

TWENTY SECOND DAY

MORNING SESSION

Senate Chamber, Olympia  
Tuesday, June 13, 2017

The Senate was called to order at 8:50 a.m. by the President Pro Tempore, Senator Sheldon presiding. No roll call was taken.

MOTION

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

MOTION

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

REPORTS OF STANDING COMMITTEES

June 12, 2017

SB 5945 Prime Sponsor, Senator Zeiger: Addressing the siting of schools and school facilities. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Zeiger, Chair; Fain, Vice Chair; Rivers and Warnick.

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

Referred to Committee on Rules for second reading.

June 12, 2017

ESHB 1046 Prime Sponsor, Committee on Education: Concerning certificates of academic and individual achievement. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass as amended. Signed by Senators Zeiger, Chair; Fain, Vice Chair; Rivers and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Rolfes, Ranking Minority Member.

Referred to Committee on Rules for second reading.

MOTION

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

MOTION

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

INTRODUCTION AND FIRST READING

SB 5951 by Senator Rolfes

AN ACT Relating to providing flexibility in high school graduation requirements and supporting student success during the transition to a federal every student succeeds act-compliant accountability system; amending RCW 28A.230.090, 28A.305.130, 28A.655.068, 28A.655.070, 28A.320.195, and 28A.700.080; adding new sections to chapter 28A.655 RCW; creating a new section; repealing RCW 28A.655.061, 28A.655.063, 28A.655.065, and 28A.655.066; and declaring an emergency.

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

MOTION

On motion of Senator Fain, the measure listed on the Introduction and First Reading report was referred to the committee as designated.

MOTION

On motion of Senator Fain, House Bill No. 2213 which had been previously held at the desk on May 29, 2017 was placed on the second reading calendar.

MOTION

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

MOTION

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

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

MOTION

Senator Fain moved adoption of the following resolution:

SENATE RESOLUTION  
8667

By Senator Fain

WHEREAS, The City of Auburn 4th of July Festival is a longstanding community tradition; and

WHEREAS, The City of Auburn works hard to host an event that focuses on inclusion, patriotism, and fun; and

WHEREAS, The event takes advantage of Les Gove Park, a staple of the community since 1960; and

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WHEREAS, This year's event will feature entertainment, arts and crafts, a car show, inflatable rides, a rock wall, and trampolines to ensure fun for all; and

WHEREAS, The Auburn 4th of July Festival represents the important role city government has in promoting the celebration of one of our nation's most important holidays;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate recognize the City of Auburn 4th of July Festival as a longstanding community tradition.

The President Pro Tempore declared the question before the Senate to be the adoption of Senate Resolution No. 8667.

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

MOTION

Senator Fain moved adoption of the following resolution:

SENATE RESOLUTION  
8668

By Senator Fain

WHEREAS, June 19th is recognized as a celebration of the Emancipation Proclamation and the ending of slavery in the state of Texas; and

WHEREAS, This date is celebrated across the United States as Juneteenth; and

WHEREAS, Juneteenth gives us time to take pause and reflect on the importance of this historic day and the important contributions of African American culture; and

WHEREAS, The Kent Black Action Commission is a local organization that works to improve awareness of and find solutions to issues important to African Americans in the Kent community around politics, health, social issues, and education; and

WHEREAS, The Kent Black Action Commission promotes citizenship each year with an annual student trip to the Washington State Capitol on Martin Luther King, Jr. Day; and

WHEREAS, The Kent Black Action Commission recognizes the importance of Juneteenth as part of our nation's history and each year hosts celebration featuring song, dance, recognition of local students, and sharing of African American culture with the local community; and

WHEREAS, This year's celebration will take place in Morrill Meadows Park in Kent and features the talents of local jazz guitarist Michael Powers;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate recognize the Kent Black Action Commission for leading efforts to Juneteenth in the city of Kent and for its years of dedication and service to the Kent Community.

The President Pro Tempore declared the question before the Senate to be the adoption of Senate Resolution No. 8668.

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

MOTION

At 8:58 a.m., on motion of Senator Fain, the Senate was declared to be at ease subject to the call of the President.

The Senate was called to order at 1:06 p.m. by President Pro Tempore Sheldon. The Secretary called the roll and announced to the President that all Senators were present.

The Sergeant at Arms Color Guard consisting of Ms. Sienna Foster and Ms. Jennifer Minich, presented the Colors. The President Pro Tempore led the Senate in the Pledge of Allegiance. The prayer was offered by Senator Kirk Pearson, 39th Legislative District, Monroe.

MOTION

Senator Liias moved adoption of the following resolution:

SENATE RESOLUTION  
8666

By Senators Liias, McCoy, Nelson, Hobbs, Takko, Pedersen, Keiser, Rolfes, Kuderer, Saldaña, Palumbo, Hunt, Darneille, Conway, Frockt, Carlyle, Mullet, and Billig

WHEREAS, Mike Lowry was the 20th Governor of Washington State, serving from 1993 to 1997; and

WHEREAS, Lowry was born and raised in Whitman County Washington, in the town of St. John, and graduated from Washington State University in 1962; and

WHEREAS, Lowry began his 19-year political career in 1975 when he was elected to the King County Council, and, in 1979, was elected as a member of U.S. House of Representatives from Washington's 7th district where he served for 10 years; and

WHEREAS, While in congress, Lowry sponsored legislation to provide restitution for more than 110,000 Japanese-Americans and Aleuts interned during World War II, which was the first piece of legislation to address this in our nation's history; and

WHEREAS, Lowry was a leader in passing the 1984 Washington Wilderness Act, worked to protect our state's maritime habitat, and pushed to require safety equipment on commercial fishing vessels; and

WHEREAS, Lowry garnered respect from both political parties with his straight-forward nature, honesty, and willingness to reach across the aisle; and

WHEREAS, Lowry was a staunch protector of the environment and went on to found and cochair the Washington Wildlife and Recreation Coalition with Governor Dan Evans; and

WHEREAS, Lowry will forever be remembered for his compassion towards the HIV/AIDS epidemic and for being one of the earliest advocates seeking funding to address the crisis; and

WHEREAS, Lowry revolutionized our state health care system by tying premiums to a family or an individual's ability to pay, and opening up coverage to low-income and middle-income families across Washington; and

WHEREAS, Family, friends, and colleagues will forever have fond memories of Lowry's annual summer shrimp feeds; and

WHEREAS, After his retirement from public service, Lowry continued his service to the State of Washington by doing pro bono work for many nonprofit and charitable organizations, including Washington Agricultural Families Assistance, which advocates for building affordable housing for migrant farm workers; and

WHEREAS, Mike Lowry is survived by his wife Mary, daughter Diane Lowry Oakes, son-in-law Scott Oakes, grandsons Tyler and Lucas Oakes, sister Suellen Lowry, nephews Keith Vertrees and Matthew Hibschman, and niece Ann Vertrees;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate honor former Governor Mike Lowry for a life truly dedicated to public service, during which he

exemplified the attributes of courage, fairness, compassion, and forthrightness in service to the citizens of Washington State; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to Mike Lowry's family.

Senators Liias, Hunt, Fain, Schoesler, Chase and Walsh spoke in favor of adoption of the resolution.

#### REMARKS BY THE PRESIDENT

President Pro Tempore Sheldon: "The President would just like to take a moment to have a couple of remembrances about Governor Lowry. I think Governor Lowry was the second governor that I served with, of five governors. He was always open to new ideas. That is what really impressed me. He was such a friendly person and gregarious is an understatement for Governor Lowry. Senator Schoesler mentioned the Mariners stadium. That was an interesting time for the Legislature. It was a special session like this, but called for three days and Governor Lowry worked both sides. He was very committed to this project with Senator Slade Gorton, and it is amazing that it did happen, and I think people are reaping those benefits a long time after the bill was passed. He was also very good at looking at state government and trying to consolidate. At that time we had an office of community development, one of trade and economic development, and that consolidation saved the state a lot of money and worked well. So, thank you."

The President Pro Tempore declared the question before the Senate to be the adoption of Senate Resolution No. 8666.

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

#### INTRODUCTION OF SPECIAL GUESTS

The President Pro Tempore welcomed and introduced members of the Lowry family who were seated in the gallery: Mary Lowry (wife), Diane Lowry Oakes (daughter), Scott Oakes (son-in-law), Lucas Oakes (grandson) and Tyler Oakes (grandson).

#### MOTION

At 1:30 p.m., on motion of Senator Fain, the Senate was declared to be at ease subject to the call of the President.

Senator Wellman announced a meeting of the Democratic Caucus.

The Senate was called to order at 3:37 p.m. by President Pro Tempore Sheldon.

#### MOTION

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

#### THIRD READING CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

#### MOTION

Senator Pedersen moved that MICHAEL S. SHIOSAKI, Gubernatorial Appointment No. 9184, be confirmed as a member of the Recreation and Conservation Funding Board.

Senator Pedersen spoke in favor of the motion.

#### APPOINTMENT OF MICHAEL S. SHIOSAKI

#### MOTION

On motion of Senator Saldaña, Senator McCoy was excused.

The President Pro Tempore declared the question before the Senate to be the confirmation of MICHAEL S. SHIOSAKI, Gubernatorial Appointment No. 9184, as a member of the Recreation and Conservation Funding Board.

The Secretary called the roll on the confirmation of MICHAEL S. SHIOSAKI, Gubernatorial Appointment No. 9184, as a member of the Recreation and Conservation Funding Board and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Darneille, Ericksen, Fain, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Miloscia, Mullet, Nelson, O'Ban, Padden, Palumbo, Pearson, Pedersen, Ranker, Rivers, Rolfes, Rossi, Saldaña, Schoesler, Sheldon, Short, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson and Zeiger

Excused: Senator McCoy

MICHAEL S. SHIOSAKI, Gubernatorial Appointment No. 9184, having received the constitutional majority was declared confirmed as a member of the Recreation and Conservation Funding Board.

#### MOTION

Senator Wellman moved that RITA E. DILLON, Gubernatorial Appointment No. 9060, be confirmed as a member of the Small Business Export Finance Assistance Center Board of Directors.

Senators Wellman and Warnick spoke in favor of passage of the motion.

#### APPOINTMENT OF RITA E. DILLON

The President Pro Tempore declared the question before the Senate to be the confirmation of RITA E. DILLON, Gubernatorial Appointment No. 9060, as a member of the Small Business Export Finance Assistance Center Board of Directors.

The Secretary called the roll on the confirmation of RITA E. DILLON, Gubernatorial Appointment No. 9060, as a member of the Small Business Export Finance Assistance Center Board of Directors and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Darneille, Ericksen, Fain, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Miloscia, Mullet, Nelson, O'Ban, Padden, Palumbo, Pearson, Pedersen, Ranker, Rivers, Rolfes, Rossi, Saldaña, Schoesler, Sheldon, Short, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson and Zeiger

Excused: Senator McCoy

RITA E. DILLON, Gubernatorial Appointment No. 9060, having received the constitutional majority was declared

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confirmed as a member of the Small Business Export Finance Assistance Center Board of Directors.

The bill was read on Third Reading.

MOTION

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

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

Senator Carlyle spoke against passage of the bill.

SECOND READING

HOUSE BILL NO. 2213, by Representatives Smith, Haler and Morris

Concerning state agency collection, use, and retention of biometric identifiers.

The measure was read the second time.

MOTION

On motion of Senator Miloscia, the rules were suspended, House Bill No. 2213 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Miloscia and Pedersen spoke in favor of passage of the bill.

Senator Wellman spoke against passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of House Bill No. 2213.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2213 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Darneille, Ericksen, Fain, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Honeyford, Keiser, King, Kuderer, Liias, Miloscia, Mullet, Nelson, O'Ban, Padden, Palumbo, Pearson, Pedersen, Ranker, Rivers, Rolfes, Rossi, Saldaña, Schoesler, Sheldon, Short, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson and Zeiger

Voting nay: Senator Hunt

Excused: Senator McCoy

HOUSE BILL NO. 2213, 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.

THIRD READING

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5239, by Senate Committee on Ways & Means (originally sponsored by Senators Warnick, Takko, Ericksen, Becker, Walsh, Angel, Wilson, Schoesler, Honeyford, Pearson, Brown and Padden)

Ensuring that water is available to support development.

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 5239.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5239 and the bill passed the Senate by the following vote: Yeas, 28; Nays, 20; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Braun, Brown, Ericksen, Fain, Fortunato, Hawkins, Hobbs, Honeyford, King, Miloscia, Mullet, O'Ban, Padden, Pearson, Rivers, Rossi, Schoesler, Sheldon, Short, Takko, Walsh, Warnick, Wilson and Zeiger

Voting nay: Senators Billig, Carlyle, Chase, Cleveland, Conway, Darneille, Frockt, Hasegawa, Hunt, Keiser, Kuderer, Liias, Nelson, Palumbo, Pedersen, Ranker, Rolfes, Saldaña, Van De Wege and Wellman

Excused: Senator McCoy

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5239, 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.

THIRD READING

SECOND ENGROSSED SENATE BILL NO. 5891, by Senators Zeiger and Conway

Eliminating the use of the high school science assessment as a graduation prerequisite. (REVISED FOR ENGROSSED: Delaying the use of the high school science assessment as a graduation prerequisite.)

The bill was read on Third Reading.

Senators Zeiger, Rolfes and Kuderer spoke in favor of passage of the bill.

Senators Liias, Chase and Hasegawa spoke against passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Second Engrossed Senate Bill No. 5891.

ROLL CALL

The Secretary called the roll on the final passage of Second Engrossed Senate Bill No. 5891 and the bill passed the Senate by the following vote: Yeas, 43; Nays, 5; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Ericksen, Fain, Fortunato, Frockt, Hawkins, Hobbs, Honeyford, Keiser, King, Kuderer, Miloscia, Mullet, Nelson, O'Ban, Padden, Palumbo, Pearson, Pedersen, Ranker, Rivers, Rolfes, Rossi, Schoesler, Sheldon, Short, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson and Zeiger

Voting nay: Senators Chase, Hasegawa, Hunt, Liias and Saldaña

Excused: Senator McCoy

SECOND ENGROSSED SENATE BILL NO. 5891, 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.

### THIRD READING

SECOND ENGROSSED SENATE BILL NO. 5893, by Senators O'Ban, Rossi, Becker, Rivers, Miloscia, King, Bailey, Braun, Wilson, Walsh, Zeiger, Angel, Warnick, Brown, Honeyford, Fortunato, Pearson, Padden, Fain, Schoesler and Hawkins

Concerning the administration of motor vehicle excise taxes by regional transit authorities.

The bill was read on Third Reading.

Senator O'Ban spoke in favor of passage of the bill.

### PARLIAMENTARY INQUIRY

Senator Keiser: "Thank you. I am wondering, I am looking at a piece of paper on my desk that was passed out, apparently it was from Senator Liias, about this bill. It's on this bill and appears to provide for another version of tax relief for our citizens in the district, and I just thought that is it not appropriate to consider amendment 290 considering that it is another approach that might very well address that same problem in a less difficult way for Sound Transit."

### RULING BY THE PRESIDENT

President Pro Tempore Sheldon: "Senator Keiser, I believe that someone would have to make a motion to suspend the rules and go to second reading in order to have that amendment considered. This amendment is out of order right now, we are on third reading."

### MOTION

On motion of Senator Mullet, Senator Saldaña was excused.

Senator Hobbs spoke against passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Second Engrossed Senate Bill No. 5893.

### ROLL CALL

The Secretary called the roll on the final passage of Second Engrossed Senate Bill No. 5893 and the bill passed the Senate by the following vote: Yeas, 25; Nays, 22; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Braun, Brown, Ericksen, Fain, Fortunato, Hawkins, Honeyford, King, Miloscia, O'Ban, Padden, Pearson, Rivers, Rossi, Schoesler, Sheldon, Short, Walsh, Warnick, Wilson and Zeiger

Voting nay: Senators Billig, Carlyle, Chase, Cleveland, Conway, Darneille, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Mullet, Nelson, Palumbo, Pedersen, Ranker, Rolfes, Takko, Van De Wege and Wellman

Excused: Senators McCoy and Saldaña

SECOND ENGROSSED SENATE BILL NO. 5893, 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.

### THIRD READING

ENGROSSED SENATE BILL NO. 5517, by Senators Wilson, Rivers, Cleveland, Hobbs, King, Sheldon, Miloscia, Brown, Angel, Warnick, Keiser and Schoesler

Concerning rail dependent uses for purposes of the growth management act and related development regulations.

The bill was read on Third Reading.

### MOTION

On motion of Senator Wilson, the rules were suspended and Engrossed Senate Bill No. 5517 was returned to second reading for the purpose of amendment.

### MOTION

Senator Wilson moved that the following floor striking amendment no. 289 by Senator Wilson be adopted:

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1382.** The legislature recognizes that it enacted the rail preservation program because railroads provide benefits to state and local jurisdictions that are valuable to economic development, highway safety, and the environment. The Washington state freight mobility plan includes the goal of supporting rural economies farm-to-market, manufacturing, and resource industry sectors. The plan makes clear that ensuring the availability of rail capacity is vital to meeting the future needs of the Puget Sound region. Rail-served industrial sites are a necessary part of a thriving freight mobility system, and are a key means of assuring that food and goods from rural areas are able to make it to people living in urban areas and international markets. Planned and effective access to railroad services is a pivotal aspect of transportation planning. The legislature affirms that it is in the public interest to allow economic development infrastructure to occur near rail lines as a means to alleviate strains on government infrastructure elsewhere. Therefore, the legislature finds that there is a need for counties and cities to improve their planning under the growth management act to provide much needed infrastructure for freight rail dependent uses adjacent to railroad lines.

**Sec. 1383.** RCW 36.70A.030 and 2012 c 21 s 1 are each amended to read as follows:

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

(1) "Adopt a comprehensive land use plan" means to enact a new comprehensive land use plan or to update an existing comprehensive land use plan.

(2) "Agricultural land" means land primarily devoted to the commercial production of horticultural, viticultural, floricultural, dairy, apiary, vegetable, or animal products or of berries, grain, hay, straw, turf, seed, Christmas trees not subject to the excise tax imposed by RCW 84.33.100 through 84.33.140, finfish in upland hatcheries, or livestock, and that has long-term commercial significance for agricultural production.

(3) "City" means any city or town, including a code city.

(4) "Comprehensive land use plan," "comprehensive plan," or "plan" means a generalized coordinated land use policy statement of the governing body of a county or city that is adopted pursuant to this chapter.

(5) "Critical areas" include the following areas and ecosystems: (a) Wetlands; (b) areas with a critical recharging effect on aquifers used for potable water; (c) fish and wildlife habitat conservation areas; (d) frequently flooded areas; and (e) geologically hazardous areas. "Fish and wildlife habitat conservation areas" does not include such artificial features or constructs as irrigation delivery systems, irrigation infrastructure, irrigation canals, or drainage ditches that lie within the boundaries of and are maintained by a port district or an irrigation district or company.

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

(7) "Development regulations" or "regulation" means the controls placed on development or land use activities by a county or city, including, but not limited to, zoning ordinances, critical areas ordinances, shoreline master programs, official controls, planned unit development ordinances, subdivision ordinances, and binding site plan ordinances together with any amendments thereto. A development regulation does not include a decision to approve a project permit application, as defined in RCW 36.70B.020, even though the decision may be expressed in a resolution or ordinance of the legislative body of the county or city.

(8) "Forest land" means land primarily devoted to growing trees for long-term commercial timber production on land that can be economically and practically managed for such production, including Christmas trees subject to the excise tax imposed under RCW 84.33.100 through 84.33.140, and that has long-term commercial significance. In determining whether forest land is primarily devoted to growing trees for long-term commercial timber production on land that can be economically and practically managed for such production, the following factors shall be considered: (a) The proximity of the land to urban, suburban, and rural settlements; (b) surrounding parcel size and the compatibility and intensity of adjacent and nearby land uses; (c) long-term local economic conditions that affect the ability to manage for timber production; and (d) the availability of public facilities and services conducive to conversion of forest land to other uses.

(9) "Freight rail dependent uses" means buildings and other infrastructure that are used in the fabrication, processing, storage, and transport of goods where the use is dependent on and makes use of an adjacent short line railroad. Such facilities are both urban and rural development for purposes of this chapter. "Freight rail dependent uses" does not include buildings and other infrastructure that are used in the fabrication, processing, storage, and transport of coal, liquefied natural gas, or "crude oil" as defined in RCW 90.56.010.

(10) "Geologically hazardous areas" means areas that because of their susceptibility to erosion, sliding, earthquake, or other geological events, are not suited to the siting of commercial, residential, or industrial development consistent with public health or safety concerns.

~~((40))~~ (11) "Long-term commercial significance" includes the growing capacity, productivity, and soil composition of the land for long-term commercial production, in consideration with the land's proximity to population areas, and the possibility of more intense uses of the land.

~~((44))~~ (12) "Minerals" include gravel, sand, and valuable metallic substances.

~~((42))~~ (13) "Public facilities" include streets, roads, highways, sidewalks, street and road lighting systems, traffic signals, domestic water systems, storm and sanitary sewer systems, parks and recreational facilities, and schools.

~~((43))~~ (14) "Public services" include fire protection and suppression, law enforcement, public health, education, recreation, environmental protection, and other governmental services.

~~((44))~~ (15) "Recreational land" means land so designated under RCW 36.70A.1701 and that, immediately prior to this designation, was designated as agricultural land of long-term commercial significance under RCW 36.70A.170. Recreational land must have playing fields and supporting facilities existing before July 1, 2004, for sports played on grass playing fields.

~~((45))~~ (16) "Rural character" refers to the patterns of land use and development established by a county in the rural element of its comprehensive plan:

- (a) In which open space, the natural landscape, and vegetation predominate over the built environment;
- (b) That foster traditional rural lifestyles, rural-based economies, and opportunities to both live and work in rural areas;
- (c) That provide visual landscapes that are traditionally found in rural areas and communities;
- (d) That are compatible with the use of the land by wildlife and for fish and wildlife habitat;
- (e) That reduce the inappropriate conversion of undeveloped land into sprawling, low-density development;
- (f) That generally do not require the extension of urban governmental services; and
- (g) That are consistent with the protection of natural surface water flows and groundwater and surface water recharge and discharge areas.

~~((46))~~ (17) "Rural development" refers to development outside the urban growth area and outside agricultural, forest, and mineral resource lands designated pursuant to RCW 36.70A.170. Rural development can consist of a variety of uses and residential densities, including clustered residential development, at levels that are consistent with the preservation of rural character and the requirements of the rural element. Rural development does not refer to agriculture or forestry activities that may be conducted in rural areas.

~~((47))~~ (18) "Rural governmental services" or "rural services" include those public services and public facilities historically and typically delivered at an intensity usually found in rural areas, and may include domestic water systems, fire and police protection services, transportation and public transit services, and other public utilities associated with rural development and normally not associated with urban areas. Rural services do not include storm or sanitary sewers, except as otherwise authorized by RCW 36.70A.110(4).

~~((48))~~ (19) "Short line railroad" means those railroad lines designated Class II or Class III by the United States surface transportation board.

(20) "Urban governmental services" or "urban services" include those public services and public facilities at an intensity historically and typically provided in cities, specifically including storm and sanitary sewer systems, domestic water systems, street cleaning services, fire and police protection services, public transit services, and other public utilities associated with urban areas and normally not associated with rural areas.

~~((49))~~ (21) "Urban growth" refers to growth that makes intensive use of land for the location of buildings, structures, and impermeable surfaces to such a degree as to be incompatible with the primary use of land for the production of food, other agricultural products, or fiber, or the extraction of mineral

resources, rural uses, rural development, and natural resource lands designated pursuant to RCW 36.70A.170. A pattern of more intensive rural development, as provided in RCW 36.70A.070(5)(d), is not urban growth. When allowed to spread over wide areas, urban growth typically requires urban governmental services. "Characterized by urban growth" refers to land having urban growth located on it, or to land located in relationship to an area with urban growth on it as to be appropriate for urban growth.

~~((20))~~ (22) "Urban growth areas" means those areas designated by a county pursuant to RCW 36.70A.110.

~~((21))~~ (23) "Wetland" or "wetlands" means areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. Wetlands do not include those artificial wetlands intentionally created from nonwetland sites, including, but not limited to, irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities, or those wetlands created after July 1, 1990, that were unintentionally created as a result of the construction of a road, street, or highway. Wetlands may include those artificial wetlands intentionally created from nonwetland areas created to mitigate conversion of wetlands.

**Sec. 1384.** RCW 36.70A.060 and 2014 c 147 s 2 are each amended to read as follows:

(1)(a) Each county that is required or chooses to plan under RCW 36.70A.040, and each city within such county, shall adopt development regulations on or before September 1, 1991, to assure the conservation of agricultural, forest, and mineral resource lands designated under RCW 36.70A.170. Regulations adopted under this subsection may not prohibit uses legally existing on any parcel prior to their adoption and shall remain in effect until the county or city adopts development regulations pursuant to RCW 36.70A.040. Such regulations shall assure that the use of lands adjacent to agricultural, forest, or mineral resource lands shall not interfere with the continued use, in the accustomed manner and in accordance with best management practices, of these designated lands for the production of food, agricultural products, or timber, or for the extraction of minerals. Any county located to the west of the crest of the Cascade mountains that has both a population of at least four hundred thousand and a border that touches another state, and any city in such county, may adopt development regulations to assure that agriculture, forest, and mineral resource lands adjacent to short line railroads may be developed for freight rail dependent uses.

(b) Counties and cities shall require that all plats, short plats, development permits, and building permits issued for development activities on, or within five hundred feet of, lands designated as agricultural lands, forest lands, or mineral resource lands, contain a notice that the subject property is within or near designated agricultural lands, forest lands, or mineral resource lands on which a variety of commercial activities may occur that are not compatible with residential development for certain periods of limited duration. The notice for mineral resource lands shall also inform that an application might be made for mining-related activities, including mining, extraction, washing, crushing, stockpiling, blasting, transporting, and recycling of minerals.

(c) Each county that adopts a resolution of partial planning under RCW 36.70A.040(2)(b), and each city within such county, shall adopt development regulations within one year after the adoption of the resolution of partial planning to assure the conservation of agricultural, forest, and mineral resource lands

designated under RCW 36.70A.170. Regulations adopted under this subsection (1)(c) must comply with the requirements governing regulations adopted under (a) of this subsection.

(d)(i) A county that adopts a resolution of partial planning under RCW 36.70A.040(2)(b) and that is not in compliance with the planning requirements of this section, RCW 36.70A.040(4), 36.70A.070(5), 36.70A.170, and 36.70A.172 at the time the resolution is adopted must, by January 30, 2017, apply for a determination of compliance from the department finding that the county's development regulations, including development regulations adopted to protect critical areas, and comprehensive plans are in compliance with the requirements of this section, RCW 36.70A.040(4), 36.70A.070(5), 36.70A.170, and 36.70A.172. The department must approve or deny the application for a determination of compliance within one hundred twenty days of its receipt or by June 30, 2017, whichever date is earlier.

(ii) If the department denies an application under (d)(i) of this subsection, the county and each city within is obligated to comply with all requirements of this chapter and the resolution for partial planning adopted under RCW 36.70A.040(2)(b) is no longer in effect.

(iii) A petition for review of a determination of compliance under (d)(i) of this subsection may only be appealed to the growth management hearings board within sixty days of the issuance of the decision by the department.

(iv) In the event of a filing of a petition in accordance with (d)(iii) of this subsection, the county and the department must equally share the costs incurred by the department for defending an approval of determination of compliance that is before the growth management hearings board.

(v) The department may implement this subsection (~~((~~))~~(1)~~(d) by adopting rules related to determinations of compliance. The rules may address, but are not limited to: The requirements for applications for a determination of compliance; charging of costs under (d)(iv) of this subsection; procedures for processing applications; criteria for the evaluation of applications; issuance and notice of department decisions; and applicable timelines.

(2) Each county and city shall adopt development regulations that protect critical areas that are required to be designated under RCW 36.70A.170. For counties and cities that are required or choose to plan under RCW 36.70A.040, such development regulations shall be adopted on or before September 1, 1991. For the remainder of the counties and cities, such development regulations shall be adopted on or before March 1, 1992.

(3) Such counties and cities shall review these designations and development regulations when adopting their comprehensive plans under RCW 36.70A.040 and implementing development regulations under RCW 36.70A.120 and may alter such designations and development regulations to insure consistency.

(4) Forest land and agricultural land located within urban growth areas shall not be designated by a county or city as forest land or agricultural land of long-term commercial significance under RCW 36.70A.170 unless the city or county has enacted a program authorizing transfer or purchase of development rights.

**Sec. 1385.** RCW 36.70A.070 and 2017 c 331 s 2 are each amended to read as follows:

The comprehensive plan of a county or city that is required or chooses to plan under RCW 36.70A.040 shall consist of a map or maps, and descriptive text covering objectives, principles, and standards used to develop the comprehensive plan. The plan shall be an internally consistent document and all elements shall be consistent with the future land use map. A comprehensive plan shall be adopted and amended with public participation as

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provided in RCW 36.70A.140. Each comprehensive plan shall include a plan, scheme, or design for each of the following:

(1) A land use element designating the proposed general distribution and general location and extent of the uses of land, where appropriate, for agriculture, timber production, housing, commerce, industry, recreation, open spaces, general aviation airports, public utilities, public facilities, and other land uses. The land use element shall include population densities, building intensities, and estimates of future population growth. The land use element shall provide for protection of the quality and quantity of groundwater used for public water supplies. Wherever possible, the land use element should consider utilizing urban planning approaches that promote physical activity. Where applicable, the land use element shall review drainage, flooding, and storm water run-off in the area and nearby jurisdictions and provide guidance for corrective actions to mitigate or cleanse those discharges that pollute waters of the state, including Puget Sound or waters entering Puget Sound.

(2) A housing element ensuring the vitality and character of established residential neighborhoods that: (a) Includes an inventory and analysis of existing and projected housing needs that identifies the number of housing units necessary to manage projected growth; (b) includes a statement of goals, policies, objectives, and mandatory provisions for the preservation, improvement, and development of housing, including single-family residences; (c) identifies sufficient land for housing, including, but not limited to, government-assisted housing, housing for low-income families, manufactured housing, multifamily housing, and group homes and foster care facilities; and (d) makes adequate provisions for existing and projected needs of all economic segments of the community.

(3) A capital facilities plan element consisting of: (a) An inventory of existing capital facilities owned by public entities, showing the locations and capacities of the capital facilities; (b) a forecast of the future needs for such capital facilities; (c) the proposed locations and capacities of expanded or new capital facilities; (d) at least a six-year plan that will finance such capital facilities within projected funding capacities and clearly identifies sources of public money for such purposes; and (e) a requirement to reassess the land use element if probable funding falls short of meeting existing needs and to ensure that the land use element, capital facilities plan element, and financing plan within the capital facilities plan element are coordinated and consistent. Park and recreation facilities shall be included in the capital facilities plan element.

(4) A utilities element consisting of the general location, proposed location, and capacity of all existing and proposed utilities, including, but not limited to, electrical lines, telecommunication lines, and natural gas lines.

(5) Rural element. Counties shall include a rural element including lands that are not designated for urban growth, agriculture, forest, or mineral resources. The following provisions shall apply to the rural element:

(a) Growth management act goals and local circumstances. Because circumstances vary from county to county, in establishing patterns of rural densities and uses, a county may consider local circumstances, but shall develop a written record explaining how the rural element harmonizes the planning goals in RCW 36.70A.020 and meets the requirements of this chapter.

(b) Rural development. The rural element shall permit rural development, forestry, and agriculture in rural areas. The rural element shall provide for a variety of rural densities, uses, essential public facilities, and rural governmental services needed to serve the permitted densities and uses. To achieve a variety of rural densities and uses, counties may provide for clustering,

density transfer, design guidelines, conservation easements, and other innovative techniques that will accommodate appropriate rural economic advancement, densities, and uses that are not characterized by urban growth and that are consistent with rural character.

(c) Measures governing rural development. The rural element shall include measures that apply to rural development and protect the rural character of the area, as established by the county, by:

(i) Containing or otherwise controlling rural development;

(ii) Assuring visual compatibility of rural development with the surrounding rural area;

(iii) Reducing the inappropriate conversion of undeveloped land into sprawling, low-density development in the rural area;

(iv) Protecting critical areas, as provided in RCW 36.70A.060, and surface water and groundwater resources; and

(v) Protecting against conflicts with the use of agricultural, forest, and mineral resource lands designated under RCW 36.70A.170.

(d) Limited areas of more intensive rural development. Subject to the requirements of this subsection and except as otherwise specifically provided in this subsection (5)(d), the rural element may allow for limited areas of more intensive rural development, including necessary public facilities and public services to serve the limited area as follows:

(i) Rural development consisting of the infill, development, or redevelopment of existing commercial, industrial, residential, or mixed-use areas, whether characterized as shoreline development, villages, hamlets, rural activity centers, or crossroads developments.

(A) A commercial, industrial, residential, shoreline, or mixed-use area are subject to the requirements of (d)(iv) of this subsection, but are not subject to the requirements of (c)(ii) and (iii) of this subsection.

(B) Any development or redevelopment other than an industrial area or an industrial use within a mixed-use area or an industrial area under this subsection (5)(d)(i) must be principally designed to serve the existing and projected rural population.

(C) Any development or redevelopment in terms of building size, scale, use, or intensity shall be consistent with the character of the existing areas. Development and redevelopment may include changes in use from vacant land or a previously existing use so long as the new use conforms to the requirements of this subsection (5);

(ii) The intensification of development on lots containing, or new development of, small-scale recreational or tourist uses, including commercial facilities to serve those recreational or tourist uses, that rely on a rural location and setting, but that do not include new residential development. A small-scale recreation or tourist use is not required to be principally designed to serve the existing and projected rural population. Public services and public facilities shall be limited to those necessary to serve the recreation or tourist use and shall be provided in a manner that does not permit low-density sprawl;

(iii) The intensification of development on lots containing isolated nonresidential uses or new development of isolated cottage industries and isolated small-scale businesses that are not principally designed to serve the existing and projected rural population and nonresidential uses, but do provide job opportunities for rural residents. Rural counties may allow the expansion of small-scale businesses as long as those small-scale businesses conform with the rural character of the area as defined by the local government according to RCW 36.70A.030(~~(45)~~) (16). Rural counties may also allow new small-scale businesses to utilize a site previously occupied by an existing business as

long as the new small-scale business conforms to the rural character of the area as defined by the local government according to RCW 36.70A.030(~~((15))~~) (16). Public services and public facilities shall be limited to those necessary to serve the isolated nonresidential use and shall be provided in a manner that does not permit low-density sprawl;

(iv) A county shall adopt measures to minimize and contain the existing areas or uses of more intensive rural development, as appropriate, authorized under this subsection. Lands included in such existing areas or uses shall not extend beyond the logical outer boundary of the existing area or use, thereby allowing a new pattern of low-density sprawl. Existing areas are those that are clearly identifiable and contained and where there is a logical boundary delineated predominately by the built environment, but that may also include undeveloped lands if limited as provided in this subsection. The county shall establish the logical outer boundary of an area of more intensive rural development. In establishing the logical outer boundary, the county shall address (A) the need to preserve the character of existing natural neighborhoods and communities, (B) physical boundaries, such as bodies of water, streets and highways, and land forms and contours, (C) the prevention of abnormally irregular boundaries, and (D) the ability to provide public facilities and public services in a manner that does not permit low-density sprawl;

(v) For purposes of (d) of this subsection, an existing area or existing use is one that was in existence:

(A) On July 1, 1990, in a county that was initially required to plan under all of the provisions of this chapter;

(B) On the date the county adopted a resolution under RCW 36.70A.040(2), in a county that is planning under all of the provisions of this chapter under RCW 36.70A.040(2); or

(C) On the date the office of financial management certifies the county's population as provided in RCW 36.70A.040(5), in a county that is planning under all of the provisions of this chapter pursuant to RCW 36.70A.040(5).

(e) Exception. This subsection shall not be interpreted to permit in the rural area a major industrial development or a master planned resort unless otherwise specifically permitted under RCW 36.70A.360 and 36.70A.365.

(6) A transportation element that implements, and is consistent with, the land use element.

(a) The transportation element shall include the following subelements:

(i) Land use assumptions used in estimating travel;

(ii) Estimated traffic impacts to state-owned transportation facilities resulting from land use assumptions to assist the department of transportation in monitoring the performance of state facilities, to plan improvements for the facilities, and to assess the impact of land-use decisions on state-owned transportation facilities;

(iii) Facilities and services needs, including:

(A) An inventory of air, water, and ground transportation facilities and services, including transit alignments and general aviation airport facilities, to define existing capital facilities and travel levels as a basis for future planning. This inventory must include state-owned transportation facilities within the city or county's jurisdictional boundaries;

(B) Level of service standards for all locally owned arterials and transit routes to serve as a gauge to judge performance of the system. These standards should be regionally coordinated;

(C) For state-owned transportation facilities, level of service standards for highways, as prescribed in chapters 47.06 and 47.80 RCW, to gauge the performance of the system. The purposes of reflecting level of service standards for state highways in the local comprehensive plan are to monitor the performance of the system, to evaluate improvement strategies, and to facilitate coordination

between the county's or city's six-year street, road, or transit program and the office of financial management's ten-year investment program. The concurrency requirements of (b) of this subsection do not apply to transportation facilities and services of statewide significance except for counties consisting of islands whose only connection to the mainland are state highways or ferry routes. In these island counties, state highways and ferry route capacity must be a factor in meeting the concurrency requirements in (b) of this subsection;

(D) Specific actions and requirements for bringing into compliance locally owned transportation facilities or services that are below an established level of service standard;

(E) Forecasts of traffic for at least ten years based on the adopted land use plan to provide information on the location, timing, and capacity needs of future growth;

(F) Identification of state and local system needs to meet current and future demands. Identified needs on state-owned transportation facilities must be consistent with the statewide multimodal transportation plan required under chapter 47.06 RCW;

(iv) Finance, including:

(A) An analysis of funding capability to judge needs against probable funding resources;

(B) A multiyear financing plan based on the needs identified in the comprehensive plan, the appropriate parts of which shall serve as the basis for the six-year street, road, or transit program required by RCW 35.77.010 for cities, RCW 36.81.121 for counties, and RCW 35.58.2795 for public transportation systems. The multiyear financing plan should be coordinated with the ten-year investment program developed by the office of financial management as required by RCW 47.05.030;

(C) If probable funding falls short of meeting identified needs, a discussion of how additional funding will be raised, or how land use assumptions will be reassessed to ensure that level of service standards will be met;

(v) Intergovernmental coordination efforts, including an assessment of the impacts of the transportation plan and land use assumptions on the transportation systems of adjacent jurisdictions;

(vi) Demand-management strategies;

(vii) Pedestrian and bicycle component to include collaborative efforts to identify and designate planned improvements for pedestrian and bicycle facilities and corridors that address and encourage enhanced community access and promote healthy lifestyles.

(b) After adoption of the comprehensive plan by jurisdictions required to plan or who choose to plan under RCW 36.70A.040, local jurisdictions must adopt and enforce ordinances which prohibit development approval if the development causes the level of service on a locally owned transportation facility to decline below the standards adopted in the transportation element of the comprehensive plan, unless transportation improvements or strategies to accommodate the impacts of development are made concurrent with the development. These strategies may include increased public transportation service, ride-sharing programs, demand management, and other transportation systems management strategies. For the purposes of this subsection (6), "concurrent with the development" means that improvements or strategies are in place at the time of development, or that a financial commitment is in place to complete the improvements or strategies within six years. If the collection of impact fees is delayed under RCW 82.02.050(3), the six-year period required by this subsection (6)(b) must begin after full payment of all impact fees is due to the county or city.

(c) The transportation element described in this subsection (6), the six-year plans required by RCW 35.77.010 for cities, RCW

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36.81.121 for counties, and RCW 35.58.2795 for public transportation systems, and the ten-year investment program required by RCW 47.05.030 for the state, must be consistent.

(7) An economic development element establishing local goals, policies, objectives, and provisions for economic growth and vitality and a high quality of life. ~~((The element may include the provisions in section 3 of this act.))~~ A city that has chosen to be a residential community is exempt from the economic development element requirement of this subsection.

(8) A park and recreation element that implements, and is consistent with, the capital facilities plan element as it relates to park and recreation facilities. The element shall include: (a) Estimates of park and recreation demand for at least a ten-year period; (b) an evaluation of facilities and service needs; and (c) an evaluation of intergovernmental coordination opportunities to provide regional approaches for meeting park and recreational demand.

(9) It is the intent that new or amended elements required after January 1, 2002, be adopted concurrent with the scheduled update provided in RCW 36.70A.130. Requirements to incorporate any such new or amended elements shall be null and void until funds sufficient to cover applicable local government costs are appropriated and distributed by the state at least two years before local government must update comprehensive plans as required in RCW 36.70A.130.

**Sec. 1386.** RCW 36.70A.108 and 2005 c 328 s 1 are each amended to read as follows:

(1) The transportation element required by RCW 36.70A.070 may include, in addition to improvements or strategies to accommodate the impacts of development authorized under RCW 36.70A.070(6)(b), multimodal transportation improvements or strategies that are made concurrent with the development. These transportation improvements or strategies may include, but are not limited to, measures implementing or evaluating:

(a) Multiple modes of transportation with peak and nonpeak hour capacity performance standards for locally owned transportation facilities; and

(b) Modal performance standards meeting the peak and nonpeak hour capacity performance standards.

(2) Any county located to the west of the crest of the Cascade mountains that has both a population of at least four hundred thousand and a border that touches another state, and any city in such county, may include development of freight rail dependent uses on land adjacent to a short line railroad in the transportation element required by RCW 36.70A.070. Such counties and cities may also modify development regulations to include development of freight rail dependent uses that do not require urban governmental services in rural lands.

(3) Nothing in this section or RCW 36.70A.070(6)(b) shall be construed as prohibiting a county or city planning under RCW 36.70A.040 from exercising existing authority to develop multimodal improvements or strategies to satisfy the concurrency requirements of this chapter.

~~((3))~~ (4) Nothing in this section is intended to affect or otherwise modify the authority of jurisdictions planning under RCW 36.70A.040."

On page 1, line 2 of the title, after "regulations;" strike the remainder of the title and insert "amending RCW 36.70A.030, 36.70A.060, 36.70A.070, and 36.70A.108; and creating a new section."

The President Pro Tempore declared the question before the Senate to be the adoption of floor striking amendment no. 289 by Senator Wilson to Engrossed Senate Bill No. 5517.

The motion by Senator Wilson carried and floor striking amendment no. 289 was adopted by voice vote.

#### MOTION

On motion of Senator Wilson, the rules were suspended, Second Engrossed Senate Bill No. 5517 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wilson, Takko, Short and Baumgartner spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Second Engrossed Senate Bill No. 5517.

#### ROLL CALL

The Secretary called the roll on the final passage of Second Engrossed Senate Bill No. 5517 and the bill passed the Senate by the following vote: Yeas, 37; Nays, 10; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Braun, Brown, Cleveland, Conway, Darneille, Ericksen, Fain, Fortunato, Hasegawa, Hawkins, Hobbs, Honeyford, King, Kuderer, Miloscia, Mullet, O'Ban, Padden, Palumbo, Pearson, Rivers, Rolfes, Rossi, Schoesler, Sheldon, Short, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson and Zeiger

Voting nay: Senators Billig, Carlyle, Chase, Frockt, Hunt, Keiser, Lias, Nelson, Pedersen and Ranker

Excused: Senators McCoy and Saldaña

SECOND ENGROSSED SENATE BILL NO. 5517, 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.

#### THIRD READING

SUBSTITUTE SENATE BILL NO. 5522, by Senate Committee on Human Services, Mental Health & Housing (originally sponsored by Senators Palumbo, Fain and Nelson)

Requiring the department of social and health services to collect and publicly report information on the safe surrender of newborn children.

The bill was read on Third Reading.

Senator Palumbo spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5522.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5522 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, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Darneille, Ericksen, Fain, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Honeyford, Hunt, Keiser, King, Kuderer, Lias, Miloscia, Mullet, Nelson, O'Ban, Palumbo, Pearson, Pedersen, Ranker, Rivers, Rolfes, Rossi, Schoesler, Sheldon, Short, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson and Zeiger

Voting nay: Senator Padden  
Excused: Senators McCoy and Saldaña

SUBSTITUTE SENATE BILL NO. 5522, 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.

#### THIRD READING

ENGROSSED SENATE BILL NO. 5316, by Senators Fortunato, Rossi, Rivers, Miloscia, Padden, Becker, Braun, Angel, Warnick, Schoesler, Brown, Zeiger and Wilson

Concerning the removal of provisions that are no longer necessary for continued publication in the Revised Code of Washington.

The bill was read on Third Reading.

Senators Fortunato and Hunt spoke in favor of passage of the bill.

#### MOTION

On motion of Senator Billig, Senator Keiser was excused.

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5316.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5316 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 1; Absent, 0; Excused, 3.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Darneille, Ericksen, Fain, Fortunato, Frockt, Hawkins, Hobbs, Honeyford, Hunt, King, Kuderer, Liias, Miloscia, Mullet, Nelson, O'Ban, Padden, Palumbo, Pearson, Pedersen, Ranker, Rivers, Rolfes, Rossi, Schoesler, Sheldon, Short, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson and Zeiger

Voting nay: Senator Hasegawa  
Excused: Senators Keiser, McCoy and Saldaña

ENGROSSED SENATE BILL NO. 5316, 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

At 4:46 p.m., on motion of Senator Fain, the Senate adjourned until 9:00 o'clock a.m. Friday, June 16, 2017.

TIM SHELDON, President Pro Tempore of the Senate

HUNTER G. GOODMAN, Secretary of the Senate