

ONE HUNDRED THIRD DAY

MORNING SESSION

Senate Chamber, Olympia, Friday, April 24, 2015

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

The Sergeant at Arms Color Guard consisting of Pages Samuel Jeffries and Carolynn Clarey, presented the Colors. Pastor Edwin Comstock of Faith Assembly in Lacey 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

April 24, 2015

E2SHB 2136 Prime Sponsor, Committee on Appropriations: Concerning comprehensive marijuana market reforms to ensure a well-regulated and taxed marijuana market in Washington State. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Hargrove, Ranking Member; Becker; Brown; Conway; Hatfield; Hewitt; O'Ban; Padden and Schoesler.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Billig; Fraser; Hasegawa; Kohl-Welles; Parlette and Rolfes.

Passed to Committee on Rules for second reading.

MOTION

On motion of Senator Fain, the measure listed on the Standing Committee report was referred to the committee as designated.

MOTION

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

MESSAGE FROM THE HOUSE

April 23, 2015

MR. PRESIDENT:

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

- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1126,
 - SUBSTITUTE HOUSE BILL NO. 1240,
 - HOUSE BILL NO. 1389,
 - SUBSTITUTE HOUSE BILL NO. 1503,
 - ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1546,
 - HOUSE BILL NO. 1599,
 - ENGROSSED SUBSTITUTE HOUSE BILL NO. 1671,
 - ENGROSSED SUBSTITUTE HOUSE BILL NO. 1844,
 - SUBSTITUTE HOUSE BILL NO. 1879,
 - ENGROSSED SUBSTITUTE HOUSE BILL NO. 1980,
 - ENGROSSED SUBSTITUTE HOUSE BILL NO. 2093.
- and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

MOTION

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

INTRODUCTION AND FIRST READING

SB 6114 by Senators Frockt and Kohl-Welles

AN ACT Relating to fiscal reform; amending RCW 82.03.130, 82.03.140, 2.10.180, 2.12.090, 6.13.030, 6.15.020, 41.24.240, 41.32.052, 41.35.100, 41.40.052, 41.44.240, 41.26.053, 43.43.310, 82.08.020, 84.52.065, 84.52.043, 84.52.050, 84.55.005, 36.58.150, 36.60.040, 36.69.145, 36.73.060, 36.83.030, 36.100.050, 67.38.130, 84.52.010, 84.52.010, 84.69.020, 39.89.020, 43.991.040, 82.04.230, 82.04.240, 82.04.240, 82.04.250, 82.04.257, 82.04.270, 82.04.285, 82.04.2905, 82.04.2906, 82.04.2907, 82.04.298, and 82.04.4461; reenacting and amending RCW 43.99H.060, 82.04.260, 82.04.280, 82.04.290, 82.32.790, and 84.52.0531; adding a new title to the Revised Code of Washington to be codified as Title 82A RCW; creating new sections; repealing RCW 6.15.025 and 84.55.0101; repealing 2010 c 106 s 206, 2009 c 461 s 3, 2006 c 300 s 7, and 2003 c 149 s 4; prescribing penalties; providing contingent effective dates; providing an expiration date; and providing a contingent expiration date.

Referred to Committee on Ways & Means.

SB 6115 by Senator Chase

AN ACT Relating to limiting tax imposed by a city or town on a water distribution business, a sewerage system business, or water and sewerage system business; and adding a new section to chapter 35.21 RCW.

Referred to Committee on Government Operations & Security.

SJR 8207 by Senators Frockt and Kohl-Welles

Concerning a constitutional amendment regarding the structure and limitations for taxation in the state of Washington.

Referred to Committee on Ways & Means.

MOTION

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

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.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and the Ugandan Kids Choir, which bring a message of hope, sharing the power of God's love through traditional music and dance, was present on the floor and performed for the senate. The Choir is made up of 10 sponsored children from the poorest parts of Uganda, chosen for their enthusiasm, ability, and dedication—all of which make them potential leaders when they return to their communities. The Choir tours provide opportunities for others to help underprivileged children in Africa put an end to poverty, hunger and corruption.

MOTION

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

MOTION

Senator O'Ban moved adoption of the following resolution:

SENATE RESOLUTION
8680

By Senators O'Ban, Dandel, Bailey, Mullet, Keiser, Kohl-Welles, Cleveland, Frockt, Dammeier, Hobbs, Chase, Hargrove, Baumgartner, Rolfes, McAuliffe, Hatfield, Brown, Hill, Sheldon, Jayapal, Honeyford, Rivers, Parlette, Erickson, Roach, Pedersen, King, Fain, Warnick, Fraser, Padden, Habib, Darneille, Becker, Pearson, Braun, Angel, Hewitt, Hasegawa, Schoesler, Billig, McCoy, Conway, Benton, Liias, Litzow, Miloscia, Nelson, and Ranker

WHEREAS, Our men and women warriors and their families have made great sacrifices to keep our nation safe and to defend the freedom of countless others in the great struggles of our time, including the War on Terror; and

WHEREAS, The Legislature recognizes that many of these fine members of the military serve in the high number of military installations located throughout the state of Washington; and

WHEREAS, Over six hundred thousand military service members reside in Washington; and

WHEREAS, Approximately 9,000 service members leave service at Joint Base Lewis-McCord and other installations each year; and

WHEREAS, We owe these fine Americans a great debt we can never repay, and yet the unemployment rate for veterans is much higher than the overall unemployment rate, with veterans

between the age of eighteen and twenty-five unemployed at an unacceptable rate of twenty-one percent; and

WHEREAS, These highly motivated women and men possess exemplary work ethic and superb skills, including expertise in leading others, health care, technology, and logistics; and

WHEREAS, Many Washington State companies have taken exceptional measures to train, recruit, and hire veterans entering the private sector;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate commend those Washington businesses that have made employing veterans a major priority of their hiring practices; give specific tribute and express our enthusiastic appreciation to the many exceptional Washington businesses that stand out in their commitment to our men and women in uniform, namely, The Boeing Company, Starbucks, Microsoft, Amazon, Costco, Weyerhaeuser, US Bank, Comcast, the Port of Seattle, Providence Health and Services, the University of Washington, The Shultz Foundation, Puget Sound Energy, Multicare, and others; and trust that these exemplary companies will serve as a model to other employers in the state of Washington to also make a special effort to recruit and hire our very able and well-deserving veterans; and

BE IT FURTHER RESOLVED, That the Senate express its gratitude to the corporate members of the organization aptly named Hire America's Heroes, for their generous support and commitment to hiring transitioning service members, and their family members and caregivers; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to the businesses named herein.

Senators O'Ban, Conway Hobbs, Bailey, Chase, Becker, Ranker, Angel, Fraser, Braun, Jayapal, Roach, Habib and Dammeier spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8680.

The motion by Senator O'Ban carried and the resolution was adopted by voice vote.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced Director Lourdes "Alfie" Alvarados-Ramos and Mrs. Heidi Audette, Legislative Director, Washington State Department of Veterans Affairs, and members of Hire America's Heroes which connects America's major corporations with military service members and their families for the purpose of employment in the corporate workforce who were present in the gallery and recognized by the senate.

The following individuals were representing supporting members of Hire America's Heroes that have established best-practice programs within their own companies and demonstrated their commitment to hiring transitioning service members, their family members and caregivers, and military veterans: Ms. Kim DesMarais, Human Resources Manager; and Ms. Clare Gallagher, State Government Relations Manager, Port of Seattle; Mr. Jeremy Norris, Supervisor, End User Support, Puget Sound Energy; Mr. Mike Mesick, Director of Commercial Airplanes Group Business Operations, US Army and WA Nat'l Guard veteran; Mr. Tom Ritzert, Director of Commercial Aviation Services Quality & Safety and executive sponsor of the Boeing Employees Veterans Association; Mr. Keith Leverkus, Vice-President & General Manager, 737 MAX Program and father of an active duty officer in the US Army at Joint Base Lewis-McCord; and Mr. Shane Stec, Global Staffing (military hiring and process specialist), US Navy veteran, Boeing; Ms.

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Susan Meenk, Senior Director, Southwest (WA) Region, Providence Health & Services; Mr. David Swartley, Managing Director, State Government Relations; Mr. Shawn Henderson, Assoc. Vice-President, Branch Manager and Chris Sarvela, Assoc. Vice-President, Branch Manager, US Bank; Mr. Anthony Chavez, Government & Community Relations Manager, Weyerhaeuser; Mr. Chase Miner, Area Manager, US Army veteran, Amazon; Mr. Tim Bomke, Manager, Veteran & Military Affairs, Captain, US Army (Ret.) and Ms. Shannon Boldizar, Senior Manager, Government & Civic Affairs, Starbucks; Mr. Michael Cindric, Vice President of Human Resources and Ms. Janet Turpen, Vice President of Gov't Affairs, Comcast; Mr. Mike Wark, Director of External Relations, UW-T, University of Washington; Mr. Mike Peterson, Manager of Recruiting Services and US Air Force veteran, Multicare Health System; and Ms. Sylvia Reyes, founder and Board Member of the Washington Diversity and Veterans Foundation established to support services, resources, and educational, training and leadership development programs for diversity individuals and veterans in the workforce.

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:

- SENATE BILL NO. 5125,
- SUBSTITUTE SENATE BILL NO. 5154,
- ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5269,
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5607,
- ENGROSSED SENATE BILL NO. 5616,
- SUBSTITUTE SENATE BILL NO. 5631,
- SUBSTITUTE SENATE BILL NO. 5721,
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5843.

MOTION

Senator Hasegawa moved adoption of the following resolution:

SENATE RESOLUTION
8679

By Senators Hasegawa and Honeyford

WHEREAS, The earliest documented proof of Filipino presence in the continental United States was the date of October 18, 1587, when the first "Luzones Indios" set foot in Morro Bay, California; and

WHEREAS, The Filipino American National Historical Society recognizes the year of 1763 as the date of the first permanent Filipino settlement in the United States in St. Malo, Louisiana; and

WHEREAS, Washington State contributed to this history with the recognition of the 1888 documents of Port Blakely on Bainbridge Island, Washington, at the time the largest lumber mill in the world, as listing a "Manilla," the first known employee from the Philippines in the Pacific Northwest; and

WHEREAS, These events set in motion a focus on the story of our nation's past from a new perspective by concentrating on the economic, cultural, social, and other notable contributions that Filipino Americans have made in countless ways toward the development of the United States; and

WHEREAS, Efforts must continue to promote the study of Filipino American history and culture, as mandated in the mission statement of the Filipino American National Historical Society; and

WHEREAS, It is imperative for Filipino American youth to have positive role models to instill in them the importance of education, complemented with the richness of their ethnicity and the value of their legacy; and

WHEREAS, Washingtonians who have made a national contribution to American culture and society include Filipino Americans Carlos Bulosan, Roy Baldoz, Jose Calugas, Fred and Dorothy Cordova, Pio DeCano Sr., Trinidad Rojo, Bob Santos, Delores Sibonga, Silvestre Tangalan, Bernie Reyes Whitebear, Velma Veloria, Harry Bucsit, Rey Pascua, and many others; and

WHEREAS, Filipinos are one of the largest Asian/Pacific Islander communities in Washington State; and

WHEREAS, Washington State is the location of historic Filipino American communities, including Wapato, Seattle, Bainbridge Island, Tacoma, Auburn, Bremerton, Pateros, and others; and

WHEREAS, Filipinos have served with special distinction in all of the United States military branches; and

WHEREAS, The United States and the Republic of the Philippines continue to hold a special bond, which is supported by the Filipino Chamber of Commerce of the Pacific Northwest; and

WHEREAS, The national office of the Filipino American National Historical Society is located in the city of Seattle, Washington; and

WHEREAS, Filipino community-based organizations such as the Filipino Community of Seattle provide important community services and serve as a center for the Filipino community;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate celebrate October 2015 as the 428th anniversary of the presence of Filipinos in the now United States and as part of an ongoing opportunity to study the advancement of Filipino Americans in the history of the State of Washington; and

BE IT FURTHER RESOLVED, That a copy of this resolution be immediately transmitted by the Secretary of the Senate to Rey Pascua, President of the Filipino American Community of the Yakima Valley; Alma Kern, President of the Filipino Community of Seattle; Alex Borromeo, President of the Filipino Chamber of Commerce of the Pacific Northwest; and Velma Veloria, former Washington State Representative for the 11th district, for further distribution to the Filipino American National Historical Society, to Wing Luke Asian Museum and other Asian and Pacific Islander organizations, to other historical societies and government entities, and to the Superintendent of Public Instruction.

Senator Hasegawa spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8679.

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

MOTION

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

THIRD READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Fain moved that Chase Franklin, Gubernatorial Appointment No. 9052, be confirmed as a member of the Western Washington University Board of Trustees.

Senator Fain spoke in favor of the motion.

MOTION

On motion of Senator Habib, Senator Liias was excused.

APPOINTMENT OF CHASE FRANKLIN

The President declared the question before the Senate to be the confirmation of Chase Franklin, Gubernatorial Appointment No. 9052, as a member of the Western Washington University Board of Trustees.

The Secretary called the roll on the confirmation of Chase Franklin, Gubernatorial Appointment No. 9052, as a member of the Western Washington University Board of Trustees and the appointment was confirmed by the following vote: Yeas, 46; Nays, 0; Absent, 2; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Fain, Fraser, Frockt, Habib, Hasegawa, Hatfield, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Kohl-Welles, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon and Warnick

Absent: Senators Ericksen and Hargrove

Excused: Senator Liias

Chase Franklin, Gubernatorial Appointment No. 9052, having received the constitutional majority was declared confirmed as a member of the Western Washington University Board of Trustees.

PERSONAL PRIVILEGE

Senator Billig: "Thank you Mr. President. Well, a couple of days ago on the floor there was a tense moment and I got quite frustrated with what we were doing. And, in turn, there were some members that got frustrated with me. As a result, the President Pro Tempore, who was presiding in your absence, fined me for my remarks. So, before we conclude the regular session today, I wanted to make sure I paid up on that fine. So thanks to my session aide Johnny for going out and finding one pound of Marzipan – delivered to the President Pro Tem so that she can disperse as she sees fit. Thank you."

REMARKS BY THE PRESIDENT

President Owen: "My understanding is that when the President Pro Tempore is no longer presiding that carries over to the President and so..."

PERSONAL PRIVILEGE

Senator Roach: "Thank you Mr. President. I feel that the decorum has been restored. [Laughter.] I will share, thank you so much. You're very kind, appreciate it."

REMARKS BY THE PRESIDENT

President Owen: "Is that called restored or purchased? I don't remember ..."

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Braun moved that James Lowery, Gubernatorial Appointment No. 9094, be confirmed as a member of the Board of Trustees, Centralia Community College District No. 12.

Senators Braun, Sheldon, Chase and Fraser spoke in favor of passage of the motion.

MOTION

On motion of Senator Fain, Senator Ericksen was excused.

MOTION

On motion of Senator Habib, Senator Hargrove was excused.

APPOINTMENT OF JAMES LOWERY

The President declared the question before the Senate to be the confirmation of James Lowery, Gubernatorial Appointment No. 9094, as a member of the Board of Trustees, Centralia Community College District No. 12.

The Secretary called the roll on the confirmation of James Lowery, Gubernatorial Appointment No. 9094, as a member of the Board of Trustees, Centralia Community College District No. 12 and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon and Warnick

Excused: Senators Ericksen and Liias

James Lowery, Gubernatorial Appointment No. 9094, having received the constitutional majority was declared confirmed as a member of the Board of Trustees, Centralia Community College District No. 12.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Dammeier moved that Dennis W. Mathews, Gubernatorial Appointment No. 9102, be confirmed as a member of the Board of Trustees, State School for the Blind.

Senator Dammeier spoke in favor of the motion.

APPOINTMENT OF DENNIS W. MATHEWS

The President declared the question before the Senate to be the confirmation of Dennis W. Mathews, Gubernatorial Appointment No. 9102, as a member of the Board of Trustees, State School for the Blind.

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The Secretary called the roll on the confirmation of Dennis W. Mathews, Gubernatorial Appointment No. 9102, as a member of the Board of Trustees, State School for the Blind and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon and Warnick

Excused: Senators Ericksen and Liias

Dennis W. Mathews, Gubernatorial Appointment No. 9102, having received the constitutional majority was declared confirmed as a member of the Board of Trustees, State School for the Blind.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Fraser moved that David L. Nicandri, Gubernatorial Appointment No. 9128, be confirmed as a member of The Evergreen State College Board of Trustees.

Senators Fraser, Conway and Honeyford spoke in favor of passage of the motion.

APPOINTMENT OF DAVID L. NICANDRI

The President declared the question before the Senate to be the confirmation of David L. Nicandri, Gubernatorial Appointment No. 9128, as a member of The Evergreen State College Board of Trustees.

The Secretary called the roll on the confirmation of David L. Nicandri, Gubernatorial Appointment No. 9128, as a member of The Evergreen State College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon and Warnick

Excused: Senators Ericksen and Liias

David L. Nicandri, Gubernatorial Appointment No. 9128, having received the constitutional majority was declared confirmed as a member of The Evergreen State College Board of Trustees.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced seventh graders from Rose Hill Middle School in Redmond led by Social Studies teacher, Mr. Larry Whalen, guests of Senator Habib, who were present in the gallery and recognized by the senate.

MOTION

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

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1619, by House Committee on Finance (originally sponsored by Representatives S. Hunt, Nealey, Fitzgibbon and Pollet)

Providing a business and occupation tax exemption for environmental handling charges.

The measure was read the second time.

MOTION

On motion of Senator Ericksen, the rules were suspended, Substitute House Bill No. 1619 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Ericksen spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1619.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1619 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon and Warnick

Excused: Senator Liias

SUBSTITUTE HOUSE BILL NO. 1619, 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, the Senate reverted to the fourth order of business.

MESSAGE FROM THE HOUSE

April 22, 2015

MR. PRESIDENT:

The House refuses to concur in the Senate amendment(s) to ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1272 and asks the Senate to recede therefrom. and the same is herewith transmitted.

BARBARA BAKER, Chief Clerk

MOTION

Senator Padden moved that the Senate recede from its position on the Senate amendments to Engrossed Second Substitute House Bill No. 1272.

The President declared the question before the Senate to be motion by Senator Padden that the Senate recede from its position on the Senate amendments to Engrossed Second Substitute House Bill No. 1272.

The motion by Senator Padden carried and the Senate receded from its amendments to Engrossed Second Substitute House Bill No. 1272 by voice vote.

MOTION

On motion of Senator Padden, the rules were suspended and Engrossed Second Substitute House Bill No. 1272 was returned to second reading for the purposes of amendment.

SECOND READING

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1272, by House Committee on General Government & Information Technology (originally sponsored by Representatives Buys, Orwall and Pollet)

Creating the crime of wrongfully distributing intimate images. Revised for 2nd Substitute: Concerning the crime of disclosing intimate images.

The measure was read the second time.

MOTION

Senator Padden moved that the following striking amendment by Senators Padden and Pedersen be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) A person commits the crime of disclosing intimate images when the person knowingly discloses an intimate image of another person and the person disclosing the image:

(a) Obtained it under circumstances in which a reasonable person would know or understand that the image was to remain private;

(b) Knows or should have known that the depicted person has not consented to the disclosure; and

(c) Knows or reasonably should know that disclosure would cause harm to the depicted person.

(2) A person who is under the age of eighteen is not guilty of the crime of disclosing intimate images unless the person:

(a) Intentionally and maliciously disclosed an intimate image of another person;

(b) Obtained it under circumstances in which a reasonable person would know or understand that the image was to remain private; and

(c) Knows or should have known that the depicted person has not consented to the disclosure.

(3) This section does not apply to:

(a) Images involving voluntary exposure in public or commercial settings; or

(b) Disclosures made in the public interest including, but not limited to, the reporting of unlawful conduct, or the lawful and common practices of law enforcement, criminal reporting, legal proceedings, or medical treatment.

(4) This section does not impose liability upon the following entities solely as a result of content provided by another person:

(a) An interactive computer service, as defined in 47 U.S.C. Sec. 230(f)(2);

(b) A provider of public or private mobile service, as defined in section 13-214 of the public utilities act; or

(c) A telecommunications network or broadband provider.

(5) It shall be an affirmative defense to a violation of this section that the defendant is a family member of a minor and did not intend any harm or harassment in disclosing the images of the minor to other family or friends of the defendant. This affirmative defense shall not apply to matters defined under RCW 9.68A.011.

(6) For purposes of this section:

(a) "Disclosing" includes transferring, publishing, or disseminating, as well as making a digital depiction available for distribution or downloading through the facilities of a telecommunications network or through any other means of transferring computer programs or data to a computer;

(b) "Intimate image" means any photograph, motion picture film, videotape, digital image, or any other recording or transmission of another person who is identifiable from the image itself or from information displayed with or otherwise connected to the image, and that was taken in a private setting, is not a matter of public concern, and depicts:

(i) Sexual activity, including sexual intercourse as defined in RCW 9A.44.010 and masturbation; or

(ii) A person's intimate body parts, whether nude or visible through less than opaque clothing, including the genitals, pubic area, anus, or post-pubescent female nipple.

(7) The crime of disclosing intimate images:

(a) Is a gross misdemeanor on the first offense; or

(b) Is a class C felony if the defendant has one or more prior convictions for disclosing intimate images.

(8) Nothing in this section is construed to:

(a) Alter or negate any rights, obligations, or immunities of an interactive service provider under 47 U.S.C. Sec. 230; or

(b) Limit or preclude a plaintiff from securing or recovering any other available remedy.

NEW SECTION. Sec. 2. Section 1 of this act constitutes a new chapter in Title 9A RCW."

Senator Padden 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 Senators Padden and Pedersen to Engrossed Second Substitute House Bill No. 1272.

The motion by Senator Padden 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 "images;" strike the remainder of the title and insert "adding a new chapter to Title 9A RCW; and prescribing penalties."

MOTION

On motion of Senator Padden, the rules were suspended, Engrossed Second Substitute House Bill No. 1272 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Padden spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute House Bill No. 1272 as amended by the Senate.

ROLL CALL

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The Secretary called the roll on the final passage of Engrossed Second Substitute House Bill No. 1272 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon and Warnick

Excused: Senator Liias

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1272 as amended by the Senate, 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.

MESSAGE FROM THE HOUSE

April 23, 2015

MR. PRESIDENT:

The House receded from its amendment(s) to ENGROSSED SUBSTITUTE SENATE BILL NO. 5884. Under suspension of the rules, the bill was returned to second reading for the purposes of amendment(s). The House adopted the following amendment(s): 5884-S.E AMH ORWA H2738.1, and passed the bill as amended by the House.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) The legislature has long been committed to increasing access to support services for human trafficking victims and promoting awareness of human trafficking throughout Washington state. In 2002, Washington was the first state to work on human trafficking by enacting new laws and by creating an antitrafficking task force. In 2003, Washington was the first state to enact a law making human trafficking a crime.

Since 2002, the Washington state legislature has enacted thirty-eight laws to combat human trafficking. In 2013 and 2014, Washington received top marks from two leading nongovernmental organizations for the strength of its antitrafficking laws. The polaris project gave Washington a perfect score of ten and Washington received an "A" report card from shared hope international's protected innocence challenge. In light of the 2010 winter olympic games taking place in Vancouver, British Columbia, the legislature enacted RCW 47.38.080, permitting an approved nonprofit to place informational human trafficking posters in restrooms located in rest areas along Interstate 5. Sporting events, such as the winter olympic games or the upcoming 2015 United States open golf tournament at Chambers Bay, provide lucrative opportunities for human traffickers to exploit adults and children for labor and sexual services. The legislature finds that an effective way to combat human trafficking is to increase awareness of human trafficking for both victims and the general public alike as well as who and how to contact for help and support services, for both victims and the general public alike.

(2) Human trafficking data are primarily obtained through a hotline reporting system in which victims and witnesses can report cases of human trafficking over the phone. Since 2007, there have been one thousand eight hundred fifty human trafficking calls made through the human trafficking victim hotline system in Washington state, and a total of four hundred

thirty-two human trafficking cases reported. It is the intent of the legislature to facilitate an even wider scope of communication with human trafficking victims and witnesses by requiring human trafficking information to be posted in all public restrooms.

NEW SECTION. Sec. 2. A new section is added to chapter 7.68 RCW to read as follows:

(1) The office of crime victims advocacy is designated as the single point of contact in state government regarding the trafficking of persons.

(2) The Washington state clearinghouse on human trafficking is created as an information portal to share and coordinate statewide efforts to combat the trafficking of persons. The clearinghouse will include an internet web site operated by the office of crime victims advocacy, and will serve the following functions:

(a) Coordinating information regarding all statewide task forces relating to the trafficking of persons including, but not limited to, sex trafficking, commercial sexual exploitation of children, and labor trafficking;

(b) Publishing the findings and legislative reports of all statewide task forces relating to the trafficking of persons;

(c) Providing a comprehensive directory of resources for victims of trafficking; and

(d) Collecting and disseminating up-to-date information regarding the trafficking of persons, including news and legislative efforts, both state and federal.

Sec. 3. RCW 7.68.350 and 2003 c 266 s 1 are each amended to read as follows:

(1) There is created the Washington state task force against the trafficking of persons.

(2)(a) The task force shall consist of the following members:
~~((a))~~ (i) One member from each of the two largest caucuses of the senate, appointed by the president of the senate;

(ii) One member from each of the two largest caucuses of the house of representatives, appointed by the speaker of the house of representatives;

(iii) ~~The director of the office of ((community development))~~ crime victims advocacy, or the director's designee;

~~((b))~~ (iv) The secretary of the department of health, or the secretary's designee;

~~((c))~~ (v) The secretary of the department of social and health services, or the secretary's designee;

~~((d))~~ (vi) The director of the department of labor and industries, or the director's designee;

~~((e))~~ (vii) The commissioner of the employment security department, or the commissioner's designee;

~~((f) Nine))~~ (viii) The attorney general or the attorney general's designee;

(ix) The superintendent of public instruction or the superintendent of public instruction's designee;

(x) The director of the department of agriculture or the director's designee;

(xi) At least one member who is a survivor of human trafficking;

(xii) Eleven members, selected by the director of the office of ((community development)) crime victims advocacy, that represent public, community-based nonprofit, and private sector organizations ((that)), academic institutions, research-based organizations, faith-based organizations, including organizations that are diverse in viewpoint, geography, ethnicity, and culture, and in the populations served. The members must provide, directly or through their organizations, assistance to persons who are victims and survivors of trafficking, or who work on antitrafficking efforts as part of their organization's work, or both.

(b) Additional members may be selected as determined by the director of the office of crime victims advocacy to ensure representation of interested groups.

(3) The task force shall be chaired by the director of the office of ~~((community development))~~ crime victims advocacy, or the director's designee.

(4) The task force shall ~~((carry out))~~ determine the areas of focus and activity including, but not limited to, the following activities:

(a) Measure and evaluate the resource needs of victims and survivors of human trafficking and the progress of the state in trafficking prevention activities, as well as what is being done in other states and nationally to combat human trafficking;

(b) Identify available federal, state, and local programs that provide services to victims and survivors of trafficking that include, but are not limited to, health care, human services, housing, education, legal assistance, job training or preparation, interpreting services, English as a second language classes, and victim's compensation; ~~((and))~~

(c) Make recommendations on methods to provide a coordinated system of support and assistance to persons who are victims of trafficking; and

(d) Review the statutory response to human trafficking, analyze the impact and effectiveness of strategies contained in the current state laws, and make recommendations on legislation to further the state's antitrafficking efforts.

(5) The task force shall report its ~~((supplemental))~~ findings and make recommendations to the governor and legislature ~~((by June 30, 2004))~~ as needed.

(6) The office of ~~((community development))~~ crime victims advocacy shall provide necessary administrative and clerical support to the task force, within available resources.

(7) The members of the task force shall serve without compensation, but shall be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060, within available resources.

~~((8) The task force expires June 30, 2004.))~~

Sec. 4. RCW 7.68.801 and 2013 c 253 s 1 are each amended to read as follows:

(1) The commercially sexually exploited children statewide coordinating committee is established to address the issue of children who are commercially sexually exploited, to examine the practices of local and regional entities involved in addressing sexually exploited children, and to make recommendations on statewide laws and practices.

(2) The committee is convened by the office of the attorney general ~~((and))~~ with the department of commerce assisting with agenda planning and administrative and clerical support. The committee consists of the following members:

(a) One member from each of the two largest caucuses of the house of representatives appointed by the speaker of the house;

(b) One member from each of the two largest caucuses of the senate appointed by the speaker of the senate;

(c) A representative of the governor's office appointed by the governor;

(d) The secretary of the children's administration or his or her designee;

(e) The secretary of the juvenile rehabilitation administration or his or her designee;

(f) The attorney general or his or her designee;

(g) The superintendent of public instruction or his or her designee;

(h) A representative of the administrative office of the courts appointed by the administrative office of the courts;

(i) The executive director of the Washington association of sheriffs and police chiefs or his or her designee;

(j) The executive director of the Washington state criminal justice training commission or his or her designee;

(k) A representative of the Washington association of prosecuting attorneys appointed by the association;

(l) The executive director of the office of public defense or his or her designee;

(m) Three representatives of community service providers that provide direct services to commercially sexually exploited children appointed by the attorney general;

(n) Two representatives of nongovernmental organizations familiar with the issues affecting commercially sexually exploited children appointed by the attorney general;

(o) The president of the superior court judges' association or his or her designee;

(p) The president of the juvenile court administrators or his or her designee;

(q) Any existing chairs of regional task forces on commercially sexually exploited children;

(r) A representative from the criminal defense bar;

(s) A representative of the center for children and youth justice;

(t) A representative from the office of crime victims advocacy; ~~((and))~~

(u) The executive director of the Washington coalition of sexual assault programs;

(v) A representative of an organization that provides in-patient chemical dependency treatment to youth, appointed by the attorney general;

(w) A representative of an organization that provides mental health treatment to youth, appointed by the attorney general; and

(x) A survivor of human trafficking, appointed by the attorney general.

(3) The duties of the committee include, but are not limited to:

(a) Overseeing and reviewing the implementation of the Washington state model protocol for commercially sexually exploited children at pilot sites;

(b) Receiving reports and data from local and regional entities regarding the incidence of commercially sexually exploited children in their areas as well as data information regarding perpetrators, geographic data and location trends, and any other data deemed relevant;

(c) Receiving reports on local coordinated community response practices and results of the community responses;

(d) Reviewing recommendations from local and regional entities regarding policy and legislative changes that would improve the efficiency and effectiveness of local response practices;

(e) Making recommendations regarding policy and legislative changes that would improve the effectiveness of the state's response to and promote best practices for suppression of the commercial sexual exploitation of children;

(f) Making recommendations regarding data collection useful to understanding or addressing the problem of commercially sexually exploited children; ~~((and))~~

(g) Reviewing and making recommendations regarding strategic local investments or opportunities for federal and state funding to address the commercial sexual exploitation of children;

(h) Reviewing the extent to which chapter 289, Laws of 2010 (Engrossed Substitute Senate Bill No. 6476) is understood and applied by enforcement authorities; and

(i) Researching any barriers that exist to full implementation of chapter 289, Laws of 2010 (Engrossed Substitute Senate Bill No. 6476) throughout the state.

(4) The committee must meet no less than annually.

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(5) The committee shall report its findings to the appropriate committees of the legislature and to any other known statewide committees addressing trafficking or the commercial sex trade by June 30(~~th of each year~~), 2017.

(6) In addition to its report under subsection (5) of this section, the committee shall report its findings regarding its duties under subsection (3)(h) and (i) of this section to the appropriate committees of the legislature by February 1, 2016.

(7) This section expires June 30, (~~2015~~) 2017.

NEW SECTION. Sec. 5. A new section is added to chapter 47.38 RCW to read as follows:

(1) Every establishment that maintains restrooms for use by the public may voluntarily, upon availability of the model notice as described in subsection (2) of this section, post a notice that complies with the requirements of this section in a conspicuous place within all restrooms of the establishment in clear view of the public and employees. The office of crime victims advocacy may work with businesses and other establishments and with human trafficking victim advocates to adopt policies for the placement of such notices.

(2)(a) The model notice that may be voluntarily posted pursuant to subsection (1) of this section may be in a variety of languages and include toll-free telephone numbers a person may call for assistance, including the number for the national human trafficking resource center and the number for the Washington state office of crime victims advocacy.

(b) The office of crime victims advocacy shall review and approve the initial form and content of the model notice to ensure the notice is appropriate for public display and likely to be an effective communication to reach human trafficking victims. The office of crime victims advocacy shall review the model notice on a yearly basis to ensure the information provided remains accurate.

(3) The cost of production, printing, and posting of the model notices shall be paid by a participating nonprofit at no cost to the state.

(4) The office of crime victims advocacy must provide a report to the appropriate committees of the legislature no later than December 31, 2016, regarding the voluntary participation in this effort.

NEW SECTION. Sec. 6. 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 immediately."

Correct the title.

and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

MOTION

Senator Kohl-Welles moved that the Senate concur in the House amendment(s) to Engrossed Substitute Senate Bill No. 5884.

Senator Kohl-Welles spoke in favor of the motion.

The President declared the question before the Senate to be the motion by Senator Kohl-Welles that the Senate concur in the House amendment(s) to Engrossed Substitute Senate Bill No. 5884.

The motion by Senator Kohl-Welles carried and the Senate concurred in the House amendment(s) to Engrossed Substitute Senate Bill No. 5884 by voice vote.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5884, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5884, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon and Warnick

Excused: Senator Liias

ENGROSSED SUBSTITUTE SENATE BILL NO. 5884, as amended by the House, 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.

MESSAGE FROM THE HOUSE

April 23, 2015

MR. PRESIDENT:

The House receded from its amendment(s) to SUBSTITUTE SENATE BILL NO. 5679. Under suspension of the rules, the bill was returned to second reading for the purposes of amendment(s). The House adopted the following amendment(s): 5679-S AMH SANT H2749.1, and passed the bill as amended by the House.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds that research continues to suggest that high expectations for students with disabilities is paramount to improving student outcomes. The legislature further finds that to increase the number of students with disabilities who are prepared for higher education, teachers and administrators in K-12 education should continue to improve their acceptance of students with disabilities as full-fledged learners for whom there are high expectations. The legislature also encourages continuous development in transition services to higher education opportunities for these students. The legislature recognizes that other states have authorized transition planning to postsecondary settings for students with disabilities as early as the age of fourteen. To remove barriers and obstacles for students with disabilities to access to postsecondary settings including higher education, the legislature intends to authorize transition planning for students with disabilities as soon as practicable when educationally and developmentally appropriate.

Sec. 2. RCW 28A.155.220 and 2014 c 47 s 1 are each amended to read as follows:

(1) The office of the superintendent of public instruction must establish interagency agreements with the department of social and health services, the department of services for the blind, and any other state agency that provides high school transition services for special education students. Such interagency agreements shall not interfere with existing individualized education programs, nor override any individualized education program team's decision-making power. The purpose of the interagency agreements is to foster effective collaboration among the multiple agencies providing transition services for individualized education (~~(plan)~~) program-eligible special

education students from the beginning of transition planning, as soon as educationally and developmentally appropriate, through age twenty-one, or through high school graduation, whichever occurs first. Interagency agreements are also intended to streamline services and programs, promote efficiencies, and establish a uniform focus on improved outcomes related to self-sufficiency. ~~((This subsection does not require transition services plan development in addition to what exists on June 12, 2014.))~~

(2)(a) When educationally and developmentally appropriate, the interagency responsibilities and linkages with transition services under subsection (1) of this section must be addressed in a transition plan to a postsecondary setting in the individualized education program of a student with disabilities.

(b) Transition planning shall be based upon educationally and developmentally appropriate transition assessments that outline the student's individual needs, strengths, preferences, and interests. Transition assessments may include observations, interviews, inventories, situational assessments, formal and informal assessments, as well as academic assessments.

(c) The transition services that the transition plan must address include activities needed to assist the student in reaching postsecondary goals and courses of study to support postsecondary goals.

(d) Transition activities that the transition plan may address include instruction, related services, community experience, employment and other adult living objectives, daily living skills, and functional vocational evaluation.

(e) When educationally and developmentally appropriate, a discussion must take place with the student and parents, and others as needed, to determine the postsecondary goals or postschool vision for the student. This discussion may be included as part of an annual individualized education program review, high school and beyond plan meeting, or any other meeting that includes parents, students, and educators. The postsecondary goals included in the transition plan shall be goals that are measurable and must be based on appropriate transition assessments related to training, education, employment, and independent living skills, when necessary. The goals must also be based on the student's needs, while considering the strengths, preferences, and interests of the student.

(f) As the student gets older, changes in the transition plan may be noted in the annual update of the student's individualized education program.

(g) A student with disabilities who has a high school and beyond plan may use the plan to comply with the transition plan required under this subsection (2).

(3) To the extent that data is available through data-sharing agreements established by the education data center under RCW 43.41.400, the education data center must monitor the following outcomes for individualized education ~~(plan))~~ program-eligible special education students after high school graduation:

(a) The number of students who, within one year of high school graduation:

(i) Enter integrated employment paid at the greater of minimum wage or competitive wage for the type of employment, with access to related employment and health benefits; or

(ii) Enter a postsecondary education or training program focused on leading to integrated employment;

(b) The wages and number of hours worked per pay period;

(c) The impact of employment on any state and federal benefits for individuals with disabilities;

(d) Indicators of the types of settings in which students who previously received transition services primarily reside;

(e) Indicators of improved economic status and self-sufficiency;

(f) Data on those students for whom a postsecondary or integrated employment outcome does not occur within one year of high school graduation, including:

(i) Information on the reasons that the desired outcome has not occurred;

(ii) The number of months the student has not achieved the desired outcome; and

(iii) The efforts made to ensure the student achieves the desired outcome.

~~((3))~~ (4) To the extent that the data elements in subsection ~~((2))~~ (3) of this section are available to the education data center through data-sharing agreements, the office of the superintendent of public instruction must prepare an annual report using existing resources and submit the report to the legislature."

Correct the title.

and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

MOTION

Senator McAuliffe moved that the Senate concur in the House amendment(s) to Substitute Senate Bill No. 5679.

Senator McAuliffe spoke in favor of the motion.

The President declared the question before the Senate to be the motion by Senator McAuliffe that the Senate concur in the House amendment(s) to Substitute Senate Bill No. 5679.

The motion by Senator McAuliffe carried and the Senate concurred in the House amendment(s) to Substitute Senate Bill No. 5679 by voice vote.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5679, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5679, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 1; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Erickson, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hatfield, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Kohl-Welles, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Rivers, Roach, Rolfes, Schoesler, Sheldon and Warnick

Absent: Senator Ranker

Excused: Senator Liias

SUBSTITUTE SENATE BILL NO. 5679, as amended by the House, 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, the Senate advanced to the seventh order of business.

MOTION

On motion of Senator Habib, Senator Ranker was excused.

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THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

PERSONAL PRIVILEGE

MOTION

Senator Dammeier moved that Jaqueline B. Rosenblatt, Gubernatorial Appointment No. 9151, be confirmed as a member of the Board of Trustees, Pierce Community College District No. 11.

Senator Dammeier spoke in favor of the motion.

APPOINTMENT OF JAQUELINE B. ROSENBLATT

The President declared the question before the Senate to be the confirmation of Jaqueline B. Rosenblatt, Gubernatorial Appointment No. 9151, as a member of the Board of Trustees, Pierce Community College District No. 11.

The Secretary called the roll on the confirmation of Jaqueline B. Rosenblatt, Gubernatorial Appointment No. 9151, as a member of the Board of Trustees, Pierce Community College District No. 11 and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Dandel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hatfield, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Kohl-Welles, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon and Warnick

Excused: Senator Liias

Jaqueline B. Rosenblatt, Gubernatorial Appointment No. 9151, having received the constitutional majority was declared confirmed as a member of the Board of Trustees, Pierce Community College District No. 11.

INTRODUCTION OF SPECIAL GUEST

The President welcomed and introduced Mr. Daniel James Brown, author of the New York best seller *The Boys in the Boat* which relays the epic tale of the 1936 U.S. men's Olympic eight-oar rowing team from the University of Washington, guest of Senators Kohl-Welles, Fain, Billig and Benton, who was present in the gallery and recognized by the senate.

PERSONAL PRIVILEGE

Senator Kohl-Welles: "For all of you, you do have on your desk a copy of this flyer about Mr. Daniel James Brown speaking about his book today at 12:30 in the State Reception Room. You're all invited and I thank Senators Fain, Billig and Benton for joining me. We'll also be talking about a bill that's before the Legislature on our filming incentives program. Thank you very much."

PERSONAL PRIVILEGE

Senator Sheldon: "Thank you. I know a lot of us have read the book here in the chamber and I heard about this when I was growing up because my mom is a 1937 graduate of the University of Washington. For her as a student at that time to have a, their crew team win the national championship and go on to defeat the Germans and win the gold medal in those Olympics was a very big thing for them in those days and she passed that on to us. Very much appreciate the author being here today."

Senator Parlette: "Thank you. Well, I wanted to speak to this. This is very special. I gave this book to my oldest son when it first came out. Today happens to be his birthday but the interesting story is, just because of his height, he was encouraged to turn out as a freshman at the University of Washington for the crew team. Of course, he had never done anything like that although he grew up on Lake Chelan. He made the first boat and that first boat of the freshman crew team won the Pacific Coast National Championship. When he read this book he said to me, 'My gosh mom. That brought back so many memories.' And now, to know the shell that's hanging in the room up at the University of Washington. He learned all about that history because of that book so thank you for sharing the story. It's touched many of us in a lot of unusual ways. Thank you Mr. President."

PERSONAL PRIVILEGE

Senator Kohl-Welles: "Thank you Mr. President. I also had distributed on the floor a copy of an article that was in yesterday's Seattle Times in the sport section on 'Boys in the Boat Gives Rowing a Boost.' It's a wonderful article and, if I may read just one line in it? Thank you Mr. President. This is from Mr. Brown, the author of the book. He wrote, 'The story reminded me of an America that climbed into a boat and learned to pull together so powerfully and so beautifully.' I think that's a wonderful line. I loved the book. My husband loved the book. We gave it to, we gave copies to our children. They've love the book and it is really word-of-mouth sensation. This book has been on the New York Times best seller list for close to a year I believe. So be sure to come by to hear about the personal story on how Daniel James Brown came to write this book. Thank you."

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced Mr. Leonard Rolfes, the husband of Senator Rolfes, and Mr. & Mrs. Ted and Ana Cecilia Nasser and their son, Mathias August Nasser, the Senator's brother, sister-in-law and nephew who were present in the gallery and recognized by the senate.

INTRODUCTION OF SPECIAL GUEST

The President welcomed and introduced Mrs. Laurie Hargrove, the wife of Senator Hargrove, who was in the gallery looking for the Senator and recognized by the senate.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Litzow moved that Merisa T. Heu-Weller, Gubernatorial Appointment No. 9207, be confirmed as a member of the Bellevue College Board of Trustees.

Senator Litzow spoke in favor of the motion.

APPOINTMENT OF MERISA T. HEU-WELLER

The President declared the question before the Senate to be the confirmation of Merisa T. Heu-Weller, Gubernatorial Appointment No. 9207, as a member of the Bellevue College Board of Trustees.

The Secretary called the roll on the confirmation of Merisa T. Heu-Weller, Gubernatorial Appointment No. 9207, as a member of the Bellevue College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon and Warnick

Excused: Senator Liias

Merisa T. Heu-Weller, Gubernatorial Appointment No. 9207, having received the constitutional majority was declared confirmed as a member of the Bellevue College Board of Trustees.

THIRD READING CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Ericksen moved that Earl Overstreet, Gubernatorial Appointment No. 9215, be confirmed as a member of the Western Washington University Board of Trustees.

Senator Ericksen spoke in favor of the motion.

APPOINTMENT OF EARL OVERSTREET

The President declared the question before the Senate to be the confirmation of Earl Overstreet, Gubernatorial Appointment No. 9215, as a member of the Western Washington University Board of Trustees.

The Secretary called the roll on the confirmation of Earl Overstreet, Gubernatorial Appointment No. 9215, as a member of the Western Washington University Board of Trustees and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon and Warnick

Excused: Senator Liias

Earl Overstreet, Gubernatorial Appointment No. 9215, having received the constitutional majority was declared confirmed as a member of the Western Washington University Board of Trustees.

THIRD READING CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator King moved that Allyson Brooks, Gubernatorial Appointment No. 9018, be confirmed as a Director of the Department of Archaeology & Historic Preservation.

Senators King, Fraser and Sheldon spoke in favor of passage of the motion.

APPOINTMENT OF ALLYSON BROOKS

The President declared the question before the Senate to be the confirmation of Allyson Brooks, Gubernatorial Appointment No. 9018, as a Director of the Department of Archaeology & Historic Preservation.

The Secretary called the roll on the confirmation of Allyson Brooks, Gubernatorial Appointment No. 9018, as a Director of the Department of Archaeology & Historic Preservation and the appointment was confirmed by the following vote: Yeas, 43; Nays, 5; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Brown, Chase, Cleveland, Conway, Dammeier, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hatfield, Hobbs, Honeyford, Jayapal, Keiser, King, Kohl-Welles, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon and Warnick

Voting nay: Senators Braun, Dansel, Hewitt, Hill and Padden
Excused: Senator Liias

Allyson Brooks, Gubernatorial Appointment No. 9018, having received the constitutional majority was declared confirmed as a Director of the Department of Archaeology & Historic Preservation.

MOTION

On motion of Senator Fraser, Senator Habib was excused.

THIRD READING CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Bailey moved that Claire Grace, Gubernatorial Appointment No. 9060, be confirmed as a member of the Higher Education Facilities Authority.

Senator Bailey spoke in favor of the motion.

APPOINTMENT OF CLAIRE GRACE

The President declared the question before the Senate to be the confirmation of Claire Grace, Gubernatorial Appointment No. 9060, as a member of the Higher Education Facilities Authority.

The Secretary called the roll on the confirmation of Claire Grace, Gubernatorial Appointment No. 9060, as a member of the Higher Education Facilities Authority and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Hargrove, Hasegawa, Hatfield, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Kohl-Welles, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon and Warnick

Excused: Senators Habib and Liias

Claire Grace, Gubernatorial Appointment No. 9060, having received the constitutional majority was declared confirmed as a member of the Higher Education Facilities Authority.

ONE HUNDRED THIRD DAY, APRIL 24, 2015

2015 REGULAR SESSION

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Warnick moved that Glenn Johnson, Gubernatorial Appointment No. 9076, be confirmed as a member of the Central Washington University Board of Trustees.

Senator Warnick spoke in favor of the motion.

APPOINTMENT OF GLENN JOHNSON

The President declared the question before the Senate to be the confirmation of Glenn Johnson, Gubernatorial Appointment No. 9076, as a member of the Central Washington University Board of Trustees.

The Secretary called the roll on the confirmation of Glenn Johnson, Gubernatorial Appointment No. 9076, as a member of the Central Washington University Board of Trustees and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon and Warnick

Excused: Senator Liias

Glenn Johnson, Gubernatorial Appointment No. 9076, having received the constitutional majority was declared confirmed as a member of the Central Washington University Board of Trustees.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Hatfield moved that Lawrence M. Glenn, Gubernatorial Appointment No. 9209, be confirmed as a member of the Peninsula College Board of Trustees.

Senator Hatfield spoke in favor of the motion.

MOTION

On motion of Senator Habib, Senators Billig, Hargrove, Hasegawa, McAuliffe, Nelson and Rolfes were excused.

APPOINTMENT OF LARENCE M. GLENN

The President declared the question before the Senate to be the confirmation of Lawrence M. Glenn, Gubernatorial Appointment No. 9209, as a member of the Peninsula College Board of Trustees.

The Secretary called the roll on the confirmation of Lawrence M. Glenn, Gubernatorial Appointment No. 9209, as a member of the Peninsula College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 43; Nays, 0; Absent, 0; Excused, 6.

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

Hasegawa, Hatfield, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Kohl-Welles, Litzow, McCoy, Miloscia, Mullet, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Schoesler, Sheldon and Warnick

Excused: Senators Billig, Hargrove, Liias, McAuliffe, Nelson and Rolfes

Lawrence M. Glenn, Gubernatorial Appointment No. 9209, having received the constitutional majority was declared confirmed as a member of the Peninsula College Board of Trustees.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Padden moved that Janice H. Wigen, Gubernatorial Appointment No. 9191, be confirmed as a member of the Board of Trustees, Spokane and Spokane Falls Community Colleges District No. 17.

Senator Padden spoke in favor of the motion.

APPOINTMENT OF JANICE H. WIGEN

The President declared the question before the Senate to be the confirmation of Janice H. Wigen, Gubernatorial Appointment No. 9191, as a member of the Board of Trustees, Spokane and Spokane Falls Community Colleges District No. 17.

The Secretary called the roll on the confirmation of Janice H. Wigen, Gubernatorial Appointment No. 9191, as a member of the Board of Trustees, Spokane and Spokane Falls Community Colleges District No. 17 and the appointment was confirmed by the following vote: Yeas, 42; Nays, 0; Absent, 1; Excused, 6.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hasegawa, Hatfield, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Kohl-Welles, Litzow, McCoy, Miloscia, Mullet, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Schoesler, Sheldon and Warnick

Absent: Senator Dansel

Excused: Senators Billig, Hargrove, Liias, McAuliffe, Nelson and Rolfes

Janice H. Wigen, Gubernatorial Appointment No. 9191, having received the constitutional majority was declared confirmed as a member of the Board of Trustees, Spokane and Spokane Falls Community Colleges District No. 17.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Bailey moved that Susana Reyes, Gubernatorial Appointment No. 9145, be confirmed as a member of the Washington State Student Achievement Council.

Senator Bailey spoke in favor of the motion.

APPOINTMENT OF SUSANA REYES

The President declared the question before the Senate to be the confirmation of Susana Reyes, Gubernatorial Appointment No. 9145, as a member of the Washington State Student Achievement Council.

The Secretary called the roll on the confirmation of Susana Reyes, Gubernatorial Appointment No. 9145, as a member of the Washington State Student Achievement Council and the appointment was confirmed by the following vote: Yeas, 44; Nays, 0; Absent, 0; Excused, 5.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hasegawa, Hatfield, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Kohl-Welles, Litzow, McAuliffe, McCoy, Miloscia, Mullet, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Schoesler, Sheldon and Warnick

Excused: Senators Billig, Hargrove, Liias, Nelson and Rolfes
Susana Reyes, Gubernatorial Appointment No. 9145, having received the constitutional majority was declared confirmed as a member of the Washington State Student Achievement Council.

THIRD READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Padden moved that James McDevitt, Gubernatorial Appointment No. 9109, be confirmed as a member of the Clemency and Pardons Board.

Senator Padden spoke in favor of the motion.

APPOINTMENT OF JAMES MCDEVITT

The President declared the question before the Senate to be the confirmation of James McDevitt, Gubernatorial Appointment No. 9109, as a member of the Clemency and Pardons Board.

The Secretary called the roll on the confirmation of James McDevitt, Gubernatorial Appointment No. 9109, as a member of the Clemency and Pardons Board and the appointment was confirmed by the following vote: Yeas, 44; Nays, 0; Absent, 0; Excused, 5.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hasegawa, Hatfield, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Kohl-Welles, Litzow, McAuliffe, McCoy, Miloscia, Mullet, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Schoesler, Sheldon and Warnick

Excused: Senators Billig, Hargrove, Liias, Nelson and Rolfes
James McDevitt, Gubernatorial Appointment No. 9109, having received the constitutional majority was declared confirmed as a member of the Clemency and Pardons Board.

Senator Fraser announced a request that the members of the Senate Democratic Caucus stay tuned and nearby for information on when those members may meet.

Senator Parlette announced a meeting of the Majority Coalition Caucus immediately upon going at ease.

MOTION

At 12:24 p.m., on motion of Senator Fain, the Senate was declared to be at ease subject to the call of the President.

AFTERNOON SESSION

The Senate was called to order at 4:18 p.m. by President Owen.

MOTION

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

MESSAGE FROM THE HOUSE

April 24, 2015

MR. PRESIDENT:

The Speaker has signed:

SENATE BILL NO. 5125,
SUBSTITUTE SENATE BILL NO. 5154,
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5269,
ENGROSSED SUBSTITUTE SENATE BILL NO. 5607,
ENGROSSED SENATE BILL NO. 5616,
SUBSTITUTE SENATE BILL NO. 5631,
SENATE BILL NO. 5693,
SUBSTITUTE SENATE BILL NO. 5721,
ENGROSSED SUBSTITUTE SENATE BILL NO. 5843.
and the same are herewith transmitted.

BERNARD DEAN, Deputy Chief Clerk

MESSAGE FROM THE HOUSE

April 24, 2015

MR. PRESIDENT:

The Speaker has signed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1126,
SUBSTITUTE HOUSE BILL NO. 1240,
HOUSE BILL NO. 1389,
SUBSTITUTE HOUSE BILL NO. 1503,
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1546,
HOUSE BILL NO. 1550,
HOUSE BILL NO. 1599,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1671,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1844,
SUBSTITUTE HOUSE BILL NO. 1879,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1980,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2093,
and the same are herewith transmitted.

BERNARD DEAN, Deputy Chief Clerk

MESSAGE FROM THE HOUSE

April 24, 2015

MR. PRESIDENT:

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

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1807,
SUBSTITUTE HOUSE BILL NO. 1853,
ENGROSSED HOUSE BILL NO. 1943.
and the same are herewith transmitted.

BERNARD DEAN, Deputy Chief Clerk

SIGNED BY THE PRESIDENT

ONE HUNDRED THIRD DAY, APRIL 24, 2015

2015 REGULAR SESSION

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

SUBSTITUTE SENATE BILL NO. 5679,
ENGROSSED SUBSTITUTE SENATE BILL NO. 5884.

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:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1126,
SUBSTITUTE HOUSE BILL NO. 1240,
HOUSE BILL NO. 1389,
SUBSTITUTE HOUSE BILL NO. 1503,
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1546,
HOUSE BILL NO. 1550,
HOUSE BILL NO. 1599,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1671,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1844,
SUBSTITUTE HOUSE BILL NO. 1879,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1980,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2093.

MESSAGE FROM THE HOUSE

April 21, 2015

MR. PRESIDENT:

The House refuses to concur in the Senate amendment(s) to HOUSE BILL NO. 2000 and asks the Senate to recede therefrom. and the same is herewith transmitted.

BERNARD DEAN, Deputy Chief Clerk

MOTION

Senator Baumgartner moved that the Senate recede from its position in the Senate amendment(s) to House Bill No. 2000.

The President declared the question before the Senate to be motion by Senator Baumgartner that the Senate recede from its position in the Senate amendment(s) to House Bill No. 2000.

The motion by Senator Baumgartner carried and the Senate receded from its position in the Senate amendment(s) to House Bill No. 2000 by voice vote.

MOTION

On motion of Senator Baumgartner, the rules were suspended and House Bill No. 2000 was returned to second reading for the purposes of amendment.

SECOND READING

HOUSE BILL NO. 2000, by Representatives Hurst, Condotta and Tarleton

Authorizing the governor to enter into agreements with federally recognized Indian tribes in the state of Washington concerning marijuana.

The measure was read the second time.

MOTION

Senator Baumgartner moved that the following amendment by Senator Hill and others be adopted:

On page 2, beginning on line 7 of the amendment, strike all of subsection (2) and insert the following:

"(2)(a) Each marijuana agreement adopted under this section must provide for a tribal marijuana tax that is at least one hundred percent of the state marijuana excise tax imposed under RCW 69.50.535 and state and local sales and use taxes on sales of marijuana. Marijuana agreements apply to sales in which tribes, tribal enterprises, or tribal member-owned businesses (i) deliver or cause delivery to be made to or receive delivery from a marijuana producer, processor, or retailer licensed under chapter 69.50 RCW or (ii) physically transfer possession of the marijuana from the seller to the buyer within Indian country.

(b) The tribe may allow an exemption from tax for sales to the tribe, tribal enterprises, tribal member-owned businesses, or tribal members on marijuana grown, produced, or processed within its Indian country, or for activities to the extent they are exempt under state or federal law from the state marijuana excise tax imposed under RCW 69.50.535 or state and local sales or use taxes on sales of marijuana. Medical marijuana products used in the course of medical treatments by a clinic, hospital, or similar facility owned and operated by a federally recognized Indian tribe within its Indian country may be exempted from tax under the terms of an agreement entered into under this section."

On page 2, beginning on line 29, after "(a)" strike all material through "(b)" on line 32

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

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

MOTION

On motion of Senator Habib, Senators Hargrove and Ranker were excused.

The President declared the question before the Senate to be the adoption of the amendment by Senator Hill and others on page 2, line 7 to House Bill No. 2000.

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

MOTION

On motion of Senator Baumgartner, the rules were suspended, House Bill No. 2000 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Baumgartner spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 2000 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2000 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 46; Nays, 1; Absent, 0; Excused, 2.

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, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Rivers, Roach, Rolfes, Schoesler, Sheldon and Warnick

Voting Nay: Senator Ericksen

Excused: Senator Liias and Ranker

HOUSE BILL NO. 2000 as amended by the Senate, 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.

PARLIAMENTARY INQUIRY

Senator Fain: "Are you happy to be doing Gubernatorial Appointments now?"

REPLY BY THE PRESIDENT

President Owen: "Am I *happy* to do them? Thrilled to death."

REMARKS BY SENATOR FAIN

Senator Fain: "Just looking at your facial expression when Counsel handed you the sheet of paper. At this time, Mr. Presi ..."

REMARKS BY THE PRESIDENT

President Owen: "I was just checking to see what Senator Brown and Senator Roach were doing in case they wanted some practice."

MOTION

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

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Fain moved that Tyler Page, Gubernatorial Appointment No. 9132, be confirmed as a member of the Board of Trustees, Renton Technical College District #27.

Senator Fain spoke in favor of the motion.

APPOINTMENT OF TYLER PAGE

The President declared the question before the Senate to be the confirmation of Tyler Page, Gubernatorial Appointment No. 9132, as a member of the Board of Trustees, Renton Technical College District #27.

The Secretary called the roll on the confirmation of Tyler Page, Gubernatorial Appointment No. 9132, as a member of the Board of Trustees, Renton Technical College District #27 and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden,

Parlette, Pearson, Pedersen, Rivers, Roach, Rolfes, Schoesler, Sheldon and Warnick

Excused: Senators Liias and Ranker

Tyler Page, Gubernatorial Appointment No. 9132, having received the constitutional majority was declared confirmed as a member of the Board of Trustees, Renton Technical College District #27.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator McAuliffe moved that Julie P. Miller, Gubernatorial Appointment No. 9113, be confirmed as a member of the Board of Trustees, Cascadia Community College District No. 30.

Senator McAuliffe spoke in favor of the motion.

APPOINTMENT OF JULIE P. MILLER

The President declared the question before the Senate to be the confirmation of Julie P. Miller, Gubernatorial Appointment No. 9113, as a member of the Board of Trustees, Cascadia Community College District No. 30.

The Secretary called the roll on the confirmation of Julie P. Miller, Gubernatorial Appointment No. 9113, as a member of the Board of Trustees, Cascadia Community College District No. 30 and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Rivers, Roach, Rolfes, Schoesler, Sheldon and Warnick

Excused: Senators Liias and Ranker

Julie P. Miller, Gubernatorial Appointment No. 9113, having received the constitutional majority was declared confirmed as a member of the Board of Trustees, Cascadia Community College District No. 30.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Schoesler moved that Kevin Massimino, Gubernatorial Appointment No. 9100, be confirmed as a member of the Board of Regents, Washington State University.

Senator Schoesler spoke in favor of the motion.

MOTION

On motion of Senator Habib, Senator Mullet was excused.

APPOINTMENT OF KEVIN MASSIMINO

The President declared the question before the Senate to be the confirmation of Kevin Massimino, Gubernatorial Appointment No. 9100, as a member of the Board of Regents, Washington State University.

ONE HUNDRED THIRD DAY, APRIL 24, 2015

2015 REGULAR SESSION

The Secretary called the roll on the confirmation of Kevin Massimino, Gubernatorial Appointment No. 9100, as a member of the Board of Regents, Washington State University and the appointment was confirmed by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

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, Litzow, McAuliffe, McCoy, Miloscia, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Rivers, Roach, Rolfes, Schoesler, Sheldon and Warnick

Excused: Senators Liias, Mullet and Ranker

Kevin Massimino, Gubernatorial Appointment No. 9100, having received the constitutional majority was declared confirmed as a member of the Board of Regents, Washington State University.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Bailey moved that Megan S. O'Bryan, Gubernatorial Appointment No. 9214, be confirmed as a member of the Skagit Valley College Board of Trustees.

Senator Bailey spoke in favor of the motion.

APPOINTMENT OF MEGAN S. O'BRYAN

The President declared the question before the Senate to be the confirmation of Megan S. O'Bryan, Gubernatorial Appointment No. 9214, as a member of the Skagit Valley College Board of Trustees.

The Secretary called the roll on the confirmation of Megan S. O'Bryan, Gubernatorial Appointment No. 9214, as a member of the Skagit Valley College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

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, Litzow, McAuliffe, McCoy, Miloscia, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Rivers, Roach, Rolfes, Schoesler, Sheldon and Warnick

Excused: Senators Liias, Mullet and Ranker

Megan S. O'Bryan, Gubernatorial Appointment No. 9214, having received the constitutional majority was declared confirmed as a member of the Skagit Valley College Board of Trustees.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Chase moved that Douglas L. Jackson, Gubernatorial Appointment No. 9210, be confirmed as a member of the Shoreline Community College Board of Trustees.

Senator Chase spoke in favor of the motion.

APPOINTMENT OF DOUGLAS L. JACKSON

The President declared the question before the Senate to be the confirmation of Douglas L. Jackson, Gubernatorial Appointment No. 9210, as a member of the Shoreline Community College Board of Trustees.

The Secretary called the roll on the confirmation of Douglas L. Jackson, Gubernatorial Appointment No. 9210, as a member of the Shoreline Community College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

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, Litzow, McAuliffe, McCoy, Miloscia, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Rivers, Roach, Rolfes, Schoesler, Sheldon and Warnick

Excused: Senators Liias, Mullet and Ranker

Douglas L. Jackson, Gubernatorial Appointment No. 9210, having received the constitutional majority was declared confirmed as a member of the Shoreline Community College Board of Trustees.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Angel moved that Karen Lee, Gubernatorial Appointment No. 9086, be confirmed as a member of the Washington State Student Achievement Council.

Senator Angel spoke in favor of the motion.

APPOINTMENT OF KAREN LEE

The President declared the question before the Senate to be the confirmation of Karen Lee, Gubernatorial Appointment No. 9086, as a member of the Washington State Student Achievement Council.

The Secretary called the roll on the confirmation of Karen Lee, Gubernatorial Appointment No. 9086, as a member of the Washington State Student Achievement Council and the appointment was confirmed by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

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, Litzow, McAuliffe, McCoy, Miloscia, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Rivers, Roach, Rolfes, Schoesler, Sheldon and Warnick

Excused: Senators Liias, Mullet and Ranker

Karen Lee, Gubernatorial Appointment No. 9086, having received the constitutional majority was declared confirmed as a member of the Washington State Student Achievement Council.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Hill moved that Anne Hamilton, Gubernatorial Appointment No. 9062, be confirmed as a member of the Board of Trustees, Lake Washington Institute of Technology Technical College District No. 26.

Senator Hill spoke in favor of the motion.

APPOINTMENT OF ANNE HAMILTON

The President declared the question before the Senate to be the confirmation of Anne Hamilton, Gubernatorial Appointment No. 9062, as a member of the Board of Trustees, Lake Washington Institute of Technology Technical College District No. 26.

The Secretary called the roll on the confirmation of Anne Hamilton, Gubernatorial Appointment No. 9062, as a member of the Board of Trustees, Lake Washington Institute of Technology Technical College District No. 26 and the appointment was confirmed by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Danel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hatfield, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Kohl-Welles, Litzow, McAuliffe, McCoy, Miloscia, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Rivers, Roach, Rolfes, Schoesler, Sheldon and Warnick

Excused: Senators Liias, Mullet and Ranker

Anne Hamilton, Gubernatorial Appointment No. 9062, having received the constitutional majority was declared confirmed as a member of the Board of Trustees, Lake Washington Institute of Technology Technical College District No. 26.

MOTION

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

MESSAGE FROM THE HOUSE

April 22, 2015

MR. PRESIDENT:

The House refuses to concur in the Senate amendment(s) to ENGROSSED SUBSTITUTE HOUSE BILL NO. 1449 and asks the Senate to recede therefrom. and the same is herewith transmitted.

BARBARA BAKER, Chief Clerk

MOTION

Senator Ericksen moved that the Senate recede from its position in the Senate amendment(s) to Engrossed Substitute House Bill No. 1449.

The President declared the question before the Senate to be motion by Senator Ericksen that the Senate recede from its position in the Senate amendment(s) to Engrossed Substitute House Bill No. 1449.

The motion by Senator Ericksen carried and the Senate receded from its position in the Senate amendment(s) to Engrossed Substitute House Bill No. 1449 by voice vote.

MOTION

On motion of Senator Ericksen, the rules were suspended and Engrossed Substitute House Bill No. 1449 was returned to second reading for the purposes of amendment.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1449, by House Committee on Environment (originally sponsored by Representatives Farrell, Carlyle, Fitzgibbon, Ortiz-Self, Peterson, Walkinshaw, Gregerson, Senn, McBride, Robinson, Tarleton, Pollet, Cody, Ormsby, Riccelli, Kagi, Blake, Fey, Hudgins, Lytton, Bergquist, Sells, Takko, Tharinger, Jinkins, Wylie, S. Hunt, Stanford, Reykdal, Sawyer, Appleton, Van De Wege, Clibborn, Ryu, Goodman and Kilduff)

Concerning oil transportation safety.

The measure was 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:

"**Sec. 1.** RCW 90.56.005 and 2010 1st sp.s. c 7 s 72 are each amended to read as follows:

(1) The legislature declares that waterborne transportation as a source of supply for oil and hazardous substances poses special concern for the state of Washington. Each year billions of gallons of crude oil and refined petroleum products are transported as cargo and fuel by vessels on the navigable waters of the state. The movement of crude oil through rail corridors and over Washington waters creates safety and environmental risks. The sources and transport of crude oil bring risks to our communities along rail lines and to the Columbia river, Grays Harbor, and Puget Sound waters. These shipments are expected to increase in the coming years. Vessels and trains transporting oil into Washington travel on some of the most unique and special marine environments in the United States. These marine environments are a source of natural beauty, recreation, and economic livelihood for many residents of this state. As a result, the state has an obligation to ensure the citizens of the state that the waters of the state will be protected from oil spills.

(2) The legislature finds that prevention is the best method to protect the unique and special marine environments in this state. The technology for containing and cleaning up a spill of oil or hazardous substances is at best only partially effective. Preventing spills is more protective of the environment and more cost-effective when all the response and damage costs associated with responding to a spill are considered. Therefore, the legislature finds that the primary objective of the state is to achieve a zero spills strategy to prevent any oil or hazardous substances from entering waters of the state.

(3) The legislature also finds that:

(a) Recent accidents in Washington, Alaska, southern California, Texas, Pennsylvania, and other parts of the nation have shown that the transportation, transfer, and storage of oil have caused significant damage to the marine environment;

(b) Even with the best efforts, it is nearly impossible to remove all oil that is spilled into the water, and average removal rates are only fourteen percent;

(c) Washington's navigable waters are treasured environmental and economic resources that the state cannot afford to place at undue risk from an oil spill;

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(d) The state has a fundamental responsibility, as the trustee of the state's natural resources and the protector of public health and the environment to prevent the spill of oil; and

(e) In section 5002 of the federal oil pollution act of 1990, the United States congress found that many people believed that complacency on the part of industry and government was one of the contributing factors to the Exxon Valdez spill and, further, that one method to combat this complacency is to involve local citizens in the monitoring and oversight of oil spill plans. Congress also found that a mechanism should be established that fosters the long-term partnership of industry, government, and local communities in overseeing compliance with environmental concerns in the operation of crude oil terminals. Moreover, congress concluded that, in addition to Alaska, a program of citizen monitoring and oversight should be established in other major crude oil terminals in the United States because recent oil spills indicate that the safe transportation of oil is a national problem.

(4) In order to establish a comprehensive prevention and response program to protect Washington's waters and natural resources from spills of oil, it is the purpose of this chapter:

(a) To establish state agency expertise in marine safety and to centralize state activities in spill prevention and response activities;

(b) To prevent spills of oil and to promote programs that reduce the risk of both catastrophic and small chronic spills;

(c) To ensure that responsible parties are liable, and have the resources and ability, to respond to spills and provide compensation for all costs and damages;

(d) To provide for state spill response and wildlife rescue planning and implementation;

(e) To support and complement the federal oil pollution act of 1990 and other federal law, especially those provisions relating to the national contingency plan for cleanup of oil spills and discharges, including provisions relating to the responsibilities of state agencies designated as natural resource trustees. The legislature intends this chapter to be interpreted and implemented in a manner consistent with federal law;

(f) To provide broad powers of regulation to the department of ecology relating to spill prevention and response;

(g) To provide for independent review on an ongoing basis the adequacy of oil spill prevention, preparedness, and response activities in this state; ~~(and)~~

(h) To provide an adequate funding source for state response and prevention programs; and

(i) To maintain the best achievable protection that can be obtained through the use of the best achievable technology and those staffing levels, training procedures, and operational methods that provide the greatest degree of protection achievable.

Sec. 2. RCW 88.46.010 and 2011 c 122 s 1 are each reenacted and amended to read as follows:

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

(1) "Best achievable protection" means the highest level of protection that can be achieved through the use of the best achievable technology and those staffing levels, training procedures, and operational methods that provide the greatest degree of protection achievable. The director's determination of best achievable protection shall be guided by the critical need to protect the state's natural resources and waters, while considering:

- (a) The additional protection provided by the measures;
- (b) The technological achievability of the measures; and
- (c) The cost of the measures.

(2)(a) "Best achievable technology" means the technology that provides the greatest degree of protection taking into consideration:

(i) Processes that are being developed, or could feasibly be developed, given overall reasonable expenditures on research and development; and

(ii) Processes that are currently in use.

(b) In determining what is best achievable technology, the director shall consider the effectiveness, engineering feasibility, and commercial availability of the technology.

(3) "Bulk" means material that is stored or transported in a loose, unpackaged liquid, powder, or granular form capable of being conveyed by a pipe, bucket, chute, or belt system.

(4) "Cargo vessel" means a self-propelled ship in commerce, other than a tank vessel or a passenger vessel, of three hundred or more gross tons, including but not limited to, commercial fish processing vessels and freighters.

(5) "Covered vessel" means a tank vessel, cargo vessel, or passenger vessel.

(6) "Department" means the department of ecology.

(7) "Director" means the director of the department of ecology.

(8) "Discharge" means any spilling, leaking, pumping, pouring, emitting, emptying, or dumping.

(9)(a) "Facility" means any structure, group of structures, equipment, pipeline, or device, other than a vessel, located on or near the navigable waters of the state that transfers oil in bulk to or from a tank vessel or pipeline, that is used for producing, storing, handling, transferring, processing, or transporting oil in bulk.

(b) For the purposes of oil spill contingency planning in RCW 90.56.210, facility also means a railroad that is not owned by the state that transports oil as bulk cargo.

(c) Except as provided under (b) of this subsection, a facility does not include any: (i) Railroad car, Motor vehicle, or other rolling stock while transporting oil over the highways or rail lines of this state; (ii) retail motor vehicle motor fuel outlet; (iii) facility that is operated as part of an exempt agricultural activity as provided in RCW 82.04.330; (iv) underground storage tank regulated by the department or a local government under chapter 90.76 RCW; or (v) marine fuel outlet that does not dispense more than three thousand gallons of fuel to a ship that is not a covered vessel, in a single transaction.

(10) "Marine facility" means any facility used for tank vessel wharfage or anchorage, including any equipment used for the purpose of handling or transferring oil in bulk to or from a tank vessel.

(11) "Navigable waters of the state" means those waters of the state, and their adjoining shorelines, that are subject to the ebb and flow of the tide and/or are presently used, have been used in the past, or may be susceptible for use to transport intrastate, interstate, or foreign commerce.

(12) "Offshore facility" means any facility located in, on, or under any of the navigable waters of the state, but does not include a facility any part of which is located in, on, or under any land of the state, other than submerged land. "Offshore facility" does not include a marine facility.

(13) "Oil" or "oils" means oil of any kind that is liquid at ~~(atmospheric temperature)~~ twenty-five degrees Celsius and one atmosphere of pressure and any fractionation thereof, including, but not limited to, crude oil, bitumen, synthetic crude oil, natural gas well condensate, petroleum, gasoline, fuel oil, diesel oil, biological oils and blends, oil sludge, oil refuse, and oil mixed with wastes other than dredged spoil. Oil does not include any substance listed in Table 302.4 of 40 C.F.R. Part 302 adopted

August 14, 1989, under section ~~((401(14)))~~ 102(a) of the federal comprehensive environmental response, compensation, and liability act of 1980, as amended by P.L. 99-499.

(14) "Onshore facility" means any facility any part of which is located in, on, or under any land of the state, other than submerged land, that because of its location, could reasonably be expected to cause substantial harm to the environment by discharging oil into or on the navigable waters of the state or the adjoining shorelines.

(15)(a) "Owner or operator" means (i) in the case of a vessel, any person owning, operating, or chartering by demise, the vessel; (ii) in the case of an onshore or offshore facility, any person owning or operating the facility; and (iii) in the case of an abandoned vessel or onshore or offshore facility, the person who owned or operated the vessel or facility immediately before its abandonment.

(b) "Operator" does not include any person who owns the land underlying a facility if the person is not involved in the operations of the facility.

(16) "Passenger vessel" means a ship of three hundred or more gross tons with a fuel capacity of at least six thousand gallons carrying passengers for compensation.

(17) "Person" means any political subdivision, government agency, municipality, industry, public or private corporation, copartnership, association, firm, individual, or any other entity whatsoever.

(18) "Race Rocks light" means the nautical landmark located southwest of the city of Victoria, British Columbia.

(19) "Regional vessels of opportunity response group" means a group of nondedicated vessels participating in a vessels of opportunity response system to respond when needed and available to spills in a defined geographic area.

(20) "Severe weather conditions" means observed nautical conditions with sustained winds measured at forty knots and wave heights measured between twelve and eighteen feet.

(21) "Ship" means any boat, ship, vessel, barge, or other floating craft of any kind.

(22) "Spill" means an unauthorized discharge of oil into the waters of the state.

(23) "Strait of Juan de Fuca" means waters off the northern coast of the Olympic Peninsula seaward of a line drawn from New Dungeness light in Clallam county to Discovery Island light on Vancouver Island, British Columbia, Canada.

(24) "Tank vessel" means a ship that is constructed or adapted to carry, or that carries, oil in bulk as cargo or cargo residue, and that:

(a) Operates on the waters of the state; or

(b) Transfers oil in a port or place subject to the jurisdiction of this state.

(25) "Umbrella plan holder" means a nonprofit corporation established consistent with this chapter for the purposes of providing oil spill response and contingency plan coverage.

(26) "Vessel emergency" means a substantial threat of pollution originating from a covered vessel, including loss or serious degradation of propulsion, steering, means of navigation, primary electrical generating capability, and seakeeping capability.

(27) "Vessels of opportunity response system" means nondedicated boats and operators, including fishing and other vessels, that are under contract with and equipped by contingency plan holders to assist with oil spill response activities, including on-water oil recovery in the near shore environment and the placement of oil spill containment booms to protect sensitive habitats.

(28) "Volunteer coordination system" means an oil spill response system that, before a spill occurs, prepares for the

coordination of volunteers to assist with appropriate oil spill response activities, which may include shoreline protection and cleanup, wildlife recovery, field observation, light construction, facility maintenance, donations management, clerical support, and other aspects of a spill response.

(29) "Waters of the state" includes lakes, rivers, ponds, streams, inland waters, underground water, salt waters, estuaries, tidal flats, beaches and lands adjoining the seacoast of the state, sewers, and all other surface waters and watercourses within the jurisdiction of the state of Washington.

(30) "Worst case spill" means: (a) In the case of a vessel, a spill of the entire cargo and fuel of the vessel complicated by adverse weather conditions; and (b) in the case of an onshore or offshore facility, the largest foreseeable spill in adverse weather conditions.

Sec. 3. RCW 90.56.010 and 2007 c 347 s 6 are each amended to read as follows:

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

(1) "Best achievable protection" means the highest level of protection that can be achieved through the use of the best achievable technology and those staffing levels, training procedures, and operational methods that provide the greatest degree of protection achievable. The director's determination of best achievable protection shall be guided by the critical need to protect the state's natural resources and waters, while considering (a) the additional protection provided by the measures; (b) the technological achievability of the measures; and (c) the cost of the measures.

(2) "Best achievable technology" means the technology that provides the greatest degree of protection taking into consideration (a) processes that are being developed, or could feasibly be developed, given overall reasonable expenditures on research and development, and (b) processes that are currently in use. In determining what is best achievable technology, the director shall consider the effectiveness, engineering feasibility, and commercial availability of the technology.

(3) "Board" means the pollution control hearings board.

(4) "Cargo vessel" means a self-propelled ship in commerce, other than a tank vessel or a passenger vessel, three hundred or more gross tons, including but not limited to, commercial fish processing vessels and freighters.

(5) "Bulk" means material that is stored or transported in a loose, unpackaged liquid, powder, or granular form capable of being conveyed by a pipe, bucket, chute, or belt system.

(6) "Committee" means the preassessment screening committee established under RCW 90.48.368.

(7) "Covered vessel" means a tank vessel, cargo vessel, or passenger vessel.

(8) "Department" means the department of ecology.

(9) "Director" means the director of the department of ecology.

(10) "Discharge" means any spilling, leaking, pumping, pouring, emitting, emptying, or dumping.

(11)(a) "Facility" means any structure, group of structures, equipment, pipeline, or device, other than a vessel, located on or near the navigable waters of the state that transfers oil in bulk to or from a tank vessel or pipeline, that is used for producing, storing, handling, transferring, processing, or transporting oil in bulk.

(b) For the purposes of oil spill contingency planning in RCW 90.56.210, facility also means a railroad that is not owned by the state that transports oil as bulk cargo.

(c) Except as provided in (b) of this subsection, a facility does not include any: (i) Railroad car, motor vehicle, or other rolling stock while transporting oil over the highways or rail lines of this

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state; (ii) underground storage tank regulated by the department or a local government under chapter 90.76 RCW; (iii) motor vehicle motor fuel outlet; (iv) facility that is operated as part of an exempt agricultural activity as provided in RCW 82.04.330; or (v) marine fuel outlet that does not dispense more than three thousand gallons of fuel to a ship that is not a covered vessel, in a single transaction.

(12) "Fund" means the state coastal protection fund as provided in RCW 90.48.390 and 90.48.400.

(13) "Having control over oil" shall include but not be limited to any person using, storing, or transporting oil immediately prior to entry of such oil into the waters of the state, and shall specifically include carriers and bailees of such oil.

(14) "Marine facility" means any facility used for tank vessel wharfage or anchorage, including any equipment used for the purpose of handling or transferring oil in bulk to or from a tank vessel.

(15) "Navigable waters of the state" means those waters of the state, and their adjoining shorelines, that are subject to the ebb and flow of the tide and/or are presently used, have been used in the past, or may be susceptible for use to transport intrastate, interstate, or foreign commerce.

(16) "Necessary expenses" means the expenses incurred by the department and assisting state agencies for (a) investigating the source of the discharge; (b) investigating the extent of the environmental damage caused by the discharge; (c) conducting actions necessary to clean up the discharge; (d) conducting predamage and damage assessment studies; and (e) enforcing the provisions of this chapter and collecting for damages caused by a discharge.

(17) "Oil" or "oils" means oil of any kind that is liquid at ~~((atmospheric temperature))~~ twenty-five degrees Celsius and one atmosphere of pressure and any fractionation thereof, including, but not limited to, crude oil, bitumen, synthetic crude oil, natural gas well condensate, petroleum, gasoline, fuel oil, diesel oil, biological oils and blends, oil sludge, oil refuse, and oil mixed with wastes other than dredged spoil. Oil does not include any substance listed in Table 302.4 of 40 C.F.R. Part 302 adopted August 14, 1989, under section ~~((101(14)))~~ 102(a) of the federal comprehensive environmental response, compensation, and liability act of 1980, as amended by P.L. 99-499.

(18) "Offshore facility" means any facility located in, on, or under any of the navigable waters of the state, but does not include a facility any part of which is located in, on, or under any land of the state, other than submerged land.

(19) "Onshore facility" means any facility any part of which is located in, on, or under any land of the state, other than submerged land, that because of its location, could reasonably be expected to cause substantial harm to the environment by discharging oil into or on the navigable waters of the state or the adjoining shorelines.

(20)(a) "Owner or operator" means (i) in the case of a vessel, any person owning, operating, or chartering by demise, the vessel; (ii) in the case of an onshore or offshore facility, any person owning or operating the facility; and (iii) in the case of an abandoned vessel or onshore or offshore facility, the person who owned or operated the vessel or facility immediately before its abandonment.

(b) "Operator" does not include any person who owns the land underlying a facility if the person is not involved in the operations of the facility.

(21) "Passenger vessel" means a ship of three hundred or more gross tons with a fuel capacity of at least six thousand gallons carrying passengers for compensation.

(22) "Person" means any political subdivision, government agency, municipality, industry, public or private corporation, copartnership, association, firm, individual, or any other entity whatsoever.

(23) "Ship" means any boat, ship, vessel, barge, or other floating craft of any kind.

(24) "Spill" means an unauthorized discharge of oil or hazardous substances into the waters of the state.

(25) "Tank vessel" means a ship that is constructed or adapted to carry, or that carries, oil in bulk as cargo or cargo residue, and that:

(a) Operates on the waters of the state; or

(b) Transfers oil in a port or place subject to the jurisdiction of this state.

(26) "Waters of the state" includes lakes, rivers, ponds, streams, inland waters, underground water, salt waters, estuaries, tidal flats, beaches and lands adjoining the seacoast of the state, sewers, and all other surface waters and watercourses within the jurisdiction of the state of Washington.

(27) "Worst case spill" means: (a) In the case of a vessel, a spill of the entire cargo and fuel of the vessel complicated by adverse weather conditions; and (b) in the case of an onshore or offshore facility, the largest foreseeable spill in adverse weather conditions.

(28) "Crude oil" means any naturally occurring hydrocarbons coming from the earth that are liquid at twenty-five degrees Celsius and one atmosphere of pressure including, but not limited to, crude oil, bitumen and diluted bitumen, synthetic crude oil, and natural gas well condensate.

Sec. 4. RCW 90.56.200 and 2000 c 69 s 19 are each amended to read as follows:

(1) The owner or operator for each onshore and offshore facility, except as determined in subsection (3) of this section, shall prepare and submit to the department an oil spill prevention plan in conformance with the requirements of this chapter. The plans shall be submitted to the department in the time and manner directed by the department. The spill prevention plan may be consolidated with a spill contingency plan submitted pursuant to RCW 90.56.210. The department may accept plans prepared to comply with other state or federal law as spill prevention plans to the extent those plans comply with the requirements of this chapter. The department, by rule, shall establish standards for spill prevention plans.

(2) The spill prevention plan for an onshore or offshore facility shall:

(a) Establish compliance with the federal oil pollution act of 1990, if applicable, and financial responsibility requirements under federal and state law;

(b) Certify that supervisory and other key personnel in charge of transfer, storage, and handling of oil have received certification pursuant to RCW 90.56.220;

(c) Certify that the facility has an operations manual required by RCW 90.56.230;

(d) Certify the implementation of alcohol and drug use awareness programs;

(e) Describe the facility's maintenance and inspection program and contain a current maintenance and inspection record of the storage and transfer facilities and related equipment;

(f) Describe the facility's alcohol and drug treatment programs;

(g) Describe spill prevention technology that has been installed, including overflow alarms, automatic overflow cut-off switches, secondary containment facilities, and storm water retention, treatment, and discharge systems;

(h) Describe any discharges of oil to the land or the water of more than twenty-five barrels in the prior five years and the measures taken to prevent a reoccurrence;

(i) Describe the procedures followed by the facility to contain and recover any oil that spills during the transfer of oil to or from the facility;

(j) Provide for the incorporation into the facility during the period covered by the plan of those measures that will provide the best achievable protection for the public health and the environment; and

(k) Include any other information reasonably necessary to carry out the purposes of this chapter required by rules adopted by the department.

(3) Plan requirements in subsection (2) of this section are not applicable to railroad facility operators while transporting oil over rail lines of this state.

(4) The department shall only approve a prevention plan if it provides the best achievable protection from damages caused by the discharge of oil into the waters of the state and if it determines that the plan meets the requirements of this section and rules adopted by the department.

~~((4))~~ (5) Upon approval of a prevention plan, the department shall provide to the person submitting the plan a statement indicating that the plan has been approved, the facilities covered by the plan, and other information the department determines should be included.

~~((5))~~ (6) The approval of a prevention plan shall be valid for five years. An owner or operator of a facility shall notify the department in writing immediately of any significant change of which it is aware affecting its prevention plan, including changes in any factor set forth in this section or in rules adopted by the department. The department may require the owner or operator to update a prevention plan as a result of these changes.

~~((6))~~ (7) The department by rule shall require prevention plans to be reviewed, updated, if necessary, and resubmitted to the department at least once every five years.

~~((7))~~ (8) Approval of a prevention plan by the department does not constitute an express assurance regarding the adequacy of the plan nor constitute a defense to liability imposed under this chapter or other state law.

~~((8))~~ (9) This section does not authorize the department to modify the terms of a collective bargaining agreement.

Sec. 5. RCW 90.56.210 and 2005 c 78 s 1 are each amended to read as follows:

(1) Each onshore and offshore facility shall have a contingency plan for the containment and cleanup of oil spills from the facility into the waters of the state and for the protection of fisheries and wildlife, shellfish beds, natural resources, and public and private property from such spills. The department shall by rule adopt and periodically revise standards for the preparation of contingency plans. The department shall require contingency plans, at a minimum, to meet the following standards:

(a) Include full details of the method of response to spills of various sizes from any facility which is covered by the plan;

(b) Be designed to be capable in terms of personnel, materials, and equipment, of promptly and properly, to the maximum extent practicable, as defined by the department removing oil and minimizing any damage to the environment resulting from a worst case spill;

(c) Provide a clear, precise, and detailed description of how the plan relates to and is integrated into relevant contingency plans which have been prepared by cooperatives, ports, regional entities, the state, and the federal government;

(d) Provide procedures for early detection of oil spills and timely notification of such spills to appropriate federal, state, and local authorities under applicable state and federal law;

(e) State the number, training preparedness, and fitness of all dedicated, prepositioned personnel assigned to direct and implement the plan;

(f) Incorporate periodic training and drill programs to evaluate whether personnel and equipment provided under the plan are in a state of operational readiness at all times;

(g) Describe important features of the surrounding environment, including fish and wildlife habitat, shellfish beds, environmentally and archaeologically sensitive areas, and public facilities. The departments of ecology, fish and wildlife, and natural resources, and the ~~((office))~~ department of archaeology and historic preservation, upon request, shall provide information that they have available to assist in preparing this description. The description of archaeologically sensitive areas shall not be required to be included in a contingency plan until it is reviewed and updated pursuant to subsection (9) of this section;

(h) State the means of protecting and mitigating effects on the environment, including fish, shellfish, marine mammals, and other wildlife, and ensure that implementation of the plan does not pose unacceptable risks to the public or the environment;

(i) Provide arrangements for the prepositioning of oil spill containment and cleanup equipment and trained personnel at strategic locations from which they can be deployed to the spill site to promptly and properly remove the spilled oil;

(j) Provide arrangements for enlisting the use of qualified and trained cleanup personnel to implement the plan;

(k) Provide for disposal of recovered spilled oil in accordance with local, state, and federal laws;

(l) Until a spill prevention plan has been submitted pursuant to RCW 90.56.200, state the measures that have been taken to reduce the likelihood that a spill will occur, including but not limited to, design and operation of a facility, training of personnel, number of personnel, and backup systems designed to prevent a spill;

(m) State the amount and type of equipment available to respond to a spill, where the equipment is located, and the extent to which other contingency plans rely on the same equipment; and

(n) If the department has adopted rules permitting the use of dispersants, the circumstances, if any, and the manner for the application of the dispersants in conformance with the department's rules.

(2)(a) The following shall submit contingency plans to the department within six months after the department adopts rules establishing standards for contingency plans under subsection (1) of this section:

(i) Onshore facilities capable of storing one million gallons or more of oil; and

(ii) Offshore facilities.

(b) Contingency plans for all other onshore and offshore facilities shall be submitted to the department within eighteen months after the department has adopted rules under subsection (1) of this section. The department may adopt a schedule for submission of plans within the eighteen-month period.

(3) The department by rule shall determine the contingency plan requirements for railroads transporting oil in bulk. Federal oil spill response plans created pursuant to 33 U.S.C. Sec. 1321 may be submitted in lieu of contingency plans until state rules are adopted.

(4)(a) The owner or operator of a facility shall submit the contingency plan for the facility.

(b) A person who has contracted with a facility to provide containment and cleanup services and who meets the standards established pursuant to RCW 90.56.240, may submit the plan for any facility for which the person is contractually obligated to provide services. Subject to conditions imposed by the

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department, the person may submit a single plan for more than one facility.

~~((4))~~ (5) A contingency plan prepared for an agency of the federal government or another state that satisfies the requirements of this section and rules adopted by the department may be accepted by the department as a contingency plan under this section. The department shall ensure that to the greatest extent possible, requirements for contingency plans under this section are consistent with the requirements for contingency plans under federal law.

~~((5))~~ (6) In reviewing the contingency plans required by this section, the department shall consider at least the following factors:

(a) The adequacy of containment and cleanup equipment, personnel, communications equipment, notification procedures and call down lists, response time, and logistical arrangements for coordination and implementation of response efforts to remove oil spills promptly and properly and to protect the environment;

(b) The nature and amount of vessel traffic within the area covered by the plan;

(c) The volume and type of oil being transported within the area covered by the plan;

(d) The existence of navigational hazards within the area covered by the plan;

(e) The history and circumstances surrounding prior spills of oil within the area covered by the plan;

(f) The sensitivity of fisheries, shellfish beds, and wildlife and other natural resources within the area covered by the plan;

(g) Relevant information on previous spills contained in on-scene coordinator reports prepared by the department; and

(h) The extent to which reasonable, cost-effective measures to prevent a likelihood that a spill will occur have been incorporated into the plan.

~~((6))~~ (7) The department shall approve a contingency plan only if it determines that the plan meets the requirements of this section and that, if implemented, the plan is capable, in terms of personnel, materials, and equipment, of removing oil promptly and properly and minimizing any damage to the environment.

~~((7))~~ (8) The approval of the contingency plan shall be valid for five years. Upon approval of a contingency plan, the department shall provide to the person submitting the plan a statement indicating that the plan has been approved, the facilities or vessels covered by the plan, and other information the department determines should be included.

~~((8))~~ (9) An owner or operator of a facility shall notify the department in writing immediately of any significant change of which it is aware affecting its contingency plan, including changes in any factor set forth in this section or in rules adopted by the department. The department may require the owner or operator to update a contingency plan as a result of these changes.

~~((9))~~ (10) The department by rule shall require contingency plans to be reviewed, updated, if necessary, and resubmitted to the department at least once every five years.

~~((10))~~ (11) Approval of a contingency plan by the department does not constitute an express assurance regarding the adequacy of the plan nor constitute a defense to liability imposed under this chapter or other state law.

Sec. 6. RCW 90.56.500 and 2009 c 11 s 9 are each amended to read as follows:

(1) The state oil spill response account is created in the state treasury. All receipts from RCW 82.23B.020(1) shall be deposited in the account. All costs reimbursed to the state by a responsible party or any other person for responding to a spill of oil shall also be deposited in the account. Moneys in the account

shall be spent only after appropriation. The account is subject to allotment procedures under chapter 43.88 RCW.

(2)(a) The account shall be used exclusively to pay for:

~~((a))~~ (i) The costs associated with the response to spills or imminent threats of spills of crude oil or petroleum products into the ~~((navigable))~~ waters of the state; and

~~((b))~~ (ii) The costs associated with the department's use of ~~((the))~~ an emergency response towing vessel ~~((as described in RCW 88.46.135)).~~

(b) During the 2015-2017 biennium, the legislature may transfer up to two million two hundred twenty-five thousand dollars from the account to the oil spill prevention account created in RCW 90.56.510.

(3) Payment of response costs under subsection (2)(a)(i) of this section shall be limited to spills which the director has determined are likely to exceed ~~((fifty))~~ one thousand dollars.

(4) Before expending moneys from the account, but without delaying response activities, the director shall make reasonable efforts to obtain funding for response costs under subsection (2) of this section from the person responsible for the spill and from other sources, including the federal government.

(5) Reimbursement for response costs from this account shall be allowed only for costs which are not covered by funds appropriated to the agencies responsible for response activities. Costs associated with the response to spills of crude oil or petroleum products shall include:

(a) Natural resource damage assessment and related activities;

(b) Spill related response, containment, wildlife rescue, cleanup, disposal, and associated costs;

(c) Interagency coordination and public information related to a response; and

(d) Appropriate travel, goods and services, contracts, and equipment.

Sec. 7. RCW 90.56.510 and 2000 c 69 s 22 are each amended to read as follows:

(1) The oil spill prevention account is created in the state treasury. All receipts from RCW 82.23B.020(2) shall be deposited in the account. Moneys from the account may be spent only after appropriation. The account is subject to allotment procedures under chapter 43.88 RCW. If, on the first day of any calendar month, the balance of the oil spill response account is greater than nine million dollars and the balance of the oil spill prevention account exceeds the unexpended appropriation for the current biennium, then the tax under RCW 82.23B.020(2) shall be suspended on the first day of the next calendar month until the beginning of the following biennium, provided that the tax shall not be suspended during the last six months of the biennium. If the tax imposed under RCW 82.23B.020(2) is suspended during two consecutive biennia, the department shall by November 1st after the end of the second biennium, recommend to the appropriate standing committees an adjustment in the tax rate. For the biennium ending June 30, 1999, and the biennium ending June 30, 2001, the state treasurer may transfer a total of up to one million dollars from the oil spill response account to the oil spill prevention account to support appropriations made from the oil spill prevention account in the omnibus appropriations act adopted not later than June 30, 1999.

(2) Expenditures from the oil spill prevention account shall be used exclusively for the administrative costs related to the purposes of this chapter, and chapters 90.48, 88.40, and 88.46 RCW. In addition, until June 30, 2019, expenditures from the oil spill prevention account may be used, subject to amounts appropriated specifically for this purpose, for the development and annual review of local emergency planning committee

emergency response plans in RCW 38.52.040(3). Starting with the 1995-1997 biennium, the legislature shall give activities of state agencies related to prevention of oil spills priority in funding from the oil spill prevention account. Costs of prevention include the costs of:

- (a) Routine responses not covered under RCW 90.56.500;
- (b) Management and staff development activities;
- (c) Development of rules and policies and the statewide plan provided for in RCW 90.56.060;
- (d) Facility and vessel plan review and approval, drills, inspections, investigations, enforcement, and litigation;
- (e) Interagency coordination and public outreach and education;
- (f) Collection and administration of the tax provided for in chapter 82.23B RCW; and
- (g) Appropriate travel, goods and services, contracts, and equipment.

(3) Before expending moneys from the account for a response under subsection (2)(a) of this section, but without delaying response activities, the director shall make reasonable efforts to obtain funding for response costs under this section from the person responsible for the spill and from other sources, including the federal government.

NEW SECTION. Sec. 8. A new section is added to chapter 90.56 RCW to read as follows:

(1)(a) A facility that receives crude oil from a railroad car must provide advance notice to the department that the facility will receive crude oil from a railroad car, as provided in this section. The advance notice must include the route taken to the facility within the state, if known, and the scheduled time, location, volume, region per bill of lading, and gravity as measured by standards developed by the American petroleum institute, of crude oil received. Each week, a facility that provides advance notice under this section must provide the required information regarding the scheduled arrival of railroad cars carrying crude oil to be received by the facility in the succeeding seven-day period. A facility is not required to provide advance notice when there is no receipt of crude oil from a railroad car scheduled for a seven-day period.

(b) Twice per year, pipelines that transport crude oil must report to the department the following information about the crude oil transported by the pipeline through the state: The volume of crude oil and the state or province of origin of the crude oil. This report must be submitted each year by July 31st for the period January 1st through June 30th and by January 31st for the period July 1st through December 31st.

(2) The department may share information provided by a facility through the advance notice system established in this section with the state emergency management division and any county, city, tribal, port, or local government emergency response agency upon request.

(3) The department must publish information collected under this section on a quarterly basis on the department's internet web site. With respect to the information reported under subsection (1)(a) of this section, the information published by the department must be aggregated on a statewide basis by route through the state, by week, and by type of crude oil. The report may also include other information available to the department including, but not limited to, place of origin, modes of transport, number of railroad cars delivering crude oil, and number and volume of spills during transport and delivery.

(4) A facility providing advance notice under this section is not responsible for meeting advance notice time frame requirements under subsection (1) of this section in the event that the schedule of arrivals of railroad cars carrying crude oil changes during a seven-day period.

(5) Consistent with the requirements of chapter 42.56 RCW, the department and any state, local, tribal, or public agency that receives information provided under this section may not disclose any such information to the public or to nongovernmental entities that contains proprietary, commercial, or financial information unless that information is aggregated. The requirement for aggregating information does not apply when information is shared by the department with emergency response agencies as provided in subsection (2) of this section.

(6) The department shall adopt rules to implement this section. The advance notice system required in this section must be consistent with the oil transfer reporting system adopted by the department pursuant to RCW 88.46.165.

Sec. 9. RCW 88.40.011 and 2007 c 347 s 4 are each amended to read as follows:

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

(1) "Barge" means a vessel that is not self-propelled.

(2) "Cargo vessel" means a self-propelled ship in commerce, other than a tank vessel, fishing vessel, or a passenger vessel, of three hundred or more gross tons.

(3) "Bulk" means material that is stored or transported in a loose, unpackaged liquid, powder, or granular form capable of being conveyed by a pipe, bucket, chute, or belt system.

(4) "Covered vessel" means a tank vessel, cargo vessel, or passenger vessel.

(5) "Department" means the department of ecology.

(6) "Director" means the director of the department of ecology.

(7)(a) "Facility" means any structure, group of structures, equipment, pipeline, or device, other than a vessel, located on or near the navigable waters of the state that transfers oil in bulk to or from any vessel with an oil carrying capacity over two hundred fifty barrels or pipeline, that is used for producing, storing, handling, transferring, processing, or transporting oil in bulk.

(b) A facility does not include any: (i) Railroad car, motor vehicle, or other rolling stock while transporting oil over the highways or rail lines of this state; (ii) retail motor vehicle motor fuel outlet; (iii) facility that is operated as part of an exempt agricultural activity as provided in RCW 82.04.330; (iv) underground storage tank regulated by the department or a local government under chapter 90.76 RCW; or (v) marine fuel outlet that does not dispense more than three thousand gallons of fuel to a ship that is not a covered vessel, in a single transaction.

(8) "Fishing vessel" means a self-propelled commercial vessel of three hundred or more gross tons that is used for catching or processing fish.

(9) "Gross tons" means tonnage as determined by the United States coast guard under 33 C.F.R. section 138.30.

(10) "Hazardous substances" means any substance listed as of March 1, 2003, in Table 302.4 of 40 C.F.R. Part 302 adopted under section ~~((401(14)))~~ 102(a) of the federal comprehensive environmental response, compensation, and liability act of 1980, as amended by P.L. 99-499. The following are not hazardous substances for purposes of this chapter:

(a) Wastes listed as F001 through F028 in Table 302.4; and

(b) Wastes listed as K001 through K136 in Table 302.4.

(11) "Navigable waters of the state" means those waters of the state, and their adjoining shorelines, that are subject to the ebb and flow of the tide and/or are presently used, have been used in the past, or may be susceptible for use to transport intrastate, interstate, or foreign commerce.

(12) "Oil" or "oils" means oil of any kind that is liquid at ~~((atmospheric temperature))~~ twenty-five degrees Celsius and one atmosphere of pressure and any fractionation thereof, including, but not limited to, crude oil, bitumen, synthetic crude oil, natural

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gas well condensate, petroleum, gasoline, fuel oil, diesel oil, biological oils and blends, oil sludge, oil refuse, and oil mixed with wastes other than dredged spoil. Oil does not include any substance listed as of March 1, 2003, in Table 302.4 of 40 C.F.R. Part 302 adopted under section ((~~101(14)~~)) 102(a) of the federal comprehensive environmental response, compensation, and liability act of 1980, as amended by P.L. 99-499.

(13) "Offshore facility" means any facility located in, on, or under any of the navigable waters of the state, but does not include a facility any part of which is located in, on, or under any land of the state, other than submerged land.

(14) "Onshore facility" means any facility any part of which is located in, on, or under any land of the state, other than submerged land, that because of its location, could reasonably be expected to cause substantial harm to the environment by discharging oil into or on the navigable waters of the state or the adjoining shorelines.

(15)(a) "Owner or operator" means (i) in the case of a vessel, any person owning, operating, or chartering by demise, the vessel; (ii) in the case of an onshore or offshore facility, any person owning or operating the facility; and (iii) in the case of an abandoned vessel or onshore or offshore facility, the person who owned or operated the vessel or facility immediately before its abandonment.

(b) "Operator" does not include any person who owns the land underlying a facility if the person is not involved in the operations of the facility.

(16) "Passenger vessel" means a ship of three hundred or more gross tons with a fuel capacity of at least six thousand gallons carrying passengers for compensation.

(17) "Ship" means any boat, ship, vessel, barge, or other floating craft of any kind.

(18) "Spill" means an unauthorized discharge of oil into the waters of the state.

(19) "Tank vessel" means a ship that is constructed or adapted to carry, or that carries, oil in bulk as cargo or cargo residue, and that:

(a) Operates on the waters of the state; or

(b) Transfers oil in a port or place subject to the jurisdiction of this state.

(20) "Waters of the state" includes lakes, rivers, ponds, streams, inland waters, underground water, salt waters, estuaries, tidal flats, beaches and lands adjoining the seacoast of the state, sewers, and all other surface waters and watercourses within the jurisdiction of the state of Washington.

NEW SECTION. Sec. 10. A new section is added to chapter 81.04 RCW to read as follows:

(1) The commission must require a railroad company that transports crude oil in Washington to submit information to the commission relating to the railroad company's ability to pay damages in the event of a spill or accident involving the transport of crude oil by the railroad company in Washington. The information submitted to the commission must include a statement of whether the railroad has the ability to pay for damages resulting from a reasonable worst case spill of oil, as calculated by multiplying the reasonable per barrel cleanup and damage cost of spilled oil times the reasonable worst case spill volume as measured in barrels. A railroad company must include the information in the annual report submitted to the commission pursuant to RCW 81.04.080.

(2) The commission may not use the information submitted by a railroad company under this section as a basis for engaging in economic regulation of a railroad company.

(3) The commission may not use the information submitted by a railroad company under this section as a basis for penalizing a railroad company.

(4) Nothing in this section may be construed as assigning liability to a railroad company or establishing liquidated damages for a spill or accident involving the transport of crude oil by a railroad company.

(5) The commission may adopt rules for implementing this section consistent with the requirements of RCW 81.04.080.

NEW SECTION. Sec. 11. A new section is added to chapter 90.56 RCW to read as follows:

(1) The department must complete an evaluation and assessment of vessel traffic management and vessel traffic safety within and near the mouth of the Columbia river. A draft evaluation and assessment must be completed and submitted to the legislature consistent with RCW 43.01.036 by December 15, 2017. A final evaluation and assessment must be completed by June 30, 2018. In conducting this evaluation, the department must consult with the United States coast guard, the Oregon board of maritime pilots, Columbia river harbor safety committee, the Columbia river bar pilots, the Columbia river pilots, area tribes, public ports in Oregon and Washington, local governments, and other appropriate entities.

(2) The evaluation and assessment completed under subsection (1) of this section must include, but is not limited to, an assessment and evaluation of: (a) The need for tug escorts for oil tankers, articulated tug barges, and other towed waterborne vessels or barges; (b) best achievable protection; and (c) required tug capabilities to ensure safe escort of vessels on the waters that are the subject of focus for each water body evaluated under subsection (1) of this section.

(3) The assessment and evaluations submitted to the legislature under subsection (1) of this section must include recommendations for vessel traffic management and vessel traffic safety on the Columbia river, including recommendations for tug escort requirements for vessels transporting oil as bulk cargo.

(4) All requirements in this section are subject to the availability of amounts appropriated for the specific purposes described.

(5) This section expires June 30, 2019.

NEW SECTION. Sec. 12. A new section is added to chapter 88.16 RCW to read as follows:

(1) The board of pilotage commissioners may adopt rules to implement this section. The rules may include tug escort requirements and other safety measures for oil tankers of greater than forty thousand deadweight tons, all articulated tug barges, and other towed waterborne vessels or barges within a two-mile radius of the Grays Harbor pilotage district as defined in RCW 88.16.050.

(2)(a) Prior to proposing a draft rule, the board of pilotage commissioners must consult with the department of ecology, the United States coast guard, the Grays Harbor safety committee, area tribes, public ports, local governments, and other appropriate entities. The board of pilotage commissioners may not adopt rules under this section unless a state agency or a local jurisdiction, for a facility within Grays Harbor that is required to have a contingency plan pursuant to chapter 90.56 RCW:

(i) Makes a final determination or issues a final permit after January 1, 2015, to site a new facility; or

(ii) Provides authority to an existing facility to process or receive crude oil for the first time.

(b) This subsection does not apply to a transmission pipeline or railroad facility.

(3) A rule adopted under this section must:

(a) Be designed to achieve best achievable protection as defined in RCW 88.46.010;

(b) Ensure that any escort tugs used have an aggregate shaft horsepower equivalent to at least five percent of the deadweight tons of the escorted oil tanker or articulated tug barge; and

(c) Ensure that escort tugs have sufficient mechanical capabilities to provide for safe escort.

(4) The provisions adopted under this section may not include rules affecting pilotage. This section does not affect any existing authority to establish pilotage requirements.

(5) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Articulated tug barge" means a tank barge and a towing vessel joined by hinged or articulated fixed mechanical equipment affixed or connecting to the stern of the tank barge.

(b) "Oil tanker" means a self-propelled deep draft tank vessel designed to transport oil in bulk. "Oil tanker" does not include an articulated tug barge tank vessel.

(c) "Waterborne vessel or barge" means any ship, barge, or other watercraft capable of traveling on the navigable waters of this state and capable of transporting any crude oil or petroleum product in quantities of ten thousand gallons or more for purposes other than providing fuel for its motor or engine.

Sec. 13. RCW 82.23B.010 and 1992 c 73 s 6 are each amended to read as follows:

~~(Unless the context clearly requires otherwise,)~~ The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Barrel" means a unit of measurement of volume equal to forty-two United States gallons of crude oil or petroleum product.

(2) "Crude oil" means any naturally occurring ~~((liquid)) hydrocarbons ((at atmospheric temperature and pressure coming from the earth, including condensate and natural gasoline))~~ coming from the earth that are liquid at twenty-five degrees Celsius and one atmosphere of pressure including, but not limited to, crude oil, bitumen and diluted bitumen, synthetic crude oil, and natural gas well condensate.

(3) "Department" means the department of revenue.

(4) "Marine terminal" means a facility of any kind, other than a waterborne vessel, that is used for transferring crude oil or petroleum products to or from a waterborne vessel or barge.

(5) "Navigable waters" means those waters of the state and their adjoining shorelines that are subject to the ebb and flow of the tide, including the Columbia and Snake rivers.

(6) "Person" has the meaning provided in RCW 82.04.030.

(7) "Petroleum product" means any liquid hydrocarbons at atmospheric temperature and pressure that are the product of the fractionation, distillation, or other refining or processing of crude oil, and that are used as, useable as, or may be refined as a fuel or fuel blendstock, including but not limited to, gasoline, diesel fuel, aviation fuel, bunker fuel, and fuels containing a blend of alcohol and petroleum.

(8) "Taxpayer" means the person owning crude oil or petroleum products immediately after receipt of the same into the storage tanks of a marine or bulk oil terminal in this state ~~((from a waterborne vessel or barge))~~ and who is liable for the taxes imposed by this chapter.

(9) "Waterborne vessel or barge" means any ship, barge, or other watercraft capable of ~~((travelling))~~ traveling on the navigable waters of this state and capable of transporting any crude oil or petroleum product in quantities of ten thousand gallons or more for purposes other than providing fuel for its motor or engine.

(10) "Bulk oil terminal" means a facility of any kind, other than a waterborne vessel, that is used for transferring crude oil or petroleum products from a tank car.

(11) "Tank car" means a rail car, the body of which consists of a tank for transporting liquids.

Sec. 14. RCW 82.23B.020 and 2006 c 256 s 2 are each amended to read as follows:

(1) An oil spill response tax is imposed on the privilege of receiving: (a) Crude oil or petroleum products at a marine terminal within this state from a waterborne vessel or barge operating on the navigable waters of this state; or (b) crude oil or petroleum products at a bulk oil terminal within this state from a tank car. The tax imposed in this section is levied upon the owner of the crude oil or petroleum products immediately after receipt of the same into the storage tanks of a marine or bulk oil terminal from a tank car or waterborne vessel or barge at the rate of one cent per barrel of crude oil or petroleum product received.

(2) In addition to the tax imposed in subsection (1) of this section, an oil spill administration tax is imposed on the privilege of receiving: (a) Crude oil or petroleum products at a marine terminal within this state from a waterborne vessel or barge operating on the navigable waters of this state; or (b) crude oil or petroleum products at a bulk oil terminal within this state from a tank car. The tax imposed in this section is levied upon the owner of the crude oil or petroleum products immediately after receipt of the same into the storage tanks of a marine or bulk oil terminal from a tank car or waterborne vessel or barge at the rate of four cents per barrel of crude oil or petroleum product.

(3) The taxes imposed by this chapter ~~((shall))~~ must be collected by the marine or bulk oil terminal operator from the taxpayer. If any person charged with collecting the taxes fails to bill the taxpayer for the taxes, or in the alternative has not notified the taxpayer in writing of the ~~((imposition of the))~~ taxes imposed, or having collected the taxes, fails to pay them to the department in the manner prescribed by this chapter, whether such failure is the result of the person's own acts or the result of acts or conditions beyond the person's control, he or she ~~((shall))~~, nevertheless, ~~((be))~~ is personally liable to the state for the amount of the taxes. Payment of the taxes by the owner to a marine or bulk oil terminal operator ~~((shall))~~ relieves the owner from further liability for the taxes.

(4) Taxes collected under this chapter ~~((shall))~~ must be held in trust until paid to the department. Any person collecting the taxes who appropriates or converts the taxes collected ~~((shall be))~~ is guilty of a gross misdemeanor if the money required to be collected is not available for payment on the date payment is due. The taxes required by this chapter to be collected ~~((shall))~~ must be stated separately from other charges made by the marine or bulk oil terminal operator in any invoice or other statement of account provided to the taxpayer.

(5) If a taxpayer fails to pay the taxes imposed by this chapter to the person charged with collection of the taxes and the person charged with collection fails to pay the taxes to the department, the department may, in its discretion, proceed directly against the taxpayer for collection of the taxes.

(6) The taxes ~~((shall be))~~ are due from the marine or bulk oil terminal operator, along with reports and returns on forms prescribed by the department, within twenty-five days after the end of the month in which the taxable activity occurs.

(7) The amount of taxes, until paid by the taxpayer to the marine or bulk oil terminal operator or to the department, ~~((shall))~~ constitutes a debt from the taxpayer to the marine or bulk oil terminal operator. Any person required to collect the taxes under this chapter who, with intent to violate the provisions of this chapter, fails or refuses to do so as required and any taxpayer who refuses to pay any taxes due under this chapter, ~~((shall be))~~ is guilty of a misdemeanor as provided in chapter 9A.20 RCW.

(8) Upon prior approval of the department, the taxpayer may pay the taxes imposed by this chapter directly to the department.

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The department ~~((shall))~~ must give its approval for direct payment under this section whenever it appears, in the department's judgment, that direct payment will enhance the administration of the taxes imposed under this chapter. The department ~~((shall))~~ must provide by rule for the issuance of a direct payment certificate to any taxpayer qualifying for direct payment of the taxes. Good faith acceptance of a direct payment certificate by a terminal operator ~~((shall))~~ relieves the marine or bulk oil terminal operator from any liability for the collection or payment of the taxes imposed under this chapter.

(9) All receipts from the tax imposed in subsection (1) of this section ~~((shall))~~ must be deposited into the state oil spill response account. All receipts from the tax imposed in subsection (2) of this section shall be deposited into the oil spill prevention account.

(10) Within forty-five days after the end of each calendar quarter, the office of financial management ~~((shall))~~ must determine the balance of the oil spill response account as of the last day of that calendar quarter. Balance determinations by the office of financial management under this section are final and ~~((shall))~~ may not be used to challenge the validity of any tax imposed under this chapter. The office of financial management ~~((shall))~~ must promptly notify the departments of revenue and ecology of the account balance once a determination is made. For each subsequent calendar quarter, the tax imposed by subsection (1) of this section shall be imposed during the entire calendar quarter unless:

(a) Tax was imposed under subsection (1) of this section during the immediately preceding calendar quarter, and the most recent quarterly balance is more than nine million dollars; or

(b) Tax was not imposed under subsection (1) of this section during the immediately preceding calendar quarter, and the most recent quarterly balance is more than eight million dollars.

Sec. 15. RCW 82.23B.030 and 1992 c 73 s 9 are each amended to read as follows:

The taxes imposed under this chapter ~~((shall))~~ only apply to the first receipt of crude oil or petroleum products at a marine or bulk oil terminal in this state and not to the later transporting and subsequent receipt of the same oil or petroleum product, whether in the form originally received at a marine or bulk oil terminal in this state or after refining or other processing.

Sec. 16. RCW 82.23B.040 and 1992 c 73 s 10 are each amended to read as follows:

Credit ~~((shall))~~ must be allowed against the taxes imposed under this chapter for any crude oil or petroleum products received at a marine or bulk oil terminal and subsequently exported from or sold for export from the state.

Sec. 17. RCW 38.52.040 and 2011 1st sp.s. c 21 s 27, 2011 c 336 s 789, and 2011 c 79 s 9 are each reenacted and amended to read as follows:

(1) There is hereby created the emergency management council (hereinafter called the council), to consist of not more than seventeen members who shall be appointed by the adjutant general. The membership of the council shall include, but not be limited to, representatives of city and county governments, sheriffs and police chiefs, the Washington state patrol, the military department, the department of ecology, state and local fire chiefs, seismic safety experts, state and local emergency management directors, search and rescue volunteers, medical professions who have expertise in emergency medical care, building officials, and private industry. The representatives of private industry shall include persons knowledgeable in emergency and hazardous materials management. The councilmembers shall elect a chair from within the council membership. The members of the council shall serve without

compensation, but may be reimbursed for their travel expenses incurred in the performance of their duties in accordance with RCW 43.03.050 and 43.03.060 as now existing or hereafter amended.

(2) The emergency management council shall advise the governor and the director on all matters pertaining to state and local emergency management. The council may appoint such ad hoc committees, subcommittees, and working groups as are required to develop specific recommendations for the improvement of emergency management practices, standards, policies, or procedures. The council shall ensure that the governor receives an annual assessment of statewide emergency preparedness including, but not limited to, specific progress on hazard mitigation and reduction efforts, implementation of seismic safety improvements, reduction of flood hazards, and coordination of hazardous materials planning and response activities. ~~((The council or a subcommittee thereof shall periodically convene in special session and serve during those sessions as the state emergency response commission required by P.L. 99-499, the emergency planning and community right to know act. When sitting in session as the state emergency response commission, the council shall confine its deliberations to those items specified in federal statutes and state administrative rules governing the coordination of hazardous materials policy.))~~ The council shall review administrative rules governing state and local emergency management practices and recommend necessary revisions to the director.

(3) The council or a council subcommittee shall serve and periodically convene in special session as the state emergency response commission required by the emergency planning and community right-to-know act (42 U.S.C. Sec. 11001 et seq.). The state emergency response commission shall conduct those activities specified in federal statutes and regulations and state administrative rules governing the coordination of hazardous materials policy including, but not limited to, review of local emergency planning committee emergency response plans for compliance with the planning requirements in the emergency planning and community right-to-know act (42 U.S.C. Sec. 11001 et seq.). Committees shall annually review their plans to address changed conditions, and submit their plans to the state emergency response commission for review when updated, but not less than at least once every five years. The department may employ staff to assist local emergency planning committees in the development and annual review of these emergency response plans, with an initial focus on the highest risk communities through which trains that transport oil in bulk travel. By March 1, 2018, the department shall report to the governor and legislature on progress towards compliance with planning requirements. The report must also provide budget and policy recommendations for continued support of local emergency planning.

(4)(a) The intrastate mutual aid committee is created and is a subcommittee of the emergency management council. The intrastate mutual aid committee consists of not more than five members who must be appointed by the council chair from council membership. The chair of the intrastate mutual aid committee is the military department representative appointed as a member of the council. Meetings of the intrastate mutual aid committee must be held at least annually.

(b) In support of the intrastate mutual aid system established in chapter 38.56 RCW, the intrastate mutual aid committee shall develop and update guidelines and procedures to facilitate implementation of the intrastate mutual aid system by member jurisdictions, including but not limited to the following: Projected or anticipated costs; checklists and forms for requesting and providing assistance; recordkeeping; reimbursement procedures;

and other implementation issues. These guidelines and procedures are not subject to the rule-making requirements of chapter 34.05 RCW.

Sec. 18. RCW 81.24.010 and 2007 c 234 s 21 are each amended to read as follows:

(1) Every company subject to regulation by the commission, except those listed in subsection (3) of this section, shall, on or before the date specified by the commission for filing annual reports under RCW 81.04.080, file with the commission a statement on oath showing its gross operating revenue from intrastate operations for the preceding calendar year, or portion thereof, and pay to the commission a fee equal to one-tenth of one percent of the first fifty thousand dollars of gross operating revenue, plus two-tenths of one percent of any gross operating revenue in excess of fifty thousand dollars, except railroad companies which shall each pay to the commission a fee ~~((equal))~~ of up to ((one)) two and one-half percent of its intrastate gross operating revenue. However, a class three railroad that does not haul crude oil must pay a fee equal to one and one-half percent of its intrastate gross operating revenue. The commission may, by rule, set minimum fees that do not exceed the cost of collecting the fees. The commission may by rule waive any or all of the minimum fee established pursuant to this section. Any railroad association that qualifies as a nonprofit charitable organization under the federal internal revenue code section 501(c)(3) is exempt from the fee required under this subsection.

(2) The percentage rates of gross operating revenue to be paid in any one year may be decreased by the commission for any class of companies subject to the payment of such fees, by general order entered before March 1st of such year, and for such purpose railroad companies are classified as class two. Every other company subject to regulation by the commission, for which regulatory fees are not otherwise fixed by law, shall pay fees as herein provided and shall constitute additional classes according to kinds of businesses engaged in.

(3) This section does not apply to private nonprofit transportation providers, auto transportation companies, charter party carriers and excursion service carriers, solid waste collection companies, motor freight carriers, household goods carriers, commercial ferries, and low-level radioactive waste storage facilities.

NEW SECTION. Sec. 19. A new section is added to chapter 81.44 RCW to read as follows:

Commission employees certified by the federal railroad administration to perform hazardous materials inspections may enter the property of any business that receives, ships, or offers for shipment hazardous materials by rail. Entry shall be at a reasonable time and in a reasonable manner. The purpose of entry is limited to performing inspections, investigations, or surveillance of equipment, records, and operations relating to the packaging, loading, unloading, or transportation of hazardous materials by rail, pursuant only to the state participation program outlined in 49 C.F.R. Part 212. The term "business" is all inclusive and is not limited to common carriers or public service companies.

Sec. 20. RCW 81.53.010 and 2013 c 23 s 302 are each amended to read as follows:

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

~~((The term))~~ (1) "Commission((:))" ~~((when used in this chapter,))~~ means the utilities and transportation commission of Washington.

~~((The term))~~ (2) "Highway((:))" ~~((when used in this chapter,))~~ includes all state and county roads, streets, alleys, avenues, boulevards, parkways, and other public places actually open and in use, or to be opened and used, for travel by the public.

~~((The term))~~ (3) "Railroad((:))" ~~((when used in this chapter,))~~ means every railroad, including interurban and suburban electric railroads, by whatsoever power operated, for the public use in the conveyance of persons or property for hire, with all bridges, ferries, tunnels, equipment, switches, spurs, sidings, tracks, stations, and terminal facilities of every kind, used, operated, controlled, managed, or owned by or in connection therewith. The ~~((said))~~ term ~~((shall))~~ also includes every logging and other industrial railway owned or operated primarily for the purpose of carrying the property of its owners or operators or of a limited class of persons, with all tracks, spurs, and sidings used in connection therewith. The ~~((said))~~ term ~~((shall))~~ does not include street railways operating within the limits of any incorporated city or town.

~~((The term))~~ (4) "Railroad company((:))" ~~((when used in this chapter,))~~ includes every corporation, company, association, joint stock association, partnership, or person, its, their, or his or her lessees, trustees, or receivers appointed by any court whatsoever, owning, operating, controlling, or managing any railroad ~~((-- as that term is defined in this section)).~~

~~((The term))~~ (5) "Over-crossing((:))" ~~((when used in this chapter,))~~ means any point or place where a highway crosses a railroad by passing above the same. "Over-crossing" also means any point or place where one railroad crosses another railroad not at grade.

~~((The term))~~ (6) "Under-crossing((:))" ~~((when used in this chapter,))~~ means any point or place where a highway crosses a railroad by passing under the same. "Under-crossing" also means any point or place where one railroad crosses another railroad not at grade.

~~((The term "over crossing" or "under crossing," shall also mean any point or place where one railroad crosses another railroad not at grade.~~

~~The term))~~ (7) "Grade crossing((:))" ~~((when used in this chapter,))~~ means any point or place where a railroad crosses a highway or a highway crosses a railroad or one railroad crosses another, at a common grade.

(8) "Private crossing" means any point or place where a railroad crosses a private road at grade or a private road crosses a railroad at grade, where the private road is not a highway.

Sec. 21. RCW 81.53.240 and 1984 c 7 s 375 are each amended to read as follows:

(1) Except to the extent necessary to permit participation by first-class cities in the grade crossing protective fund, when an election to participate is made as provided in RCW 81.53.261 through 81.53.291, or to the extent a first-class city requests to participate in the commission's crossing safety inspection program within the city, this chapter ((81.53-RCW)) is not operative within the limits of first-class cities, and does not apply to street railway lines operating on or across any street, alley, or other public place within the limits of any city, except that a streetcar line outside of cities of the first class shall not cross a railroad at grade without express authority from the commission. The commission may not change the location of a state highway without the approval of the secretary of transportation, or the location of any crossing thereon adopted or approved by the department of transportation, or grant a railroad authority to cross a state highway at grade without the consent of the secretary of transportation.

(2) Within thirty days of the effective date of this section, first-class cities must provide to the commission a list of all existing public crossings within the limits of a first-class city, including over and under-crossings, including the United States department of transportation number for the crossing. Within thirty days of modifying, closing, or opening a grade crossing within the limits of a first-class city, the city must notify the

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commission in writing of the action taken, identifying the crossing by United States department of transportation number.

NEW SECTION. Sec. 22. A new section is added to chapter 81.53 RCW to read as follows:

(1) To address the potential public safety hazards presented by private crossings in the state and by the transportation of hazardous materials in the state, including crude oil, the commission is authorized to and must adopt rules governing safety standards for private crossings along the railroad tracks over which crude oil is transported in the state. The commission is also authorized to conduct inspections of the private crossings subject to this section, to order the railroads to make improvements at the private crossings, and enforce the orders.

(2) The commission must adopt rules governing private crossings along railroad tracks over which crude oil is transported in the state, establishing:

(a) Minimum safety standards for the private crossings subject to this section, including, but not limited to, requirements for signage; and

(b) Criteria for prioritizing the inspection and improvements of the private crossings subject to this section.

(3) Nothing in this section modifies existing agreements between the railroad company and the landowner governing liability for injuries or damages occurring at the private crossing.

Sec. 23. RCW 88.46.180 and 2011 c 122 s 2 are each amended to read as follows:

(1) The department shall evaluate and update planning standards for oil spill response equipment required under contingency plans required by this chapter, including aerial surveillance, in order to ensure access in the state to equipment that represents the best achievable protection to respond to a worst case spill and provide for continuous operation of oil spill response activities to the maximum extent practicable and without jeopardizing crew safety, as determined by the incident commander or the unified command.

(2) The department shall by rule update the planning standards at five-year intervals to ensure the maintenance of best available protection over time. Rule updates to covered nontank vessels shall minimize potential impacts to discretionary cargo moved through the state.

~~((3) The department shall evaluate and update planning standards for tank vessels by December 31, 2012.))~~

Sec. 24. RCW 42.56.270 and 2014 c 192 s 6, 2014 c 174 s 5, and 2014 c 144 s 6 are each reenacted and amended to read as follows:

The following financial, commercial, and proprietary information is exempt from disclosure under this chapter:

(1) Valuable formulae, designs, drawings, computer source code or object code, and research data obtained by any agency within five years of the request for disclosure when disclosure would produce private gain and public loss;

(2) Financial information supplied by or on behalf of a person, firm, or corporation for the purpose of qualifying to submit a bid or proposal for (a) a ferry system construction or repair contract as required by RCW 47.60.680 through 47.60.750 or (b) highway construction or improvement as required by RCW 47.28.070;

(3) Financial and commercial information and records supplied by private persons pertaining to export services provided under chapters 43.163 and 53.31 RCW, and by persons pertaining to export projects under RCW 43.23.035;

(4) Financial and commercial information and records supplied by businesses or individuals during application for loans or program services provided by chapters 43.325, 43.163, 43.160, 43.330, and 43.168 RCW, or during application for economic

development loans or program services provided by any local agency;

(5) Financial information, business plans, examination reports, and any information produced or obtained in evaluating or examining a business and industrial development corporation organized or seeking certification under chapter 31.24 RCW;

(6) Financial and commercial information supplied to the state investment board by any person when the information relates to the investment of public trust or retirement funds and when disclosure would result in loss to such funds or in private loss to the providers of this information;

(7) Financial and valuable trade information under RCW 51.36.120;

(8) Financial, commercial, operations, and technical and research information and data submitted to or obtained by the clean Washington center in applications for, or delivery of, program services under chapter 70.95H RCW;

(9) Financial and commercial information requested by the public stadium authority from any person or organization that leases or uses the stadium and exhibition center as defined in RCW 36.102.010;

(10)(a) Financial information, including but not limited to account numbers and values, and other identification numbers supplied by or on behalf of a person, firm, corporation, limited liability company, partnership, or other entity related to an application for a horse racing license submitted pursuant to RCW 67.16.260(1)(b), marijuana producer, processor, or retailer license, liquor license, gambling license, or lottery retail license;

(b) Internal control documents, independent auditors' reports and financial statements, and supporting documents: (i) Of house-banked social card game licensees required by the gambling commission pursuant to rules adopted under chapter 9.46 RCW; or (ii) submitted by tribes with an approved tribal/state compact for class III gaming;

(11) Proprietary data, trade secrets, or other information that relates to: (a) A vendor's unique methods of conducting business; (b) data unique to the product or services of the vendor; or (c) determining prices or rates to be charged for services, submitted by any vendor to the department of social and health services for purposes of the development, acquisition, or implementation of state purchased health care as defined in RCW 41.05.011;

(12)(a) When supplied to and in the records of the department of commerce:

(i) Financial and proprietary information collected from any person and provided to the department of commerce pursuant to RCW 43.330.050(8); and

(ii) Financial or proprietary information collected from any person and provided to the department of commerce or the office of the governor in connection with the siting, recruitment, expansion, retention, or relocation of that person's business and until a siting decision is made, identifying information of any person supplying information under this subsection and the locations being considered for siting, relocation, or expansion of a business;

(b) When developed by the department of commerce based on information as described in (a)(i) of this subsection, any work product is not exempt from disclosure;

(c) For the purposes of this subsection, "siting decision" means the decision to acquire or not to acquire a site;

(d) If there is no written contact for a period of sixty days to the department of commerce from a person connected with siting, recruitment, expansion, retention, or relocation of that person's business, information described in (a)(ii) of this subsection will be available to the public under this chapter;

(13) Financial and proprietary information submitted to or obtained by the department of ecology or the authority created under chapter 70.95N RCW to implement chapter 70.95N RCW;

(14) Financial, commercial, operations, and technical and research information and data submitted to or obtained by the life sciences discovery fund authority in applications for, or delivery of, grants under chapter 43.350 RCW, to the extent that such information, if revealed, would reasonably be expected to result in private loss to the providers of this information;

(15) Financial and commercial information provided as evidence to the department of licensing as required by RCW 19.112.110 or 19.112.120, except information disclosed in aggregate form that does not permit the identification of information related to individual fuel licensees;

(16) Any production records, mineral assessments, and trade secrets submitted by a permit holder, mine operator, or landowner to the department of natural resources under RCW 78.44.085;

(17)(a) Farm plans developed by conservation districts, unless permission to release the farm plan is granted by the landowner or operator who requested the plan, or the farm plan is used for the application or issuance of a permit;

(b) Farm plans developed under chapter 90.48 RCW and not under the federal clean water act, 33 U.S.C. Sec. 1251 et seq., are subject to RCW 42.56.610 and 90.64.190;

(18) Financial, commercial, operations, and technical and research information and data submitted to or obtained by a health sciences and services authority in applications for, or delivery of, grants under RCW 35.104.010 through 35.104.060, to the extent that such information, if revealed, would reasonably be expected to result in private loss to providers of this information;

(19) Information gathered under chapter 19.85 RCW or RCW 34.05.328 that can be identified to a particular business;

(20) Financial and commercial information submitted to or obtained by the University of Washington, other than information the university is required to disclose under RCW 28B.20.150, when the information relates to investments in private funds, to the extent that such information, if revealed, would reasonably be expected to result in loss to the University of Washington consolidated endowment fund or to result in private loss to the providers of this information; ~~(and)~~

(21) Market share data submitted by a manufacturer under RCW 70.95N.190(4); ~~(and)~~

(22) Financial information supplied to the department of financial institutions or to a portal under RCW 21.20.883, when filed by or on behalf of an issuer of securities for the purpose of obtaining the exemption from state securities registration for small securities offerings provided under RCW 21.20.880 or when filed by or on behalf of an investor for the purpose of purchasing such securities; and

(23) Unaggregated or individual notices of a transfer of crude oil that is financial, proprietary, or commercial information, submitted to the department of ecology pursuant to section 8(1)(a) of this act, and that is in the possession of the department of ecology or any entity with which the department of ecology has shared the notice pursuant to section 8 of this act.

NEW SECTION. Sec. 25. A new section is added to chapter 90.56 RCW to read as follows:

(1) The department must provide to the relevant policy and fiscal committees of the senate and house of representatives:

(a) A review of all state geographic response plans and any federal requirements as needed in contingency plans required under RCW 90.56.210 and 88.46.060 by December 31, 2015; and

(b) Updates every two years, beginning December 31, 2017, and ending December 31, 2021, consistent with the requirements of RCW 43.01.036, as to the progress made in completing state

and federal geographic response plans as needed in contingency plans required under RCW 90.56.060, 90.56.210, and 88.46.060.

(2) The department must contract, if practicable, with eligible independent third parties to ensure completion by December 1, 2017, of at least fifty percent of the geographic response plans as needed in contingency plans required under RCW 90.56.210 and 88.46.060 for the state.

(3) All requirements in this section are subject to the availability of amounts appropriated for the specific purposes described.

NEW SECTION. Sec. 26. (1) Subject to the availability of amounts appropriated for this specific purpose, the department of ecology shall provide grants to emergency responders to assist with oil spill and hazardous materials response and firefighting equipment and resources needed to meet the requirements of this act.

(2) For the purposes of determining grant allocations, the department of ecology, in consultation with emergency first responders, oil spill response cooperatives, representatives from the oil and rail industries, and businesses that are recipients of liquid bulk crude oil shall: (a) Conduct an evaluation of oil spill and hazardous materials response and firefighting equipment and resources currently available for oil spill and hazardous materials response activities throughout the state; (b) review the local emergency management coordinating efforts for oil spill and hazardous materials response; (c) determine the need for additional, new, or updated equipment and resources; and (d) identify areas or regions of the state that are in greatest need of resources and oil spill and hazardous materials response and firefighting equipment.

(3) The department of ecology, in consultation with emergency first responders, oil spill response cooperatives, representatives from the oil and rail industries, and businesses that are recipients of liquid bulk crude oil shall review grant applications to prioritize grant awards using the evaluation of availability of oil spill and hazardous materials response and firefighting equipment and resources as determined in subsection (2) of this section.

(a) The application review must include evaluation of equipment and resource requests, funding requirements, and coordination with existing equipment and resources in the area.

(b) Funding must be prioritized for applicants from areas where the need for firefighting and oil spill and hazardous materials response equipment is the greatest as determined in subsection (2) of this section.

(c) Grants must be coordinated to maximize currently existing equipment and resources that have been put in place by first responders and industry.

NEW SECTION. Sec. 27. Before the start of the 2016 legislative session, the senate energy, environment, and telecommunications committee and the house of representatives environment committee must hold at least one joint meeting on oil spill prevention and response activities for international transport of liquid bulk crude oil. The committees may invite representatives of affected parties from the United States and Canada to address issues including but not limited to the following:

(1) Cooperative prevention and emergency response activities between shared international and state borders;

(2) Expected risks posed by the transport of liquid bulk crude oil throughout the Pacific Northwest region; and

(3) An update of the status of marine transport of liquid bulk crude oil through the Pacific Northwest region.

NEW SECTION. Sec. 28. This act is necessary for the immediate preservation of the public peace, health, or safety, or

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support of the state government and its existing public institutions, and takes effect July 1, 2015.

NEW SECTION. Sec. 29. By July 31, 2015, the state treasurer shall transfer two million two hundred twenty-five thousand dollars from the oil spill response account created in RCW 90.56.500 to the oil spill prevention account created in RCW 90.56.510.

NEW SECTION. Sec. 30. 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."

MOTION

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

On page 40, after line 28 of the amendment, insert the following:

"NEW SECTION. Sec. 28. A new section is added to chapter 90.56 RCW to read as follows:

To the extent practicable and consistent with RCW 88.46.180, the department shall periodically evaluate and update planning standards for oil spill response equipment required under contingency plans required by this chapter in order to ensure access in the state to equipment that represents the best achievable protection to respond to a worst case spill and provide for continuous operation of oil spill response activities to the maximum extent practicable and without jeopardizing crew safety, as determined by the incident commander or the unified command. The department must coordinate evaluation and update planning requirements under this section with requirements under RCW 88.46.180 to eliminate duplication."

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

Senators Bailey and McCoy spoke in favor of 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 Bailey on page 40, after line 28 to the striking amendment to Engrossed Substitute House Bill No. 1449.

The motion by Senator Bailey 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 Ericksen to Engrossed Substitute House Bill No. 1449 as amended.

The motion by Senator Ericksen carried and the striking amendment as amended 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 "safety;" strike the remainder of the title and insert "amending RCW 90.56.005, 90.56.010, 90.56.200, 90.56.210, 90.56.500, 90.56.510, 88.40.011, 82.23B.010, 82.23B.020, 82.23B.030, 82.23B.040, 81.24.010, 81.53.010, 81.53.240, and 88.46.180; reenacting and amending RCW 88.46.010, 38.52.040, and 42.56.270; adding new sections to chapter 90.56 RCW; adding a new section to chapter 81.04 RCW; adding a new section to chapter 88.16 RCW; adding a new section to chapter 81.44 RCW; adding a new section to chapter 81.53 RCW; creating new sections; providing

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an effective date; providing an expiration date; and declaring an emergency."

MOTION

On motion of Senator Ericksen, the rules were suspended, Engrossed Substitute House Bill No. 1449 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Ericksen, McCoy and Rolfes spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 1449 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 1449 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Danel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hatfield, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Kohl-Welles, Litzow, McAuliffe, McCoy, Miloscia, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Rivers, Roach, Rolfes, Schoesler, Sheldon and Warnick

Excused: Senators Lias, Mullet and Ranker

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1449 as amended by the Senate, 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.

SIGNED BY THE PRESIDENT

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

SUBSTITUTE HOUSE BILL NO. 1619,
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1807,
SUBSTITUTE HOUSE BILL NO. 1853,
ENGROSSED HOUSE BILL NO. 1943.

MOTION

On motion of Senator Fain and without objection, the rules were suspended and the Senate reconsidered the vote by which House Bill No. 2000, as amended by the senate, passed the senate earlier in the day.

MOTION

On motion of Senator Fain, the rules were suspended and House Bill No. 2000 was returned to second reading for the purposes of amendment.

MOTION

Senator Fain moved that the senate reconsider the vote by which the amendment by Senator Hill and others on page 2, line 7 to House Bill No. 2000 had been adopted earlier in the day.

Senator Fain spoke against the amendment.

The President declared the question before the Senate to be the adoption of the amendment by Senator Hill and others on page 2, line 7 to House Bill No. 2000 on reconsideration.

The motion by Senator Fain carried and the amendment was not adopted on reconsideration by voice vote.

SECOND READING

HOUSE BILL NO. 2000, by Representatives Hurst, Condotta and Tarleton

Authorizing the governor to enter into agreements with federally recognized Indian tribes in the state of Washington concerning marijuana.

The measure was read the second time.

MOTION

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

Strike everything after the enacting clause and insert the following: "**NEW SECTION. Sec. 1.** A new section is added to chapter 43.06 RCW to read as follows:

The legislature intends to further the government-to-government relationship between the state of Washington and federally recognized Indian tribes in the state of Washington by authorizing the governor to enter into agreements concerning the regulation of marijuana. Such agreements may include provisions pertaining to: The lawful commercial production, processing, sale, and possession of marijuana for both recreational and medical purposes; marijuana-related research activities; law enforcement, both criminal and civil; and taxation. The legislature finds that these agreements will facilitate and promote a cooperative and mutually beneficial relationship between the state and the tribes regarding matters relating to the legalization of marijuana, particularly in light of the fact that federal Indian law precludes the state from enforcing its civil regulatory laws in Indian country. Such cooperative agreements will enhance public health and safety, ensure a lawful and well-regulated marijuana market, encourage economic development, and provide fiscal benefits to both the tribes and the state.

NEW SECTION. Sec. 2. A new section is added to chapter 43.06 RCW to read as follows:

(1) The governor may enter into agreements with federally recognized Indian tribes concerning marijuana. Marijuana agreements may address any marijuana-related issue that involves both state and tribal interests or otherwise has an impact on tribal-state relations. Such agreements may include, but are not limited to, the following provisions and subject matter:

- (a) Criminal and civil law enforcement;
- (b) Regulatory issues related to the commercial production, processing, sale, and possession of marijuana, and processed marijuana products, for both recreational and medical purposes;
- (c) Medical and pharmaceutical research involving marijuana;
- (d) Taxation in accordance with subsection (2) of this section;
- (e) Any tribal immunities or preemption of state law regarding the production, processing, or marketing of marijuana; and
- (f) Dispute resolution, including the use of mediation or other nonjudicial process.

(2)(a) Each marijuana agreement adopted under this section must provide for a tribal marijuana tax that is at least one hundred percent of the state marijuana excise tax imposed under RCW 69.50.535 and state and local sales and use taxes on sales of marijuana. Marijuana

agreements apply to sales in which tribes, tribal enterprises, or tribal member-owned businesses (i) deliver or cause delivery to be made to or receive delivery from a marijuana producer, processor, or retailer licensed under chapter 69.50 RCW or (ii) physically transfer possession of the marijuana from the seller to the buyer within Indian country.

(b) The tribe may allow an exemption from tax for sales to the tribe, tribal enterprises, tribal member-owned businesses, or tribal members on marijuana grown, produced, or processed within its Indian country, or for activities to the extent they are exempt under state or federal law from the state marijuana excise tax imposed under RCW 69.50.535 or state and local sales or use taxes on sales of marijuana. Medical marijuana products used in the course of medical treatments by a clinic, hospital, or similar facility owned and operated by a federally recognized Indian tribe within its Indian country may be exempted from tax under the terms of an agreement entered into under this section.

(3) Any marijuana agreement relating to the production, processing, and sale of marijuana in Indian country, whether for recreational or medical purposes, must address the following issues:

- (a) Preservation of public health and safety;
 - (b) Ensuring the security of production, processing, retail, and research facilities; and
 - (c) Cross-border commerce in marijuana.
- (4) The governor may delegate the power to negotiate marijuana agreements to the state liquor control board. In conducting such negotiations, the state liquor control board must, when necessary, consult with the governor and/or the department of revenue.

(5) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

- (a) "Indian country" has the same meaning as in RCW 82.24.010.
- (b) "Indian tribe" or "tribe" means a federally recognized Indian tribe located within the geographical boundaries of the state of Washington.
- (c) "Marijuana" means "marijuana," "marijuana concentrates," "marijuana-infused products," and "useable marijuana," as those terms are defined in RCW 69.50.101.

NEW SECTION. Sec. 3. A new section is added to chapter 69.50 RCW to read as follows:

The taxes, fees, assessments, and other charges imposed by this chapter do not apply to commercial activities related to the production, processing, sale, and possession of marijuana, useable marijuana, marijuana concentrates, and marijuana-infused products covered by an agreement entered into under section 2 of this act.

NEW SECTION. Sec. 4. A new section is added to chapter 82.08 RCW to read as follows:

The taxes imposed by this chapter do not apply to the retail sale of marijuana, useable marijuana, marijuana concentrates, and marijuana-infused products covered by an agreement entered into under section 2 of this act. "Marijuana," "useable marijuana," "marijuana concentrates," and "marijuana-infused products" have the same meaning as defined in RCW 69.50.101.

NEW SECTION. Sec. 5. A new section is added to chapter 82.12 RCW to read as follows:

The taxes imposed by this chapter do not apply to the use of marijuana, useable marijuana, marijuana concentrates, and marijuana-infused products covered by an agreement entered into under section 2 of this act. "Marijuana," "useable marijuana," "marijuana concentrates," and "marijuana-infused products" have the same meaning as defined in RCW 69.50.101.

Sec. 6. RCW 69.50.360 and 2014 c 192 s 5 are each amended to read as follows:

The following acts, when performed by a validly licensed marijuana retailer or employee of a validly licensed retail outlet in compliance with rules adopted by the state liquor control board to implement

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and enforce chapter 3, Laws of 2013, (~~shall~~) do not constitute criminal or civil offenses under Washington state law:

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

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

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

(a) One ounce of useable marijuana;

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

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

(d) Seven grams of marijuana concentrate; and

(4) Purchase and receipt of marijuana concentrates, useable marijuana, or marijuana-infused products that have been properly packaged and labeled from a federally recognized Indian tribe as permitted under an agreement between the state and the tribe entered into under section 2 of this act.

Sec. 7. RCW 69.50.363 and 2013 c 3 s 16 are each amended to read as follows:

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

(1) Purchase and receipt of marijuana that has been properly packaged and labeled from a marijuana producer validly licensed under chapter 3, Laws of 2013;

(2) Possession, processing, packaging, and labeling of quantities of marijuana, useable marijuana, and marijuana-infused products that do not exceed the maximum amounts established by the state liquor control board under RCW 69.50.345(4); (~~and~~)

(3) Delivery, distribution, and sale of useable marijuana or marijuana-infused products to a marijuana retailer validly licensed under chapter 3, Laws of 2013; and

(4) Delivery, distribution, and sale of useable marijuana, marijuana concentrates, or marijuana-infused products to a federally recognized Indian tribe as permitted under an agreement between the state and the tribe entered into under section 2 of this act.

Sec. 8. RCW 69.50.366 and 2013 c 3 s 17 are each amended to read as follows:

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

(1) Production or possession of quantities of marijuana that do not exceed the maximum amounts established by the state liquor control board under RCW 69.50.345(3); (~~and~~)

(2) Delivery, distribution, and sale of marijuana to a marijuana processor or another marijuana producer validly licensed under chapter 3, Laws of 2013; and

(3) Delivery, distribution, and sale of marijuana or useable marijuana to a federally recognized Indian tribe as permitted under an agreement between the state and the tribe entered into under section 2 of this act."

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The President declared the question before the Senate to be the adoption of the striking amendment by Senators Fain and Nelson to House Bill No. 2000.

The motion by Senator Fain 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 3 of the title, after "marijuana," strike the remainder of the title and insert "amending RCW 69.50.360, 69.50.363, and 69.50.366; adding new sections to chapter 43.06 RCW; adding a new section to chapter 69.50 RCW; adding a new section to chapter 82.08 RCW; and adding a new section to chapter 82.12 RCW."

MOTION

On motion of Senator Fain, the rules were suspended, House Bill No. 2000 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

The President declared the question before the Senate to be the final passage of House Bill No. 2000 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2000 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, 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, Litzow, McAuliffe, McCoy, Miloscia, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Rivers, Roach, Rolfes, Schoesler, Sheldon and Warnick

Excused: Senators Liias, Mullet and Ranker

HOUSE BILL NO. 2000 as amended by the Senate, 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.

MESSAGE FROM THE HOUSE

April 24, 2015

MR. PRESIDENT:

The Speaker has signed:

SUBSTITUTE HOUSE BILL NO. 1619,
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1807,

SUBSTITUTE HOUSE BILL NO. 1853,
ENGROSSED HOUSE BILL NO. 1943,
and the same are herewith transmitted.

BERNARD DEAN, Deputy Chief Clerk

MESSAGE FROM THE HOUSE

April 24, 2015

MR. PRESIDENT:

The Speaker has signed:

SUBSTITUTE SENATE BILL NO. 5679,

ENGROSSED SUBSTITUTE SENATE BILL NO. 5884.

and the same are herewith transmitted.

BERNARD DEAN, Deputy Chief Clerk

Senator Fain announced that, while welcome to continue to attend, senators were excused as no further legislative matters would be dealt with and succeeding business would consist of administrative matters between the houses to close the regular session.

PERSONAL PRIVILEGE

Senator Fraser: "I would just like to let everybody know, in case you're sticking around this evening or tomorrow, in downtown Olympia it's Arts Walk tonight, which is a lot of fun. And, tomorrow, Arts Walk continues and, at 4:30, the fabulous, wonderful Procession of the Species goes through downtown Olympia. So, I encourage those who are staying to partake. Thank you."

PERSONAL PRIVILEGE

Senator Nelson: "Thank you Mr. President. One, I want to thank all the staff who work throughout this session for us – both our caucus staff and our central staff and I also want to thank our security guards. They're always here for us and making sure this floor is safe and I wanted to say thank you. Thank you Mr. President."

The staff were recognized by the senate.

MOTION

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

MOTION

Senator Fain moved adoption of the following resolution:

SENATE RESOLUTION

8681

By Senators Schoesler and Nelson

WHEREAS, The 2015 Regular Session of the Sixty-fourth Legislature is drawing to a close; and

WHEREAS, It is necessary to provide for the completion of the work of the Senate after its adjournment and during the interim period between the close of the 2015 Regular Session of the Sixty-fourth Legislature and the convening of the next regular session;

NOW, THEREFORE, BE IT RESOLVED, That the Senate Facilities and Operations Committee shall have full authority and direction over the authorization and execution of any contracts or subcontracts that necessitate the expenditure of Senate appropriations, subject to all applicable budget controls and limitations; and

BE IT FURTHER RESOLVED, That the Senate Facilities and Operations Committee may, as they deem appropriate, authorize travel for which members and staff may receive therefor their actual necessary expenses, and such per diem as may be

authorized by law, subject to all applicable budget controls and limitations, to be paid upon receipt of their vouchers out of funds appropriated for legislative expenses; and

BE IT FURTHER RESOLVED, That the Secretary of the Senate and the Senate Facilities and Operations Committee be, and they hereby are, authorized to retain such employees as they may deem necessary and that said employees be allowed such rate of pay therefor, subject to all applicable budget controls and limitations, as the Secretary of the Senate and the Senate Facilities and Operations Committee shall deem proper; and

BE IT FURTHER RESOLVED, That the Secretary of the Senate be, and he or she hereby is, authorized and directed to make out and execute the necessary vouchers upon which warrants for legislative expenses and expenditures shall be drawn from funds provided therefor; and

BE IT FURTHER RESOLVED, That the Secretary of the Senate and the Facilities and Operations Committee be, and they hereby are, authorized to approve written requests by standing committees to meet during the interim period; and

BE IT FURTHER RESOLVED, That the Secretary of the Senate be, and hereby is, authorized and directed to have printed a copy of the Senate Journals of the 2015 Regular Session of the Sixty-fourth Legislature; and

BE IT FURTHER RESOLVED, That the Rules Committee is authorized to assign subject matters to standing committees for study during the interim, and the Majority Leader is authorized to create special committees as may be necessary to carry out the functions of the Senate in an orderly manner and appoint members thereto with the approval of the Facilities and Operations Committee; and

BE IT FURTHER RESOLVED, That the Secretary of the Senate is authorized to express the sympathy of the Senate by sending flowers or memorials in the event of a bereavement in the legislative "family"; and

BE IT FURTHER RESOLVED, That such use of the Senate facilities is permitted upon such terms as the Secretary of the Senate shall deem proper.

POINT OF INQUIRY

Senator Hasegawa: "Is this a standard resolution that we normally adopt at the end of session?"

REPLY BY SENATOR FAIN

Senator Fain: "Thank you Mr. President. This is the resolution as agreed to by our Majority and Minority Leaders having to do with the activities of interim committees. It is a customary resolution to be adopted at this point. Thank you for the question."

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8681.

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

MOTION

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

MESSAGE FROM THE HOUSE

April 24, 2015

MR. PRESIDENT:

ONE HUNDRED THIRD DAY, APRIL 24, 2015

2015 REGULAR SESSION

The House has adopted:
 HOUSE CONCURRENT RESOLUTION NO. 4404,
 HOUSE CONCURRENT RESOLUTION NO. 4405,
 and the same are herewith transmitted.

HOUSE CONCURRENT RESOLUTION NO. 4405, by
 Representatives Sullivan and Kretz

BARBARA BAKER, Chief Clerk

Adjourning the 2015 Regular Session of the Sixty-fourth
 Legislature SINE DIE.

April 24, 2015

The measure was read the second time.

MR. PRESIDENT:

MOTION

The House concurred in the Senate amendments to the
 following bills and passed the bills as amended by the Senate:
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1449,
 HOUSE BILL NO. 2000,
 and the same are herewith transmitted.

On motion of Senator Fain, the rules were suspended, House
 Concurrent Resolution No. 4405 was advanced to third reading,
 the second reading considered the third and the resolution was
 placed on final passage.

BARBARA BAKER, Chief Clerk

The President declared the question before the Senate to be
 the final passage of House Concurrent Resolution No. 4405.

MOTION

HOUSE CONCURRENT RESOLUTION NO. 4405 having
 received a majority was adopted by voice vote.

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

MOTION

SUPPLEMENTAL INTRODUCTION AND FIRST READING

On motion of Senator Fain and without objection, all
 measures on the second and third reading calendars and being
 held at the desk were referred to the Committee on Rules.

HCR 4404 by Representatives Sullivan and Kretz
 Returning bills to their house of origin.

Pursuant to Joint Rule 21, the Speaker of the House,
 Representative Frank Chopp, appeared at the bar and delivered
 the day's final messages from the House. [To applause and
 laughter.]

HCR 4405 by Representatives Sullivan and Kretz
 Adjourning the 2015 Regular Session of the Sixty-fourth
 Legislature SINE DIE.

The President invited senators, staff and any members of the
 public onto the senate floor to line the aisle asking that they not sit
 at the desks.

MOTION

On motion of Senator Fain, the rules were suspended and
 House Concurrent Resolution No. 4404 and House Concurrent
 Resolution No. 4405 were placed on the second reading calendar.

MOTION

MOTION

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

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

MESSAGE FROM THE HOUSE

SECOND READING

April 24, 2015

HOUSE CONCURRENT RESOLUTION NO. 4404, by
 Representatives Sullivan and Kretz

MR. PRESIDENT:

Returning bills to their house of origin.

The Speaker has signed:

The measure was read the second time.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1449,
 HOUSE BILL NO. 2000,
 HOUSE CONCURRENT RESOLUTION NO. 4404,
 HOUSE CONCURRENT RESOLUTION NO. 4405.
 and the same are herewith transmitted.

MOTION

BARBARA BAKER, Chief Clerk

On motion of Senator Fain, the rules were suspended, House
 Concurrent Resolution No. 4404 was advanced to third reading,
 the second reading considered the third and the resolution was
 placed on final passage.

SIGNED BY THE PRESIDENT

The President declared the question before the Senate to be
 the final passage of House Concurrent Resolution No. 4404.

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. 4404 having
 received a majority was adopted by voice vote.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1449,
 HOUSE BILL NO. 2000.

SIGNED BY THE PRESIDENT

SECOND READING

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. 4404,
HOUSE CONCURRENT RESOLUTION NO. 4405.

MOTION

On motion of Senator Fain, the reading of the Journal for the 103rd day of the 2015 Regular Session of the 64th Legislature was dispensed with and it was approved.

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:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1126,
SUBSTITUTE HOUSE BILL NO. 1240,
HOUSE BILL NO. 1389,
SUBSTITUTE HOUSE BILL NO. 1503,
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1546,
HOUSE BILL NO. 1550,
HOUSE BILL NO. 1599,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1671,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1844,
SUBSTITUTE HOUSE BILL NO. 1879,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1980,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2093.

Under the provisions of HOUSE CONCURRENT RESOLUTION NO. 4404, the following House measures were returned to the House of Representatives:

HOUSE BILL NO. 1003,
HOUSE BILL NO. 1014,
SUBSTITUTE HOUSE BILL NO. 1021,
HOUSE BILL NO. 1022,
SUBSTITUTE HOUSE BILL NO. 1031,
HOUSE BILL NO. 1032,
HOUSE BILL NO. 1034,
HOUSE BILL NO. 1036,
SUBSTITUTE HOUSE BILL NO. 1037,
HOUSE BILL NO. 1042,
SUBSTITUTE HOUSE BILL NO. 1048,
SUBSTITUTE HOUSE BILL NO. 1053,
SUBSTITUTE HOUSE BILL NO. 1070,
SUBSTITUTE HOUSE BILL NO. 1085,
ENGROSSED HOUSE BILL NO. 1087,
SUBSTITUTE HOUSE BILL NO. 1089,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1093,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1094,
SECOND SUBSTITUTE HOUSE BILL NO. 1095,
SUBSTITUTE HOUSE BILL NO. 1100,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1103,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1106,
SUBSTITUTE HOUSE BILL NO. 1109,
HOUSE BILL NO. 1111,
HOUSE BILL NO. 1113,
SECOND SUBSTITUTE HOUSE BILL NO. 1118,
SUBSTITUTE HOUSE BILL NO. 1121,
ENGROSSED HOUSE BILL NO. 1123,
HOUSE BILL NO. 1129,
HOUSE BILL NO. 1134,
SUBSTITUTE HOUSE BILL NO. 1135,
HOUSE BILL NO. 1139,

HOUSE BILL NO. 1142,
SUBSTITUTE HOUSE BILL NO. 1148,
SUBSTITUTE HOUSE BILL NO. 1149,
SUBSTITUTE HOUSE BILL NO. 1157,
SUBSTITUTE HOUSE BILL NO. 1159,
SUBSTITUTE HOUSE BILL NO. 1166,
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1174,
SUBSTITUTE HOUSE BILL NO. 1178,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1186,
HOUSE BILL NO. 1189,
SUBSTITUTE HOUSE BILL NO. 1190,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1211,
HOUSE BILL NO. 1230,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1236,
SUBSTITUTE HOUSE BILL NO. 1238,
SUBSTITUTE HOUSE BILL NO. 1248,
ENGROSSED HOUSE BILL NO. 1258,
HOUSE BILL NO. 1260,
HOUSE BILL NO. 1294,
SUBSTITUTE HOUSE BILL NO. 1295,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1299,
HOUSE BILL NO. 1304,
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1320,
HOUSE BILL NO. 1322,
HOUSE BILL NO. 1339,
HOUSE BILL NO. 1345,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1349,
HOUSE BILL NO. 1355,
HOUSE BILL NO. 1356,
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1368,
SUBSTITUTE HOUSE BILL NO. 1369,
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1390,
HOUSE BILL NO. 1397,
SUBSTITUTE HOUSE BILL NO. 1408,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1417,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1420,
SUBSTITUTE HOUSE BILL NO. 1428,
SUBSTITUTE HOUSE BILL NO. 1430,
SECOND SUBSTITUTE HOUSE BILL NO. 1436,
SUBSTITUTE HOUSE BILL NO. 1439,
ENGROSSED HOUSE BILL NO. 1443,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1448,
HOUSE BILL NO. 1465,
SUBSTITUTE HOUSE BILL NO. 1470,
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1472,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1495,
SUBSTITUTE HOUSE BILL NO. 1505,
SUBSTITUTE HOUSE BILL NO. 1511,
HOUSE BILL NO. 1512,
ENGROSSED HOUSE BILL NO. 1513,
HOUSE BILL NO. 1532,
SUBSTITUTE HOUSE BILL NO. 1536,
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1541,
HOUSE BILL NO. 1545,
SUBSTITUTE HOUSE BILL NO. 1551,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1553,
HOUSE BILL NO. 1560,
HOUSE BILL NO. 1561,
SUBSTITUTE HOUSE BILL NO. 1562,
SUBSTITUTE HOUSE BILL NO. 1570,

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ENGROSSED SUBSTITUTE HOUSE BILL NO. 1571,
 SUBSTITUTE HOUSE BILL NO. 1576,
 HOUSE BILL NO. 1590,
 HOUSE BILL NO. 1605,
 HOUSE BILL NO. 1626,
 ENGROSSED HOUSE BILL NO. 1632,
 SUBSTITUTE HOUSE BILL NO. 1644,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1646,
 HOUSE BILL NO. 1647,
 SUBSTITUTE HOUSE BILL NO. 1651,
 HOUSE BILL NO. 1666,
 SUBSTITUTE HOUSE BILL NO. 1667,
 SUBSTITUTE HOUSE BILL NO. 1668,
 HOUSE BILL NO. 1672,
 SUBSTITUTE HOUSE BILL NO. 1676,
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.
 1682,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1685,
 SUBSTITUTE HOUSE BILL NO. 1696,
 HOUSE BILL NO. 1704,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1713,
 ENGROSSED HOUSE BILL NO. 1729,
 HOUSE BILL NO. 1732,
 SECOND SUBSTITUTE HOUSE BILL NO. 1735,
 SUBSTITUTE HOUSE BILL NO. 1737,
 SUBSTITUTE HOUSE BILL NO. 1738,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1740,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1745,
 HOUSE BILL NO. 1752,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1754,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1762,
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.
 1763,
 HOUSE BILL NO. 1770,
 HOUSE BILL NO. 1771,
 SUBSTITUTE HOUSE BILL NO. 1783,
 SUBSTITUTE HOUSE BILL NO. 1790,
 SUBSTITUTE HOUSE BILL NO. 1793,
 HOUSE BILL NO. 1804,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1808,
 SUBSTITUTE HOUSE BILL NO. 1813,
 HOUSE BILL NO. 1820,
 HOUSE BILL NO. 1821,
 SUBSTITUTE HOUSE BILL NO. 1822,
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.
 1825,
 SUBSTITUTE HOUSE BILL NO. 1830,
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.
 1836,
 HOUSE BILL NO. 1839,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1845,
 SUBSTITUTE HOUSE BILL NO. 1855,
 ENGROSSED HOUSE BILL NO. 1859,
 HOUSE BILL NO. 1863,
 HOUSE BILL NO. 1865,
 SUBSTITUTE HOUSE BILL NO. 1874,
 SUBSTITUTE HOUSE BILL NO. 1892,
 SUBSTITUTE HOUSE BILL NO. 1893,
 SECOND SUBSTITUTE HOUSE BILL NO. 1916,
 HOUSE BILL NO. 1918,
 SUBSTITUTE HOUSE BILL NO. 1956,
 SUBSTITUTE HOUSE BILL NO. 1966,
 SUBSTITUTE HOUSE BILL NO. 1967,
 HOUSE BILL NO. 1987,
 HOUSE BILL NO. 1990,

HOUSE BILL NO. 1995,
 ENGROSSED HOUSE BILL NO. 1998,
 SECOND SUBSTITUTE HOUSE BILL NO. 1999,
 HOUSE BILL NO. 2010,
 SUBSTITUTE HOUSE BILL NO. 2012,
 SUBSTITUTE HOUSE BILL NO. 2017,
 HOUSE BILL NO. 2023,
 HOUSE BILL NO. 2033,
 SECOND SUBSTITUTE HOUSE BILL NO. 2041,
 HOUSE BILL NO. 2046,
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.
 2060,
 ENGROSSED HOUSE BILL NO. 2084,
 SUBSTITUTE HOUSE BILL NO. 2085,
 ENGROSSED HOUSE BILL NO. 2086,
 SUBSTITUTE HOUSE BILL NO. 2107,
 SUBSTITUTE HOUSE BILL NO. 2109,
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.
 2136,
 SUBSTITUTE HOUSE BILL NO. 2160,
 ENGROSSED HOUSE BILL NO. 2212,
 HOUSE BILL NO. 2217,
 HOUSE CONCURRENT RESOLUTION NO. 4401.

April 24, 2015

Under the provisions of HOUSE CONCURRENT RESOLUTION NO. 4404, the following House bill was returned to the House of Representatives:

SECOND SUBSTITUTE HOUSE BILL NO. 1469.

MESSAGE FROM THE HOUSE

April 24, 2015

MR. PRESIDENT:

Under the provisions of HOUSE CONCURRENT RESOLUTION NO. 4404, the following Senate bills are returned to the Senate:

SENATE BILL NO. 5001,
 SUBSTITUTE SENATE BILL NO. 5012,
 ENGROSSED SENATE BILL NO. 5014,
 SENATE BILL NO. 5015,
 SUBSTITUTE SENATE BILL NO. 5018,
 SENATE BILL NO. 5020,
 SUBSTITUTE SENATE BILL NO. 5022,
 SUBSTITUTE SENATE BILL NO. 5025,
 SUBSTITUTE SENATE BILL NO. 5028,
 SUBSTITUTE SENATE BILL NO. 5037,
 SENATE BILL NO. 5046,
 SENATE BILL NO. 5064,
 SUBSTITUTE SENATE BILL NO. 5066,
 SUBSTITUTE SENATE BILL NO. 5072,
 SUBSTITUTE SENATE BILL NO. 5073,
 SENATE BILL NO. 5074,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5077,
 SENATE BILL NO. 5079,
 ENGROSSED SENATE BILL NO. 5091,
 SECOND SUBSTITUTE SENATE BILL NO. 5093,
 SENATE BILL NO. 5094,
 SECOND SUBSTITUTE SENATE BILL NO. 5105,
 SENATE BILL NO. 5106,
 ENGROSSED SENATE BILL NO. 5111,
 SUBSTITUTE SENATE BILL NO. 5112,
 SUBSTITUTE SENATE BILL NO. 5113,
 SECOND SUBSTITUTE SENATE BILL NO. 5127,

ENGROSSED SUBSTITUTE SENATE BILL NO. 5133,
 SENATE BILL NO. 5137,
 SUBSTITUTE SENATE BILL NO. 5138,
 SECOND SUBSTITUTE SENATE BILL NO. 5142,
 SENATE BILL NO. 5143,
 SUBSTITUTE SENATE BILL NO. 5145,
 SENATE BILL NO. 5146,
 SENATE BILL NO. 5155,
 SENATE BILL NO. 5164,
 SUBSTITUTE SENATE BILL NO. 5167,
 SENATE BILL NO. 5171,
 SENATE BILL NO. 5172,
 SENATE BILL NO. 5174,
 ENGROSSED SECOND SUBSTITUTE SENATE BILL
 NO. 5177,
 SENATE BILL NO. 5180,
 SENATE BILL NO. 5182,
 SUBSTITUTE SENATE BILL NO. 5186,
 SENATE BILL NO. 5204,
 SENATE BILL NO. 5205,
 SUBSTITUTE SENATE BILL NO. 5206,
 SUBSTITUTE SENATE BILL NO. 5221,
 ENGROSSED SENATE BILL NO. 5226,
 SENATE BILL NO. 5233,
 SUBSTITUTE SENATE BILL NO. 5234,
 ENGROSSED SECOND SUBSTITUTE SENATE BILL
 NO. 5243,
 SENATE BILL NO. 5247,
 ENGROSSED SENATE BILL NO. 5251,
 SECOND SUBSTITUTE SENATE BILL NO. 5252,
 SUBSTITUTE SENATE BILL NO. 5264,
 SENATE BILL NO. 5270,
 SENATE BILL NO. 5271,
 SENATE BILL NO. 5272,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5282,
 SENATE BILL NO. 5290,
 SENATE BILL NO. 5295,
 SUBSTITUTE SENATE BILL NO. 5298,
 SENATE BILL NO. 5310,
 SENATE BILL NO. 5312,
 SECOND SUBSTITUTE SENATE BILL NO. 5315,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5316,
 SUBSTITUTE SENATE BILL NO. 5317,
 SENATE BILL NO. 5318,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5321,
 SUBSTITUTE SENATE BILL NO. 5324,
 SENATE BILL NO. 5330,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5343,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5347,
 SUBSTITUTE SENATE BILL NO. 5350,
 SUBSTITUTE SENATE BILL NO. 5355,
 SENATE BILL NO. 5363,
 SENATE BILL NO. 5379,
 SUBSTITUTE SENATE BILL NO. 5380,
 SENATE BILL NO. 5394,
 SENATE BILL NO. 5395,
 SENATE BILL NO. 5396,
 SUBSTITUTE SENATE BILL NO. 5397,
 SUBSTITUTE SENATE BILL NO. 5398,
 SECOND SUBSTITUTE SENATE BILL NO. 5403,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5407,
 SUBSTITUTE SENATE BILL NO. 5411,
 ENGROSSED SENATE BILL NO. 5416,
 SUBSTITUTE SENATE BILL NO. 5418,
 SUBSTITUTE SENATE BILL NO. 5436,
 SENATE BILL NO. 5442,

SECOND SUBSTITUTE SENATE BILL NO. 5449,
 SUBSTITUTE SENATE BILL NO. 5451,
 ENGROSSED SECOND SUBSTITUTE SENATE BILL
 NO. 5452,
 SUBSTITUTE SENATE BILL NO. 5455,
 SENATE BILL NO. 5457,
 SENATE BILL NO. 5458,
 SUBSTITUTE SENATE BILL NO. 5463,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5470,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5477,
 SUBSTITUTE SENATE BILL NO. 5485,
 SUBSTITUTE SENATE BILL NO. 5487,
 SENATE BILL NO. 5491,
 SENATE BILL NO. 5496,
 SENATE BILL NO. 5499,
 SENATE BILL NO. 5511,
 ENGROSSED SENATE BILL NO. 5513,
 ENGROSSED SENATE BILL NO. 5523,
 ENGROSSED SENATE BILL NO. 5524,
 SUBSTITUTE SENATE BILL NO. 5529,
 SENATE BILL NO. 5542,
 SENATE BILL NO. 5555,
 SUBSTITUTE SENATE BILL NO. 5563,
 SENATE BILL NO. 5581,
 SUBSTITUTE SENATE BILL NO. 5583,
 SENATE BILL NO. 5587,
 SUBSTITUTE SENATE BILL NO. 5601,
 SUBSTITUTE SENATE BILL NO. 5609,
 SENATE BILL NO. 5620,
 SUBSTITUTE SENATE BILL NO. 5622,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5623,
 ENGROSSED SENATE BILL NO. 5624,
 SENATE BILL NO. 5634,
 SUBSTITUTE SENATE BILL NO. 5640,
 SUBSTITUTE SENATE BILL NO. 5645,
 SENATE BILL NO. 5654,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5656,
 SENATE BILL NO. 5658,
 SUBSTITUTE SENATE BILL NO. 5670,
 ENGROSSED SENATE BILL NO. 5673,
 SUBSTITUTE SENATE BILL NO. 5681,
 ENGROSSED SECOND SUBSTITUTE SENATE BILL
 NO. 5688,
 SENATE BILL NO. 5689,
 SUBSTITUTE SENATE BILL NO. 5694,
 SUBSTITUTE SENATE BILL NO. 5705,
 SENATE BILL NO. 5712,
 SUBSTITUTE SENATE BILL NO. 5715,
 SENATE BILL NO. 5723,
 SENATE BILL NO. 5725,
 SUBSTITUTE SENATE BILL NO. 5730,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5735,
 ENGROSSED SECOND SUBSTITUTE SENATE BILL
 NO. 5737,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5748,
 SECOND SUBSTITUTE SENATE BILL NO. 5755,
 SENATE BILL NO. 5761,
 SUBSTITUTE SENATE BILL NO. 5763,
 SENATE BILL NO. 5777,
 SENATE BILL NO. 5779,
 SENATE BILL NO. 5783,
 SUBSTITUTE SENATE BILL NO. 5799,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5804,
 SENATE BILL NO. 5819,
 SUBSTITUTE SENATE BILL NO. 5820,
 SENATE BILL NO. 5840,

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SENATE BILL NO. 5841,
 ENGROSSED SENATE BILL NO. 5854,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5857,
 ENGROSSED SENATE BILL NO. 5873,
 ENGROSSED SENATE BILL NO. 5874,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5899,
 SENATE BILL NO. 5903,
 SENATE BILL NO. 5914,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5915,
 SENATE BILL NO. 5919,
 ENGROSSED SENATE BILL NO. 5921,
 SENATE BILL NO. 5941,
 ENGROSSED SENATE BILL NO. 5944,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5954,
 ENGROSSED SENATE BILL NO. 5959,
 SUBSTITUTE SENATE BILL NO. 5960,
 SUBSTITUTE SENATE BILL NO. 5965,
 SUBSTITUTE SENATE BILL NO. 5972,
 SENATE BILL NO. 5977,
 SENATE BILL NO. 5978,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5987,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5988,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5990,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5991,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5992,
 ENGROSSED SENATE BILL NO. 5993,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5994,
 ENGROSSED SENATE BILL NO. 5995,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5996,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5997,
 ENGROSSED SENATE BILL NO. 6044,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6062,

ENGROSSED SUBSTITUTE SENATE BILL NO. 6080,
 SUBSTITUTE SENATE BILL NO. 6088,
 ENGROSSED SENATE BILL NO. 6089,
 SENATE BILL NO. 6092,
 SENATE JOINT MEMORIAL NO. 8000,
 SENATE JOINT MEMORIAL NO. 8006,
 SUBSTITUTE SENATE JOINT MEMORIAL NO. 8007,
 ENGROSSED SENATE JOINT RESOLUTION NO. 8204,
 and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

MOTION

At 6:12 p.m., on motion of Senator Fain, the 2015 Regular Session of the Sixty-Fourth Legislature adjourned SINE DIE.

BRAD OWEN, President of the Senate

HUNTER G. GOODMAN, Secretary of the Senate

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