senator Hobbs moved that the following amendment by Senator Hobbs to the striking amendment be adopted:

On page 1, beginning on line 11 of the amendment, after "to" strike all material through "2019," on line 12

On page 1, beginning on line 15 of the amendment, after "projects" strike all material through "projects" on line 16

On page 2, beginning on line 12 of the amendment, after "to" strike all material through "2019," on line 13

On page 2, beginning on line 16 of the amendment, after "projects" strike all material through "section" on line 18

On page 2, beginning on line 33 of the amendment, after "to" strike all material through "2019," on line 34

Beginning on page 2, line 37 of the amendment, after "project" strike all material through "project" on page 3, line 3

Senators Hobbs, Frockt and Mullet spoke in favor of adoption of the amendment to the striking amendment.

Senator King spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of the amendment by Senator Hobbs on page 1, line 11 to the striking amendment to Substitute Senate Bill No. 5990.

The motion by Senator Hobbs failed and the amendment to the striking amendment was not adopted by a rising vote.

MOTION

Senator Jayapal moved that the following amendment by Senator Jayapal and McAuliffe be adopted.

On page 3, beginning on line 27 of the amendment, strike all of section 7 and insert the following:

"NEW SECTION. **Sec. 7.** This act takes effect only if the Washington state supreme court terminates its jurisdiction over *McCleary v. State of Washington*, Supreme Court No. 84362-7."

On page 4, line 2 of the title amendment, after "sections;" strike the remainder of the title and insert "providing a contingent effective date; and providing a contingent expiration date."

Senators Jayapal, Billig and Habib spoke in favor of adoption of the amendment to the striking amendment.

Senators King and Benton spoke against adoption of the amendment to the striking amendment.

Senator Rolfes demanded a roll call.

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

POINT OF ORDER

Senator Rolfes: "I would like to ask members to not impugn the motives of others and to be respectful of everybody's whose speaking speeches on the floor. Thank you."

REMARKS BY THE PRESIDENT

President Owen: "Thank you Senator. The President would remind members as we get into later parts of the session and we have a number of new members that you are to speak only on the merits of the amendment not the motions or demeanor of the members. Speak only on the merits of the motion."

POINT OF ORDER

Senator Padden: "Isn't' there a difference though between speaking on an idea verses an individual. So, the idea may be whatever not necessarily the individual that is promoting that idea."

REPLY BY THE PRESIDENT

President Owen: "Senator Padden, you make a good point but however the President does rule very tightly on this issue and at times it is sometimes clear as to who people are referencing and sometimes it more as you are noting a general comment. The President tries to be sensitive to that. In this case had he thought Senator Benton was directing his comments directly at a member he would of stopped him at that point and I did not."

Senator Hobbs spoke in favor of adoption of the amendment to the striking amendment.

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The President declared the question before the Senate to be the adoption of the amendment by Senator Jayapal and McAuliffe on page 3, line 27 to Substitute Senate Bill No. 5990.

ROLL CALL

The Secretary called the roll on the adoption of the amendment by Senators Jayapal and McAuliffe on page 3, line 27 to the striking amendment and the amendment was not adopted by the following vote: Yeas, 23; Nays, 26; Absent, 0; Excused, 0.

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

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

The President declared the question before the Senate to be the adoption of the striking amendment by Senator Ericksen to Substitute Senate Bill No. 5990.

Senators Fraser and Frockt spoke against adoption of the striking amendment.

Senator Ericksen spoke in favor of adoption of the striking amendment.

The motion by Senator Ericksen carried and the striking amendment was adopted by voice vote.

MOTION

There being no objection, the following title amendment was adopted:

MOTION

On motion of Senator King, the rules were suspended, Engrossed Substitute Senate Bill No. 5990 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Ericksen and Baumgartner spoke in favor of passage of the bill.

Senators Hobbs, Hargrove, Liias, McAuliffe and Nelson spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5990.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5990 and the bill passed the Senate by the following vote: Yeas, 26; Nays, 23; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Braun, Brown, Dammeier, Dansel, Ericksen, Fain, Hewitt, Hill, Honeyford, King, Litzow, Miloscia, O'Ban, Padden, Parlette, Pearson, Rivers, Roach, Schoesler, Sheldon and Warnick

Voting nay: Senators Billig, Chase, Cleveland, Conway, Darneille, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hatfield, Hobbs, Jayapal, Keiser, Kohl-Welles, Liias, McAuliffe, McCoy, Mullet, Nelson, Pedersen, Ranker and Rolfes

ENGROSSED SUBSTITUTE SENATE BILL NO. 5990, 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.

MOTION

On motion of Senator Fain, Rule 15 was suspended for the remainder of the day for the purpose of allowing continued floor action.

EDITOR'S NOTE: Senate Rule 15 establishes the floor schedule and calls for a lunch and dinner break of 90 minutes each per day during regular daily sessions.

MOTION

At 1:41 p.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 2:22 p.m. by President Owen.

MOTION

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

THIRD READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Bailey moved that Jerome O. Cohen, Gubernatorial Appointment No. 9029, be confirmed as a member of the Board of Trustees,, Clark Community College District No. 14.

Senator Bailey spoke in favor of the motion.

APPOINTMENT OF JEROME O. COHEN

The President declared the question before the Senate to be the confirmation of Jerome O. Cohen, Gubernatorial Appointment No. 9029, as a member of the Board of Trustees,, Clark Community College District No. 14.

The Secretary called the roll on the confirmation of Jerome O. Cohen, Gubernatorial Appointment No. 9029, as a member of the Board of Trustees,, Clark Community College District No. 14 and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 2; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Billig, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hatfield, 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

Absent: Senators Benton and Ericksen

Jerome O. Cohen, Gubernatorial Appointment No. 9029, having received the constitutional majority was declared confirmed as a member of the Board of Trustees,, Clark Community College District No. 14.

MOTION

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

SECOND READING

SENATE BILL NO. 5987, by Senators King, Hobbs, Fain, Liias and Litzow

Concerning transportation revenue.

MOTION

On motion of Senator King, Substitute Senate Bill No. 5987 was substituted for Senate Bill No. 5987 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Ericksen moved that the following amendment by Senator Ericksen be adopted:

On page 2, line 27, after "Beginning" strike "July 1, 2015" and insert "January 1, 2016"

On page 3, line 23, after "Beginning" strike "July 1, 2015" and insert "January 1, 2016"

On page 5, line 21, after "Beginning" strike "July 1, 2015" and insert "January 1, 2016"

On page 21, line 28, after "beginning" strike "July 1, 2015" and insert "January 1, 2016"

On page 23, line 36, after "beginning" strike "July 1, 2015" and insert "January 1, 2016"

On page 26, line 13, after "beginning" strike "July 1, 2015" and insert "January 1, 2016"

On page 27, line 4, after "beginning" strike "July 1, 2015" and insert "January 1, 2016"

On page 81, after line 13, insert the following:

"NEW SECTION. **Sec. 408.** The secretary of state shall submit sections 101 through 404 of this act to the people for their adoption and ratification, or rejection, at the next general election to be held in this state, in accordance with Article II, section 1 of the state Constitution and the laws adopted to facilitate its operation."

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

On page 81, beginning on line 14, after "Sections" strike all material through "406" on line 15 and insert "405 and 406"

On page 1, line 18 of the title, after "dates;" insert "providing for submission of certain sections of this act to a vote of the people;"

Senators Ericksen, Padden, Dansel and Benton spoke in favor of adoption of the amendment.

Senators Hobbs and King spoke against adoption of the amendment.

Senator Padden demanded a roll call.

The President declared that one-sixth of the members supported the demand and the demand was not sustained.

The President declared the question before the Senate to be the adoption of the amendment by Senator Ericksen on page 2, line 37 to Substitute Senate Bill No. 5987.

The motion by Senator Ericksen failed and the amendment was not adopted by voice vote.

MOTION

Senator Frockt moved that the following amendment by Senator Frockt be adopted:

On page 53, after line 1, insert the following:

"**Sec. 303.** RCW 36.73.015 and 2012 c 152 s 1 are each amended to read as follows:

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

(1) "City" means a city or town.

(2) "District" means a transportation benefit district created under this chapter.

(3) "Low-income" means household income that is at or below ((~~forty-five percent of~~)) the median household income, adjusted for household size, for the district in which the fees, taxes, or tolls were imposed.

(4) "Rebate program" means an optional program established by a transportation benefit district that includes a city with a population of five hundred thousand persons or more for the purpose of providing rebates to low-income individuals for fees, taxes, and/or tolls imposed by such transportation benefit district for: (a) Vehicle fees imposed under RCW 36.73.040(3)(b); (b) sales and use taxes imposed under RCW 36.73.040(3)(a); and/or (c) tolls imposed under RCW 36.73.040(3)(d).

(5) "Supplemental transportation improvement" or "supplemental improvement" means any project, work, or undertaking to provide public transportation service, in addition to a district's existing or planned voter-approved transportation improvements, proposed by a participating city member of the district under RCW 36.73.180.

(6) "Transportation improvement" means a project contained in the transportation plan of the state, a regional transportation planning organization, city, county, or eligible jurisdiction as identified in RCW 36.73.020(2). A project may include investment in new or existing highways of statewide significance, principal arterials of regional significance, high capacity transportation, public transportation, and other transportation projects and programs of regional or statewide significance including transportation demand management. Projects may also include the operation, preservation, and maintenance of these facilities or programs."

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

On page 1, line 5 of the title, after "82.80.140," insert "36.73.015,"

WITHDRAWAL OF AMENDMENT

On motion of Senator Frockt, the amendment by Senator Frockt on page 53, line 1 to Substitute Senate Bill No. 5987 was withdrawn.

MOTION

Senator Frockt moved that the following amendment by Senator Frockt be adopted:

On page 53, after line 1, insert the following:

"**Sec. 303.** RCW 36.73.015 and 2012 c 152 s 1 are each amended to read as follows:

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

(1) "City" means a city or town.

(2) "District" means a transportation benefit district created under this chapter.

(3) "Low-income" means household income that is at or below ((~~forty-five~~)) seventy-five percent of the median

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household income, adjusted for household size, for the district in which the fees, taxes, or tolls were imposed.

(4) "Rebate program" means an optional program established by a transportation benefit district that includes a city with a population of five hundred thousand persons or more for the purpose of providing rebates to low-income individuals for fees, taxes, and/or tolls imposed by such transportation benefit district for: (a) Vehicle fees imposed under RCW 36.73.040(3)(b); (b) sales and use taxes imposed under RCW 36.73.040(3)(a); and/or (c) tolls imposed under RCW 36.73.040(3)(d).

(5) "Supplemental transportation improvement" or "supplemental improvement" means any project, work, or undertaking to provide public transportation service, in addition to a district's existing or planned voter-approved transportation improvements, proposed by a participating city member of the district under RCW 36.73.180.

(6) "Transportation improvement" means a project contained in the transportation plan of the state, a regional transportation planning organization, city, county, or eligible jurisdiction as identified in RCW 36.73.020(2). A project may include investment in new or existing highways of statewide significance, principal arterials of regional significance, high capacity transportation, public transportation, and other transportation projects and programs of regional or statewide significance including transportation demand management. Projects may also include the operation, preservation, and maintenance of these facilities or programs."

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

On page 1, line 5 of the title, after "82.80.140," insert "36.73.015,"

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

The President declared the question before the Senate to be the adoption of the amendment by Senator Frockt on page 53, after line 1 to Substitute Senate Bill No. 5987.

The motion by Senator Frockt carried and the amendment was adopted by voice vote.

MOTION

Senator Liias moved that the following amendment by Senator Liias be adopted:

On page 62, line 27, after "(5)" strike "Authorization" and insert "Except for the regular property tax authorized in section 312 of this act, the authorization"

On page 62, line 37, after "(6)" strike "Agencies" and insert "Except for the regular property tax authorized in section 312 of this act, agencies"

On page 78, after line 5, insert the following:

"**Sec. 319.** RCW 81.112.050 and 2010 c 19 s 3 are each amended to read as follows:

(1) At the time of formation, the area to be included within the boundary of the authority shall be that area set forth in the system plan adopted by the joint regional policy committee. Prior to submitting the system and financing plan to the voters, the authority may make adjustments to the boundaries as deemed appropriate but must assure that, to the extent possible, the boundaries: (a) Include the largest-population urban growth area designated by each county under chapter 36.70A RCW; and (b) follow election precinct boundaries. If a portion of any city is determined to be within the service area, the entire city must be included within the boundaries of the authority. Subsequent to formation, when territory is annexed to a city located within the boundaries of the authority, the territory is simultaneously included within the boundaries of the authority and subject to all taxes and other liabilities and obligations applicable within the city with respect to the authority as provided in RCW 35.13.500 and 35A.14.475, subject to RCW 84.09.030 and 82.14.055, and notwithstanding any other provision of law.

(2) After voters within the authority boundaries have approved the system and financing plan, elections to add areas contiguous to the authority boundaries may be called by resolution of the regional transit authority, after consultation with affected transit agencies and with the concurrence of the legislative authority of the city or town if the area is incorporated, or with the concurrence of the county legislative authority if the area is unincorporated. Only those areas that would benefit from the services provided by the authority may be included and services or projects proposed for the area must be consistent with the regional transportation plan. The election may include a single ballot proposition providing for annexation to the authority boundaries and imposition of the taxes at rates already imposed within the authority boundaries, subject to RCW 84.09.030 and 82.14.055.

((~~(3) Upon receipt of a resolution requesting exclusion from the boundaries of the authority from a city whose municipal boundaries cross the boundaries of an authority and thereby result in only a portion of the city being subject to local option taxes imposed by the authority under chapters 81.104 and 81.112 RCW in order to implement a high capacity transit plan, and where the vote to approve the city's incorporation occurred simultaneously with an election approving the local option taxes, then upon a two-thirds majority vote of the governing board of the authority, the governing board shall redraw the boundaries of the authority to exclude that portion of the city that is located within the authority's boundaries, and the excluded area is no longer subject to local option taxes imposed by the authority. This subsection expires December 31, 1998.~~))"

On page 1, line 6 of the title, after "81.104.180," insert "81.112.050,"

Senators Liias and King spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of the amendment by Senator Liias on page 62, line 27 to Substitute Senate Bill No. 5987.

The motion by Senator Liias carried and the amendment was adopted by voice vote.

MOTION

Senator Frockt moved that the following amendment by Senator Frockt be adopted.

On page 64, line 2, after "exceeding" strike "three-tenths" and insert "eight-tenths"

On page 66, line 26, after "exceed" strike "ten" and insert "twenty-five"

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

Senator King spoke against adoption of the amendment.

Senator Rolfes demanded a roll call.

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

The President declared the question before the Senate to be the adoption of the amendment by Senator Frockt on page 64, line 2 to Substitute Senate Bill No. 5987.

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ROLL CALL

The Secretary called the roll on the adoption of the amendment by Senator Frockt and the amendment was not adopted by the following vote: Yeas, 23; Nays, 26; Absent, 0; Excused, 0.

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

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

MOTION

Senator Ericksen moved that the following amendment by Senator Ericksen be adopted:

On page 64, beginning on line 11, after "46.17.335(2)." strike all material through "section." on line 17

On page 64, beginning on line 18, after "authorities" strike all material through "section" on line 21

On page 64, line 22, after "82.44 RCW" strike all material through "voters"

On page 65, after line 14, insert the following:

"NEW SECTION. **Sec. 311.** A new section is added to chapter 82.44 RCW to read as follows:

(1)(a) A motor vehicle excise tax must be calculated in an honest and accurate way. For the purpose of determining any motor vehicle excise tax otherwise authorized by law, any taxing district imposing a motor vehicle excise tax must set a vehicle's taxable value by using the depreciation schedule set forth in this section. The taxable value equals the product of a percentage based on a vehicle's year of service, as provided in subsection (2) of this section, and the latest purchase price of the vehicle. The purchase price for the first year of service must be determined by the bill of sale provided by the buyer and seller, subject to the exemptions, exceptions, and definitions provided by this section, and must be affirmed by declaration by both parties.

(b) The legislature intends that this section will ensure an honest and accurate calculation of the tax. It is further the intent of the legislature that this section, when combined with the appeal process in RCW 82.44.065, will ensure that vehicle owners are taxed fairly.

(2) For the purpose of determining the tax under this chapter, the value of a truck-type power or trailing unit, or motor vehicle, including a passenger vehicle, motorcycle, motor home, sport utility vehicle, or light duty truck, must be the latest purchase price of the vehicle, excluding applicable federal excise taxes, state and local sales or use taxes, transportation or shipping costs, or preparatory or delivery costs, multiplied by the following percentage based on year of service of the vehicle since its most recent sale. The year the vehicle is offered for sale as a new vehicle must be considered the first year of service.

YEAR OF SERVICE	PERCENTAGE
1	100
2	75
3	55
4	40
5	25
6	10
7 and over	5

(3) The reissuance of title and registration for a truck-type power or trailing unit or motor vehicle, including a passenger vehicle, motorcycle, motor home, sport utility vehicle, or light duty truck because of the installation of body or special equipment, must be treated as a sale, and the latest purchase price of the truck-type power or trailing unit or motor vehicle, including a passenger vehicle, motorcycle, motor home, sport utility vehicle, or light duty truck at that time, as determined by the department from such information as may be available, must be considered its base value.

(4) If the purchase price is unavailable or otherwise unascertainable or the reissuance of title and registration is the result of a gift or inheritance, the department shall determine a value equivalent to the latest purchase price by using any information that may be available, including any guidebook, report, or compendium of recognized standing in the automotive industry or the selling price and year of sale of the vehicle. The department may use an appraisal by the county assessor. In valuing a vehicle for which the current value or selling price is not indicative of the value of similar vehicles of the same year and model, the department must establish a value that more closely represents the average value of similar vehicles of the same year and model.

(5) For purposes of this section, "value" excludes value attributable to modifications of a motor vehicle and equipment that are designed to facilitate the use or operation of the motor vehicle by a person with a disability.

NEW SECTION. **Sec. 312.** RCW 82.44.035 (Valuation of vehicles) and 2010 c 161 s 910 & 2006 c 318 s 1 are each repealed.

Sec. 313. RCW 82.44.065 and 2010 c 161 s 912 are each amended to read as follows:

(1) If the department determines a value for a vehicle ((~~equivalent to a manufacturer's base suggested retail price~~)) under section 311 of this act or the value of a truck or trailer under ((~~RCW 82.44.035~~)) section 311 of this act, any person who pays a locally imposed tax for that vehicle may appeal the valuation to the department under chapter 34.05 RCW. If the taxpayer is successful on appeal, the department ((~~shall~~)) must refund the excess tax in the manner provided in RCW 82.44.120.

(2) The legislature intends for this section to ensure an honest and accurate calculation of the tax."

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

On page 1, line 5 of the title, after "81.104.160," insert "82.44.065,"

On page 1, line 13 of the title, after "82.80 RCW;" insert "adding a new section to chapter 82.44 RCW;"

Senator Ericksen spoke in favor of adoption of the amendment.

Senators Liias and King spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of the amendment by Senator Ericksen on page 64, line 11 to Substitute Senate Bill No. 5987.

The motion by Senator Ericksen failed and the amendment was not adopted by voice vote.

MOTION

Senator Billig moved that the following amendment by Senator Liias be adopted:

On page 79, after line 29, insert the following:

"**Sec. 403.** RCW 47.04.300 and 2009 c 392 s 1 are each amended to read as follows:

(1) Concurrent with the federal safe, accountable, flexible, efficient transportation equity act of 2005, a safe routes to school program is established within the department. The purpose of the program is to:

((~~(1)~~)) (a) Enable and encourage children, including those with disabilities, to walk and bicycle to school;

((~~(2)~~)) (b) Make bicycling and walking to school a safer and more appealing transportation alternative, encouraging a healthy and active lifestyle from an early age; and

((~~(3)~~)) (c) Facilitate the planning, development, and implementation of projects and activities that will improve safety and reduce traffic, fuel consumption, and air pollution in the vicinity of schools.

(2) Consistent with federal funding levels from the 2011-2013 omnibus transportation appropriations act, at least ten million four hundred thousand dollars of federal transportation funds, of which fifty percent must come from the transportation alternatives program or an equivalent program and fifty percent from the highway safety improvement program or an equivalent program, must be made available during each fiscal biennium to the safe routes to school program.

Sec. 404. RCW 46.68.060 and 2013 c 306 s 717 are each amended to read as follows:

There is hereby created in the state treasury a fund to be known as the highway safety fund to the credit of which must be deposited all moneys directed by law to be deposited therein. This fund must be used for carrying out the provisions of law relating to driver licensing, driver improvement, financial responsibility, cost of furnishing abstracts of driving records and maintaining such case records, and to carry out the purposes set forth in RCW 43.59.010, and chapters 46.72 and 46.72A RCW. ((~~During the 2011-2013 and 2013-2015 fiscal biennia, the legislature may transfer from the highway safety fund to the Puget Sound ferry operations account, the motor vehicle fund, and the multimodal transportation account such amounts as reflect the excess fund balance of the highway safety fund.~~)) Beginning with the 2015-2017 fiscal biennium, during each fiscal biennium thereafter, and consistent with the intent of the fee increases in chapter 74, Laws of 2012 and chapter 80, Laws of 2012, at least six million eight hundred thousand dollars from the highway safety fund must be dedicated to the safe routes to school program under RCW 47.04.300."

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

On page 1, line 7 of the title, after "47.04.325," insert "47.04.300, 46.68.060,"

Senator Billig spoke in favor of adoption of the amendment.

Senators King and Hobbs spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of the amendment by Senator Liias on page 79, after line 29 to Substitute Senate Bill No. 5987.

The motion by Senator Billig failed and the amendment was not adopted by voice vote.

MOTION

Senator Angel moved that the following amendment by Senator Angel be adopted:

On page 80, after line 25, insert the following:

"**Sec. 404.** RCW 47.46.060 and 2012 c 77 s 1 are each amended to read as follows:

(1) Any person, including the department of transportation and any private entity or entities, may apply for deferral of taxes on the site preparation for, the construction of, the acquisition of any related machinery and equipment that becomes a part of, and the rental of equipment for use in the state route number 16 corridor improvements project under this chapter. Application must be made to the department of revenue in a form and manner prescribed by the department of revenue. The application must contain information regarding estimated or actual costs, time schedules for completion and operation, and other information required by the department of revenue. The department of revenue must approve the application within sixty days if it meets the requirements of this section.

(2) The department of revenue must issue a sales and use tax deferral certificate for state and local sales and use taxes due under chapters 82.08, 82.12, and 82.14 RCW on the project.

(3) The department of transportation or a private entity granted a tax deferral under this section must begin paying the deferred taxes in the ((~~eleventh~~)) twenty-fourth year after the date certified by the department of revenue as the date on which the project is operationally complete. The first payment is due on December 31st of the ((~~eleventh~~)) twenty-fourth calendar year after such certified date, with subsequent annual payments due on December 31st of the following nine years. Each payment must equal ten percent of the deferred tax. The project is operationally complete under this section when the collection of tolls is commenced for the state route number 16 improvements covered by the deferral.

(4) The department of revenue may authorize an accelerated repayment schedule upon request of the department of transportation or a private entity granted a deferral under this section.

(5) Interest may not be charged on any taxes deferred under this section for the period of deferral, although all other penalties and interest applicable to delinquent excise taxes may be assessed and imposed for delinquent payments under this section. The debt for deferred taxes is not extinguished by insolvency or other failure of the private entity. Transfer of ownership does not terminate the deferral.

(6) Applications and any other information received by the department of revenue under this section are not confidential and are subject to disclosure. Chapter 82.32 RCW applies to the administration of this section."

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

On page 1, line 7 of the title, after "47.04.325," insert "47.46.060,"

Senators Angel, Rolfes and King spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of the amendment by Senator Angel on page 80, after line 25 to Substitute Senate Bill No. 5987.

The motion by Senator Angel carried and the amendment was adopted by voice vote.

MOTION

Senator Nelson moved that the following striking amendment by Senator Nelson and others be adopted:

Strike everything after the enacting clause and insert the following:

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"PART I
MOTOR VEHICLE AND SPECIAL FUEL TAXES

Sec. 101. RCW 82.36.025 and 2007 c 515 s 3 are each amended to read as follows:

(1) A motor vehicle fuel tax rate of twenty-three cents per gallon on motor vehicle fuel shall be imposed on motor vehicle fuel licensees, other than motor vehicle fuel distributors.

(2) Beginning July 1, 2003, an additional and cumulative motor vehicle fuel tax rate of five cents per gallon on motor vehicle fuel shall be imposed on motor vehicle fuel licensees, other than motor vehicle fuel distributors. This subsection (2) expires when the bonds issued for transportation 2003 projects are retired.

(3) Beginning July 1, 2005, an additional and cumulative motor vehicle fuel tax rate of three cents per gallon on motor vehicle fuel shall be imposed on motor vehicle fuel licensees, other than motor vehicle fuel distributors.

(4) Beginning July 1, 2006, an additional and cumulative motor vehicle fuel tax rate of three cents per gallon on motor vehicle fuel shall be imposed on motor vehicle fuel licensees, other than motor vehicle fuel distributors.

(5) Beginning July 1, 2007, an additional and cumulative motor vehicle fuel tax rate of two cents per gallon on motor vehicle fuel shall be imposed on motor vehicle fuel licensees, other than motor vehicle fuel distributors.

(6) Beginning July 1, 2008, an additional and cumulative motor vehicle fuel tax rate of one and one-half cents per gallon on motor vehicle fuel shall be imposed on motor vehicle fuel licensees, other than motor vehicle fuel distributors.

(7) Beginning July 1, 2015, an additional and cumulative motor vehicle fuel tax rate of five cents per gallon on motor vehicle fuel shall be imposed on motor vehicle fuel licensees, other than motor vehicle fuel distributors.

Sec. 102. RCW 82.38.030 and 2014 c 216 s 201 are each amended to read as follows:

(1) There is levied and imposed upon fuel licensees a tax at the rate of twenty-three cents per each gallon of fuel, measured at standard pressure and temperature.

(2) Beginning July 1, 2003, an additional and cumulative tax rate of five cents per each gallon of fuel, measured at standard pressure and temperature is imposed on fuel licensees. This subsection (2) expires when the bonds issued for transportation 2003 projects are retired.

(3) Beginning July 1, 2005, an additional and cumulative tax rate of three cents per each gallon of fuel, measured at standard pressure and temperature is imposed on fuel licensees.

(4) Beginning July 1, 2006, an additional and cumulative tax rate of three cents per each gallon of fuel, measured at standard pressure and temperature is imposed on fuel licensees.

(5) Beginning July 1, 2007, an additional and cumulative tax rate of two cents per each gallon of fuel, measured at standard pressure and temperature is imposed on fuel licensees.

(6) Beginning July 1, 2008, an additional and cumulative tax rate of one and one-half cents per each gallon of fuel, measured at standard pressure and temperature is imposed on fuel licensees.

(7) Beginning July 1, 2015, an additional and cumulative tax rate of five cents per each gallon of fuel, measured at standard pressure and temperature is imposed on fuel licensees.

(8) Taxes are imposed when:

(a) Fuel is removed in this state from a terminal if the fuel is removed at the rack unless the removal is by a licensed supplier or distributor for direct delivery to a destination outside of the state, or the removal is by a fuel supplier for direct delivery to an international fuel tax agreement licensee under RCW 82.38.320;

(b) Fuel is removed in this state from a refinery if either of the following applies:

(i) The removal is by bulk transfer and the refiner or the owner of the fuel immediately before the removal is not a licensed supplier; or

(ii) The removal is at the refinery rack unless the removal is to a licensed supplier or distributor for direct delivery to a destination outside of the state, or the removal is to a licensed supplier for direct delivery to an international fuel tax agreement licensee under RCW 82.38.320;

(c) Fuel enters into this state for sale, consumption, use, or storage, unless the fuel enters this state for direct delivery to an international fuel tax agreement licensee under RCW 82.38.320, if either of the following applies:

(i) The entry is by bulk transfer and the importer is not a licensed supplier; or

(ii) The entry is not by bulk transfer;

(d) Fuel enters this state by means outside the bulk transfer-terminal system and is delivered directly to a licensed terminal unless the owner is a licensed distributor or supplier;

(e) Fuel is sold or removed in this state to an unlicensed entity unless there was a prior taxable removal, entry, or sale of the fuel;

(f) Blended fuel is removed or sold in this state by the blender of the fuel. The number of gallons of blended fuel subject to tax is the difference between the total number of gallons of blended fuel removed or sold and the number of gallons of previously taxed fuel used to produce the blended fuel;

(g) Dyed special fuel is used on a highway, as authorized by the internal revenue code, unless the use is exempt from the fuel tax;

(h) Dyed special fuel is held for sale, sold, used, or is intended to be used in violation of this chapter;

(i) Special fuel purchased by an international fuel tax agreement licensee under RCW 82.38.320 is used on a highway; and

(j) Fuel is sold by a licensed fuel supplier to a fuel distributor or fuel blender and the fuel is not removed from the bulk transfer-terminal system.

Sec. 103. RCW 82.38.030 and 2015 c ... s 102 (section 102 of this act) are each amended to read as follows:

(1) There is levied and imposed upon fuel licensees a tax at the rate of twenty-three cents per each gallon of fuel, measured at standard pressure and temperature.

(2) Beginning July 1, 2003, an additional and cumulative tax rate of five cents per each gallon of fuel, measured at standard pressure and temperature is imposed on fuel licensees. This subsection (2) expires when the bonds issued for transportation 2003 projects are retired.

(3) Beginning July 1, 2005, an additional and cumulative tax rate of three cents per each gallon of fuel, measured at standard pressure and temperature is imposed on fuel licensees.

(4) Beginning July 1, 2006, an additional and cumulative tax rate of three cents per each gallon of fuel, measured at standard pressure and temperature is imposed on fuel licensees.

(5) Beginning July 1, 2007, an additional and cumulative tax rate of two cents per each gallon of fuel, measured at standard pressure and temperature is imposed on fuel licensees.

(6) Beginning July 1, 2008, an additional and cumulative tax rate of one and one-half cents per each gallon of fuel, measured at standard pressure and temperature is imposed on fuel licensees.

(7) Beginning July 1, 2015, an additional and cumulative tax rate of five cents per each gallon of fuel, measured at standard pressure and temperature is imposed on fuel licensees.

(8) Beginning July 1, 2016, an additional and cumulative tax rate of four and two-tenths cents per each gallon of fuel, measured at standard pressure and temperature is imposed on fuel licensees.

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(9) Beginning July 1, 2017, an additional and cumulative tax rate of two and one-half cents per each gallon of fuel, measured at standard pressure and temperature is imposed on fuel licensees.

(10) Taxes are imposed when:

(a) Fuel is removed in this state from a terminal if the fuel is removed at the rack unless the removal is by a licensed supplier or distributor for direct delivery to a destination outside of the state, or the removal is by a fuel supplier for direct delivery to an international fuel tax agreement licensee under RCW 82.38.320;

(b) Fuel is removed in this state from a refinery if either of the following applies:

(i) The removal is by bulk transfer and the refiner or the owner of the fuel immediately before the removal is not a licensed supplier; or

(ii) The removal is at the refinery rack unless the removal is to a licensed supplier or distributor for direct delivery to a destination outside of the state, or the removal is to a licensed supplier for direct delivery to an international fuel tax agreement licensee under RCW 82.38.320;

(c) Fuel enters into this state for sale, consumption, use, or storage, unless the fuel enters this state for direct delivery to an international fuel tax agreement licensee under RCW 82.38.320, if either of the following applies:

(i) The entry is by bulk transfer and the importer is not a licensed supplier; or

(ii) The entry is not by bulk transfer;

(d) Fuel enters this state by means outside the bulk transfer-terminal system and is delivered directly to a licensed terminal unless the owner is a licensed distributor or supplier;

(e) Fuel is sold or removed in this state to an unlicensed entity unless there was a prior taxable removal, entry, or sale of the fuel;

(f) Blended fuel is removed or sold in this state by the blender of the fuel. The number of gallons of blended fuel subject to tax is the difference between the total number of gallons of blended fuel removed or sold and the number of gallons of previously taxed fuel used to produce the blended fuel;

(g) Dyed special fuel is used on a highway, as authorized by the internal revenue code, unless the use is exempt from the fuel tax;

(h) Dyed special fuel is held for sale, sold, used, or is intended to be used in violation of this chapter;

(i) Special fuel purchased by an international fuel tax agreement licensee under RCW 82.38.320 is used on a highway; and

(j) Fuel is sold by a licensed fuel supplier to a fuel distributor or fuel blender and the fuel is not removed from the bulk transfer-terminal system.

Sec. 104. RCW 46.68.090 and 2011 c 120 s 4 are each amended to read as follows:

(1) All moneys that have accrued or may accrue to the motor vehicle fund from the motor vehicle fuel tax and special fuel tax shall be first expended for purposes enumerated in (a) and (b) of this subsection. The remaining net tax amount shall be distributed monthly by the state treasurer in accordance with subsections (2) through ((~~(7)~~)) (8) of this section.

(a) For payment of refunds of motor vehicle fuel tax and special fuel tax that has been paid and is refundable as provided by law;

(b) For payment of amounts to be expended pursuant to appropriations for the administrative expenses of the offices of state treasurer, state auditor, and the department of licensing of the state of Washington in the administration of the motor vehicle fuel tax and the special fuel tax, which sums shall be distributed monthly.

(2) All of the remaining net tax amount collected under RCW 82.36.025(1) and 82.38.030(1) shall be distributed as set forth in (a) through (j) of this subsection.

(a) For distribution to the motor vehicle fund an amount equal to 44.387 percent to be expended for highway purposes of the state as defined in RCW 46.68.130;

(b) For distribution to the special category C account, hereby created in the motor vehicle fund, an amount equal to 3.2609 percent to be expended for special category C projects. Special category C projects are category C projects that, due to high cost only, will require bond financing to complete construction.

The following criteria, listed in order of priority, shall be used in determining which special category C projects have the highest priority:

(i) Accident experience;

(ii) Fatal accident experience;

(iii) Capacity to move people and goods safely and at reasonable speeds without undue congestion; and

(iv) Continuity of development of the highway transportation network.

Moneys deposited in the special category C account in the motor vehicle fund may be used for payment of debt service on bonds the proceeds of which are used to finance special category C projects under this subsection (2)(b);

(c) For distribution to the Puget Sound ferry operations account in the motor vehicle fund an amount equal to 2.3283 percent;

(d) For distribution to the Puget Sound capital construction account in the motor vehicle fund an amount equal to 2.3726 percent;

(e) For distribution to the transportation improvement account in the motor vehicle fund an amount equal to 7.5597 percent;

(f) For distribution to the transportation improvement account in the motor vehicle fund an amount equal to 5.6739 percent and expended in accordance with RCW 47.26.086;

(g) For distribution to the cities and towns from the motor vehicle fund an amount equal to 10.6961 percent in accordance with RCW 46.68.110;

(h) For distribution to the counties from the motor vehicle fund an amount equal to 19.2287 percent: (i) Out of which there shall be distributed from time to time, as directed by the department of transportation, those sums as may be necessary to carry out the provisions of RCW 47.56.725; and (ii) less any amounts appropriated to the county road administration board to implement the provisions of RCW 47.56.725(4), with the balance of such county share to be distributed monthly as the same accrues for distribution in accordance with RCW 46.68.120;

(i) For distribution to the county arterial preservation account, hereby created in the motor vehicle fund an amount equal to 1.9565 percent. These funds shall be distributed by the county road administration board to counties in proportions corresponding to the number of paved arterial lane miles in the unincorporated area of each county and shall be used for improvements to sustain the structural, safety, and operational integrity of county arterials. The county road administration board shall adopt reasonable rules and develop policies to implement this program and to assure that a pavement management system is used;

(j) For distribution to the rural arterial trust account in the motor vehicle fund an amount equal to 2.5363 percent and expended in accordance with RCW 36.79.020.

(3) The remaining net tax amount collected under RCW 82.36.025(2) and 82.38.030(2) shall be distributed to the transportation 2003 account (nickel account).

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(4) The remaining net tax amount collected under RCW 82.36.025(3) and 82.38.030(3) shall be distributed as follows:

(a) 8.3333 percent shall be distributed to the incorporated cities and towns of the state in accordance with RCW 46.68.110;

(b) 8.3333 percent shall be distributed to counties of the state in accordance with RCW 46.68.120; and

(c) The remainder shall be distributed to the transportation partnership account created in RCW 46.68.290.

(5) The remaining net tax amount collected under RCW 82.36.025(4) and 82.38.030(4) shall be distributed as follows:

(a) 8.3333 percent shall be distributed to the incorporated cities and towns of the state in accordance with RCW 46.68.110;

(b) 8.3333 percent shall be distributed to counties of the state in accordance with RCW 46.68.120; and

(c) The remainder shall be distributed to the transportation partnership account created in RCW 46.68.290.

(6) The remaining net tax amount collected under RCW 82.36.025 (5) and (6) and 82.38.030 (5) and (6) shall be distributed to the transportation partnership account created in RCW 46.68.290.

(7) The remaining net tax amount collected under RCW 82.36.025(7) and 82.38.030(7) shall be distributed to the connecting Washington account created in section 106 of this act.

(8) Nothing in this section or in RCW 46.68.130 may be construed so as to violate any terms or conditions contained in any highway construction bond issues now or hereafter authorized by statute and whose payment is by such statute pledged to be paid from any excise taxes on motor vehicle fuel and special fuels.

Sec. 105. RCW 46.68.090 and 2013 c 225 s 645 are each amended to read as follows:

(1) All moneys that have accrued or may accrue to the motor vehicle fund from the motor vehicle fuel tax and special fuel tax must be first expended for purposes enumerated in (a) and (b) of this subsection. The remaining net tax amount must be distributed monthly by the state treasurer in accordance with subsections (2) through ((~~(7)~~)) (8) of this section.

(a) For payment of refunds of motor vehicle fuel tax and special fuel tax that has been paid and is refundable as provided by law;

(b) For payment of amounts to be expended pursuant to appropriations for the administrative expenses of the offices of state treasurer, state auditor, and the department of licensing of the state of Washington in the administration of the motor vehicle fuel tax and the special fuel tax, which sums must be distributed monthly.

(2) All of the remaining net tax amount collected under RCW 82.38.030(1) must be distributed as set forth in (a) through (j) of this subsection.

(a) For distribution to the motor vehicle fund an amount equal to 44.387 percent to be expended for highway purposes of the state as defined in RCW 46.68.130;

(b)(i) For distribution to the special category C account, hereby created in the motor vehicle fund, an amount equal to 3.2609 percent to be expended for special category C projects. Special category C projects are category C projects that, due to high cost only, will require bond financing to complete construction.

(ii) The following criteria, listed in order of priority, must be used in determining which special category C projects have the highest priority:

(A) Accident experience;

(B) Fatal accident experience;

(C) Capacity to move people and goods safely and at reasonable speeds without undue congestion; and

(D) Continuity of development of the highway transportation network.

(iii) Moneys deposited in the special category C account in the motor vehicle fund may be used for payment of debt service on bonds the proceeds of which are used to finance special category C projects under this subsection (2)(b);

(c) For distribution to the Puget Sound ferry operations account in the motor vehicle fund an amount equal to 2.3283 percent;

(d) For distribution to the Puget Sound capital construction account in the motor vehicle fund an amount equal to 2.3726 percent;

(e) For distribution to the transportation improvement account in the motor vehicle fund an amount equal to 7.5597 percent;

(f) For distribution to the transportation improvement account in the motor vehicle fund an amount equal to 5.6739 percent and expended in accordance with RCW 47.26.086;

(g) For distribution to the cities and towns from the motor vehicle fund an amount equal to 10.6961 percent in accordance with RCW 46.68.110;

(h) For distribution to the counties from the motor vehicle fund an amount equal to 19.2287 percent: (i) Out of which there must be distributed from time to time, as directed by the department of transportation, those sums as may be necessary to carry out the provisions of RCW 47.56.725; and (ii) less any amounts appropriated to the county road administration board to implement the provisions of RCW 47.56.725(4), with the balance of such county share to be distributed monthly as the same accrues for distribution in accordance with RCW 46.68.120;

(i) For distribution to the county arterial preservation account, hereby created in the motor vehicle fund an amount equal to 1.9565 percent. These funds must be distributed by the county road administration board to counties in proportions corresponding to the number of paved arterial lane miles in the unincorporated area of each county and must be used for improvements to sustain the structural, safety, and operational integrity of county arterials. The county road administration board must adopt reasonable rules and develop policies to implement this program and to assure that a pavement management system is used;

(j) For distribution to the rural arterial trust account in the motor vehicle fund an amount equal to 2.5363 percent and expended in accordance with RCW 36.79.020.

(3) The remaining net tax amount collected under RCW 82.38.030(2) must be distributed to the transportation 2003 account (nickel account).

(4) The remaining net tax amount collected under RCW 82.38.030(3) must be distributed as follows:

(a) 8.3333 percent must be distributed to the incorporated cities and towns of the state in accordance with RCW 46.68.110;

(b) 8.3333 percent must be distributed to counties of the state in accordance with RCW 46.68.120; and

(c) The remainder must be distributed to the transportation partnership account created in RCW 46.68.290.

(5) The remaining net tax amount collected under RCW 82.38.030(4) must be distributed as follows:

(a) 8.3333 percent must be distributed to the incorporated cities and towns of the state in accordance with RCW 46.68.110;

(b) 8.3333 percent must be distributed to counties of the state in accordance with RCW 46.68.120; and

(c) The remainder must be distributed to the transportation partnership account created in RCW 46.68.290.

(6) The remaining net tax amount collected under RCW 82.38.030 (5) and (6) must be distributed to the transportation partnership account created in RCW 46.68.290.

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(7) The remaining net tax amount collected under RCW 82.38.030 (7), (8), and (9) must be distributed to the connecting Washington account created in section 106 of this act.

(8) Nothing in this section or in RCW 46.68.130 may be construed so as to violate any terms or conditions contained in any highway construction bond issues now or hereafter authorized by statute and whose payment is by such statute pledged to be paid from any excise taxes on motor vehicle fuel and special fuels.

NEW SECTION. **Sec. 106.** A new section is added to chapter 46.68 RCW to read as follows:

(1) The connecting Washington account is created in the motor vehicle fund. Moneys in the account may be spent only after appropriation. Expenditures from the account must be used only for projects or improvements identified as connecting Washington projects or improvements in a transportation appropriations act, including any principal and interest on bonds authorized for the projects or improvements.

(2) Moneys in the connecting Washington account and any other revenue generated from this act may not be expended on the state route number 99 Alaskan Way viaduct replacement project.

Sec. 107. RCW 43.84.092 and 2014 c 112 s 106, 2014 c 74 s 5, and 2014 c 32 s 6 are each reenacted and amended to read as follows:

(1) All earnings of investments of surplus balances in the state treasury shall be deposited to the treasury income account, which account is hereby established in the state treasury.

(2) The treasury income account shall be utilized to pay or receive funds associated with federal programs as required by the federal cash management improvement act of 1990. The treasury income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for refunds or allocations of interest earnings required by the cash management improvement act. Refunds of interest to the federal treasury required under the cash management improvement act fall under RCW 43.88.180 and shall not require appropriation. The office of financial management shall determine the amounts due to or from the federal government pursuant to the cash management improvement act. The office of financial management may direct transfers of funds between accounts as deemed necessary to implement the provisions of the cash management improvement act, and this subsection. Refunds or allocations shall occur prior to the distributions of earnings set forth in subsection (4) of this section.

(3) Except for the provisions of RCW 43.84.160, the treasury income account may be utilized for the payment of purchased banking services on behalf of treasury funds including, but not limited to, depository, safekeeping, and disbursement functions for the state treasury and affected state agencies. The treasury income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for payments to financial institutions. Payments shall occur prior to distribution of earnings set forth in subsection (4) of this section.

(4) Monthly, the state treasurer shall distribute the earnings credited to the treasury income account. The state treasurer shall credit the general fund with all the earnings credited to the treasury income account except:

(a) The following accounts and funds shall receive their proportionate share of earnings based upon each account's and fund's average daily balance for the period: The aeronautics account, the aircraft search and rescue account, the Alaskan Way viaduct replacement project account, the brownfield redevelopment trust fund account, the budget stabilization account, the capital vessel replacement account, the capitol building construction account, the Cedar River channel construction and operation account, the Central Washington University capital projects account, the charitable, educational, penal and reformatory institutions account, the cleanup settlement account, the Columbia river basin water supply development account, the Columbia river basin taxable bond water supply development account, the Columbia river basin water supply revenue recovery account, the common school construction fund, the community forest trust account, the connecting Washington account, the county arterial preservation account, the county criminal justice assistance account, the deferred compensation administrative account, the deferred compensation principal account, the department of licensing services account, the department of retirement systems expense account, the developmental disabilities community trust account, the diesel idle reduction account, the drinking water assistance account, the drinking water assistance administrative account, the drinking water assistance repayment account, the Eastern Washington University capital projects account, the Interstate 405 express toll lanes operations account, the education construction fund, the education legacy trust account, the election account, the energy freedom account, the energy recovery act account, the essential rail assistance account, The Evergreen State College capital projects account, the federal forest revolving account, the ferry bond retirement fund, the freight mobility investment account, the freight mobility multimodal account, the grade crossing protective fund, the public health services account, the high capacity transportation account, the state higher education construction account, the higher education construction account, the highway bond retirement fund, the highway infrastructure account, the highway safety fund, the high occupancy toll lanes operations account, the hospital safety net assessment fund, the industrial insurance premium refund account, the judges' retirement account, the judicial retirement administrative account, the judicial retirement principal account, the local leasehold excise tax account, the local real estate excise tax account, the local sales and use tax account, the marine resources stewardship trust account, the medical aid account, the mobile home park relocation fund, the motor vehicle fund, the motorcycle safety education account, the multimodal transportation account, the multiuse roadway safety account, the municipal criminal justice assistance account, the natural resources deposit account, the oyster reserve land account, the pension funding stabilization account, the perpetual surveillance and maintenance account, the public employees' retirement system plan 1 account, the public employees' retirement system combined plan 2 and plan 3 account, the public facilities construction loan revolving account beginning July 1, 2004, the public health supplemental account, the public works assistance account, the Puget Sound capital construction account, the Puget Sound ferry operations account, the real estate appraiser commission account, the recreational vehicle account, the regional mobility grant program account, the resource management cost account, the rural arterial trust account, the rural mobility grant program account, the rural Washington loan fund, the site closure account, the skilled nursing facility safety net trust fund, the small city pavement and sidewalk account, the special category C account, the special wildlife account, the state employees' insurance account, the state employees' insurance reserve account, the state investment board expense account, the state investment board commingled trust fund accounts, the state patrol highway account, the state route number 520 civil penalties account, the state route number 520 corridor account, the state wildlife account, the supplemental pension account, the Tacoma Narrows toll bridge account, the teachers' retirement system plan 1 account, the teachers' retirement system combined plan 2 and

plan 3 account, the tobacco prevention and control account, the tobacco settlement account, the toll facility bond retirement account, the transportation 2003 account (nickel account), the transportation equipment fund, the transportation fund, the transportation improvement account, the transportation improvement board bond retirement account, the transportation infrastructure account, the transportation partnership account, the traumatic brain injury account, the tuition recovery trust fund, the University of Washington bond retirement fund, the University of Washington building account, the volunteer firefighters' and reserve officers' relief and pension principal fund, the volunteer firefighters' and reserve officers' administrative fund, the Washington judicial retirement system account, the Washington law enforcement officers' and firefighters' system plan 1 retirement account, the Washington law enforcement officers' and firefighters' system plan 2 retirement account, the Washington public safety employees' plan 2 retirement account, the Washington school employees' retirement system combined plan 2 and 3 account, the Washington state health insurance pool account, the Washington state patrol retirement account, the Washington State University building account, the Washington State University bond retirement fund, the water pollution control revolving administration account, the water pollution control revolving fund, the Western Washington University capital projects account, the Yakima integrated plan implementation account, the Yakima integrated plan implementation revenue recovery account, and the Yakima integrated plan implementation taxable bond account. Earnings derived from investing balances of the agricultural permanent fund, the normal school permanent fund, the permanent common school fund, the scientific permanent fund, the state university permanent fund, and the state reclamation revolving account shall be allocated to their respective beneficiary accounts.

(b) Any state agency that has independent authority over accounts or funds not statutorily required to be held in the state treasury that deposits funds into a fund or account in the state treasury pursuant to an agreement with the office of the state treasurer shall receive its proportionate share of earnings based upon each account's or fund's average daily balance for the period.

(5) In conformance with Article II, section 37 of the state Constitution, no treasury accounts or funds shall be allocated earnings without the specific affirmative directive of this section.

Sec. 108. RCW 43.84.092 and 2014 c 112 s 107, 2014 c 74 s 6, and 2014 c 32 s 7 are each reenacted and amended to read as follows:

(1) All earnings of investments of surplus balances in the state treasury shall be deposited to the treasury income account, which account is hereby established in the state treasury.

(2) The treasury income account shall be utilized to pay or receive funds associated with federal programs as required by the federal cash management improvement act of 1990. The treasury income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for refunds or allocations of interest earnings required by the cash management improvement act. Refunds of interest to the federal treasury required under the cash management improvement act fall under RCW 43.88.180 and shall not require appropriation. The office of financial management shall determine the amounts due to or from the federal government pursuant to the cash management improvement act. The office of financial management may direct transfers of funds between accounts as deemed necessary to implement the provisions of the cash management improvement act, and this subsection. Refunds or allocations shall occur prior to the distributions of earnings set forth in subsection (4) of this section.

(3) Except for the provisions of RCW 43.84.160, the treasury income account may be utilized for the payment of purchased banking services on behalf of treasury funds including, but not limited to, depository, safekeeping, and disbursement functions for the state treasury and affected state agencies. The treasury income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for payments to financial institutions. Payments shall occur prior to distribution of earnings set forth in subsection (4) of this section.

(4) Monthly, the state treasurer shall distribute the earnings credited to the treasury income account. The state treasurer shall credit the general fund with all the earnings credited to the treasury income account except:

(a) The following accounts and funds shall receive their proportionate share of earnings based upon each account's and fund's average daily balance for the period: The aeronautics account, the aircraft search and rescue account, the Alaskan Way viaduct replacement project account, the brownfield redevelopment trust fund account, the budget stabilization account, the capital vessel replacement account, the capitol building construction account, the Cedar River channel construction and operation account, the Central Washington University capital projects account, the charitable, educational, penal and reformatory institutions account, the cleanup settlement account, the Columbia river basin water supply development account, the Columbia river basin taxable bond water supply development account, the Columbia river basin water supply revenue recovery account, the Columbia river crossing project account, the common school construction fund, the community forest trust account, the connecting Washington account, the county arterial preservation account, the county criminal justice assistance account, the deferred compensation administrative account, the deferred compensation principal account, the department of licensing services account, the department of retirement systems expense account, the developmental disabilities community trust account, the diesel idle reduction account, the drinking water assistance account, the drinking water assistance administrative account, the drinking water assistance repayment account, the Eastern Washington University capital projects account, the Interstate 405 express toll lanes operations account, the education construction fund, the education legacy trust account, the election account, the energy freedom account, the energy recovery act account, the essential rail assistance account, The Evergreen State College capital projects account, the federal forest revolving account, the ferry bond retirement fund, the freight mobility investment account, the freight mobility multimodal account, the grade crossing protective fund, the public health services account, the high capacity transportation account, the state higher education construction account, the higher education construction account, the highway bond retirement fund, the highway infrastructure account, the highway safety fund, the high occupancy toll lanes operations account, the hospital safety net assessment fund, the industrial insurance premium refund account, the judges' retirement account, the judicial retirement administrative account, the judicial retirement principal account, the local leasehold excise tax account, the local real estate excise tax account, the local sales and use tax account, the marine resources stewardship trust account, the medical aid account, the mobile home park relocation fund, the motor vehicle fund, the motorcycle safety education account, the multimodal transportation account, the multiuse roadway safety account, the municipal criminal justice assistance account, the natural resources deposit account, the oyster reserve land account, the pension funding stabilization account, the perpetual surveillance and maintenance account, the public employees' retirement

system plan 1 account, the public employees' retirement system combined plan 2 and plan 3 account, the public facilities construction loan revolving account beginning July 1, 2004, the public health supplemental account, the public works assistance account, the Puget Sound capital construction account, the Puget Sound ferry operations account, the real estate appraiser commission account, the recreational vehicle account, the regional mobility grant program account, the resource management cost account, the rural arterial trust account, the rural mobility grant program account, the rural Washington loan fund, the site closure account, the skilled nursing facility safety net trust fund, the small city pavement and sidewalk account, the special category C account, the special wildlife account, the state employees' insurance account, the state employees' insurance reserve account, the state investment board expense account, the state investment board commingled trust fund accounts, the state patrol highway account, the state route number 520 civil penalties account, the state route number 520 corridor account, the state wildlife account, the supplemental pension account, the Tacoma Narrows toll bridge account, the teachers' retirement system plan 1 account, the teachers' retirement system combined plan 2 and plan 3 account, the tobacco prevention and control account, the tobacco settlement account, the toll facility bond retirement account, the transportation 2003 account (nickel account), the transportation equipment fund, the transportation fund, the transportation improvement account, the transportation improvement board bond retirement account, the transportation infrastructure account, the transportation partnership account, the traumatic brain injury account, the tuition recovery trust fund, the University of Washington bond retirement fund, the University of Washington building account, the volunteer firefighters' and reserve officers' relief and pension principal fund, the volunteer firefighters' and reserve officers' administrative fund, the Washington judicial retirement system account, the Washington law enforcement officers' and firefighters' system plan 1 retirement account, the Washington law enforcement officers' and firefighters' system plan 2 retirement account, the Washington public safety employees' plan 2 retirement account, the Washington school employees' retirement system combined plan 2 and 3 account, the Washington state health insurance pool account, the Washington state patrol retirement account, the Washington State University building account, the Washington State University bond retirement fund, the water pollution control revolving administration account, the water pollution control revolving fund, the Western Washington University capital projects account, the Yakima integrated plan implementation account, the Yakima integrated plan implementation revenue recovery account, and the Yakima integrated plan implementation taxable bond account. Earnings derived from investing balances of the agricultural permanent fund, the normal school permanent fund, the permanent common school fund, the scientific permanent fund, the state university permanent fund, and the state reclamation revolving account shall be allocated to their respective beneficiary accounts.

(b) Any state agency that has independent authority over accounts or funds not statutorily required to be held in the state treasury that deposits funds into a fund or account in the state treasury pursuant to an agreement with the office of the state treasurer shall receive its proportionate share of earnings based upon each account's or fund's average daily balance for the period.

(5) In conformance with Article II, section 37 of the state Constitution, no treasury accounts or funds shall be allocated earnings without the specific affirmative directive of this section.

Nonhighway Refunds

Sec. 109. RCW 46.09.520 and 2010 1st sp.s. c 37 s 936 and 2010 c 161 s 222 are each reenacted and amended to read as follows:

(1) From time to time, but at least once each year, the state treasurer shall refund from the motor vehicle fund one percent of the motor vehicle fuel tax revenues collected under chapter 82.36 RCW, based on a tax rate of: (a) Nineteen cents per gallon of motor vehicle fuel from July 1, 2003, through June 30, 2005; (b) twenty cents per gallon of motor vehicle fuel from July 1, 2005, through June 30, 2007; (c) twenty-one cents per gallon of motor vehicle fuel from July 1, 2007, through June 30, 2009; (d) twenty-two cents per gallon of motor vehicle fuel from July 1, 2009, through June 30, 2011; ((~~and~~)) (e) twenty-three cents per gallon of motor vehicle fuel beginning July 1, 2011; and (f) twenty-eight cents per gallon of motor vehicle fuel beginning July 1, 2015, and thereafter, less proper deductions for refunds and costs of collection as provided in RCW 46.68.090.

(2) The treasurer shall place these funds in the general fund as follows:

(a) Thirty-six percent shall be credited to the ORV and nonhighway vehicle account and administered by the department of natural resources solely for acquisition, planning, development, maintenance, and management of ORV, nonmotorized, and nonhighway road recreation facilities, and information programs and maintenance of nonhighway roads;

(b) Three and one-half percent shall be credited to the ORV and nonhighway vehicle account and administered by the department of fish and wildlife solely for the acquisition, planning, development, maintenance, and management of ORV, nonmotorized, and nonhighway road recreation facilities and the maintenance of nonhighway roads;

(c) Two percent shall be credited to the ORV and nonhighway vehicle account and administered by the parks and recreation commission solely for the acquisition, planning, development, maintenance, and management of ORV, nonmotorized, and nonhighway road recreation facilities; and

(d) Fifty-eight and one-half percent shall be credited to the nonhighway and off-road vehicle activities program account to be administered by the board for planning, acquisition, development, maintenance, and management of ORV, nonmotorized, and nonhighway road recreation facilities and for education, information, and law enforcement programs. The funds under this subsection shall be expended in accordance with the following limitations:

(i) Not more than thirty percent may be expended for education, information, and law enforcement programs under this chapter;

(ii) Not less than seventy percent may be expended for ORV, nonmotorized, and nonhighway road recreation facilities. Except as provided in (d)(iii) of this subsection, of this amount:

(A) Not less than thirty percent, together with the funds the board receives under RCW 46.68.045, may be expended for ORV recreation facilities;

(B) Not less than thirty percent may be expended for nonmotorized recreation facilities. Funds expended under this subsection (2)(d)(ii)(B) shall be known as Ira Spring outdoor recreation facilities funds; and

(C) Not less than thirty percent may be expended for nonhighway road recreation facilities;

(iii) The board may waive the minimum percentage cited in (d)(ii) of this subsection due to insufficient requests for funds or projects that score low in the board's project evaluation. Funds

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remaining after such a waiver must be allocated in accordance with board policy.

(3) On a yearly basis an agency may not, except as provided in RCW 46.68.045, expend more than ten percent of the funds it receives under this chapter for general administration expenses incurred in carrying out this chapter.

(4) During the 2009-2011 fiscal biennium, the legislature may appropriate such amounts as reflect the excess fund balance in the NOVA account to the department of natural resources to install consistent off-road vehicle signage at department-managed recreation sites, and to implement the recreation opportunities on department-managed lands in the Reiter block and Ahtanum state forest, and to the state parks and recreation commission. The legislature finds that the appropriation of funds from the NOVA account during the 2009-2011 fiscal biennium for maintenance and operation of state parks or to improve accessibility for boaters and off-road vehicle users at state parks will benefit boaters and off-road vehicle users and others who use nonhighway and nonmotorized recreational facilities. The appropriations under this subsection are not required to follow the specific distribution specified in subsection (2) of this section.

Sec. 110. RCW 46.09.520 and 2015 c ... s 109 (section 109 of this act) are each amended to read as follows:

(1) From time to time, but at least once each year, the state treasurer must refund from the motor vehicle fund one percent of the motor vehicle fuel tax revenues collected under chapter 82.38 RCW, based on a tax rate of: (a) Nineteen cents per gallon of motor vehicle fuel from July 1, 2003, through June 30, 2005; (b) twenty cents per gallon of motor vehicle fuel from July 1, 2005, through June 30, 2007; (c) twenty-one cents per gallon of motor vehicle fuel from July 1, 2007, through June 30, 2009; (d) twenty-two cents per gallon of motor vehicle fuel from July 1, 2009, through June 30, 2011; (e) twenty-three cents per gallon of motor vehicle fuel beginning July 1, 2011; ((~~and~~)) (f) twenty-eight cents per gallon of motor vehicle fuel beginning July 1, 2015; (g) thirty-two and two-tenths cents per gallon of motor vehicle fuel beginning July 1, 2016; and (h) thirty-four and seven-tenths cents per gallon of motor vehicle fuel beginning July 1, 2017, and thereafter, less proper deductions for refunds and costs of collection as provided in RCW 46.68.090.

(2) The treasurer must place these funds in the general fund as follows:

(a) Thirty-six percent must be credited to the ORV and nonhighway vehicle account and administered by the department of natural resources solely for acquisition, planning, development, maintenance, and management of ORV, nonmotorized, and nonhighway road recreation facilities, and information programs and maintenance of nonhighway roads;

(b) Three and one-half percent must be credited to the ORV and nonhighway vehicle account and administered by the department of fish and wildlife solely for the acquisition, planning, development, maintenance, and management of ORV, nonmotorized, and nonhighway road recreation facilities and the maintenance of nonhighway roads;

(c) Two percent must be credited to the ORV and nonhighway vehicle account and administered by the parks and recreation commission solely for the acquisition, planning, development, maintenance, and management of ORV, nonmotorized, and nonhighway road recreation facilities; and

(d) Fifty-eight and one-half percent must be credited to the nonhighway and off-road vehicle activities program account to be administered by the board for planning, acquisition, development, maintenance, and management of ORV, nonmotorized, and nonhighway road recreation facilities and for education, information, and law enforcement programs. The funds under this subsection must be expended in accordance with the following limitations:

(i) Not more than thirty percent may be expended for education, information, and law enforcement programs under this chapter;

(ii) Not less than seventy percent may be expended for ORV, nonmotorized, and nonhighway road recreation facilities. Except as provided in (d)(iii) of this subsection, of this amount:

(A) Not less than thirty percent, together with the funds the board receives under RCW 46.68.045, may be expended for ORV recreation facilities;

(B) Not less than thirty percent may be expended for nonmotorized recreation facilities. Funds expended under this subsection (2)(d)(ii)(B) are known as Ira Spring outdoor recreation facilities funds; and

(C) Not less than thirty percent may be expended for nonhighway road recreation facilities;

(iii) The board may waive the minimum percentage cited in (d)(ii) of this subsection due to insufficient requests for funds or projects that score low in the board's project evaluation. Funds remaining after such a waiver must be allocated in accordance with board policy.

(3) On a yearly basis an agency may not, except as provided in RCW 46.68.045, expend more than ten percent of the funds it receives under this chapter for general administration expenses incurred in carrying out this chapter.

(4) During the 2009-2011 fiscal biennium, the legislature may appropriate such amounts as reflect the excess fund balance in the NOVA account to the department of natural resources to install consistent off-road vehicle signage at department-managed recreation sites, and to implement the recreation opportunities on department-managed lands in the Reiter block and Ahtanum state forest, and to the state parks and recreation commission. The legislature finds that the appropriation of funds from the NOVA account during the 2009-2011 fiscal biennium for maintenance and operation of state parks or to improve accessibility for boaters and off-road vehicle users at state parks will benefit boaters and off-road vehicle users and others who use nonhighway and nonmotorized recreational facilities. The appropriations under this subsection are not required to follow the specific distribution specified in subsection (2) of this section.

Sec. 111. RCW 46.10.530 and 2003 c 361 s 408 are each amended to read as follows:

From time to time, but at least once each four years, the department shall determine the amount of moneys paid to it as motor vehicle fuel tax that is tax on snowmobile fuel. Such determination shall use one hundred thirty-five gallons as the average yearly fuel usage per snowmobile, the number of registered snowmobiles during the calendar year under determination, and a fuel tax rate of: (1) Nineteen cents per gallon of motor vehicle fuel from July 1, 2003, through June 30, 2005; (2) twenty cents per gallon of motor vehicle fuel from July 1, 2005, through June 30, 2007; (3) twenty-one cents per gallon of motor vehicle fuel from July 1, 2007, through June 30, 2009; (4) twenty-two cents per gallon of motor vehicle fuel from July 1, 2009, through June 30, 2011; ((~~and~~)) (5) twenty-three cents per gallon of motor vehicle fuel beginning July 1, 2011; (6) twenty-eight cents per gallon of motor vehicle fuel beginning July 1, 2015; (7) thirty-two and two-tenths cents per gallon of motor vehicle fuel beginning July 1, 2016; and (8) thirty-four and seven-tenths cents per gallon of motor vehicle fuel beginning July 1, 2017, and thereafter.

Sec. 112. RCW 79A.25.070 and 2010 c 23 s 3 are each amended to read as follows:

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Upon expiration of the time limited by RCW 82.36.330 for claiming of refunds of tax on marine fuel, the state of Washington shall succeed to the right to such refunds. The director of licensing, after taking into account past and anticipated claims for refunds from and deposits to the marine fuel tax refund account, shall request the state treasurer to transfer monthly from the marine fuel tax refund account an amount equal to the proportion of the moneys in the account representing a motor vehicle fuel tax rate of: (1) Nineteen cents per gallon of motor vehicle fuel from July 1, 2003, through June 30, 2005; (2) twenty cents per gallon of motor vehicle fuel from July 1, 2005, through June 30, 2007; (3) twenty-one cents per gallon of motor vehicle fuel from July 1, 2007, through June 30, 2009; (4) twenty-two cents per gallon of motor vehicle fuel from July 1, 2009, through June 30, 2011; ((~~and~~)) (5) twenty-three cents per gallon of motor vehicle fuel beginning July 1, 2011; (6) twenty-eight cents per gallon of motor vehicle fuel beginning July 1, 2015; (7) thirty-two and two-tenths cents per gallon of motor vehicle fuel beginning July 1, 2016; and (8) thirty-four and seven-tenths cents per gallon of motor vehicle fuel beginning July 1, 2017, and thereafter, to the recreation resource account and the remainder to the motor vehicle fund.

Handling Loss Deduction

NEW SECTION. **Sec. 113.** RCW 82.38.083 (Deductions—Handling losses—Reports) and 2013 c 225 s 205 are each repealed.

PART II
FEES
License Fees By Weight & Freight Project Fee

Sec. 201. RCW 46.17.355 and 2011 c 171 s 61 are each amended to read as follows:

(1) In lieu of the vehicle license fee required under RCW 46.17.350 and before accepting an application for a vehicle registration for motor vehicles described in RCW 46.16A.455, the department, county auditor or other agent, or subagent appointed by the director shall require the applicant, unless specifically exempt, to pay the following license fee by weight:

WEIGHT	SCHEDULE A	SCHEDULE B
4,000 pounds	((~~$ 38.00~~)) $ 53.00	((~~$ 38.00~~)) $ 53.00
6,000 pounds	((~~$ 48.00~~)) $ 73.00	((~~$ 48.00~~)) $ 73.00
8,000 pounds	((~~$ 58.00~~)) $ 93.00	((~~$ 58.00~~)) $ 93.00
10,000 pounds	((~~$ 60.00~~)) $ 93.00	((~~$ 60.00~~)) $ 93.00
12,000 pounds	((~~$ 77.00~~)) $ 81.00	((~~$ 77.00~~)) $ 81.00
14,000 pounds	$ 88.00	$ 88.00
16,000 pounds	$ 100.00	$ 100.00
18,000 pounds	$ 152.00	$ 152.00
20,000 pounds	$ 169.00	$ 169.00
22,000 pounds	$ 183.00	$ 183.00
24,000 pounds	$ 198.00	$ 198.00
26,000 pounds	$ 209.00	$ 209.00
28,000 pounds	$ 247.00	$ 247.00
30,000 pounds	$ 285.00	$ 285.00
32,000 pounds	$ 344.00	$ 344.00
34,000 pounds	$ 366.00	$ 366.00
36,000 pounds	$ 397.00	$ 397.00
38,000 pounds	$ 436.00	$ 436.00
40,000 pounds	$ 499.00	$ 499.00
42,000 pounds	$ 519.00	$ 609.00
44,000 pounds	$ 530.00	$ 620.00
46,000 pounds	$ 570.00	$ 660.00
48,000 pounds	$ 594.00	$ 684.00
50,000 pounds	$ 645.00	$ 735.00
52,000 pounds	$ 678.00	$ 768.00
54,000 pounds	$ 732.00	$ 822.00
56,000 pounds	$ 773.00	$ 863.00
58,000 pounds	$ 804.00	$ 894.00
60,000 pounds	$ 857.00	$ 947.00
62,000 pounds	$ 919.00	$ 1,009.00
64,000 pounds	$ 939.00	$ 1,029.00
66,000 pounds	$ 1,046.00	$ 1,136.00
68,000 pounds	$ 1,091.00	$ 1,181.00
70,000 pounds	$ 1,175.00	$ 1,265.00
72,000 pounds	$ 1,257.00	$ 1,347.00
74,000 pounds	$ 1,366.00	$ 1,456.00
76,000 pounds	$ 1,476.00	$ 1,566.00
78,000 pounds	$ 1,612.00	$ 1,702.00
80,000 pounds	$ 1,740.00	$ 1,830.00
82,000 pounds	$ 1,861.00	$ 1,951.00
84,000 pounds	$ 1,981.00	$ 2,071.00
86,000 pounds	$ 2,102.00	$ 2,192.00
88,000 pounds	$ 2,223.00	$ 2,313.00
90,000 pounds	$ 2,344.00	$ 2,434.00
92,000 pounds	$ 2,464.00	$ 2,554.00
94,000 pounds	$ 2,585.00	$ 2,675.00
96,000 pounds	$ 2,706.00	$ 2,796.00
98,000 pounds	$ 2,827.00	$ 2,917.00
100,000 pounds	$ 2,947.00	$ 3,037.00
102,000 pounds	$ 3,068.00	$ 3,158.00
104,000 pounds	$ 3,189.00	$ 3,279.00
105,500 pounds	$ 3,310.00	$ 3,400.00

(2) Schedule A applies to vehicles either used exclusively for hauling logs or that do not tow trailers. Schedule B applies to vehicles that tow trailers and are not covered under Schedule A.

(3) If the resultant gross weight is not listed in the table provided in subsection (1) of this section, it must be increased to the next higher weight.

(4) The license fees provided in subsection (1) of this section and the freight project fee provided in subsection (6) of this section are in addition to the filing fee required under RCW 46.17.005 and any other fee or tax required by law.

(5) The license fee based on declared gross weight as provided in subsection (1) of this section must be distributed under RCW 46.68.035.

(6) In addition to the license fee based on declared gross weight as provided in subsection (1) of this section, the department, county auditor or other agent, or subagent appointed by the director must require an applicant with a vehicle with a

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declared gross weight of more than 10,000 pounds, unless specifically exempt, to pay a freight project fee equal to fifteen percent of the license fee provided in subsection (1) of this section, rounded to the nearest whole dollar, which must be distributed under RCW 46.68.035.

(7) Beginning July 1, 2022, in addition to the license fee based on declared gross weight as provided in subsection (1) of this section, the department, county auditor or other agent, or subagent appointed by the director must require an applicant with a vehicle with a declared gross weight of less than or equal to 12,000 pounds, unless specifically exempt, to pay an additional weight fee of eight dollars, which must be distributed under RCW 46.68.035.

Passenger Vehicle Weight Fees

Sec. 202. RCW 46.17.365 and 2010 c 161 s 533 are each amended to read as follows:

(1) A person applying for a motor vehicle registration and paying the vehicle license fee required in RCW 46.17.350(1) (a), (d), (e), (h), (j), (n), and (o) shall pay a motor vehicle weight fee in addition to all other fees and taxes required by law. The motor vehicle weight fee:

(a) Must be based on the motor vehicle scale weight as follows:

WEIGHT	FEE
4,000 pounds	$ 25.00
6,000 pounds	$ 45.00
8,000 pounds	$ 65.00
16,000 pounds and over	$ 72.00;

(b) ((~~Is the difference determined by subtracting the vehicle license fee required in RCW 46.17.350 from the license fee in Schedule B of RCW 46.17.355, plus two dollars~~)) If the resultant motor vehicle scale weight is not listed in the table provided in (a) of this subsection, must be increased to the next highest weight; and

(c) Must be distributed under RCW 46.68.415.

(2) A person applying for a motor home vehicle registration shall, in lieu of the motor vehicle weight fee required in subsection (1) of this section, pay a motor home vehicle weight fee of seventy-five dollars in addition to all other fees and taxes required by law. The motor home vehicle weight fee must be distributed under RCW 46.68.415.

(3) Beginning July 1, 2022, in addition to the motor vehicle weight fee as provided in subsection (1) of this section, the department, county auditor or other agent, or subagent appointed by the director must require an applicant to pay an additional weight fee of eight dollars, which must be distributed to the multimodal transportation account under RCW 47.66.070.

(4) The department shall:

(a) Rely on motor vehicle empty scale weights provided by vehicle manufacturers, or other sources defined by the department, to determine the weight of each motor vehicle; and

(b) Adopt rules for determining weight for vehicles without manufacturer empty scale weights.

NEW SECTION. **Sec. 203.** Sections 201 and 202 of this act apply to vehicle registrations that are due or become due on or after July 1, 2016.

Electric Vehicle Fee

Sec. 204. RCW 46.17.323 and 2012 c 74 s 10 are each amended to read as follows:

(1) Before accepting an application for an annual vehicle registration renewal for ((~~an electric~~)) a vehicle that uses ((~~propulsion units powered solely by~~)) at least one method of propulsion that is capable of being reenergized by an external source of electricity, the department, county auditor or other agent, or subagent appointed by the director must require the applicant to pay a one hundred dollar fee in addition to any other fees and taxes required by law. The one hundred dollar fee is due only at the time of annual registration renewal.

(2) This section only applies to:

(a) A vehicle that is designed to have the capability to drive at a speed of more than thirty-five miles per hour; and

(b) An annual vehicle registration renewal that is due on or after February 1, 2013.

(3)(a) The fee under this section is imposed to provide funds to mitigate the impact of vehicles on state roads and highways and for the purpose of evaluating the feasibility of transitioning from a revenue collection system based on fuel taxes to a road user assessment system, and is separate and distinct from other vehicle license fees. Proceeds from the fee must be ((~~used for highway purposes, and~~)) deposited into the transportation innovative partnership account created in RCW 47.29.230 for the purpose of creating and funding the Washington electric vehicle infrastructure bank as provided in section 403 of this act. By July 1, 2026, or once the total number of electric vehicles subject to this fee has reached one-half of one percent of the state's total registered vehicle fleet, whichever occurs first, proceeds must be deposited in the motor vehicle fund created in RCW 46.68.070((~~, subject to~~)) and distributed in the manner provided in (b) of this subsection.

(b) ((~~If in any year the amount of proceeds from the fee collected under this section exceeds one million dollars, the excess amount over one million dollars must be deposited~~)) Any fee proceeds eligible for deposit in the motor vehicle fund must be distributed as follows:

(i) Seventy percent to the motor vehicle fund created in RCW 46.68.070;

(ii) Fifteen percent to the transportation improvement account created in RCW 47.26.084; and

(iii) Fifteen percent to the rural arterial trust account created in RCW 36.79.020.

NEW SECTION. **Sec. 205.** Section 204 of this act applies to vehicle registrations that are due or become due on or after July 1, 2017.

Commercial Driver's License Fees

Sec. 206. RCW 46.25.052 and 2013 c 224 s 5 are each amended to read as follows:

(1) The department may issue a CLP to an applicant who is at least eighteen years of age and holds a valid Washington state driver's license and who has:

(a) Submitted an application on a form or in a format provided by the department;

(b) Passed the general knowledge examination required for issuance of a CDL under RCW 46.25.060 for the commercial motor vehicle classification in which the applicant operates or expects to operate; and

(c) Paid the appropriate examination fee or fees and an application fee of ((~~ten~~)) forty dollars.

(2) A CLP must be marked "commercial learner's permit" or "CLP," and must be, to the maximum extent practicable, tamperproof. Other than a photograph of the applicant, it must include, but not be limited to, the information required on a CDL under RCW 46.25.080(1).

(3) The holder of a CLP may drive a commercial motor vehicle on a highway only when in possession of a valid driver's license and accompanied by the holder of a valid CDL who has the proper CDL classification and endorsement or endorsements necessary to operate the commercial motor vehicle. The CDL holder must at all times be physically present in the front seat of the vehicle next to the CLP holder or, in the case of a passenger vehicle, directly behind or in the first row behind the driver and must have the CLP holder under observation and direct supervision.

(4) A CLP may be classified in the same manner as a CDL under RCW 46.25.080(2)(a).

(5) CLPs may be issued with only P, S, or N endorsements as described in RCW 46.25.080(2)(b).

(a) The holder of a CLP with a P endorsement must have taken and passed the P endorsement knowledge examination. The holder of a CLP with a P endorsement is prohibited from operating a commercial motor vehicle carrying passengers other than authorized employees or representatives of the department and the federal motor carrier safety administration, examiners, other trainees, and the CDL holder accompanying the CLP holder as required under subsection (2) of this section. The P endorsement must be class specific.

(b) The holder of a CLP with an S endorsement must have taken and passed the S endorsement knowledge examination. The holder of a CLP with an S endorsement is prohibited from operating a school bus with passengers other than authorized employees or representatives of the department and the federal motor carrier safety administration, examiners, other trainees, and the CDL holder accompanying the CLP holder as required under subsection (2) of this section.

(c) The holder of a CLP with an N endorsement must have taken and passed the N endorsement knowledge examination. The holder of a CLP with an N endorsement may only operate an empty tank vehicle and is prohibited from operating any tank vehicle that previously contained hazardous materials and has not been purged of any residue.

(6) A CLP may be issued with appropriate restrictions as described in RCW 46.25.080(2)(c). In addition, a CLP may be issued with the following restrictions:

(a) "P" restricts the driver from operating a bus with passengers;

(b) "X" restricts the driver from operating a tank vehicle that contains cargo; and

(c) Any restriction as established by rule of the department.

(7) The holder of a CLP is not authorized to operate a commercial motor vehicle transporting hazardous materials.

(8) A CLP may not be issued for a period to exceed one hundred eighty days. The department may renew the CLP for one additional one hundred eighty-day period without requiring the CLP holder to retake the general and endorsement knowledge examinations.

(9) The department must transmit the fees collected for CLPs to the state treasurer for deposit in the highway safety fund.

Sec. 207. RCW 46.25.060 and 2013 c 224 s 6 are each amended to read as follows:

(1)(a) No person may be issued a commercial driver's license unless that person:

(i) Is a resident of this state;

(ii) Has successfully completed a course of instruction in the operation of a commercial motor vehicle that has been approved by the director or has been certified by an employer as having the skills and training necessary to operate a commercial motor vehicle safely;

(iii) If he or she does not hold a valid commercial driver's license of the appropriate classification, has been issued a commercial learner's permit under RCW 46.25.052; and

(iv) Has passed a knowledge and skills examination for driving a commercial motor vehicle that complies with minimum federal standards established by federal regulation enumerated in 49 C.F.R. Part 383, subparts F, G, and H, in addition to other requirements imposed by state law or federal regulation. The department may not allow the person to take the skills examination during the first fourteen days after initial issuance of the person's commercial learner's permit. The examinations must be prescribed and conducted by the department.

(b) In addition to the fee charged for issuance or renewal of any license, the applicant shall pay a fee of no more than ((~~ten~~)) thirty-five dollars for ((~~each~~)) the classified knowledge examination, classified endorsement knowledge examination, or any combination of classified license and endorsement knowledge examinations. The applicant shall pay a fee of no more than ((~~one~~)) two hundred fifty dollars for each classified skill examination or combination of classified skill examinations conducted by the department.

(c) The department may authorize a person, including an agency of this or another state, an employer, a private driver training facility, or other private institution, or a department, agency, or instrumentality of local government, to administer the skills examination specified by this section under the following conditions:

(i) The examination is the same which would otherwise be administered by the state;

(ii) The third party has entered into an agreement with the state that complies with the requirements of 49 C.F.R. Sec. 383.75; and

(iii) The director has adopted rules as to the third party testing program and the development and justification for fees charged by any third party.

(d) If the applicant's primary use of a commercial driver's license is for any of the following, then the applicant shall pay a fee of no more than ((~~seventy-five~~)) two hundred twenty-five dollars for ((~~each~~)) the classified skill examination or combination of classified skill examinations whether conducted by the department or a third-party tester:

(i) Public benefit not-for-profit corporations that are federally supported head start programs; or

(ii) Public benefit not-for-profit corporations that support early childhood education and assistance programs as described in RCW 43.215.405(2).

(e) If the applicant's primary use of a commercial driver's license is to drive a school bus, the applicant shall pay a fee of no more than one hundred dollars for the classified skill examination or combination of classified skill examinations conducted by the department.

(f) Payment of the examination fees under this subsection entitles the applicant to take the examination up to two times in order to pass.

(2)(a) The department may waive the skills examination and the requirement for completion of a course of instruction in the operation of a commercial motor vehicle specified in this section for a commercial driver's license applicant who meets the requirements of 49 C.F.R. Sec. 383.77.

(b) An applicant who operates a commercial motor vehicle for agribusiness purposes is exempt from the course of instruction completion and employer skills and training certification requirements under this section. By January 1, 2010, the department shall submit recommendations regarding the continuance of this exemption to the transportation committees of

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the legislature. For purposes of this subsection (2)(b), "agribusiness" means a private carrier who in the normal course of business primarily transports:

(i) Farm machinery, farm equipment, implements of husbandry, farm supplies, and materials used in farming;

(ii) Agricultural inputs, such as seed, feed, fertilizer, and crop protection products;

(iii) Unprocessed agricultural commodities, as defined in RCW 17.21.020, where such commodities are produced by farmers, ranchers, vineyardists, or orchardists; or

(iv) Any combination of (b)(i) through (iii) of this subsection.

The department shall notify the transportation committees of the legislature if the federal government takes action affecting the exemption provided in this subsection (2)(b).

(3) A commercial driver's license or commercial learner's permit may not be issued to a person while the person is subject to a disqualification from driving a commercial motor vehicle, or while the person's driver's license is suspended, revoked, or canceled in any state, nor may a commercial driver's license be issued to a person who has a commercial driver's license issued by any other state unless the person first surrenders all such licenses, which must be returned to the issuing state for cancellation.

Sec. 208. RCW 46.25.100 and 2013 c 224 s 12 are each amended to read as follows:

When a person has been disqualified from operating a commercial motor vehicle, the person is not entitled to have the commercial driver's license or commercial learner's permit restored until after the expiration of the appropriate disqualification period required under RCW 46.25.090 or until the department has received a drug and alcohol assessment and evidence is presented of satisfactory participation in or completion of any required drug or alcohol treatment program for ending the disqualification under RCW 46.25.090(7). After expiration of the appropriate period and upon payment of a requalification fee of ((~~twenty~~)) thirty-five dollars, or one hundred fifty dollars if the person has been disqualified under RCW 46.25.090(7), the person may apply for a new, duplicate, or renewal commercial driver's license or commercial learner's permit as provided by law. If the person has been disqualified for a period of one year or more, the person shall demonstrate that he or she meets the commercial driver's license or commercial learner's permit qualification standards specified in RCW 46.25.060.

Enhanced Driver's License & Identicard Fees

Sec. 209. RCW 46.20.202 and 2007 c 7 s 1 are each amended to read as follows:

(1) The department may enter into a memorandum of understanding with any federal agency for the purposes of facilitating the crossing of the border between the state of Washington and the Canadian province of British Columbia.

(2) The department may enter into an agreement with the Canadian province of British Columbia for the purposes of implementing a border-crossing initiative.

(3)(a) The department may issue an enhanced driver's license or identicard for the purposes of crossing the border between the state of Washington and the Canadian province of British Columbia to an applicant who provides the department with proof of: United States citizenship, identity, and state residency. The department shall continue to offer a standard driver's license and identicard. If the department chooses to issue an enhanced driver's license, the department must allow each applicant to choose between a standard driver's license or identicard, or an enhanced driver's license or identicard.

(b) The department shall implement a one-to-many biometric matching system for the enhanced driver's license or identicard. An applicant for an enhanced driver's license or identicard shall submit a biometric identifier as designated by the department. The biometric identifier must be used solely for the purpose of verifying the identity of the holders and for any purpose set out in RCW 46.20.037. Applicants are required to sign a declaration acknowledging their understanding of the one-to-many biometric match.

(c) The enhanced driver's license or identicard must include reasonable security measures to protect the privacy of Washington state residents, including reasonable safeguards to protect against unauthorized disclosure of data about Washington state residents. If the enhanced driver's license or identicard includes a radio frequency identification chip, or similar technology, the department shall ensure that the technology is encrypted or otherwise secure from unauthorized data access.

(d) The requirements of this subsection are in addition to the requirements otherwise imposed on applicants for a driver's license or identicard. The department shall adopt such rules as necessary to meet the requirements of this subsection. From time to time the department shall review technological innovations related to the security of identity cards and amend the rules related to enhanced driver's licenses and identicards as the director deems consistent with this section and appropriate to protect the privacy of Washington state residents.

(e) Notwithstanding RCW 46.20.118, the department may make images associated with enhanced drivers' licenses or identicards from the negative file available to United States customs and border agents for the purposes of verifying identity.

(4) ((~~The department may set a fee for the issuance of enhanced drivers' licenses and identicards under this section.~~)) The fee for an enhanced driver's license or enhanced identicard is fifty-four dollars, which is in addition to the fees for any regular driver's license or identicard. If the enhanced driver's license or enhanced identicard is issued, renewed, or extended for a period other than six years, the fee for each class is nine dollars for each year that the enhanced driver's license or enhanced identicard is issued, renewed, or extended.

Studded Tire Fee

NEW SECTION. **Sec. 210.** A new section is added to chapter 46.37 RCW to read as follows:

(1)(a) In addition to all other fees imposed on the retail sale of tires, a five dollar fee is imposed on the retail sale of each new tire sold that contains studs. For the purposes of this subsection, "new tire sold that contains studs" means a tire that is manufactured for vehicle purposes and contains metal studs, and does not include bicycle tires or retreaded vehicle tires.

(b) The five dollar fee must be paid by the buyer to the seller, and each seller must collect from the buyer the full amount of the fee. The fee collected from the buyer by the seller must be paid to the department of revenue in accordance with RCW 82.32.045; however, the seller retains ten percent of the fee collected.

(c) The portion of the fee paid to the department of revenue under (b) of this subsection must be deposited in the motor vehicle fund created under RCW 46.68.070.

(2) The fee to be collected by the seller, less the ten percent that the seller retains as specified in subsection (1)(b) of this section, must be held in trust by the seller until paid to the department of revenue, and any seller who appropriates or converts the fee collected to any use other than the payment of the fee on the due date is guilty of a gross misdemeanor.

(3) Any seller that fails to collect the fee imposed under this section or, having collected the fee, fails to pay it to the

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department of revenue by the date due, whether such failure is the result of the seller or the result of acts or conditions beyond the seller's control, is personally liable to the state for the amount of the fee.

(4) The amount of the fee, until paid by the buyer to the seller or to the department of revenue, constitutes a debt from the buyer to the seller. Any seller who fails or refuses to collect the fee as required with the intent to violate this section or to gain some advantage or benefit and any buyer who refuses to pay the fee due is guilty of a misdemeanor.

(5) The department of revenue must collect on the business excise tax return from the businesses selling new tires that contain studs at retail the number of tires sold and the fee imposed under this section. The department of revenue must incorporate into its audit cycle a reconciliation of the number of tires sold and the amount of revenue collected by the businesses selling new tires that contain studs.

(6) All other applicable provisions of chapter 82.32 RCW have full force and application with respect to the fee imposed under this section.

Report of Sale & Transitional Ownership Fees

Sec. 211. RCW 46.17.050 and 2014 c 59 s 3 are each amended to read as follows:

(1) Before accepting a report of sale filed under RCW 46.12.650(2), the department, county auditor or other agent, or subagent appointed by the director shall require the applicant to pay((~~:~~

~~(1)~~)) the filing fee under RCW 46.17.005(1), the license plate technology fee under RCW 46.17.015, ((~~and~~)) the license service fee under RCW 46.17.025 ((~~to the county auditor or other agent; and~~

~~(2)~~)), and the service fee under RCW 46.17.040(1)(b) ((~~to the subagent~~)).

(2) Services fees collected under this section by the department or county auditor or other agent appointed by the director must be credited to the capital vessel replacement account under RCW 47.60.322.

Sec. 212. RCW 46.17.060 and 2014 c 59 s 4 are each amended to read as follows:

(1) Before accepting a transitional ownership record filed under RCW 46.12.660, the department, county auditor or other agent, or subagent appointed by the director shall require the applicant to pay((~~:~~

~~(1)~~)) the filing fee under RCW 46.17.005(1), the license plate technology fee under RCW 46.17.015, ((~~and~~)) the license service fee under RCW 46.17.025 ((~~to the county auditor or other agent; and~~

~~(2)~~)), and the service fee under RCW 46.17.040(1)(b) ((~~to the subagent~~)).

(2) Services fees collected under this section by the department or county auditor or other agent appointed by the director must be credited to the capital vessel replacement account under RCW 47.60.322.

Sec. 213. RCW 47.60.322 and 2014 c 59 s 1 are each amended to read as follows:

(1) The capital vessel replacement account is created in the motor vehicle fund. All revenues generated from the vessel replacement surcharge under RCW 47.60.315(7) and service fees collected by the department of licensing or county auditor or other agent appointed by the director under RCW 46.17.040, 46.17.050, and 46.17.060 must be deposited into the account. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only for the construction or purchase of ferry vessels and to pay the principal and interest on bonds authorized for the construction or purchase of ferry vessels. However, expenditures from the account must first be used to support the construction or purchase, including any applicable financing costs, of a ferry vessel with a carrying capacity of at least one hundred forty-four cars.

(2) The state treasurer may not transfer any moneys from the capital vessel replacement account except to the transportation 2003 account (nickel account) for debt service on bonds issued for the construction of 144-car class ferry vessels.

Sec. 214. RCW 46.12.650 and 2010 c 161 s 309 are each amended to read as follows:

(1) **Releasing interest.** An owner releasing interest in a vehicle shall:

(a) Sign the release of interest section provided on the certificate of title or on a release of interest document or form approved by the department;

(b) Give the certificate of title or most recent evidence of ownership to the person gaining the interest in the vehicle;

(c) Give the person gaining interest in the vehicle an odometer disclosure statement if one is required; and

(d) Report the vehicle sold as provided in subsection (2) of this section.

(2) **Report of sale.** An owner shall notify the department, county auditor or other agent, or subagent appointed by the director in writing within ((~~five~~)) twenty-one business days after a vehicle is or has been:

(a) Sold;

(b) Given as a gift to another person;

(c) Traded, either privately or to a dealership;

(d) Donated to charity;

(e) Turned over to an insurance company or wrecking yard; or

(f) Disposed of.

(3) **Report of sale properly filed.** A report of sale is properly filed if it is received by the department, county auditor or other agent, or subagent appointed by the director within ((~~five~~)) twenty-one business days after the date of sale or transfer and it includes:

(a) The date of sale or transfer;

(b) The owner's name and address;

(c) The name and address of the person acquiring the vehicle;

(d) The vehicle identification number and license plate number;

(e) A date or stamp by the department showing it was received on or before the ((~~fifth~~)) twenty-first business day after the date of sale or transfer; and

(f) Payment of the fees required under RCW 46.17.050 ((~~if the report of sale is processed by a county auditor or other agent or subagent appointed by the director~~)).

(4) **Report of sale - administration.** (a) The department shall:

((~~(a)~~)) (i) Provide or approve reports of sale forms;

((~~(b)~~)) (ii) Provide a system enabling an owner to submit reports of sale electronically;

((~~(c)~~)) (iii) Immediately update the department's vehicle record when a report of sale has been filed;

((~~(d)~~)) (iv) Provide instructions on release of interest forms that allow the seller of a vehicle to release their interest in a vehicle at the same time a financial institution, as defined in RCW ((~~30.22.040~~)) 30A.22.040, releases its lien on the vehicle; and

((~~(e)~~)) (v) Send a report to the department of revenue that lists vehicles for which a report of sale has been received but no

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transfer of ownership has taken place. The department shall send the report once each quarter.

(b) A report of sale that is received by the department, county auditor or other agent, or subagent appointed by the director after the twenty-first day becomes effective on the day it is received by the department, county auditor or other agent, or subagent appointed by the director.

(5)(a) **Transferring ownership.** A person who has recently acquired a vehicle by purchase, exchange, gift, lease, inheritance, or legal action shall apply to the department, county auditor or other agent, or subagent appointed by the director for a new certificate of title within fifteen days of delivery of the vehicle. A secured party who has possession of the certificate of title shall either:

(i) Apply for a new certificate of title on behalf of the owner and pay the fee required under RCW 46.17.100; or

(ii) Provide all required documents to the owner, as long as the transfer was not a breach of its security agreement, to allow the owner to apply for a new certificate of title.

(b) Compliance with this subsection does not affect the rights of the secured party.

(6) **Certificate of title delivered to secured party.** The certificate of title must be kept by or delivered to the person who becomes the secured party when a security interest is reserved or created at the time of the transfer of ownership. The parties must comply with RCW 46.12.675.

(7) **Penalty for late transfer.** A person who has recently acquired a motor vehicle by purchase, exchange, gift, lease, inheritance, or legal action who does not apply for a new certificate of title within fifteen calendar days of delivery of the vehicle is charged a penalty, as described in RCW 46.17.140, when applying for a new certificate of title. It is a misdemeanor to fail or neglect to apply for a transfer of ownership within forty-five days after delivery of the vehicle. The misdemeanor is a single continuing offense for each day that passes regardless of the number of days that have elapsed following the forty-five day time period.

(8) **Penalty for late transfer - exceptions.** The penalty is not charged if the delay in application is due to at least one of the following:

(a) The department requests additional supporting documents;

(b) The department, county auditor or other agent, or subagent fails to perform or is neglectful;

(c) The owner is prevented from applying due to an illness or extended hospitalization;

(d) The legal owner fails or neglects to release interest;

(e) The owner did not know of the filing of a report of sale by the previous owner and signs an affidavit to the fact; or

(f) The department finds other conditions exist that adequately explain the delay.

(9) **Review and issue.** The department shall review applications for certificates of title and issue certificates of title when it has determined that all applicable provisions of law have been complied with.

(10) **Rules.** The department may adopt rules as necessary to implement this section.

Intermittent-Use Trailer Fee

NEW SECTION. **Sec. 215.** A new section is added to chapter 46.16A RCW to read as follows:

(1) A trailer that is used only for intermittent personal use, including participation in club activities, exhibitions, tours, and parades, may be issued a permanent license plate and registration. The permanent license plate and registration is valid until the trailer is sold, permanently removed from the state, or otherwise disposed of by the registered owner. To be eligible to receive a permanent license plate and registration, the registered owner of the intermittent-use trailer must:

(a) Apply for a permanent license plate and registration with the department, county auditor or other agent, or subagent appointed by the director; and

(b) Pay the fee required under section 216 of this act.

(2) A trailer with a permanent license plate and registration under this section is exempt from annual registration renewal under RCW 46.16A.110.

(3) The permanent license plate and registration under this section expire when the trailer changes ownership, is permanently removed from the state, or is otherwise disposed of, and must be removed from the trailer prior to conveyance.

(4) A person in violation of this section is subject to a traffic infraction with a maximum fine of one hundred fifty dollars including all other applicable assessments and fees.

(5) In lieu of displaying a standard issue license plate, a person applying for a permanent license plate and registration under this section for a trailer that is at least thirty years old may apply to the department to display a license plate that was issued by the department the year that the intermittent-use trailer was manufactured.

(6) For purposes of this section, "intermittent personal use" means use that is not general or daily, but seasonal or sporadic, and not more than once per week on average.

(7) The department may adopt rules to implement this section.

NEW SECTION. **Sec. 216.** A new section is added to chapter 46.17 RCW to read as follows:

Before accepting an application for a permanent intermittent-use trailer license plate and registration authorized under section 215 of this act, the department, county auditor or other agent, or subagent appointed by the director must require an applicant to pay a one hundred eighty-seven dollar and fifty cent fee. The one hundred eighty-seven dollar and fifty cent fee must be deposited and distributed under RCW 46.68.030.

PART III
LOCAL REVENUE OPTIONS
Transportation Benefit Districts

Sec. 301. RCW 36.73.065 and 2012 c 152 s 3 are each amended to read as follows:

(1) Except as provided in subsection (4) of this section, taxes, fees, charges, and tolls may not be imposed by a district without approval of a majority of the voters in the district voting on a proposition at a general or special election. The proposition must include a specific description of: (a) The transportation improvement or improvements proposed by the district; (b) any rebate program proposed to be established under RCW 36.73.067; and (c) the proposed taxes, fees, charges, and the range of tolls imposed by the district to raise revenue to fund the improvement or improvements or rebate program, as applicable.

(2) Voter approval under this section must be accorded substantial weight regarding the validity of a transportation improvement as defined in RCW 36.73.015.

(3) A district may not increase any taxes, fees, charges, or range of tolls imposed or change a rebate program under this chapter once the taxes, fees, charges, tolls, or rebate program takes effect, ((~~unless~~)) except:

(a) If authorized by the district voters pursuant to RCW 36.73.160; or

(b) For up to forty dollars of the vehicle fee authorized in RCW 82.80.140 by the governing board of the district if a vehicle

fee of twenty dollars has been imposed for at least twenty-four months.

(4)(a) A district that includes all the territory within the boundaries of the jurisdiction, or jurisdictions, establishing the district may impose by a majority vote of the governing board of the district the following fees and charges:

(i) Up to twenty dollars of the vehicle fee authorized in RCW 82.80.140; ((~~or~~))

(ii) Up to forty dollars of the vehicle fee authorized in RCW 82.80.140 if a vehicle fee of twenty dollars has been imposed for at least twenty-four months; or

(iii) A fee or charge in accordance with RCW 36.73.120.

(b) The vehicle fee authorized in (a) of this subsection may only be imposed for a passenger-only ferry transportation improvement if the vehicle fee is first approved by a majority of the voters within the jurisdiction of the district.

(c)(i) A district solely comprised of a city or cities ((~~shall~~)) may not impose the fees or charges identified in (a) of this subsection within one hundred eighty days after July 22, 2007, unless the county in which the city or cities reside, by resolution, declares that it will not impose the fees or charges identified in (a) of this subsection within the one hundred eighty-day period; or

(ii) A district solely comprised of a city or cities identified in RCW 36.73.020(6)(b) may not impose the fees or charges until after May 22, 2008, unless the county in which the city or cities reside, by resolution, declares that it will not impose the fees or charges identified in (a) of this subsection through May 22, 2008.

(5) If the interlocal agreement in RCW 82.80.140(2)(a) cannot be reached, a district that includes only the unincorporated territory of a county may impose by a majority vote of the governing body of the district up to: (a) Twenty dollars of the vehicle fee authorized in RCW 82.80.140; or (b) forty dollars of the vehicle fee authorized in RCW 82.80.140 if a fee of twenty dollars has been imposed for at least twenty-four months.

Sec. 302. RCW 82.80.140 and 2010 c 161 s 917 are each amended to read as follows:

(1) Subject to the provisions of RCW 36.73.065, a transportation benefit district under chapter 36.73 RCW may fix and impose an annual vehicle fee, not to exceed one hundred dollars per vehicle registered in the district, for each vehicle subject to vehicle license fees under RCW 46.17.350(1) (a), (c), (d), (e), (g), (h), (j), or (n) through (q) and for each vehicle subject to gross weight license fees under RCW 46.17.355 with a scale weight of six thousand pounds or less.

(2)(a) A district that includes all the territory within the boundaries of the jurisdiction, or jurisdictions, establishing the district may impose by a majority vote of the governing board of the district up to twenty dollars of the vehicle fee authorized in subsection (1) of this section or up to forty dollars of the vehicle fee authorized in subsection (1) of this section if a twenty dollar vehicle fee has been imposed for at least twenty-four months.

If the district is countywide, the revenues of the fee ((~~shall~~)) must be distributed to each city within the ((~~county~~)) district by interlocal agreement. The interlocal agreement is effective when approved by the ((~~county~~)) district and sixty percent of the cities representing seventy-five percent of the population of the cities within the ((~~county~~)) district in which the countywide fee is collected.

(b) A district may not impose a fee under this subsection (2):

(i) For a passenger-only ferry transportation improvement unless the vehicle fee is first approved by a majority of the voters within the jurisdiction of the district; or

(ii) That, if combined with the fees previously imposed by another district within its boundaries under RCW 36.73.065(4)(a)(i), exceeds ((~~twenty~~)) forty dollars.

If a district imposes or increases a fee under this subsection (2) that, if combined with the fees previously imposed by another district within its boundaries, exceeds ((~~twenty~~)) forty dollars, the district shall provide a credit for the previously imposed fees so that the combined vehicle fee does not exceed ((~~twenty~~)) forty dollars.

(3) The department of licensing shall administer and collect the fee. The department shall deduct a percentage amount, as provided by contract, not to exceed one percent of the fees collected, for administration and collection expenses incurred by it. The department shall remit remaining proceeds to the custody of the state treasurer. The state treasurer shall distribute the proceeds to the district on a monthly basis.

(4) No fee under this section may be collected until six months after approval under RCW 36.73.065.

(5) The vehicle fee under this section applies only when renewing a vehicle registration, and is effective upon the registration renewal date as provided by the department of licensing.

(6) The following vehicles are exempt from the fee under this section:

(a) Campers, as defined in RCW 46.04.085;

(b) Farm tractors or farm vehicles, as defined in RCW 46.04.180 and 46.04.181;

(c) Mopeds, as defined in RCW 46.04.304;

(d) Off-road and nonhighway vehicles, as defined in RCW 46.04.365;

(e) Private use single-axle trailer, as defined in RCW 46.04.422;

(f) Snowmobiles, as defined in RCW 46.04.546; and

(g) Vehicles registered under chapter 46.87 RCW and the international registration plan.

Community Transit Sales Tax

Sec. 303. RCW 82.14.045 and 2008 c 86 s 102 are each amended to read as follows:

(1) The legislative body of any city pursuant to RCW 35.92.060, of any county which has created an unincorporated transportation benefit area pursuant to RCW 36.57.100 and 36.57.110, of any public transportation benefit area pursuant to RCW 36.57A.080 and 36.57A.090, of any county transportation authority established pursuant to chapter 36.57 RCW, and of any metropolitan municipal corporation within a county with a population of one million or more pursuant to chapter 35.58 RCW, may, by resolution or ordinance for the sole purpose of providing funds for the operation, maintenance, or capital needs of public transportation systems or public transportation limited to persons with special needs under RCW 36.57.130 and 36.57A.180, and in lieu of the excise taxes authorized by RCW 35.95.040, submit an authorizing proposition to the voters or include such authorization in a proposition to perform the function of public transportation or public transportation limited to persons with special needs under RCW 36.57.130 and 36.57A.180, and if approved by a majority of persons voting thereon, impose a sales and use tax in accordance with the terms of this chapter. Where an authorizing proposition is submitted by a county on behalf of an unincorporated transportation benefit area, it shall be voted upon by the voters residing within the boundaries of such unincorporated transportation benefit area and, if approved, the sales and use tax shall be imposed only within such area. Notwithstanding any provisions of this section to the contrary, any county in which a county public transportation plan has been adopted pursuant to RCW 36.57.070 and the voters of such county have authorized the imposition of a

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sales and use tax pursuant to the provisions of section 10, chapter 167, Laws of 1974 ex. sess., prior to July 1, 1975, shall be authorized to fix and impose a sales and use tax as provided in this section at not to exceed the rate so authorized without additional approval of the voters of such county as otherwise required by this section.

The tax authorized by this section shall be in addition to the tax authorized by RCW 82.14.030 and shall be collected from those persons who are taxable by the state under chapters 82.08 and 82.12 RCW upon the occurrence of any taxable event within such city, public transportation benefit area, county, or metropolitan municipal corporation as the case may be. The rate of such tax shall be one-tenth, two-tenths, three-tenths, four-tenths, five-tenths, six-tenths, seven-tenths, eight-tenths, or nine-tenths of one percent of the selling price (in the case of a sales tax) or value of the article used (in the case of a use tax). The rate of such tax shall not exceed the rate authorized by the voters unless such increase shall be similarly approved.

(2)(a) In the event a metropolitan municipal corporation imposes a sales and use tax pursuant to this chapter no city, county which has created an unincorporated transportation benefit area, public transportation benefit area authority, or county transportation authority wholly within such metropolitan municipal corporation shall be empowered to impose and/or collect taxes under RCW 35.95.040 or this section, but nothing herein shall prevent such city or county from imposing sales and use taxes pursuant to any other authorization.

(b) In the event a county transportation authority imposes a sales and use tax under this section, no city, county which has created an unincorporated transportation benefit area, public transportation benefit area, or metropolitan municipal corporation, located within the territory of the authority, shall be empowered to impose or collect taxes under RCW 35.95.040 or this section.

(c) In the event a public transportation benefit area imposes a sales and use tax under this section, no city, county which has created an unincorporated transportation benefit area, or metropolitan municipal corporation, located wholly or partly within the territory of the public transportation benefit area, shall be empowered to impose or collect taxes under RCW 35.95.040 or this section.

(3) The legislative body of a public transportation benefit area located in a county with a population of seven hundred thousand or more that also contains a city with a population of seventy-five thousand or more operating a transit system pursuant to chapter 35.95 RCW may submit an authorizing proposition to the voters and, if approved by a majority of persons voting on the proposition, impose a sales and use tax in accordance with the terms of this chapter of one-tenth, two-tenths, or three-tenths of one percent of the selling price, in the case of a sales tax, or value of the article used, in the case of a use tax, in addition to the rate in subsection (1) of this section.

Passenger-Only Ferry Service Districts

NEW SECTION. **Sec. 304.** A new section is added to chapter 36.57A RCW to read as follows:

(1) A governing body of a public transportation benefit area, located in a county that only borders the western side of Puget Sound with a population of more than two hundred thousand and contains one or more Washington state ferries terminals, may establish one or more passenger-only ferry service districts within all or a portion of the boundaries of the public transportation benefit area establishing the passenger-only ferry service district. A passenger-only ferry service district may include all or a portion of a city or town as long as all or a portion of the city or town boundaries are within the boundaries of the establishing public transportation benefit area. The members of the public transportation benefit area governing body proposing to establish the passenger-only ferry service district, acting ex officio and independently, constitutes the governing body of the passenger-only ferry service district.

(2) A passenger-only ferry service district may establish, finance, and provide passenger-only ferry service, and associated services to support and augment passenger-only ferry service operation, within its boundaries in the same manner as authorized for public transportation benefit areas under this chapter.

(3) A passenger-only ferry service district constitutes a body corporate and possesses all the usual powers of a corporation for public purposes as well as all other powers that may be conferred by statute including, but not limited to, the authority to hire employees, staff, and services, to enter into contracts, to acquire, hold, and dispose of real and personal property, and to sue and be sued. Public works contract limits applicable to the public transportation benefit area that established the passenger-only ferry service district apply to the district. For purposes of this section, "passenger-only ferry service district" means a quasi-municipal corporation and independent taxing authority within the meaning of Article VII, section 1 of the state Constitution, and a taxing district within the meaning of Article VII, section 2 of the state Constitution, created by the legislative body of a public transportation benefit area.

(4) Before a passenger-only ferry service district may provide passenger-only ferry service, it must develop a passenger-only ferry investment plan, including elements: To operate or contract for the operation of passenger-only ferry services; to purchase, lease, or rent ferry vessels and dock facilities for the provision of transit service; and to identify other activities necessary to implement the plan. The plan must set forth terminal locations to be served, projected costs of providing services, and revenues to be generated from tolls, locally collected tax revenues, and other revenue sources. The plan must ensure that services provided under the plan are for the benefit of the residents of the passenger-only ferry service district. The passenger-only ferry service district may use any of its powers to carry out this purpose, unless otherwise prohibited by law. In addition, the passenger-only ferry service district may enter into: Contracts and agreements to operate passenger-only ferry service; public-private partnerships; and design-build, general contractor/construction management, or other alternative procurement processes substantially consistent with chapter 39.10 RCW.

(5) A passenger-only ferry service district may be dissolved by a majority vote of the governing body when all obligations under any general obligation bonds issued by the passenger-only ferry service district have been discharged and any other contractual obligations of the passenger-only ferry service district have either been discharged or assumed by another governmental entity.

NEW SECTION. **Sec. 305.** A new section is added to chapter 36.57A RCW to read as follows:

(1) A passenger-only ferry service district may, as part of a passenger-only ferry investment plan, recommend some or all of the following revenue sources as provided in this chapter:

(a) A sales and use tax, as authorized in section 306 of this act;

(b) A parking tax, as authorized in section 307 of this act;

(c) Tolls for passengers, packages, and, where applicable, parking; and

(d) Charges or licensing fees for advertising, leasing space for services to ferry passengers, and other revenue generating activities.

(2) Taxes may not be imposed without an affirmative vote of the majority of the voters within the boundaries of the passenger-only ferry service district voting on a single ballot proposition to both approve a passenger-only ferry investment plan and to approve taxes to implement the plan. Revenues from these taxes and fees may be used only to implement the plan and must be used for the benefit of the residents of the passenger-only ferry service district. A district must contract with the department of revenue for the administration and collection of a sales and use tax as authorized in section 306 of this act. A district may contract with other appropriate entities for the administration and collection of any of the other taxes or charges authorized in this section.

NEW SECTION. **Sec. 306.** A new section is added to chapter 82.14 RCW to read as follows:

(1) Passenger-only ferry service districts providing passenger-only ferry service as provided in section 304 of this act may submit an authorizing proposition to the voters and, if approved by a majority of persons voting, fix and impose a sales and use tax in accordance with the terms of this chapter, solely for the purpose of providing passenger-only ferry service and associated services to support and augment passenger-only ferry service operation.

(2) The tax authorized under this section is in addition to other taxes authorized by law and must be collected from those persons who are taxable by the state under chapters 82.08 and 82.12 RCW upon the occurrence of a taxable event within the taxing district. The maximum rate of the tax must be approved by the voters and may not exceed three-tenths of one percent of the selling price in the case of a sales tax or value of the article used in the case of a use tax.

NEW SECTION. **Sec. 307.** A new section is added to chapter 82.80 RCW to read as follows:

(1) Subject to the conditions of this section, a passenger-only ferry service district located in a county with a population of one million or less as of January 1, 2016, may fix and impose a parking tax on all persons engaged in a commercial parking business within its respective jurisdiction.

(2) In lieu of the tax in subsection (1) of this section, a passenger-only ferry service district located in a county with a population of one million or less as of January 1, 2016, may fix and impose a tax for the act or privilege of parking a motor vehicle in a facility operated by a commercial parking business. The passenger-only ferry service district may provide that:

(a) The tax is paid by the operator or owner of the motor vehicle;

(b) The tax applies to all parking for which a fee is paid, whether paid or leased, including parking supplied with a lease of nonresidential space;

(c) The tax is collected by the operator of the facility and remitted to the city, county, or passenger-only ferry service district;

(d) The tax is a fee per vehicle or is measured by the parking charge;

(e) The tax rate varies with zoning or location of the facility, the duration of the parking, the time of entry or exit, the type or use of the vehicle, or other reasonable factors; and

(f) Tax exempt carpools, vehicles with special license plates and parking placards for persons with disabilities, or government vehicles are exempt from the tax.

(3) The rate of the tax under subsection (1) of this section may be based either upon gross proceeds or the number of vehicle stalls available for commercial parking use. The rates charged must be uniform for the same class or type of commercial parking business.

(4) The passenger-only ferry service district levying the tax provided for in subsection (1) or (2) of this section may provide for its payment on a monthly, quarterly, or annual basis.

(5) The proceeds of the parking tax imposed by a passenger-only ferry service district under subsection (1) or (2) of this section must be used as provided in section 305 of this act.

(6) "Commercial parking business" as used in this section, means the ownership, lease, operation, or management of a commercial parking lot in which fees are charged. "Commercial parking lot" means a covered or uncovered area with stalls for the purpose of parking motor vehicles.

NEW SECTION. **Sec. 308.** A new section is added to chapter 36.57A RCW to read as follows:

(1) To carry out the purposes of this chapter, a passenger-only ferry service district may issue general obligation bonds, not to exceed an amount, together with any other outstanding nonvoter-approved general obligation indebtedness, equal to one and one-half percent of the value of the taxable property within the area, as the term "value of the taxable property" is defined in RCW 39.36.015. A passenger-only ferry service district may also issue general obligation bonds for capital purposes only, together with any outstanding general obligation indebtedness, not to exceed an amount equal to five percent of the value of the taxable property within the area, as the term "value of the taxable property" is defined in RCW 39.36.015, when authorized by the voters of the area pursuant to Article VIII, section 6 of the state Constitution.

(2) General obligation bonds with a maturity in excess of twenty-five years may not be issued. The governing body of the passenger-only ferry service district must by resolution determine for each general obligation bond issue the amount, date, terms, conditions, denominations, maximum fixed or variable interest rate or rates, maturity or maturities, redemption rights, registration privileges, manner of execution, manner of sale, callable provisions, if any, covenants, and form, including registration as to principal and interest, registration as to principal only, or bearer. Registration may include, but not be limited to: (a) A book entry system of recording the ownership of a bond whether or not physical bonds are issued, or (b) recording the ownership of a bond together with the requirement that the transfer of ownership may only be effected by the surrender of the old bond and either the reissuance of the old bond or the issuance of a new bond to the new owner. Facsimile signatures may be used on the bonds and any coupons. Refunding general obligation bonds may be issued in the same manner as general obligation bonds are issued.

(3) Whenever general obligation bonds are issued to fund specific projects or enterprises that generate revenues, charges, user fees, or special assessments, the passenger-only ferry service district may specifically pledge all or a portion of the revenues, charges, user fees, or special assessments to refund the general obligation bonds. The passenger-only ferry service district may also pledge any other revenues that may be available to the district.

(4) In addition to general obligation bonds, a passenger-only ferry service district may issue revenue bonds to be issued and sold in accordance with chapter 39.46 RCW.

Sound Transit Funding - ST3

Sec. 309. RCW 81.104.140 and 2002 c 56 s 202 are each amended to read as follows:

(1) Agencies authorized to provide high capacity transportation service, including transit agencies and regional transit authorities, and regional transportation investment

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districts acting with the agreement of an agency, are hereby granted dedicated funding sources for such systems. These dedicated funding sources, as set forth in RCW 81.104.150, 81.104.160, ((~~and~~)) 81.104.170, and section 312 of this act, are authorized only for agencies located in (a) each county with a population of two hundred ten thousand or more and (b) each county with a population of from one hundred twenty-five thousand to less than two hundred ten thousand except for those counties that do not border a county with a population as described under (a) of this subsection. In any county with a population of one million or more or in any county having a population of four hundred thousand or more bordering a county with a population of one million or more, these funding sources may be imposed only by a regional transit authority or a regional transportation investment district. Regional transportation investment districts may, with the approval of the regional transit authority within its boundaries, impose the taxes authorized under this chapter, but only upon approval of the voters and to the extent that the maximum amount of taxes authorized under this chapter have not been imposed.

(2) Agencies planning to construct and operate a high capacity transportation system should also seek other funds, including federal, state, local, and private sector assistance.

(3) Funding sources should satisfy each of the following criteria to the greatest extent possible:

(a) Acceptability;

(b) Ease of administration;

(c) Equity;

(d) Implementation feasibility;

(e) Revenue reliability; and

(f) Revenue yield.

(4)(a) Agencies participating in regional high capacity transportation system development are authorized to levy and collect the following voter-approved local option funding sources:

((~~(a)~~)) (i) Employer tax as provided in RCW 81.104.150, other than by regional transportation investment districts;

((~~(b)~~)) (ii) Special motor vehicle excise tax as provided in RCW 81.104.160; ((~~and~~

~~(c)~~)) (iii) Regular property tax as provided in section 312 of this act; and

(iv) Sales and use tax as provided in RCW 81.104.170.

(b) Revenues from these taxes may be used only to support those purposes prescribed in subsection (10) of this section. Before the date of an election authorizing an agency to impose any of the taxes enumerated in this section and authorized in RCW 81.104.150, 81.104.160, ((~~and~~)) 81.104.170, and section 312 of this act, the agency must comply with the process prescribed in RCW 81.104.100 (1) and (2) and 81.104.110. No construction on exclusive right-of-way may occur before the requirements of RCW 81.104.100(3) are met.

(5) Authorization in subsection (4) of this section ((~~shall~~)) may not adversely affect the funding authority of transit agencies not provided for in this chapter. Local option funds may be used to support implementation of interlocal agreements with respect to the establishment of regional high capacity transportation service. Except when a regional transit authority exists, local jurisdictions ((~~shall~~)) must retain control over moneys generated within their boundaries, although funds may be commingled with those generated in other areas for planning, construction, and operation of high capacity transportation systems as set forth in the agreements.

(6) Agencies planning to construct and operate high capacity transportation systems may contract with the state for collection and transference of voter-approved local option revenue.

(7) Dedicated high capacity transportation funding sources authorized in RCW 81.104.150, 81.104.160, ((~~and~~)) 81.104.170 ((~~shall be~~)), and section 312 of this act are subject to voter approval by a simple majority. A single ballot proposition may seek approval for one or more of the authorized taxing sources. The ballot title ((~~shall~~)) must reference the document identified in subsection (8) of this section.

(8) Agencies ((~~shall~~)) must provide to the registered voters in the area a document describing the systems plan and the financing plan set forth in RCW 81.104.100. It ((~~shall~~)) must also describe the relationship of the system to regional issues such as development density at station locations and activity centers, and the interrelationship of the system to adopted land use and transportation demand management goals within the region. This document ((~~shall~~)) must be provided to the voters at least twenty days prior to the date of the election.

(9) For any election in which voter approval is sought for a high capacity transportation system plan and financing plan pursuant to RCW 81.104.040, a local voter's pamphlet ((~~shall~~)) must be produced as provided in chapter ((~~29.81A~~)) 29A.32 RCW.

(10) Agencies providing high capacity transportation service ((~~shall~~)) must retain responsibility for revenue encumbrance, disbursement, and bonding. Funds may be used for any purpose relating to planning, construction, and operation of high capacity transportation systems and commuter rail systems, personal rapid transit, busways, bus sets, and entrained and linked buses.

Sec. 310. RCW 81.104.160 and 2010 c 161 s 903 are each amended to read as follows:

(1) Regional transit authorities that include a county with a population of more than one million five hundred thousand may submit an authorizing proposition to the voters, and if approved, may levy and collect an excise tax, at a rate approved by the voters, but not exceeding three-tenths of one percent on the value, under chapter 82.44 RCW, of every motor vehicle owned by a resident of the taxing district, solely for the purpose of providing high capacity transportation service. The maximum tax rate under this subsection does not include a motor vehicle excise tax approved before the effective date of this section if the tax will terminate on the date bond debt to which the tax is pledged is repaid. This tax does not apply to vehicles licensed under RCW 46.16A.455 except vehicles with an unladen weight of six thousand pounds or less, RCW 46.16A.425 or 46.17.335(2). Notwithstanding any other provision of this subsection or chapter 82.44 RCW, a motor vehicle excise tax imposed by a regional transit authority before or after the effective date of this section must comply with chapter 82.44 RCW as it existed on January 1, 1996, until December 31st of the year in which the regional transit authority repays bond debt to which a motor vehicle excise tax was pledged before the effective date of this section. Motor vehicle taxes collected by regional transit authorities after December 31st of the year in which a regional transit authority repays bond debt to which a motor vehicle excise tax was pledged before the effective date of this section must comply with chapter 82.44 RCW as it existed on the date the tax was approved by voters.

(2) An agency and high capacity transportation corridor area may impose a sales and use tax solely for the purpose of providing high capacity transportation service, in addition to the tax authorized by RCW 82.14.030, upon retail car rentals within the applicable jurisdiction that are taxable by the state under chapters 82.08 and 82.12 RCW. The rate of tax ((~~shall~~)) may not exceed 2.172 percent. The rate of tax imposed under this subsection must bear the same ratio of the 2.172 percent authorized that the rate imposed under subsection (1) of this section bears to the rate authorized under subsection (1) of this

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section. The base of the tax ((~~shall be~~)) is the selling price in the case of a sales tax or the rental value of the vehicle used in the case of a use tax.

(3) Any motor vehicle excise tax previously imposed under the provisions of RCW 81.104.160(1) shall be repealed, terminated, and expire on December 5, 2002, except for a motor vehicle excise tax for which revenues have been contractually pledged to repay a bonded debt issued before December 5, 2002, as determined by *Pierce County et al. v. State*, 159 Wn.2d 16, 148 P.3d 1002 (2006). In the case of bonds that were previously issued, the motor vehicle excise tax must comply with chapter 82.44 RCW as it existed on January 1, 1996.

(4) If a regional transit authority imposes the tax authorized under subsection (1) of this section, the authority may not receive any state funds provided in an omnibus transportation appropriations act.

Sec. 311. RCW 81.104.170 and 2009 c 469 s 106 and 2009 c 280 s 5 are each reenacted and amended to read as follows:

(1) Cities that operate transit systems, county transportation authorities, metropolitan municipal corporations, public transportation benefit areas, high capacity transportation corridor areas, and regional transit authorities may submit an authorizing proposition to the voters and if approved by a majority of persons voting, fix and impose a sales and use tax in accordance with the terms of this chapter, solely for the purpose of providing high capacity transportation service.

(2) The tax authorized pursuant to this section ((~~shall be~~)) is in addition to the tax authorized by RCW 82.14.030 and ((~~shall~~)) must be collected from those persons who are taxable by the state pursuant to chapters 82.08 and 82.12 RCW upon the occurrence of any taxable event within the taxing district.

(a) Except for the tax imposed under (b) of this subsection by regional transit authorities that include a county with a population of more than one million five hundred thousand, the maximum rate of such tax ((~~shall~~)) must be approved by the voters and ((~~shall~~)) may not exceed one percent of the selling price (in the case of a sales tax) or value of the article used (in the case of a use tax). The maximum rate of such tax that may be imposed ((~~shall~~)) may not exceed nine-tenths of one percent in any county that imposes a tax under RCW 82.14.340, or within a regional transit authority if any county within the authority imposes a tax under RCW 82.14.340.

(b) The maximum rate of such tax that may be imposed by a regional transit authority that includes a county with a population of more than one million five hundred thousand must be approved by the voters and may not exceed 1.4 percent. If a regional transit authority imposes the tax authorized under this subsection (2)(b) in excess of 0.9 percent, the authority may not receive any state funds provided in an omnibus transportation appropriations act.

(3)(a) The exemptions in RCW 82.08.820 and 82.12.820 are for the state portion of the sales and use tax and do not extend to the tax authorized in this section.

(b) The exemptions in RCW 82.08.962 and 82.12.962 are for the state and local sales and use taxes and include the tax authorized by this section.

NEW SECTION. **Sec. 312.** A new section is added to chapter 81.104 RCW to read as follows:

(1) A regional transit authority that includes a county with a population of more than one million five hundred thousand may impose a regular property tax levy in an amount not to exceed ten cents per thousand dollars of the assessed value of property in the regional transit authority district in accordance with the terms of this section.

(2) Any tax imposed under this section must be used for the purpose of providing high capacity transportation service, as set forth in a proposition that is approved by a majority of the persons residing within the authority that vote on the proposition.

(3) Property taxes imposed under this section may be imposed for the period of time required to pay the cost to plan, design, construct, operate, and maintain the transit facilities set forth in the approved proposition. Property taxes pledged to repay bonds may be imposed at the pledged amount until the bonds are retired. After the bonds are retired, property taxes authorized under this section must be:

(a) Reduced to the level required to operate and maintain the regional transit authority's transit facilities; or

(b) Terminated, unless the taxes have been extended by public vote.

(4) The limitations in RCW 84.52.043 do not apply to the tax authorized in this section.

(5) The limitation in RCW 84.55.010 does not apply to the first levy imposed under this section.

(6) If a regional transit authority imposes the tax authorized under subsection (1) of this section, the authority may not receive any state funds provided in an omnibus transportation appropriations act.

Sec. 313. RCW 84.52.043 and 2011 c 275 s 2 are each amended to read as follows:

Within and subject to the limitations imposed by RCW 84.52.050 as amended, the regular ad valorem tax levies upon real and personal property by the taxing districts hereafter named are as follows:

(1) Levies of the senior taxing districts are as follows: (a) The levy by the state may not exceed three dollars and sixty cents per thousand dollars of assessed value adjusted to the state equalized value in accordance with the indicated ratio fixed by the state department of revenue to be used exclusively for the support of the common schools; (b) the levy by any county may not exceed one dollar and eighty cents per thousand dollars of assessed value; (c) the levy by any road district may not exceed two dollars and twenty-five cents per thousand dollars of assessed value; and (d) the levy by any city or town may not exceed three dollars and thirty-seven and one-half cents per thousand dollars of assessed value. However any county is hereby authorized to increase its levy from one dollar and eighty cents to a rate not to exceed two dollars and forty-seven and one-half cents per thousand dollars of assessed value for general county purposes if the total levies for both the county and any road district within the county do not exceed four dollars and five cents per thousand dollars of assessed value, and no other taxing district has its levy reduced as a result of the increased county levy.

(2) The aggregate levies of junior taxing districts and senior taxing districts, other than the state, may not exceed five dollars and ninety cents per thousand dollars of assessed valuation. The term "junior taxing districts" includes all taxing districts other than the state, counties, road districts, cities, towns, port districts, and public utility districts. The limitations provided in this subsection do not apply to: (a) Levies at the rates provided by existing law by or for any port or public utility district; (b) excess property tax levies authorized in Article VII, section 2 of the state Constitution; (c) levies for acquiring conservation futures as authorized under RCW 84.34.230; (d) levies for emergency medical care or emergency medical services imposed under RCW 84.52.069; (e) levies to finance affordable housing for very low-income housing imposed under RCW 84.52.105; (f) the portions of levies by metropolitan park districts that are protected under RCW 84.52.120; (g) levies imposed by ferry districts under RCW 36.54.130; (h) levies for criminal justice purposes under RCW 84.52.135; (i) the portions of levies by fire protection districts that are protected under RCW 84.52.125; (j) levies by

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counties for transit-related purposes under RCW 84.52.140; ((~~and~~)) (k) the protected portion of the levies imposed under RCW 86.15.160 by flood control zone districts in a county with a population of seven hundred seventy-five thousand or more that are coextensive with a county; and (l) levies imposed by a regional transit authority under section 312 of this act.

Sec. 314. RCW 84.52.043 and 2009 c 551 s 6 are each amended to read as follows:

Within and subject to the limitations imposed by RCW 84.52.050 as amended, the regular ad valorem tax levies upon real and personal property by the taxing districts hereafter named ((~~shall be~~)) are as follows:

(1) Levies of the senior taxing districts ((~~shall be~~)) are as follows: (a) The levy by the state ((~~shall~~)) may not exceed three dollars and sixty cents per thousand dollars of assessed value adjusted to the state equalized value in accordance with the indicated ratio fixed by the state department of revenue to be used exclusively for the support of the common schools; (b) the levy by any county ((~~shall~~)) may not exceed one dollar and eighty cents per thousand dollars of assessed value; (c) the levy by any road district ((~~shall~~)) may not exceed two dollars and twenty-five cents per thousand dollars of assessed value; and (d) the levy by any city or town ((~~shall~~)) may not exceed three dollars and thirty-seven and one-half cents per thousand dollars of assessed value. However any county is hereby authorized to increase its levy from one dollar and eighty cents to a rate not to exceed two dollars and forty-seven and one-half cents per thousand dollars of assessed value for general county purposes if the total levies for both the county and any road district within the county do not exceed four dollars and five cents per thousand dollars of assessed value, and no other taxing district has its levy reduced as a result of the increased county levy.

(2) The aggregate levies of junior taxing districts and senior taxing districts, other than the state, ((~~shall~~)) may not exceed five dollars and ninety cents per thousand dollars of assessed valuation. The term "junior taxing districts" includes all taxing districts other than the state, counties, road districts, cities, towns, port districts, and public utility districts. The limitations provided in this subsection ((~~shall~~)) do not apply to: (a) Levies at the rates provided by existing law by or for any port or public utility district; (b) excess property tax levies authorized in Article VII, section 2 of the state Constitution; (c) levies for acquiring conservation futures as authorized under RCW 84.34.230; (d) levies for emergency medical care or emergency medical services imposed under RCW 84.52.069; (e) levies to finance affordable housing for very low-income housing imposed under RCW 84.52.105; (f) the portions of levies by metropolitan park districts that are protected under RCW 84.52.120; (g) levies imposed by ferry districts under RCW 36.54.130; (h) levies for criminal justice purposes under RCW 84.52.135; (i) the portions of levies by fire protection districts that are protected under RCW 84.52.125; ((~~and~~)) (j) levies by counties for transit-related purposes under RCW 84.52.140; and (k) levies imposed by a regional transit authority under section 312 of this act.

Sec. 315. RCW 84.52.010 and 2011 1st sp.s. c 28 s 2 are each amended to read as follows:

(1) Except as is permitted under RCW 84.55.050, all taxes must be levied or voted in specific amounts.

(2) The rate percent of all taxes for state and county purposes, and purposes of taxing districts coextensive with the county, must be determined, calculated and fixed by the county assessors of the respective counties, within the limitations provided by law, upon the assessed valuation of the property of the county, as shown by the completed tax rolls of the county, and the rate percent of all taxes levied for purposes of taxing districts within any county must be determined, calculated and fixed by the county assessors of the respective counties, within the limitations provided by law, upon the assessed valuation of the property of the taxing districts respectively.

(3) When a county assessor finds that the aggregate rate of tax levy on any property, that is subject to the limitations set forth in RCW 84.52.043 or 84.52.050, exceeds the limitations provided in either of these sections, the assessor must recompute and establish a consolidated levy in the following manner:

(a) The full certified rates of tax levy for state, county, county road district, regional transit authority, and city or town purposes must be extended on the tax rolls in amounts not exceeding the limitations established by law; however any state levy takes precedence over all other levies and may not be reduced for any purpose other than that required by RCW 84.55.010. If, as a result of the levies imposed under RCW 36.54.130, 84.34.230, 84.52.069, 84.52.105, the portion of the levy by a metropolitan park district that was protected under RCW 84.52.120, 84.52.125, 84.52.135, 84.52.140, and the protected portion of the levy under RCW 86.15.160 by flood control zone districts in a county with a population of seven hundred seventy-five thousand or more that are coextensive with a county, the combined rate of regular property tax levies that are subject to the one percent limitation exceeds one percent of the true and fair value of any property, then these levies must be reduced as follows:

(i) The portion of the levy by a metropolitan park district that has a population of less than one hundred fifty thousand and is located in a county with a population of one million five hundred thousand or more that is protected under RCW 84.52.120 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(ii) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the protected portion of the levy imposed under RCW 86.15.160 by a flood control zone district in a county with a population of seven hundred seventy-five thousand or more that is coextensive with a county must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(iii) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the levy imposed by a county under RCW 84.52.140 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(iv) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the portion of the levy by a fire protection district that is protected under RCW 84.52.125 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(v) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the levy imposed by a county under RCW 84.52.135 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(vi) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the levy imposed by a ferry district under RCW 36.54.130 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(vii) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent

of the true and fair value of any property, the portion of the levy by a metropolitan park district with a population of one hundred fifty thousand or more that is protected under RCW 84.52.120 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(viii) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, then the levies imposed under RCW 84.34.230, 84.52.105, and any portion of the levy imposed under RCW 84.52.069 that is in excess of thirty cents per thousand dollars of assessed value, must be reduced on a pro rata basis until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated; and

(ix) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, then the thirty cents per thousand dollars of assessed value of tax levy imposed under RCW 84.52.069 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated.

(b) The certified rates of tax levy subject to these limitations by all junior taxing districts imposing taxes on such property must be reduced or eliminated as follows to bring the consolidated levy of taxes on such property within the provisions of these limitations:

(i) First, the certified property tax levy rates of those junior taxing districts authorized under RCW 36.68.525, 36.69.145, 35.95A.100, and 67.38.130 must be reduced on a pro rata basis or eliminated;

(ii) Second, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates of flood control zone districts other than the portion of a levy protected under RCW 84.52.815 must be reduced on a pro rata basis or eliminated;

(iii) Third, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates of all other junior taxing districts, other than fire protection districts, regional fire protection service authorities, library districts, the first fifty cent per thousand dollars of assessed valuation levies for metropolitan park districts, and the first fifty cent per thousand dollars of assessed valuation levies for public hospital districts, must be reduced on a pro rata basis or eliminated;

(iv) Fourth, if the consolidated tax levy rate still exceeds these limitations, the first fifty cent per thousand dollars of assessed valuation levies for metropolitan park districts created on or after January 1, 2002, must be reduced on a pro rata basis or eliminated;

(v) Fifth, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates authorized to fire protection districts under RCW 52.16.140 and 52.16.160 and regional fire protection service authorities under RCW 52.26.140(1) (b) and (c) must be reduced on a pro rata basis or eliminated; and

(vi) Sixth, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates authorized for fire protection districts under RCW 52.16.130, regional fire protection service authorities under RCW 52.26.140(1)(a), library districts, metropolitan park districts created before January 1, 2002, under their first fifty cent per thousand dollars of assessed valuation levy, and public hospital districts under their first fifty cent per thousand dollars of assessed valuation levy, must be reduced on a pro rata basis or eliminated.

Sec. 316. RCW 84.52.010 and 2009 c 551 s 7 are each amended to read as follows:

(1) Except as is permitted under RCW 84.55.050, all taxes ((~~shall~~)) must be levied or voted in specific amounts.

(2) The rate percent of all taxes for state and county purposes, and purposes of taxing districts coextensive with the county, ((~~shall~~)) must be determined, calculated and fixed by the county assessors of the respective counties, within the limitations provided by law, upon the assessed valuation of the property of the county, as shown by the completed tax rolls of the county, and the rate percent of all taxes levied for purposes of taxing districts within any county ((~~shall~~)) must be determined, calculated and fixed by the county assessors of the respective counties, within the limitations provided by law, upon the assessed valuation of the property of the taxing districts respectively.

(3) When a county assessor finds that the aggregate rate of tax levy on any property, that is subject to the limitations set forth in RCW 84.52.043 or 84.52.050, exceeds the limitations provided in either of these sections, the assessor ((~~shall~~)) must recompute and establish a consolidated levy in the following manner:

((~~(1)~~)) (a) The full certified rates of tax levy for state, county, county road district, regional transit authority, and city or town purposes ((~~shall~~)) must be extended on the tax rolls in amounts not exceeding the limitations established by law; however any state levy ((~~shall~~)) takes precedence over all other levies and ((~~shall~~)) may not be reduced for any purpose other than that required by RCW 84.55.010. If, as a result of the levies imposed under RCW 36.54.130, 84.34.230, 84.52.069, 84.52.105, the portion of the levy by a metropolitan park district that was protected under RCW 84.52.120, 84.52.125, 84.52.135, and 84.52.140, the combined rate of regular property tax levies that are subject to the one percent limitation exceeds one percent of the true and fair value of any property, then these levies ((~~shall~~)) must be reduced as follows:

((~~(a)~~)) (i) The levy imposed by a county under RCW 84.52.140 ((~~shall~~)) must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or ((~~shall~~)) must be eliminated;

((~~(b)~~)) (ii) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the portion of the levy by a fire protection district that is protected under RCW 84.52.125 ((~~shall~~)) must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or ((~~shall~~)) must be eliminated;

((~~(c)~~)) (iii) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the levy imposed by a county under RCW 84.52.135 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

((~~(d)~~)) (iv) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the levy imposed by a ferry district under RCW 36.54.130 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

((~~(e)~~)) (v) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the portion of the levy by a metropolitan park district that is protected under RCW 84.52.120 ((~~shall~~)) must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or ((~~shall~~)) must be eliminated;

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((~~(f)~~)) (vi) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, then the levies imposed under RCW 84.34.230, 84.52.105, and any portion of the levy imposed under RCW 84.52.069 that is in excess of thirty cents per thousand dollars of assessed value, ((~~shall~~)) must be reduced on a pro rata basis until the combined rate no longer exceeds one percent of the true and fair value of any property or ((~~shall~~)) must be eliminated; and

((~~(g)~~)) (vii) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, then the thirty cents per thousand dollars of assessed value of tax levy imposed under RCW 84.52.069 ((~~shall~~)) must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or eliminated.

((~~(2)~~)) (b) The certified rates of tax levy subject to these limitations by all junior taxing districts imposing taxes on such property ((~~shall~~)) must be reduced or eliminated as follows to bring the consolidated levy of taxes on such property within the provisions of these limitations:

((~~(a)~~)) (i) First, the certified property tax levy rates of those junior taxing districts authorized under RCW 36.68.525, 36.69.145, 35.95A.100, and 67.38.130 ((~~shall~~)) must be reduced on a pro rata basis or eliminated;

((~~(b)~~)) (ii) Second, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates of flood control zone districts ((~~shall~~)) must be reduced on a pro rata basis or eliminated;

((~~(c)~~)) (iii) Third, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates of all other junior taxing districts, other than fire protection districts, regional fire protection service authorities, library districts, the first fifty cent per thousand dollars of assessed valuation levies for metropolitan park districts, and the first fifty cent per thousand dollars of assessed valuation levies for public hospital districts, ((~~shall~~)) must be reduced on a pro rata basis or eliminated;

((~~(d)~~)) (iv) Fourth, if the consolidated tax levy rate still exceeds these limitations, the first fifty cent per thousand dollars of assessed valuation levies for metropolitan park districts created on or after January 1, 2002, ((~~shall~~)) must be reduced on a pro rata basis or eliminated;

((~~(e)~~)) (v) Fifth, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates authorized to fire protection districts under RCW 52.16.140 and 52.16.160 and regional fire protection service authorities under RCW 52.26.140(1) (b) and (c) ((~~shall~~)) must be reduced on a pro rata basis or eliminated; and

((~~(f)~~)) (vi) Sixth, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates authorized for fire protection districts under RCW 52.16.130, regional fire protection service authorities under RCW 52.26.140(1)(a), library districts, metropolitan park districts created before January 1, 2002, under their first fifty cent per thousand dollars of assessed valuation levy, and public hospital districts under their first fifty cent per thousand dollars of assessed valuation levy, ((~~shall~~)) must be reduced on a pro rata basis or eliminated.

Sec. 317. RCW 84.04.120 and 1999 c 153 s 69 are each amended to read as follows:

"Taxing district" ((~~shall be held and construed to mean and include~~)) means the state and any county, city, town, port district, school district, road district, metropolitan park district, regional transit authority, water-sewer district, or other municipal corporation, now or hereafter existing, having the power or authorized by law to impose burdens upon property within the district in proportion to the value thereof, for the purpose of obtaining revenue for public purposes, as distinguished from municipal corporations authorized to impose burdens, or for which burdens may be imposed, for such purposes, upon property in proportion to the benefits accruing thereto.

Sec. 318. RCW 81.104.180 and 2009 c 280 s 6 are each amended to read as follows:

Cities that operate transit systems, county transportation authorities, metropolitan municipal corporations, public transportation benefit areas, high capacity transportation corridor areas, and regional transit authorities are authorized to pledge revenues from the employer tax authorized by RCW 81.104.150, the taxes authorized by RCW 81.104.160, ((~~and~~)) the sales and use tax authorized by RCW 81.104.170, and the property tax authorized by section 312 of this act, to retire bonds issued solely for the purpose of providing high capacity transportation service.

PART IV
MISCELLANEOUS
Electric Vehicle Infrastructure Bank

Sec. 401. RCW 47.04.320 and 2011 c 257 s 2 are each amended to read as follows:

(1) The department shall establish a complete streets grant program within the department's highways and local programs division, or its successor. During program development, the department shall include, at a minimum, the department of archaeology and historic preservation, local governments, and other organizations or groups that are interested in the complete streets grant program. The purpose of the grant program is to encourage local governments to adopt urban arterial retrofit street ordinances designed to provide safe access to all users, including bicyclists, pedestrians, motorists, and public transportation users, with the goals of:

(a) Promoting healthy communities by encouraging walking, bicycling, and using public transportation;

(b) Improving safety by designing major arterials to include features such as wider sidewalks, dedicated bicycle facilities, medians, and pedestrian streetscape features, including trees where appropriate;

(c) Protecting the environment and reducing congestion by providing safe alternatives to single-occupancy driving; and

(d) Preserving community character by involving local citizens and stakeholders to participate in planning and design decisions.

(2) For purposes of this section:

(a) "Eligible project" means (i) a local government street or road retrofit project that includes the addition of, or significant repair to, facilities that provide street access with all users in mind, including pedestrians, bicyclists, and public transportation users; or (ii) a retrofit project on city streets or county roads that are part of a state highway that include the addition of, or significant repair to, facilities that provide ((~~street~~)) access with all users in mind, including pedestrians, bicyclists, and public transportation users.

(b) "Local government" means incorporated cities and towns and counties that have adopted a jurisdiction-wide complete streets ordinance that plans for the needs of all users and is consistent with sound engineering principles.

(c) "Sound engineering principles" means peer-reviewed, context sensitive solutions guides, reports, and publications, consistent with the purposes of this section.

(3) In carrying out the purposes of this section, the department may award funding, subject to the availability of amounts appropriated for this specific purpose, only to eligible

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projects that are designed consistent with sound engineering principles.

(4) The department must report annually to the transportation committees of the legislature on the status of any grant projects funded by the program created under this section.

Sec. 402. RCW 47.04.325 and 2011 c 257 s 3 are each amended to read as follows:

(1) The complete streets grant program account is created in the state treasury. Moneys in the account may be spent only after appropriation. Only the department may authorize expenditures from the account. The department may use complete streets grant program funds for city streets, county roads, and city streets and county roads that are part of a state highway. Expenditures from the account may be used solely for the grants provided under RCW 47.04.320.

(2) The department may solicit and receive gifts, grants, or endowments from private and other sources that are made, in trust or otherwise, for the use and benefit of the purposes of the complete streets grant program as provided in RCW 47.04.320.

NEW SECTION. **Sec. 403.** A new section is added to chapter 47.29 RCW to read as follows:

(1) A Washington electric vehicle infrastructure bank is hereby established. The Washington electric vehicle infrastructure bank shall provide financial assistance for the installation of publicly accessible electric vehicle charging stations within the state.

(2) Electric vehicle infrastructure receiving financial assistance must include both DC fast-charging stations and level 1 or 2 electric vehicle supply equipment. The department must confer with the Washington department of commerce, and seek input from experts representing local government, public utilities, electric vehicle manufacturer representatives, and current Washington state electric vehicle drivers to review information and advise the department on policies and priorities for deployment of public charging station locations.

(3) The department's public-private partnerships office must administer all funds dispersed and received, including any funds received under RCW 46.17.323 and deposited into the transportation innovative partnership account created under RCW 47.29.230. Prior to providing any financial assistance for electric vehicle infrastructure projects, the department must submit a business plan to the house of representatives and senate transportation committees of the legislature and to the governor's office.

(4) Annual progress reports must be transmitted to the legislature and governor as of December 1st of each year.

(5) This section expires July 1, 2026.

Effective Dates and Other Miscellaneous Provisions

Sec. 404. RCW 81.77.170 and 1989 c 431 s 36 are each amended to read as follows:

For rate-making purposes, a fee, charge, or tax on the collection or disposal of solid waste ((~~shall be~~)) is considered a normal operating expense of the solid waste collection company, including all taxes and fees imposed or increased under this act. Filing for pass-through of any such fee, charge, or tax is not considered a general rate proceeding.

Sec. 405. 2013 c 225 s 650 (uncodified) is amended to read as follows:

((~~This act takes effect July 1, 2015.~~)) Section 110 of this act takes effect July 1, 2015. Sections 101 through 109, 111 through 304, and 306 through 647 of this act take effect July 1, 2016.

NEW SECTION. **Sec. 406.** 2013 c 225 s 305 is repealed.

NEW SECTION. **Sec. 407.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. **Sec. 408.** Sections 101, 102, 104, 109, 111, 112, 405, and 406 of this act are necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and take effect July 1, 2015.

NEW SECTION. **Sec. 409.** Sections 103, 105, 110, 201, 202, and 206 through 209 of this act take effect July 1, 2016.

NEW SECTION. **Sec. 410.** Section 107 of this act expires on the date the requirements set out in section 7, chapter 36, Laws of 2012 are met.

NEW SECTION. **Sec. 411.** Section 108 of this act takes effect on the date the requirements set out in section 7, chapter 36, Laws of 2012 are met.

NEW SECTION. **Sec. 412.** Sections 101, 102, 104, and 109 of this act expire July 1, 2016.

NEW SECTION. **Sec. 413.** Section 204 of this act takes effect July 1, 2017.

NEW SECTION. **Sec. 414.** Section 204 of this act expires on the effective date of legislation enacted by the legislature that imposes a vehicle miles traveled fee or tax.

NEW SECTION. **Sec. 415.** Section 210 of this act takes effect January 1, 2017.

NEW SECTION. **Sec. 416.** Sections 211 through 214 of this act take effect July 1, 2017.

NEW SECTION. **Sec. 417.** Sections 215 and 216 of this act take effect March 1, 2017.

NEW SECTION. **Sec. 418.** Sections 313 and 315 of this act expire January 1, 2018.

NEW SECTION. **Sec. 419.** Sections 314 and 316 of this act take effect January 1, 2018."

On page 1, line 1 of the title, after "revenue;" strike the remainder of the title and insert "amending RCW 82.36.025, 82.38.030, 82.38.030, 46.68.090, 46.68.090, 46.09.520, 46.10.530, 79A.25.070, 46.17.355, 46.17.365, 46.17.323, 46.25.052, 46.25.060, 46.25.100, 46.20.202, 46.17.050, 46.17.060, 47.60.322, 46.12.650, 36.73.065, 82.80.140, 82.14.045, 81.104.140, 81.104.160, 84.52.043, 84.52.043, 84.52.010, 84.52.010, 84.04.120, 81.104.180, 47.04.320, 47.04.325, and 81.77.170; amending 2013 c 225 s 650 (uncodified); reenacting and amending RCW 43.84.092, 43.84.092, 46.09.520, and 81.104.170; adding a new section to chapter 46.68 RCW; adding a new section to chapter 46.37 RCW; adding a new section to chapter 46.16A RCW; adding a new section to chapter 46.17 RCW; adding new sections to chapter 36.57A RCW; adding a new section to chapter 82.14 RCW; adding a new section to chapter 82.80 RCW; adding a new section to chapter 81.104 RCW; adding a new section to chapter 47.29 RCW; creating new sections; repealing RCW 82.38.083; repealing 2013 c 225 s 305; prescribing penalties; providing effective dates; providing a contingent effective date; providing expiration dates; providing contingent expiration dates; and declaring an emergency."

Senators Nelson, Habib, Jayapal and Billig spoke in favor of adoption of the striking amendment.

Senator King spoke against adoption of the striking amendment.

Senator Billig demanded a roll call.

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

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The President declared the question before the Senate to be the adoption of the striking amendment by Senator Nelson and others to Substitute Senate Bill No. 5987.

ROLL CALL

The Secretary called the roll on the adoption of the striking amendment by Senator Nelson and others and the amendment was not adopted by the following vote: Yeas, 23; Nays, 26; Absent, 0; Excused, 0.

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

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

MOTION

On motion of Senator King, the rules were suspended, Engrossed Substitute Senate Bill No. 5987 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

POINT OF ORDER

Senator Cleveland: "Thank you Mr. President. On the very first day of this 2015 legislative session the .Republican Majority amended Senate Rule 64 to require that any bill that creates a new tax have a two-thirds vote of this body before it move from second reading to third reading. While we didn't support the rule change we'd respect this body and abide by its rules regardless of our strongly held belief that the rule violates the constitution. As we move forward I feel that it is important to have clarification about this rule and to be sure that we aren't inadvertently in violation of the rules of this body. This bill has a number of new revenue sources some call fees and others taxes. If the President would like a list of the various fees and taxes included in this I would be happy to provide that. Therefore, my question is, 'Does this bill trigger the provisions of rule 64 and require a two-third affirmative vote of this body to move the bill to third reading'?"

REMARKS BY SENATOR KING

Senator King: "Well, I would say that I believe that the taxes that are increased in this bill are all existing taxes and therefore would not all under that guideline."

MOTION

On motion of Senator Fain, further consideration of Substitute Senate Bill No. 5987 was deferred and the bill held its place on the second reading calendar.

MOTION

At 3:27 p.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 8:57 p.m. by Senator Fain.

MOTION

On motion of Senator Fraser, the Senate reverted to the first order of business.

REPORTS OF STANDING COMMITTEES

February 26, 2015

SB 5000 Prime Sponsor, Senator Parlette: Allowing rural counties providing emergency medical services to locations with a rural amphitheater to impose an additional admissions surcharge. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5000 be substituted therefor, and the substitute bill do pass. Signed by Senators Hill, Chair; Hargrove, Ranking Member; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Brown; Conway; Fraser; Hewitt; O'Ban; Padden; Parlette; Rolfes; Schoesler and Warnick.

MINORITY recommendation: Do not pass. Signed by Senators Keiser, Assistant Ranking Member on the Capital Budget and Hasegawa.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Billig; Hatfield and Kohl-Welles.

Passed to Committee on Rules for second reading.

February 27, 2015

SB 5006 Prime Sponsor, Senator Angel: Authorizing the termination of all legal responsibilities of a nonparent if genetic testing shows by clear and convincing evidence that a man is not the genetic father of a child. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5006 be substituted therefor, and the second substitute bill do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Bailey; Becker; Brown; Conway; Hewitt; O'Ban; Padden; Parlette; Rolfes; Schoesler and Warnick.

MINORITY recommendation: Do not pass. Signed by Senators Keiser, Assistant Ranking Member on the Capital Budget and Kohl-Welles.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Ranker, Ranking Minority Member, Operating; Billig; Fraser; Hasegawa and Hatfield.

Passed to Committee on Rules for second reading.

February 26, 2015

SB 5016 Prime Sponsor, Senator Honeyford: Retaining water resources to assure the vitality of local economies. 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; Bailey; Becker; Brown; Hatfield; Hewitt; O'Ban; Padden; Parlette; Schoesler and Warnick.

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

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Billig; Conway; Fraser; Kohl-Welles and Rolfes.

Passed to Committee on Rules for second reading.

February 26, 2015

SB 5056 Prime Sponsor, Senator Ericksen: Concerning the use of chemical action plans for recommendations of safer chemicals. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5056 be substituted therefor, and the second substitute bill do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Bailey; Becker; Brown; Hatfield; Hewitt; O'Ban; Padden; Parlette; Schoesler and Warnick.

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

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Billig; Conway; Fraser; Kohl-Welles and Rolfes.

Passed to Committee on Rules for second reading.

February 26, 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 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; Becker; 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 27, 2015

SB 5093 Prime Sponsor, Senator Brown: Creating the nuclear energy education program. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5093 be substituted therefor, and the second substitute bill 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; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Hasegawa; Hatfield; Hewitt; O'Ban; Padden; Parlette; Rolfes; Schoesler and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Conway; Fraser and Kohl-Welles.

Passed to Committee on Rules for second reading.

February 27, 2015

SB 5098 Prime Sponsor, Senator Billig: Increasing efficiency in child care reporting. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5098 be substituted therefor, and the second substitute bill do pass. Signed by Senators Hill, Chair; Dammeier, Vice Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Billig; Brown; Conway; Fraser; Hasegawa; Hatfield; Hewitt; Kohl-Welles; O'Ban; Rolfes and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Becker; Padden; Parlette and Schoesler.

Passed to Committee on Rules for second reading.

February 27, 2015

SB 5105 Prime Sponsor, Senator Padden: Making a fourth driving under the influence offense a felony. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5105 be substituted therefor, and the second substitute bill 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; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Fraser; Hasegawa; Hatfield; Hewitt; Kohl-Welles; O'Ban; Padden; Parlette; Rolfes and Warnick.

Passed to Committee on Rules for second reading.

February 27, 2015

SB 5127 Prime Sponsor, Senator Angel: Providing that veterans with total disability ratings and their surviving spouses and domestic partners are eligible to qualify for a property tax exemption without meeting certain income requirements. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5127 be substituted therefor, and the second substitute bill 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; Becker; Billig; Brown; Conway; Hasegawa; Hatfield; Hewitt; Kohl-Welles; O'Ban; Padden; Parlette; Rolfes; Schoesler and Warnick.

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Passed to Committee on Rules for second reading.

February 27, 2015

SB 5142 Prime Sponsor, Senator Becker: Modifying health benefit exchange provisions related to the aggregation or delegating the aggregation of funds that comprise the premium for a health plan. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5142 be substituted therefor, and the second substitute bill 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; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Fraser; Hasegawa; Hatfield; Hewitt; Kohl-Welles; O'Ban; Padden; Parlette; Rolfes and Schoesler.

Passed to Committee on Rules for second reading.

February 26, 2015

SB 5154 Prime Sponsor, Senator Hargrove: Concerning registered sex or kidnapping offenders. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5154 be substituted therefor, and the substitute bill do pass. Signed by Senators Hill, Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Fraser; Hasegawa; Hatfield; Hewitt; Kohl-Welles; O'Ban; Padden; Parlette; Rolfes; Schoesler and Warnick.

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

Passed to Committee on Rules for second reading.

February 26, 2015

SB 5179 Prime Sponsor, Senator Hill: Concerning paraeducators. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5179 be substituted therefor, and the second substitute bill 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; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Brown; Conway; Fraser; Hatfield; Hewitt; Kohl-Welles; O'Ban; Parlette; Schoesler and Warnick.

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

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Billig; Padden and Rolfes.

Passed to Committee on Rules for second reading.

February 27, 2015

SB 5186 Prime Sponsor, Senator Benton: Allowing certain health care coverage deductions from the calculation of disposable income for the purpose of qualifying for senior property tax programs. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5186 be substituted therefor, and the substitute bill 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; Ranker, Ranking Minority Member, Operating; Bailey; Becker; 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 26, 2015

SB 5190 Prime Sponsor, Senator Benton: Eliminating the requirement to purchase public art with appropriations made for construction of public buildings. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Bailey; Becker; Brown; Hewitt; O'Ban; Padden; Parlette; Schoesler and Warnick.

MINORITY recommendation: Do not pass. Signed by Senators Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Billig; Conway; Fraser; Hasegawa; Kohl-Welles and Rolfes.

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

Passed to Committee on Rules for second reading.

February 26, 2015

SB 5197 Prime Sponsor, Senator Benton: Establishing consistent standards for agency decision making. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5197 be substituted therefor, and the substitute bill do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Bailey; Becker; Brown; Hewitt; O'Ban; Padden; Parlette; Schoesler and Warnick.

MINORITY recommendation: Do not pass. Signed by Senators Ranker, Ranking Minority Member, Operating; Conway; Fraser; Hasegawa and Kohl-Welles.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Billig; Hatfield and Rolfes.

Passed to Committee on Rules for second reading.

February 27, 2015

SB 5215 Prime Sponsor, Senator Roach: Establishing the Washington internet crimes against children account. Reported by Committee on Ways & Means

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MAJORITY recommendation: That Second Substitute Senate Bill No. 5215 be substituted therefor, and the second substitute bill 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; Ranker, Ranking Minority Member, Operating; Bailey; Becker; 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 27, 2015

SB 5243 Prime Sponsor, Senator Honeyford: Concerning services provided by residential habilitation centers. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5243 be substituted therefor, and the second substitute bill do pass. Signed by Senators Hill, Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Fraser; Hasegawa; Hatfield; Hewitt; Kohl-Welles; O'Ban; Padden; Parlette; Rolfes; Schoesler and Warnick.

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

Passed to Committee on Rules for second reading.

February 27, 2015

SB 5252 Prime Sponsor, Senator Dammeier: Creating a pilot program to implement regional school safety and security centers. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5252 be substituted therefor, and the second substitute bill 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; Ranker, Ranking Minority Member, Operating; Bailey; Becker; 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 27, 2015

SB 5280 Prime Sponsor, Senator Kohl-Welles: Concerning the sale of beer and cider by grocery store licensees. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5280 as recommended by Committee on Commerce & Labor be substituted therefor, and the substitute bill do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Fraser; Hatfield; Hewitt; Kohl-Welles; Rolfes; Schoesler and Warnick.

MINORITY recommendation: Do not pass. Signed by Senators Dammeier, Vice Chair Hargrove, Ranking Member.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Brown; Conway; O'Ban; Padden and Parlette.

Passed to Committee on Rules for second reading.

February 27, 2015

SB 5303 Prime Sponsor, Senator Litzow: Creating the Washington academic, innovation, and mentoring (AIM) program. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5303 be substituted therefor, and the substitute bill do pass. Signed by Senators Hill, Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Fraser; Hasegawa; Hatfield; Hewitt; Kohl-Welles; O'Ban; Padden; Parlette; Rolfes; Schoesler and Warnick.

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

Passed to Committee on Rules for second reading.

February 26, 2015

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

MAJORITY recommendation: That Second Substitute Senate Bill No. 5311 be substituted therefor, and the second substitute bill 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; Ranker, Ranking Minority Member, Operating; Bailey; Becker; 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 27, 2015

SB 5317 Prime Sponsor, Senator Frockt: Requiring universal screening and provider payment for autism and developmental delays for children in medicaid programs. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5317 as recommended by Committee on Health Care be substituted therefor, and the substitute bill 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; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway;

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Fraser; Hasegawa; Hatfield; Hewitt; Kohl-Welles; O'Ban; Padden; Parlette; Rolfes; Schoesler and Warnick.

Passed to Committee on Rules for second reading.

February 26, 2015

SB 5320 Prime Sponsor, Senator Honeyford: Concerning the administrative rate the recreation and conservation funding board may retain to administer the grant programs established in chapter 79A.15 RCW. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5320 be substituted therefor, and the substitute bill 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; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Brown; Conway; Fraser; Hasegawa; Hatfield; Hewitt; Kohl-Welles; O'Ban; Parlette; Rolfes and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Padden and Schoesler.

Passed to Committee on Rules for second reading.

February 27, 2015

SB 5353 Prime Sponsor, Senator Angel: Concerning the service and sales of spirits, wine, and beer. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5353 be substituted therefor, and the second substitute bill do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Brown; Conway; Fraser; Hewitt; Kohl-Welles; O'Ban; Rolfes; Schoesler and Warnick.

MINORITY recommendation: Do not pass. Signed by Senators Dammeier, Vice Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Billig and Hasegawa.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Hatfield; Padden and Parlette.

Passed to Committee on Rules for second reading.

February 26, 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 Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5355 as recommended by Committee on Higher Education be substituted therefor, and the substitute bill 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; Ranker, Ranking Minority Member, Operating; Bailey; Becker; 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 26, 2015

SB 5404 Prime Sponsor, Senator O'Ban: Concerning homeless youth prevention and protection. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5404 be substituted therefor, and the second substitute bill do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Billig; Conway; Fraser; Hasegawa; Hatfield; Hewitt; Kohl-Welles; O'Ban; Parlette; Rolfes and Warnick.

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

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Honeyford, Vice Chair, Capital Budget Chair; Bailey; Becker; Brown and Schoesler.

Passed to Committee on Rules for second reading.

February 27, 2015

SB 5413 Prime Sponsor, Senator Warnick: Increasing the flexibility for industrial development district levies for public port districts. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5413 as recommended by Committee on Trade & Economic Development be substituted therefor, and the substitute bill 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; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Brown; Conway; Fraser; Hasegawa; Hatfield; Hewitt; Kohl-Welles; O'Ban; Parlette; Rolfes; Schoesler and Warnick.

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

Passed to Committee on Rules for second reading.

February 26, 2015

SB 5437 Prime Sponsor, Senator Litzow: Concerning breakfast after the bell programs. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5437 be substituted therefor, and the second substitute bill do pass. Signed by Senators Hill, Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Billig; Conway; Fraser; Hasegawa; Hatfield; Kohl-Welles; O'Ban; Rolfes and Warnick.

MINORITY recommendation: Do not pass. Signed by Senators Brown; Padden and Schoesler.

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MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Bailey; Becker; Hewitt and Parlette.

Passed to Committee on Rules for second reading.

February 27, 2015

SB 5452 Prime Sponsor, Senator Litzow: Improving quality in the early care and education system. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5452 be substituted therefor, and the second substitute bill 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; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Fraser; Hatfield; Hewitt; Kohl-Welles; O'Ban; Parlette; Rolfes; Schoesler and Warnick.

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

Passed to Committee on Rules for second reading.

February 27, 2015

SB 5536 Prime Sponsor, Senator Sheldon: Concerning the recoupment of certain costs by collection agencies. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5536 be substituted therefor, and the second substitute bill do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Brown; Hatfield; Hewitt; O'Ban; Padden; Parlette; Schoesler and Warnick.

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

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Keiser, Assistant Ranking Member on the Capital Budget; Billig; Conway; Fraser; Kohl-Welles and Rolfes.

Passed to Committee on Rules for second reading.

February 26, 2015

SB 5547 Prime Sponsor, Senator Bailey: Requiring a minimum grade point average or equivalent to renew a state need grant. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5547 be substituted therefor, and the substitute bill do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Bailey; Becker; Brown; Hewitt; O'Ban; Padden; Parlette; Rolfes; Schoesler and Warnick.

MINORITY recommendation: Do not pass. Signed by Senators Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Billig; Fraser; Hasegawa; Hatfield and Kohl-Welles.

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

Passed to Committee on Rules for second reading.

February 26, 2015

SB 5561 Prime Sponsor, Senator Bailey: Concerning veteran survivor tuition waiver eligibility. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5561 be substituted therefor, and the substitute bill 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; Ranker, Ranking Minority Member, Operating; Bailey; Becker; 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 27, 2015

SB 5564 Prime Sponsor, Senator O'Ban: Concerning the sealing of juvenile records and fines imposed in juvenile cases. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5564 be substituted therefor, and the second substitute bill do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Fraser; Hasegawa; Hatfield; Hewitt; Kohl-Welles; O'Ban; Rolfes; Schoesler and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Honeyford, Vice Chair, Capital Budget Chair; Padden and Parlette.

Passed to Committee on Rules for second reading.

February 26, 2015

SB 5583 Prime Sponsor, Senator Dansel: Providing the fish and wildlife commission with the tools necessary to enact changes to the status of a species. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5583 be substituted therefor, and the substitute bill do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Bailey; Becker; Billig; Brown; Hatfield; Hewitt; O'Ban; Padden; Parlette; Schoesler and Warnick.

MINORITY recommendation: Do not pass. Signed by Senators Keiser, Assistant Ranking Member on the Capital

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Budget; Ranker, Ranking Minority Member, Operating; Conway; Fraser; Hasegawa and Rolfes.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Kohl-Welles.

Passed to Committee on Rules for second reading.

February 26, 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 Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5593 be substituted therefor, and the substitute bill 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; Ranker, Ranking Minority Member, Operating; Bailey; Becker; 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 27, 2015

SB 5631 Prime Sponsor, Senator Hargrove: Concerning the administration of a statewide network of community-based domestic violence victim services by the department of social and health services. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5631 as recommended by Committee on Human Services, Mental Health & Housing be substituted therefor, and the substitute bill 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; Ranker, Ranking Minority Member, Operating; Bailey; Becker; 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 27, 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 Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5633 be substituted therefor, and the substitute bill 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; Ranker, Ranking Minority Member, Operating; Bailey; Becker; 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 27, 2015

SB 5644 Prime Sponsor, Senator O'Ban: Concerning psychiatric boarding under the involuntary treatment act. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5644 as recommended by Committee on Human Services, Mental Health & Housing be substituted therefor, and the substitute bill 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; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Fraser; Hasegawa; Hatfield; Hewitt; O'Ban; Padden; Parlette; Rolfes; Schoesler and Warnick.

Passed to Committee on Rules for second reading.

February 27, 2015

SB 5649 Prime Sponsor, Senator Darneille: Concerning involuntary outpatient mental health treatment. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5649 be substituted therefor, and the second substitute bill do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Fraser; Hasegawa; Hatfield; Hewitt; Kohl-Welles; O'Ban; Padden; Parlette; Rolfes; Schoesler and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Honeyford, Vice Chair, Capital Budget Chair.

Passed to Committee on Rules for second reading.

February 26, 2015

SB 5670 Prime Sponsor, Senator Braun: Clarifying expenditures under the state universal communications services program. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5670 as recommended by Committee on Energy, Environment & Telecommunications be substituted therefor, and the substitute bill 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; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Fraser; Hasegawa; Hatfield; Hewitt; Kohl-Welles; O'Ban; Padden; Rolfes; Schoesler and Warnick.

Passed to Committee on Rules for second reading.

February 26, 2015

SB 5688 Prime Sponsor, Senator Litzow: Providing students with skills that promote mental health and well-being and increase academic performance. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5688 be substituted therefor, and the second

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substitute bill do pass. Signed by Senators Hill, Chair; Dammeier, Vice Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Billig; Conway; Fraser; Hasegawa; Hatfield; Kohl-Welles and Rolfes.

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

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Bailey; Becker; Brown; Hewitt; O'Ban; Parlette; Schoesler and Warnick.

Passed to Committee on Rules for second reading.

February 27, 2015

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

MAJORITY recommendation: That Substitute Senate Bill No. 5728 be substituted therefor, and the substitute bill 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; Ranker, Ranking Minority Member, Operating; Bailey; Becker; 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 26, 2015

SB 5737 Prime Sponsor, Senator Miloscia: Concerning government performance and accountability. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5737 be substituted therefor, and the second substitute bill do pass. Signed by Senators Hill, Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Bailey; Becker; Brown; Hewitt; O'Ban; Padden; Parlette; Rolfes; Schoesler and Warnick.

MINORITY recommendation: Do not pass. Signed by Senators Hargrove, Ranking Member; Ranker, Ranking Minority Member, Operating; Conway; Fraser; Hasegawa; Hatfield and Kohl-Welles.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun, Vice Chair; Keiser, Assistant Ranking Member on the Capital Budget and Billig.

Passed to Committee on Rules for second reading.

February 27, 2015

SB 5740 Prime Sponsor, Senator Fain: Concerning extended foster care services. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5740 be substituted therefor, and the substitute bill 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; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Fraser; Hasegawa; Hatfield; Hewitt; Kohl-Welles; O'Ban; Parlette; Rolfes; Schoesler and Warnick.

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

Passed to Committee on Rules for second reading.

February 27, 2015

SB 5752 Prime Sponsor, Senator Hasegawa: Regarding information concerning racial disproportionality. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5752 be substituted therefor, and the substitute bill do pass. Signed by Senators Hill, Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Becker; Billig; Conway; Fraser; Hasegawa; Hatfield; Hewitt; Kohl-Welles; Rolfes and Schoesler.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Bailey; Brown; O'Ban; Padden; Parlette and Warnick.

Passed to Committee on Rules for second reading.

February 27, 2015

SB 5753 Prime Sponsor, Senator Liias: Creating a county property tax exemption for energy efficient construction. Reported by Committee on Ways & Means

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

Passed to Committee on Rules for second reading.

February 27, 2015

SB 5755 Prime Sponsor, Senator Hargrove: Addressing and mitigating the impacts of property crimes in Washington state. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5755 be substituted therefor, and the second substitute bill 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; Ranker, Ranking Minority Member, Operating; Bailey; Becker; 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.

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February 27, 2015

ESB 5761 Prime Sponsor, Senator Pearson: Providing for property tax exemption for the value of new construction of industrial/manufacturing facilities in targeted urban areas. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5761 as recommended by Committee on Trade & Economic Development be substituted therefor, and the substitute bill 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; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Hasegawa; Hatfield; Hewitt; Kohl-Welles; O'Ban; Padden; Parlette; Schoesler and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Fraser and Rolfes.

Passed to Committee on Rules for second reading.

February 27, 2015

SB 5763 Prime Sponsor, Senator Warnick: Addressing the public employees' collective bargaining act as applied to commissioned officers of the department of fish and wildlife. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5763 be substituted therefor, and the substitute bill 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; Ranker, Ranking Minority Member, Operating; Bailey; Becker; 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 27, 2015

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

MAJORITY recommendation: That Substitute Senate Bill No. 5771 be substituted therefor, and the substitute bill do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Fraser; Hasegawa; Hatfield; Hewitt; Kohl-Welles; O'Ban; Padden; Parlette; Rolfes; Schoesler and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Honeyford, Vice Chair, Capital Budget Chair.

Passed to Committee on Rules for second reading.

February 27, 2015

SB 5779 Prime Sponsor, Senator Parlette: Reducing penalties applied to regional support networks and behavioral health organizations. 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; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Fraser; Hasegawa; Hatfield; Hewitt; O'Ban; Padden; Parlette; Rolfes; Schoesler and Warnick.

Passed to Committee on Rules for second reading.

February 27, 2015

SB 5826 Prime Sponsor, Senator Mullet: Creating the Washington small business retirement marketplace. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5826 be substituted therefor, and the substitute bill do pass. Signed by Senators Hill, Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Billig; Conway; Fraser; Hasegawa; Hatfield; Kohl-Welles; Rolfes and Warnick.

MINORITY recommendation: Do not pass. Signed by Senators Brown; Hewitt; Padden and Schoesler.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Bailey; Becker; O'Ban and Parlette.

Passed to Committee on Rules for second reading.

February 27, 2015

SB 5840 Prime Sponsor, Senator Dammeier: Concerning reimbursement to eligible providers for medicaid ground emergency medical transportation services. Reported by Committee on Ways & Means

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

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun, Vice Chair; Hasegawa; Padden and Parlette.

Passed to Committee on Rules for second reading.

February 26, 2015

SB 5843 Prime Sponsor, Senator Ranker: Concerning outdoor recreation. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5843 be substituted therefor, and the substitute bill do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority

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Member, Operating; Billig; Conway; Fraser; Hasegawa; Hatfield; Kohl-Welles; Parlette; Rolfes and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Bailey; Becker; Brown; Hewitt; Padden and Schoesler.

Passed to Committee on Rules for second reading.

February 26, 2015

SB 5851 Prime Sponsor, Senator Frockt: Concerning recommendations of the college bound scholarship program work group. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5851 be substituted therefor, and the second substitute bill 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; Ranker, Ranking Minority Member, Operating; Bailey; Becker; 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 27, 2015

SB 5857 Prime Sponsor, Senator Parlette: Addressing registration and regulation of pharmacy benefit managers. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5857 be substituted therefor, and the substitute bill do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Fraser; Hatfield; Hewitt; Kohl-Welles; O'Ban; Parlette; Rolfes and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Dammeier, Vice Chair; Hasegawa; Padden and Schoesler.

Passed to Committee on Rules for second reading.

February 27, 2015

SB 5864 Prime Sponsor, Senator Nelson: Concerning sales and use tax for cities to offset municipal service costs to newly annexed areas. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5864 be substituted therefor, and the substitute bill do pass. Signed by Senators Hill, Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Fraser; Hasegawa; Hatfield; Hewitt; Kohl-Welles; O'Ban; Padden; Parlette; Rolfes; Schoesler and Warnick.

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

Passed to Committee on Rules for second reading.

February 27, 2015

SB 5868 Prime Sponsor, Senator Jayapal: Providing an exemption for certain lodging services from the convention and trade center tax. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Hill, Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Billig; Conway; Fraser; Hasegawa; Hatfield; Hewitt; Kohl-Welles; O'Ban; Padden; Parlette and Warnick.

MINORITY recommendation: Do not pass. Signed by Senators Honeyford, Vice Chair, Capital Budget Chair; Brown and Schoesler.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun, Vice Chair; Dammeier, Vice Chair; Becker and Rolfes.

Passed to Committee on Rules for second reading.

February 26, 2015

ESB 5873 Prime Sponsor, Senator Conway: Permitting persons retired from the law enforcement officers' and firefighters' retirement system plan 1 to select a survivor benefit option. 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; Becker; Billig; Brown; Conway; Fraser; Hasegawa; Hatfield; Hewitt; Kohl-Welles; O'Ban; Parlette; Schoesler and Warnick.

Passed to Committee on Rules for second reading.

February 27, 2015

SB 5888 Prime Sponsor, Senator O'Ban: Concerning near fatality incidents of children who have received services from the department of social and health services. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5888 be substituted therefor, and the second substitute bill 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; Ranker, Ranking Minority Member, Operating; Bailey; Becker; 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 27, 2015

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SB 5889 Prime Sponsor, Senator O'Ban: Concerning timeliness of competency evaluation and restoration services. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5889 as recommended by Committee on Human Services, Mental Health & Housing be substituted therefor, and the substitute bill 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; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Fraser; Hasegawa; Hatfield; Hewitt; O'Ban; Padden; Parlette; Rolfes and Schoesler.

Passed to Committee on Rules for second reading.

February 26, 2015

SB 5897 Prime Sponsor, Senator Cleveland: Requiring costs for the examination of a suspected victim of assault of a child to be paid by the state. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5897 be substituted therefor, and the substitute bill 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; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Fraser; Hasegawa; Hatfield; Hewitt; Kohl-Welles; O'Ban; Parlette; Rolfes; Schoesler and Warnick.

Passed to Committee on Rules for second reading.

February 26, 2015

SB 5908 Prime Sponsor, Senator McAuliffe: Concerning restraint or isolation of students, including students with disabilities, in public schools. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5908 be substituted therefor, and the second substitute bill 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; Ranker, Ranking Minority Member, Operating; Bailey; Becker; 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 26, 2015

SB 5915 Prime Sponsor, Senator Brown: Concerning dynamic fiscal impact statements. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5915 be substituted therefor, and the substitute bill 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; Ranker, Ranking Minority Member, Operating; Bailey; Becker; 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 27, 2015

SB 5925 Prime Sponsor, Senator Hargrove: Concerning diversion of nonfelony charges when a party has raised the issue of competency to stand trial. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5925 as recommended by Committee on Human Services, Mental Health & Housing be substituted therefor, and the substitute bill 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; Ranker, Ranking Minority Member, Operating; Bailey; Becker; 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 26, 2015

ESB 5944 Prime Sponsor, Senator Hill: Implementing the periodic review of state spending programs. 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; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Brown; Conway; Hewitt; O'Ban; Padden; Parlette; Rolfes; Schoesler and Warnick.

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

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Fraser; Hatfield and Kohl-Welles.

Passed to Committee on Rules for second reading.

February 26, 2015

SB 5947 Prime Sponsor, Senator Becker: Creating a training program in integrated care psychiatry. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5947 be substituted therefor, and the second substitute bill 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; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Fraser; Hasegawa; Hatfield; Hewitt; Kohl-Welles; O'Ban; Parlette; Rolfes; Schoesler and Warnick.

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

Passed to Committee on Rules for second reading.

February 26, 2015

SB 5954 Prime Sponsor, Senator Braun: Reducing tuition. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5954 be substituted therefor, and the substitute bill do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Keiser, Assistant Ranking Member on the Capital Budget; Bailey; Becker; Billig; Brown; Conway; Hasegawa; Hewitt; O'Ban; Padden; Parlette; Rolfes; Schoesler and Warnick.

MINORITY recommendation: Do not pass. Signed by Senators Hargrove, Ranking Member and Kohl-Welles.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Ranker, Ranking Minority Member, Operating and Fraser.

Passed to Committee on Rules for second reading.

February 26, 2015

SB 5960 Prime Sponsor, Senator Dansel: 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. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5960 be substituted therefor, and the substitute bill do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Bailey; Becker; Billig; Brown; Conway; Hasegawa; Hatfield; Hewitt; O'Ban; Padden; Parlette; Schoesler and Warnick.

MINORITY recommendation: Do not pass. Signed by Senators Ranker, Ranking Minority Member, Operating; Fraser and Rolfes.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Keiser, Assistant Ranking Member on the Capital Budget and Kohl-Welles.

Passed to Committee on Rules for second reading.

February 26, 2015

SB 5976 Prime Sponsor, Senator Litzow: Establishing a consolidating purchasing system for public school employees. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5976 be substituted therefor, and the substitute bill 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; Becker; Billig; Brown; Hatfield; Hewitt; O'Ban; Parlette; Schoesler and Warnick.

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

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Fraser; Kohl-Welles and Rolfes.

Passed to Committee on Rules for second reading.

February 26, 2015

SB 5979 Prime Sponsor, Senator Braun: Providing salary increases in the form of flat dollar monthly increases calculated using the state average wage determined under RCW 50.04.355. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5979 be substituted therefor, and the substitute bill do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Bailey; Becker; Brown; Hewitt; O'Ban; Parlette; Schoesler and Warnick.

MINORITY recommendation: Do not pass. Signed by Senators Hargrove, Ranking Member; Conway; Fraser and Hasegawa.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Keiser, Assistant Ranking Member on the Capital Budget; Billig; Hatfield; Kohl-Welles and Rolfes.

Passed to Committee on Rules for second reading.

February 27, 2015

SB 5981 Prime Sponsor, Senator Braun: Concerning limitations on state debt. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5981 be substituted therefor, and the substitute bill do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Bailey; Becker; Brown; Hewitt; O'Ban; Padden; Rolfes; Schoesler and Warnick.

MINORITY recommendation: Do not pass. Signed by Senators Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Billig; Conway; Fraser; Hasegawa and Kohl-Welles.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Hatfield and Parlette.

Passed to Committee on Rules for second reading.

February 27, 2015

SB 5999 Prime Sponsor, Senator Darneille: Addressing the caseload forecast council. Reported by Committee on Ways & Means

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MAJORITY recommendation: That Substitute Senate Bill No. 5999 be substituted therefor, and the substitute bill 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; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Fraser; Hasegawa; Hatfield; Hewitt; Kohl-Welles; O'Ban; Parlette; Rolfes; Schoesler and Warnick.

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

Passed to Committee on Rules for second reading.

February 26, 2015

SB 6016 Prime Sponsor, Senator Braun: Requiring explicit statutory authorization for the use of interest arbitration. 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; Bailey; Becker; Brown; O'Ban; Padden; Parlette; Schoesler and Warnick.

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

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Billig; Fraser; Hatfield; Hewitt; Kohl-Welles and Rolfes.

Passed to Committee on Rules for second reading.

MOTION

On motion of Senator Fraser, all measures listed on the Supplemental Committee report were referred to the committees as designated.

MOTION

At 8:58 p.m., on motion of Senator Fraser, the Senate adjourned until 10:00 a.m. Monday, March 2, 2015.

BRAD OWEN, President of the Senate

HUNTER G. GOODMAN, Secretary of the Senate

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