

TWENTY FOURTH DAY, FEBRUARY 6, 2019

2019 REGULAR SESSION

TWENTY FOURTH DAY

MORNING SESSION

Senate Chamber, Olympia
Wednesday, February 6, 2019

The Senate was called to order at 10:05 a.m. by the President of the Senate, Lt. Governor Habib presiding. The Secretary called the roll and announced to the President that all Senators were present with the exceptions of Senators Lovelett and Sheldon.

The Sergeant at Arms Color Guard consisting of Pages Miss Nina Doody and Mr. James Pruiett, presented the Colors. The Mid-Columbia Mastersingers of Richland performed the National Anthem. The prayer was offered by Pastor Stephen Curry of Orting Community Baptist Church.

The President called upon the Secretary to read the journal of the preceding day.

MOTION

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

MOTION

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

REPORTS OF STANDING COMMITTEES

February 5, 2019

SB 5026 Prime Sponsor, Senator Honeyford: Concerning the placement of planning boundaries in conjunction with parcel boundaries. Reported by Committee on Local Government

MAJORITY recommendation: That Substitute Senate Bill No. 5026 be substituted therefor, and the substitute bill do pass. Signed by Senators Takko, Chair; Salomon, Vice Chair; Short, Ranking Member and Honeyford.

Referred to Committee on Rules for second reading.

February 5, 2019

SB 5249 Prime Sponsor, Senator Hunt: Eliminating certain requirements for the annexation of an unincorporated island of territory. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Senators Takko, Chair; Salomon, Vice Chair; Short, Ranking Member and Liias.

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

Referred to Committee on Rules for second reading.

February 5, 2019

SB 5272 Prime Sponsor, Senator Hunt: Increasing the maximum tax rate for the voter-approved local sales and use tax for emergency communication systems and facilities. Reported by Committee on Local Government

MAJORITY recommendation: That Substitute Senate Bill No. 5272 be substituted therefor, and the substitute bill do pass. Signed by Senators Takko, Chair; Salomon, Vice Chair; Short, Ranking Member; Honeyford and Liias.

Referred to Committee on Rules for second reading.

February 4, 2019

SB 5360 Prime Sponsor, Senator Conway: Addressing plan membership default provisions in the public employees' retirement system, the teachers' retirement system, and the school employees' retirement system. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Billig; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers and Van De Wege.

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

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Wagoner; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

February 5, 2019

SB 5372 Prime Sponsor, Senator Palumbo: Concerning local project review undertaken under chapter 36.70B RCW. Reported by Committee on Local Government

MAJORITY recommendation: That Substitute Senate Bill No. 5372 be substituted therefor, and the substitute bill do pass. Signed by Senators Takko, Chair; Short, Ranking Member; Honeyford and Liias.

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

Referred to Committee on Rules for second reading.

February 25, 2019

SB 5550 Prime Sponsor, Senator Saldaña: Implementing the recommendations of the pesticide application safety work group. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5550 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers; Schoesler; Van De Wege and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Becker; Wagoner and Wilson, L..

Referred to Committee on Ways & Means.

MOTION

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

MOTION

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

INTRODUCTION AND FIRST READING

SB 5830 by Senators King, Hobbs, Warnick and Nguyen
AN ACT Relating to vehicle combinations that may be operated on public highways; and amending RCW 46.44.030 and 46.44.036.

Referred to Committee on Transportation.

SB 5831 by Senators Keiser, Van De Wege and Salomon
AN ACT Relating to an employer's payment of indebtedness; and amending RCW 49.48.120.

Referred to Committee on Labor & Commerce.

SB 5832 by Senators Sheldon, King, Takko, Wilson, L. and Hobbs
AN ACT Relating to changing the county in which the vehicle registration filing fee is distributed; and amending RCW 46.68.400.

Referred to Committee on Transportation.

SB 5833 by Senators Van De Wege and Schoesler
AN ACT Relating to dental assistants, expanded function dental auxiliaries, and dental hygienists; and amending RCW 18.260.010, 18.260.040, 18.260.070, and 18.29.190.

Referred to Committee on Health & Long Term Care.

SB 5834 by Senators Hunt, Wellman, Randall, Pedersen, Wilson, C. and Salomon
AN ACT Relating to providing for educational equity regardless of immigration or citizenship status; amending RCW 28A.710.040 and 28A.715.020; adding new sections to chapter 28A.320 RCW; adding a new section to chapter 28A.345 RCW; adding a new section to chapter 28A.300 RCW; and creating a new section.

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

SB 5835 by Senators Brown, Cleveland, Becker, Darneille and Walsh
AN ACT Relating to a hotline for the reporting of potential self-harm and criminal acts; adding a new chapter to Title 43 RCW; and prescribing penalties.

Referred to Committee on Law & Justice.

SB 5836 by Senators Van De Wege, Rivers, Hasegawa, Hunt, King, Hobbs, Takko and Liias
AN ACT Relating to inflation adjustments in nursing home payment rate setting; and amending RCW 74.46.561.

Referred to Committee on Ways & Means.

SB 5837 by Senators Darneille and Nguyen
AN ACT Relating to records eligible for regular sealing in juvenile court; and amending RCW 13.50.260.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 5838 by Senators Darneille, Rolfes and Nguyen
AN ACT Relating to correctional industries; and amending RCW 72.09.015, 72.09.070, and 72.09.080.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 5839 by Senators Darneille and Nguyen
AN ACT Relating to personal care services for homeless seniors and persons with disabilities; creating new sections; and providing an expiration date.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 5840 by Senator Cleveland
AN ACT Relating to requiring maintenance of minimum essential health care coverage; adding a new chapter to Title 48 RCW; and prescribing penalties.

Referred to Committee on Health & Long Term Care.

SB 5841 by Senators Cleveland, Hunt, Darneille, Keiser, Randall, Conway, Kuderer and Van De Wege
AN ACT Relating to protection against vaccine-preventable disease outbreaks; and amending RCW 28A.210.090.

Referred to Committee on Health & Long Term Care.

SB 5842 by Senators Carlyle, Cleveland and Dhingra
AN ACT Relating to the accessibility of electroconvulsant therapy; amending RCW 71.05.215, 71.05.217, 71.05.360, 71.34.355, 71.34.370, and 71.34.020; and reenacting and amending RCW 71.05.120 and 71.05.020.

Referred to Committee on Health & Long Term Care.

SB 5843 by Senators Wilson, C., O'Ban, Bailey, Nguyen, Darneille and Zeiger
AN ACT Relating to the rights of clients of the developmental disabilities administration of the department of social and health services; and adding a new chapter to Title 71A RCW.

Referred to Committee on Health & Long Term Care.

SB 5844 by Senators Dhingra and King
AN ACT Relating to protecting the confidentiality of industrial insurance claim records; amending RCW 51.28.070; and prescribing penalties.

Referred to Committee on Labor & Commerce.

SB 5845 by Senator Braun

AN ACT Relating to sexual harassment policies, training, and reporting requirements throughout state government; amending RCW 43.01.135; creating a new section; and declaring an emergency.

Referred to Committee on State Government, Tribal Relations & Elections.

SB 5846 by Senators Saldaña, Hasegawa, Randall, Nguyen, Wilson, C., Keiser and Das

AN ACT Relating to the integration of international medical graduates into Washington's health care delivery system; reenacting and amending RCW 43.84.092; and adding a new chapter to Title 70 RCW.

Referred to Committee on Health & Long Term Care.

SB 5847 by Senators Cleveland, Rivers, Wilson and L.

AN ACT Relating to facilitating transportation projects of statewide significance; adding new sections to chapter 47.05 RCW; and creating a new section.

Referred to Committee on Transportation.

SB 5848 by Senators Darneille and Nguyen

AN ACT Relating to individuals under the department of corrections' jurisdiction; amending RCW 9.94A.589, 9.94B.050, 9.94A.729, 9.94A.737, 9.94A.631, and 9.94A.716; creating new sections; providing an effective date; and declaring an emergency.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 5849 by Senator Kuderer

AN ACT Relating to the presumption of occupational disease for purposes of workers' compensation by adding medical conditions to the presumption, extending the presumption to certain publicly employed firefighters and investigators and law enforcement, addressing the qualifying medical examination, and creating an advisory committee; and amending RCW 51.32.185.

Referred to Committee on Labor & Commerce.

MOTION

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

MOTION

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

MOTION

Senator Keiser moved adoption of the following resolution:

SENATE RESOLUTION
8608

By Senators Keiser, Kuderer, Conway, Van De Wege, Darneille,

Randall, Rolfes, Nguyen, Wellman, Salomon, Das, Cleveland, Hunt, Frockt, Carlyle, Takko, Pedersen, Hasegawa, and Saldaña

WHEREAS, On February 6, 1919, sixty thousand union workers in Seattle became the first workers in American history to organize a nonviolent general strike; and

WHEREAS, Seattle's Central Labor Council of the American Federation of Labor had called on union workers to strike in support of shipyard workers who sought the right to collective bargaining; and more than one hundred labor unions agreed to participate in the General Strike of 1919; and

WHEREAS, A diverse coalition of union members from all walks of life, including women, African Americans, and the Japanese community all voted in favor of joining the strike in solidarity demonstrating the value of uniting diverse groups across occupational, racial, and political affiliations; and

WHEREAS, The union workers who participated in the Seattle General Strike showed the nation the power of organized labor and worker solidarity; and the Seattle General Strike laid the groundwork for the contemporary labor movement in the United States; and

WHEREAS, The nation's workers represent the backbone of the American economy and have made the United States the most prosperous country in the world; and

WHEREAS, Wednesday, February 6, 2019, marks the one hundredth anniversary of the Seattle General Strike, a time when it was said that "*Nothing Moved But the Tide*;" and

WHEREAS, Several public events have been organized throughout the Centennial week by a coalition of museums, the Pacific Northwest Labor History Association, the University of Washington Labor Archives, and the Harry Bridges Center for Labor Studies; and

WHEREAS, The General Strike of 1919 has an enduring legacy that still shapes the labor movement today;

NOW, THEREFORE, BE IT RESOLVED, That the Senate recognize the heritage of the labor movement in our state and the workers who participated in the Seattle General Strike of 1919, and honor the contributions they made to our country and our state.

Senators Keiser, Conway, Ericksen and 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. 8608.

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

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced Ms. Pam Lux, Trustee, Pacific Northwest Labor History Association; Mr. Conor Casey, Labor Archivist, University of Washington Labor Archives; and Mr. Gordon Baxter, legislative representative, Puget Sound Metal Trades Council, who were seated in the gallery.

PERSONAL PRIVILEGE

Senator Keiser: "I neglected to mention that I have a wonderful poster if I could invite all members who want to come by my desk I'll leave it on my desk today. It's a poster called Solidarity city. It is produced by the Labor Archives at the University of Washington listing all of the events commemorating the events of the Seattle general strike and you might want to participate in some of them. Thank you very much Mr. President."

PERSONAL PRIVILEGE

Senator Sheldon: "Thank you Mr. President. Today we had a wonderful rendition of the national anthem. We had a resolution for an event one hundred years ago today. I just like to think a little bit about this chamber and history and before World War Two we had an open skylight in the chamber. Those legislators enjoyed the sunlight in this chamber and a beautiful day like today that we see the Olympics and the snow covered mountains around us. So, think about that Mr. President, as we go through this legislative session we talked about it last year. What it would take to restore that skylight and I think that's something that we might all think about in this building and that historic a bit how different it would be to have the sunlight streaming down here today on the debates that go on and in. this Senate chamber. So, Mr. President, thank very much."

REPLY BY THE PRESIDENT

President Habib: "Senator Sheldon, I think I speak for the body when I say when you speak so eloquently it's like rays of sunlight are streaming down on the chamber even just in that moment."

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced Miss Grace Farrell and her father, Mr. Justin Farrell, who were guests of Senator Rivers and seated in the gallery. Miss Farrell, a fifth grade student at Cornerstone Christian Academy, Vancouver, was shadowing Senator Rivers for the day.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced students and representatives of Simpson Elementary School, Montesano, who were seated in the gallery.

MOTION

On motion of Senator Liias, the Senate reverted to the third order of business.

MESSAGE FROM THE COUNTY COMMISSIONERS AND COUNCILORS OF THE 40TH LEGISLATIVE DISTRICT

RESOLUTION

SKAGIT COUNTY Resolution # R20190031

SAN JUAN NO. 02-2019 Page 1 of 2 WHATCOM NO. 2019-010

JOINT RESOLUTION OF THE SAN JUAN COUNTY COUNCIL, THE BOARD OF SKAGIT COUNTY COMMISSIONERS AND THE WHATCOM COUNTY COUNCIL APPOINTMENT TO FILL THE VACANCY IN THE POSITION OF STATE SENATOR FOR THE 40TH LEGISLATIVE DISTRICT

WHEREAS, a vacancy exists in the position of state senator for the 40th legislative district due to the resignation of Senator Kevin Ranker; and

WHEREAS, the 40th legislative district is a multicounty legislative district, including San Juan County and parts of Skagit County and Whatcom County; and

WHEREAS, Article II, Section 15 of the Washington state Constitution provides that in the event of a vacancy occurring in a multicounty legislative district the vacancy shall be filled by

joint action of the legislative authorities of the respective counties from a list of three candidates nominated by the state central committee of the same political party as the legislator whose office is vacated; and

WHEREAS, the candidates must reside in the 40th legislative district and be of the same political party as the legislator whose office is vacated; and

WHEREAS, the Washington State Democratic Central Committee has submitted the names of three constitutionally qualified candidates to fill the vacancy created by Senator Ranker's resignation.

NOW, THEREFORE, BE IT MOVED AND RESOLVED by the San Juan County Council, the Board of Skagit County Commissioners and the Whatcom County Council:

A. Liz Lovelett, one of the three nominees, is hereby appointed to the position of state senator for the 40th legislative district in the Washington State Senate and continuing until a successor is elected at the next general election, and has qualified.

The vote was passed by the San Juan County Council, the Skagit County Board of Commissioners and the Whatcom County Council by the following weighted vote approved 5.6 to 3.4.

B. The clerks of the councils and board shall provide a copy of this joint resolution to the Clerk of the Washington State Senate, the Governor of the State of Washington and the Chair of the Washington State Democratic Central Committee.

APPROVED this 5 day of February, 2019.

ATTEST: Clerk of the Council /s/ _____ Date 2.5.2019
Ingrid Gabriel, Clerk Date /s/ _____
Bill Watson, Member, District 1
REVIEWED BY COUNTY MANAGER /s/ _____ Date 2/5/19 /s/ _____
Michael J. Thomas Date Jamie Stephens, Chair, District 3
RANDALL K. GAYLORD /s/ _____
APPROVED AS TO FORM ONLY Rick Hughes, Vice Chair, District 2
By: /s/ _____ Date 2/5/19
Date

Attest: BOARD OF COUNTY COMMISSIONERS SKAGIT COUNTY, WASHINGTON
/s/ _____ (SEAL) /s/ _____
Clerk of the Board Lisa Janicki, Chair
/s/ _____
Approved as to form Ron Wesen, Commissioner
/s/ _____ /s/ _____
Skagit County Deputy Prosecuting Attorney Kenneth A. Dahlstedt, Commissioner

ATTEST: WHATCOM COUNTY COUNCIL WHATCOM COUNTY, WASHINGTON
/s/ _____ (SEAL) /s/ _____
Dana Brown-Davis, Clerk of the Council /s/ _____
Rud Brown, Council Chair
APPROVED AS TO FORM: /s/ _____
Civil Deputy Prosecutor

MOTION

On motion of Senator Liias, Senator Lovelett was excused.

MOTION

At 10:36 a.m., on motion of Senator Liias, the Senate was

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declared to be at ease subject to the call of the President for the purposes of a meeting of the Committee on Rules and caucuses.

Senator Becker announced a meeting of the Republican Caucus immediately following the meeting of the Committee on Rules.

AFTERNOON SESSION

The Senate was called to order at 11:46 a.m. by President Habib.

MOTION

On motion of Senator Short, Senator Sheldon was excused.

MOTION

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

MESSAGE FROM THE HOUSE

February 4, 2019

MR. PRESIDENT:

The House adopted SENATE CONCURRENT RESOLUTION NO. 8402 with the following amendment(s): 8402 AMH SULP H1373.1 and the same is herewith transmitted.

BERNARD DEAN, Chief Clerk

MOTION

Senator Liias moved that the Senate concur in the House amendment(s) to Senate Concurrent Resolution No. 8402.

Senator Liias spoke in favor of the motion.

The President declared the question before the Senate to be the motion by Senator Liias that the Senate concur in the House amendment(s) to Senate Concurrent Resolution No. 8402.

The motion by Senator Liias carried and the Senate concurred in the House amendment(s) to Senate Concurrent Resolution No. 8402 by voice vote.

The President declared the question before the Senate to be the final passage of Senate Concurrent Resolution No. 8402, as amended by the House.

SENATE CONCURRENT RESOLUTION NO. 8402, as amended by the House, having received a majority was adopted by voice vote.

REMARKS BY SENATOR LIIAS

Senator Liias: “Yes, thank you Mr. President. For the information members we are receiving a joint address to the Legislature by the Premier of British Columbia. We will assemble here in the Senate at twelve fifteen and it will be a little bit quicker assembly than usual. The members of the House will be joining us on the floor at twelve fifteen. We won't process them in in order to give us more time to hear from the Premier before he has to depart back to British Columbia so we will expect to be on the floor at twelve fifteen. Your House companions will be here waiting for you.”

President Habib: “It is not an invasion.”

Senator Liias: “Correct. And then we will hear the joint address. It will be a little different, but we look forward to hearing from Premier Horgan about what we can do as a state and a province to collaborate more constructively on issues.”

MOTION

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

THIRD READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Rolfes moved that Lisa Marsh, Senate Gubernatorial Appointment No. 9077, be confirmed as a member of the Board of Tax Appeals.

Senator Rolfes spoke in favor of the motion.

APPOINTMENT OF LISA MARSH

The President declared the question before the Senate to be the confirmation of Lisa Marsh, Senate Gubernatorial Appointment No. 9077, as a member of the Board of Tax Appeals.

The Secretary called the roll on the confirmation of Lisa Marsh, Senate Gubernatorial Appointment No. 9077, as a member of the Board of Tax Appeals and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senators Lovelett and Sheldon

Lisa Marsh, Senate Gubernatorial Appointment No. 9077, having received the constitutional majority was declared confirmed as a member of the Board of Tax Appeals.

STANDING COMMITTEE ASSIGNMENTS

The President announced the following appointments to the standing committees, listed on the document entitled "Senate Standing Committees & Subcommittee – February 6, 2019."

**Senate Standing Committees & Subcommittee –
February 6, 2019**

Agriculture, Water, Natural Resources & Parks

Van De Wege, Chair	Warnick, Ranking
Salomon, Vice Chair	Honeyford
McCoy	Short
Rolfes	

Early Learning & K-12 Education

Wellman, Chair	Hawkins, Ranking
Wilson, Vice Chair	Holy
Hunt	Padden
McCoy	Wagoner
Mullet	
Pedersen	

Salomon

Lovelett

Environment, Energy & Technology

Carlyle, Chair	Ericksen, Ranking
Palumbo, Vice Chair	Fortunato, Asst. Ranking
Das	Sheldon, Asst. Ranking
Hobbs	Brown
McCoy	Rivers
Nguyen	Short
Wellman	
Liias	
Billig	

Financial Institutions, Economic Development & Trade

Mullet, Chair	Wilson, Ranking
Hasegawa, Vice Chair	Braun
Das	Ericksen
Hobbs	

Health & Long Term Care

Cleveland, Chair	O'Ban, Ranking
Randall, Vice Chair	Bailey
Dhingra	Becker
Conway	Rivers
Keiser	
Frockt	
Van De Wege	

Behavioral Health Subcommittee

Dhingra, Chair	Wagoner, Ranking
Darneille	O'Ban
Frockt	

Higher Education & Workforce Development

Palumbo, Chair	Holy, Ranking
Randall, Vice Chair	Ericksen
Liias	Brown
Wellman	

Housing Stability & Affordability

Kuderer, Chair	Zeiger, Ranking
Das, Vice Chair	Fortunato
Darneille	Warnick
Saldaña	

Human Services, Reentry & Rehabilitation

Darneille, Chair	Walsh, Ranking
Nguyen, Vice Chair	O'Ban
Cleveland	Zeiger
Wilson	

Labor & Commerce

Keiser, Chair	King, Ranking
Conway, Vice Chair	Braun
Saldaña	Walsh
Wellman	

Law & Justice

Pedersen, Chair	Padden, Ranking
Dhingra, Vice Chair	Holy
Kuderer	Wilson
Salomon	

Local Government

Takko, Chair	Short, Ranking
Salomon, Vice Chair	Honeyford

State Government, Tribal Relations & Elections

Hunt, Chair	Zeiger, Ranking
Kuderer, Vice Chair	Bailey
Hasegawa	Hawkins
Takko	

Transportation

Hobbs, Chair	King, Ranking
Saldaña, Vice Chair	Sheldon, Asst. Ranking
Cleveland	Fortunato
Das	O'Ban
Lovelett	Padden
Nguyen	Zeiger
Randall	
Takko	
Wilson	

Ways & Means

Rolfes, Chair	Braun, Ranking
Frockt, Vice Chair	Brown, Asst. Rank Operating
Operating & Capital Lead	Honeyford, Asst. Rank Capitol
Mullet, Capital Budget	Bailey
Cabinet	Becker
Billig	Rivers
Carlyle	Schoesler
Conway	Wagoner
Darneille	Warnick
Hasegawa	Wilson
Hunt	
Keiser	
Palumbo	
Pedersen	
Liias	
Van De Wege	

Rules

Lt. Governor, Chair	Schoesler, Ranking
Keiser, Vice Chair	Becker
Billig	King
Liias	Rivers
McCoy	Sheldon
Carlyle	Short
Cleveland	
Hasegawa	
Kuderer	
Nguyen	
Pedersen	

MOTIONS

On motion of Senator Liias, the appointments to the standing committees were confirmed by voice vote.

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

SECOND READING

SENATE BILL NO. 5079, by Senators McCoy, Billig, Cleveland, Conway, Frockt, Hunt, Kuderer, Saldaña and Van De Wege

Enacting the Native American voting rights act of Washington.

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MOTION

On motion of Senator McCoy, Substitute Senate Bill No. 5079 was substituted for Senate Bill No. 5079 and the substitute bill was placed on the second reading and read the second time.

WITHDRAWAL OF AMENDMENT

On motion of Senator Zeiger and without objection, amendment no. 014 by Senators Zeiger, McCoy and Hunt on page 2, line 33 to Substitute Senate Bill No. 5079 was withdrawn.

MOTION

Senator Zeiger moved that the following amendment no. 015 by Senators Hunt and Zeiger be adopted:

On page 2, after line 33, strike all material down through line 3 on page 3 and insert the following:

(3) A nontraditional residential address may be used when a voter resides on an Indian reservation or on Indian lands. The address of a tribally designated building that is a ballot pickup and collection location under section 4(4) of this act may serve as the residential address and mailing address for voters living on Indian lands if the tribally designated building is in the same precinct as the voter. If the designated tribal government building is not in the same precinct as the voter, the voter may use the designated tribal government building as a mailing address, but must separately designate the voter's appropriate residential address for precincting purposes through a nontraditional address.

Senators Zeiger and Hunt spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 015 by Senators Hunt and Zeiger on page 2, after line 33 to Substitute Senate Bill No. 5079.

The motion by Senator Zeiger carried and amendment no. 015 was adopted by voice vote.

MOTION

Senator Zeiger moved that the following amendment no. 016 by Senator Zeiger be adopted:

On page 4, line 15, after "tribe." insert "The legislature, pursuant to RCW 43.135.060, must reimburse counties for any costs incurred under this subsection."

On page 4, line 20, after "section." insert "The legislature, pursuant to RCW 43.135.060, must reimburse counties for any costs incurred under this subsection."

Senator Zeiger spoke in favor of adoption of the amendment.

Senator Hunt spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 016 by Senator Zeiger on page 4, line 15 to Substitute Senate Bill No. 5079.

The motion by Senator Zeiger did not carry and amendment no. 016 was not adopted by voice vote.

MOTION

Senator Zeiger moved that the following amendment no. 017 by Senator Zeiger be adopted:

Beginning on page 7, line 15, strike all of section 6

On page 1, line 3 of the title, after "29A.40.160;" insert "and" and beginning on line 3, after "RCW" strike "; and adding a new section to chapter 29A.84 RCW"

Senator Zeiger spoke in favor of adoption of the amendment.

Senator Hunt spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 017 by Senator Zeiger on page 7, line 15 to Substitute Senate Bill No. 5079.

The motion by Senator Zeiger did not carry and amendment no. 017 was not adopted by voice vote.

MOTION

Senator Zeiger moved that the following amendment no. 018 by Senator Zeiger be adopted:

On page 8, after line 3, insert the following:

"NEW SECTION. Sec. 7. If specific funding to local governments for the purposes of section 4 of this act, referencing section 4 of this act by bill or chapter number and section number, is not provided by June 30, 2019, in the omnibus appropriations act, sections 4 and 5 of this act are null and void."

On page 1, line 3 of the title, after "RCW;" strike "and"

On page 1, line 4 of the title, after "29A.84 RCW" insert "; and creating a new section"

Senator Zeiger spoke in favor of adoption of the amendment.

Senator Hunt spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 018 by Senator Zeiger on page 8, after line 3 to Substitute Senate Bill No. 5079.

The motion by Senator Zeiger did not carry and amendment no. 018 was not adopted by voice vote.

MOTION

On motion of Senator McCoy, the rules were suspended, Engrossed Substitute Senate Bill No. 5079 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator McCoy spoke in favor of passage of the bill.

Senator Zeiger spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5079.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5079 and the bill passed the Senate by the following vote: Yeas, 34; Nays, 13; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Billig, Braun, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Lias, McCoy, Mullet, Nguyen, O'Ban, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Takko, Van De Wege, Walsh, Wellman, Wilson, C. and Zeiger

Voting nay: Senators Becker, Brown, Ericksen, Fortunato, Hawkins, Holy, Honeyford, King, Padden, Short, Wagoner, Warnick and Wilson, L.

Excused: Senators Lovelett and Sheldon

ENGROSSED SUBSTITUTE SENATE BILL NO. 5079,

having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5716, by Senators Keiser, Wellman, Saldaña, Conway, Hunt, Kuderer, Nguyen and Randall

Defining when federal government employees are unemployed for purposes of unemployment insurance.

The measure was read the second time.

MOTION

On motion of Senator Keiser, the rules were suspended, Senate Bill No. 5716 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Keiser, King and Saldaña spoke in favor of passage of the bill.

Senator Honeyford spoke against passage of the bill.

Senator Braun spoke on final passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5716.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5716 and the bill passed the Senate by the following vote: Yeas, 38; Nays, 9; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Hunt, Keiser, King, Kuderer, Lias, McCoy, Mullet, Nguyen, O'Ban, Palumbo, Pedersen, Randall, Rolfes, Saldaña, Salomon, Takko, Van De Wege, Wagoner, Walsh, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senators Becker, Ericksen, Fortunato, Honeyford, Padden, Rivers, Schoesler, Short and Warnick

Excused: Senators Lovelett and Sheldon

SENATE BILL NO. 5716, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5230, by Senators Wilson, C., and Wilson, L.

Amending motor vehicle laws to align with federal definitions, make technical corrections, and move an effective date to meet a federal timeline.

The measure was read the second time.

MOTION

On motion of Senator Wilson, C., the rules were suspended, Senate Bill No. 5230 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

Senators Takko and Saldaña spoke on final passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5230.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5230 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Lias, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senators Lovelett and Sheldon

SENATE BILL NO. 5230, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

PERSONAL PRIVILEGE

Senator Wilson, C.: "It is no small honor to give my first speech before a body of entrusted folks to determine important laws that govern all Washingtonians. You need to know I owned a courier company and I also ran school bus transportation. But, I also walked two million, one hundred ten thousand, one hundred eighty six steps to get here to the Senate. I counted them from the very first day of my campaign. So perhaps it's fitting that my first bill would be a transportation bill. I walked those steps with very bold goals in mind. To provide full and energetic representation for individuals and groups who have felt overlooked or who have felt left out. So, it's a little humbling that my first bill is about oh mundane technical changes to simply make our motor vehicle laws consistent with federal language. No, this bill who won't change the world but I do hope to change this body. For thirty-five years in education I served children in families whose needs have often gone underserved, ignored or even invisible. My school district is the most diverse in the state and the fifth most diverse in the nation. I know of problems that cry for solutions and I know of people who believe their issues and their voices are not welcome here. And I'm here to abolish that belief. As the Senator for the 30th District, I intend to amplify voices that have been missing in this building and to make sure that all of my constituents inside and outside the district know that this is their house. That they are all welcomed. That they're all valued, as individuals and that their needs are recognized and they're prioritized. I am a mother. I am a parent of an eighteen and a twenty-one year old, and I am a woman who identifies as L.G. T.B.Q. I have enjoyed the benefits of privilege and I also know how daunting it can feel when you run into discriminatory societal barriers. I bring all these experiences with me to the Senate. When I look around I see a glass that's half full and I see a good goodness in all those folks that are around me, whether in this institution or whether in across our communities across the state. I see my job here as figuring out how we bring different points of view together from all over the spectrum for a greater good. Now, to what you probably really want to know is about the gift that I brought for all of you. What you need to know is this gift comes from an artisan, a constituent of the 30th Legislative District and a woman-owned small business. Each of these gifts is identical yet distinct. Just like every single person in this room and throughout all of our

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districts, similar from a distance but with all kinds of differences when you get closer. As we work together a look forward to learning your differences and sharing mine, benefiting from the insights I gained from all of your viewpoints just as I hope you will find value in mine. Thank you so much and thank you Mr. President.”

PERSONAL PRIVILEGE

Senator Liias: “Thank you Mr. President. On behalf of our caucus I certainly want to welcome Senator ‘Wilson, Claire’ as I’ve taken to calling her in the last few weeks. It has been a delight to see her energy and her passion for public education, for early childhood education already beginning to change the dialogue in the discussions that we’re having here at the Capitol. I also note that Senator Wilson is the daughter of some refugees and a Holocaust survivor. So she brings an amazing background and life story. And, as one of the members of our Senate LGBT caucus, I’m delighted that we welcome our first lesbian senator to the Senate as well. So she is hard charging and forging a new path in many different directions but we are so excited to have her and the passion energy she brings and, unlike Senator Das, my first meeting with her did not last four hours so I thank her for that as well and welcome her to the Chamber.”

REMARKS BY THE PRESIDENT

President Habib: “Thank you again. Allow me on behalf of the Senate, Senator Wilson, to welcome you here once more. I was pleased after we had a conversation about legislative procedure with the with the smooth delivery of your motion to bump your bill to third reading and I’ll just say that that will probably be the last time you ever say the sentence, ‘this bill doesn’t change the world’, because every legislator believes that every bill changes the world in some way, shape or form. But, truly, thank you for bringing your talents and gifts to the Senate and thank you for bringing these actual concrete tangible gifts to all of us as well.”

SECOND READING

SENATE BILL NO. 5151, by Senators Wilson, L., Becker, Honeyford, Zeiger and Short

Requiring the growth management hearings board to topically index the rulings, decisions, and orders it publishes.

MOTIONS

On motion of Senator Wilson, L., Substitute Senate Bill No. 5151 was substituted for Senate Bill No. 5151 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Wilson, L., the rules were suspended, Substitute Senate Bill No. 5151 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Wilson, L. spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5151.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5151 and the bill passed the Senate by the

following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Erickson, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, McCoy, Mullet, Nguyen, O’Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senators Lovelett and Sheldon

SUBSTITUTE SENATE BILL NO. 5151, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

PERSONAL PRIVILEGE

Senator Becker: “Thank you Mr. President. Well, I think each and every one of you have seen the signs of Breast Cancer Awareness Day and Prostate Cancer Awareness Day and you’ll see the blue flowers in the pink flowers and I want to say Wednesdays are breast cancer awareness days in honor of Senator Wilson. Last year my legislative aide, Tiffany, went through the same treatment and it was a very hard year for our office and for Tiffany and so I wish both of these women the very best. But Mr. President, I worked in urology for eight and a half years and I can’t help, and I, and the urologists were here yesterday and I told them what I was going to do, and they said thank you very much. The blue flowers, the blue poster over there, should represent men’s health. We talk about women’s health all the time Mr. President but we don’t talk about men’s health. And so Mr. President, I’ve asked for some information from the Fred Hutch Cancer Research Society and I can’t help but tell you how many times in the urology practice that men came in with prostatitis. They came in with elevated P.S.A.s. They came in with other complications, like they could not or they were getting up in the middle of the night multiple times urinating which is a sign of a problem with the prostate. Mr. President, I just want to read if I may a little bit?”

President Habib: “Please proceed.”

Senator Becker: “Thank you Mr. President. According to the American Cancer Society, other than skin cancer, prostate cancer is the most common cancer in American men. Prostate cancer is the second leading cause of cancer death in the United States behind lung cancer. Approximately one man in forty-one will die of prostate cancer in the U.S. The American Cancer Society estimates in the U.S. in 2019 there will be approximately 174,650 new cases of prostate cancer and about 31,620 deaths in prostate with prostate cancer. Now, I’m not going to read all of this today but I’m probably going to bring this up again because I want men in this chamber to share with men outside of this chamber and everywhere and women do the same thing. Prostate cancer is something that you can treat early you can work on the processes. I bring this to you, Mr. President, my brother-in-law was a dermatologist, an extremely intelligent man. And he developed prostate cancer. He opted for the seed implant and it worked for a while. Mr. President, it metastasized. It went throughout his entire body. When we look at the suicide rates that we’re looking at, we’re not looking at those that have committed suicide because of one thing or another. Mr. President, he had the option to do, to end his life with dignity but he chose to end his life with a gun two years ago. So, this is really personal to me. But it’s

personal to me that all the men that came in and that were told don't believe that P.S.A. Don't believe that P.S.A. can be elevated. It can be this, it can be that. Well you gosh darn well get in and have a P.S.A. and whether you believe it or not or the doctor does, go to that specialist if you have an elevated P.S.A. And you get the treatment early that you need just like we recommend in breast cancer for women. Mr. President, medical conditions don't care if we are women or if we are men. They don't care what the color of our skins are. They don't care anything about our bodies other than cancer is going to attack us in some way, shape, or form. So, I again, working in urology for over eight years, believe that it is important. Believe that you have to stand up for your rights like women did, and go get the treatment you need. Thank you Mr. President."

SECOND READING

SENATE BILL NO. 5001, by Senators Pedersen, King, Rivers, Keiser, Palumbo, Saldaña, Lias, Carlyle, Conway, Kuderer and Van De Wege

Concerning human remains.

MOTION

On motion of Senator Pedersen, Substitute Senate Bill No. 5001 was substituted for Senate Bill No. 5001 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Pedersen moved that the following striking amendment no. 004 by Senators Pedersen, Keiser and King be adopted:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. A new section is added to chapter 68.04 RCW to read as follows:

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

Sec. 2. RCW 68.04.020 and 2005 c 365 s 27 are each amended to read as follows:

"Human remains" or "remains" means the body of a deceased person, includes the body in any stage of decomposition, and includes ~~((cremated))~~ postreduction human remains.

NEW SECTION. Sec. 3. A new section is added to chapter 68.04 RCW to read as follows:

"Alkaline hydrolysis" or "hydrolysis" means the reduction of human remains to bone fragments and essential elements in a licensed hydrolysis facility using heat, pressure, water, and base chemical agents.

NEW SECTION. Sec. 4. A new section is added to chapter 68.04 RCW to read as follows:

"Hydrolysis facility" means a structure, room, or other space in a building or structure containing one or more hydrolysis vessels, to be used for alkaline hydrolysis.

Sec. 5. RCW 68.04.080 and 2005 c 365 s 31 are each amended to read as follows:

"Columbarium" means a structure, room, or other space in a building or structure containing niches for permanent placement of ~~((cremated))~~ postreduction human remains in a place used, or intended to be used, and dedicated, for cemetery purposes.

Sec. 6. RCW 68.04.120 and 2005 c 365 s 34 are each amended to read as follows:

"Inurnment" means placing ~~((cremated))~~ postreduction human remains in a cemetery.

NEW SECTION. Sec. 7. A new section is added to chapter 68.04 RCW to read as follows:

"Natural organic reduction" means the contained, accelerated conversion of human remains to soil.

NEW SECTION. Sec. 8. A new section is added to chapter 68.04 RCW to read as follows:

"Natural organic reduction facility" means a structure, room, or other space in a building or real property where natural organic reduction of a human body occurs.

Sec. 9. RCW 68.04.170 and 2005 c 365 s 38 are each amended to read as follows:

"Niche" means a space in a columbarium for placement of ~~((cremated))~~ postreduction human remains.

Sec. 10. RCW 68.04.260 and 2005 c 365 s 43 are each amended to read as follows:

"Scattering garden" means a designated area in a cemetery for the scattering of ~~((cremated))~~ postreduction human remains.

Sec. 11. RCW 68.04.270 and 2005 c 365 s 44 are each amended to read as follows:

"Scattering" means the removal of ~~((cremated))~~ postreduction human remains from their container for the purpose of scattering the ~~((cremated human))~~ remains in any lawful manner.

NEW SECTION. Sec. 12. A new section is added to chapter 68.04 RCW to read as follows:

"Reduce," "reduction," or "reducing" means cremate or conduct the process of alkaline hydrolysis or natural organic reduction.

NEW SECTION. Sec. 13. A new section is added to chapter 68.04 RCW to read as follows:

"Reduction facility" means a crematory, an alkaline hydrolysis facility, or a natural organic reduction facility.

NEW SECTION. Sec. 14. A new section is added to chapter 68.04 RCW to read as follows:

"Postreduction human remains" means human remains after reduction.

Sec. 15. RCW 68.05.175 and 2009 c 102 s 11 are each amended to read as follows:

A ~~((permit))~~ license or endorsement issued ~~((by the board or))~~ under chapter 18.39 RCW is required in order to operate a ~~((crematory or conduct a cremation))~~ reduction facility or to reduce human remains.

Sec. 16. RCW 68.05.195 and 2005 c 365 s 58 are each amended to read as follows:

Any person other than persons defined in RCW 68.50.160 who buries or scatters ~~((cremated))~~ postreduction human remains by land, air, or sea or performs any other disposition of ~~((cremated))~~ postreduction human remains outside of a cemetery ~~((shall))~~ must have a permit issued in accordance with RCW 68.05.100 and ~~((shall be))~~ are subject to that section.

Sec. 17. RCW 68.05.205 and 2009 c 102 s 12 are each amended to read as follows:

The director with the consent of the board ~~((shall))~~ must set all fees for chapters ~~18.39~~, 68.05, 68.20, 68.24, 68.28, 68.32, 68.36, 68.40, 68.44, and 68.46 RCW in accordance with RCW 43.24.086, including fees for licenses, certificates, regulatory

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charges, permits, or endorsements, and the department ~~((shall))~~ must collect the fees.

Sec. 18. RCW 68.05.245 and 2005 c 365 s 64 are each amended to read as follows:

(1) All ~~((crematory))~~ permits, licenses, or endorsements issued under this chapter ~~((shall))~~ or chapter 18.39 RCW must be issued for the year and ~~((shall))~~ expire at midnight, the thirty-first day of January of each year, or at whatever time during any year that ownership or control of any cemetery authority ~~((which))~~ that operates such ~~((crematory))~~ facility is transferred or sold.

(2) The director ~~((shall))~~ must set and the department ~~((shall))~~ must collect in advance the fees required for licensing.

NEW SECTION. Sec. 19. RCW 68.05.390 (Permit or endorsement required for cremation—Penalty) and 1987 c 331 s 32 are each repealed.

Sec. 20. RCW 68.24.010 and 2005 c 365 s 73 are each amended to read as follows:

Cemetery authorities may take by purchase, donation, or devise, property consisting of lands, mausoleums, ~~((crematories))~~ reduction facilities, and columbariums, or other property within which the placement of human remains may be authorized by law.

Sec. 21. RCW 68.24.150 and 2005 c 365 s 81 are each amended to read as follows:

Every person who pays, causes to be paid, or offers to pay to any other person, firm, or corporation, directly or indirectly, except as provided in RCW 68.24.140, any commission, bonus, or rebate, or other thing of value in consideration of recommending or causing the disposition of human remains in any ~~((crematory))~~ reduction facility or cemetery, is guilty of a misdemeanor. Each violation ~~((shall))~~ constitutes a separate offense.

Sec. 22. RCW 68.50.108 and 1953 c 188 s 8 are each amended to read as follows:

No ~~((dead body))~~ one may embalm or reduce human remains upon which the coroner, or prosecuting attorney, if there ~~((be no))~~ is not a coroner in the county, may perform an autopsy or postmortem, ~~((shall be embalmed or cremated))~~ without the consent of the coroner having jurisdiction ~~((, and))~~. Failure to obtain such consent ~~((shall be))~~ is a misdemeanor ~~((: PROVIDED, That))~~. However, such autopsy or postmortem must be performed within five days, unless the coroner ~~((shall))~~ obtains an order from the superior court extending such time.

Sec. 23. RCW 68.50.110 and 2005 c 365 s 138 are each amended to read as follows:

Except in cases of dissection provided for in RCW 68.50.100, and where human remains ~~((shall))~~ are rightfully ~~((be))~~ carried through or removed from the state for the purpose of burial elsewhere, human remains lying within this state, and the remains of any dissected body, after dissection, ~~((shall))~~ must be decently buried ~~((,))~~ or ~~((cremated))~~ reduced within a reasonable time after death.

Sec. 24. RCW 68.50.130 and 2005 c 365 s 139 are each amended to read as follows:

Every person who performs a disposition of any human remains, except as otherwise provided by law, in any place, except in a cemetery or a building dedicated exclusively for religious purposes, is guilty of a misdemeanor. Disposition of ~~((cremated))~~ postreduction human remains may also occur on private property, with the consent of the property owner; and on public or government lands or waters with the approval of the government agency that has either jurisdiction or control, or both,

of the lands or waters.

Sec. 25. RCW 68.50.140 and 2005 c 365 s 140 are each amended to read as follows:

(1) Every person who ~~((shall))~~ removes human remains, or any part thereof, from a grave, vault, or other place where the same has been buried or deposited awaiting burial or ~~((cremation))~~ reduction, without authority of law, with intent to sell the same, or for the purpose of securing a reward for its return, or for dissection, or from malice or wantonness, is guilty of a class C felony.

(2) Every person who ~~((shall))~~ purchases or receives, except for burial or ~~((cremation))~~ reduction, human remains or any part thereof, knowing that the same has been removed contrary to the foregoing provisions, is guilty of a class C felony.

(3) Every person who ~~((shall))~~ opens a grave or other place of interment, temporary or otherwise, or a building where human remains are placed, with intent to sell or remove the casket, urn, or of any part thereof, or anything attached thereto, or any vestment, or other article interred, or intended to be interred with the human remains, is guilty of a class C felony.

(4) Every person who removes, disinters, or mutilates human remains from a place of interment, without authority of law, is guilty of a class C felony.

Sec. 26. RCW 68.50.160 and 2012 c 5 s 1 are each amended to read as follows:

(1) A person has the right to control the disposition of his or her own remains without the predeath or postdeath consent of another person. A valid written document expressing the decedent's wishes regarding the place or method of disposition of his or her remains, signed by the decedent in the presence of a witness, is sufficient legal authorization for the procedures to be accomplished.

(2) Prearrangements that are prepaid, or filed with a licensed funeral establishment or cemetery authority, under RCW 18.39.280 through 18.39.345 and chapter 68.46 RCW are not subject to cancellation or substantial revision by survivors. Absent actual knowledge of contrary legal authorization under this section, a licensed funeral establishment or cemetery authority ~~((shall))~~ may not be held criminally nor civilly liable for acting upon such prearrangements.

(3) If the decedent has not made a prearrangement as set forth in subsection (2) of this section or the costs of executing the decedent's wishes regarding the disposition of the decedent's remains exceeds a reasonable amount or directions have not been given by the decedent, the right to control the disposition of the remains of a deceased person vests in, and the duty of disposition and the liability for the reasonable cost of preparation, care, and disposition of such remains devolves upon the following in the order named:

(a) The person designated by the decedent as authorized to direct disposition as listed on the decedent's United States department of defense record of emergency data, DD form 93, or its successor form, if the decedent died while serving in military service as described in 10 U.S.C. Sec. 1481(a) (1)-(8) in any branch of the United States armed forces, United States reserve forces, or national guard;

(b) The designated agent of the decedent as directed through a written document signed and dated by the decedent in the presence of a witness. The direction of the designated agent is sufficient to direct the type, place, and method of disposition;

(c) The surviving spouse or state registered domestic partner;

(d) The majority of the surviving adult children of the decedent;

(e) The surviving parents of the decedent;

(f) The majority of the surviving siblings of the decedent;

(g) A court-appointed guardian for the person at the time of the person's death.

(4) If any person to whom the right of control has vested pursuant to subsection (3) of this section has been arrested or charged with first or second degree murder or first degree manslaughter in connection with the decedent's death, the right of control is relinquished and passed on in accordance with subsection (3) of this section.

(5) If a cemetery authority as defined in RCW 68.04.190 or a funeral establishment licensed under chapter 18.39 RCW has made a good faith effort to locate the person cited in subsection (3)(a) through (g) of this section or the legal representative of the decedent's estate, the cemetery authority or funeral establishment ~~((shall have))~~ has the right to rely on an authority to bury or ~~((cremate))~~ reduce the human remains, executed by the most responsible party available, and the cemetery authority or funeral establishment may not be held criminally or civilly liable for burying or ~~((cremating))~~ reducing the human remains. In the event any government agency or charitable organization provides the funds for the disposition of any human remains, the cemetery authority, reduction facility, or funeral establishment may not be held criminally or civilly liable for ~~((cremating))~~ reducing the human remains.

(6) The liability for the reasonable cost of preparation, care, and disposition devolves jointly and severally upon all kin of the decedent in the same degree of kindred, in the order listed in subsection (3) of this section, and upon the estate of the decedent.

Sec. 27. RCW 68.50.170 and 2005 c 365 s 142 are each amended to read as follows:

Any person signing any authorization for the interment or ~~((cremation))~~ reduction of any human remains warrants the truthfulness of any fact set forth in the authorization, the identity of the person whose human remains are sought to be interred or ~~((cremated))~~ reduced, and his or her authority to order interments or ~~((cremation))~~ reduction. That person is personally liable for all damage occasioned by or resulting from breach of such warranty.

Sec. 28. RCW 68.50.185 and 2005 c 365 s 143 are each amended to read as follows:

(1) A person authorized to dispose of human remains ~~((shall))~~ may not ~~((cremate))~~ reduce or cause to be ~~((cremated))~~ reduced more than one human remains at a time unless written permission, after full and adequate disclosure regarding the manner of ~~((cremation))~~ reduction, has been received from the person or persons under RCW 68.50.160 having the authority to order ~~((cremation))~~ reduction. This restriction ~~((shall))~~ does not apply when equipment, techniques, or devices are employed that keep human remains separate and distinct before, during, and after the ~~((cremation))~~ reduction process.

(2) Violation of this section is a gross misdemeanor.

Sec. 29. RCW 68.50.240 and 2005 c 365 s 147 are each amended to read as follows:

The person in charge of any premises on which interments or ~~((cremations))~~ reductions are made ~~((shall))~~ must keep a record of all human remains interred or ~~((cremated))~~ reduced on the premises under his or her charge, in each case stating the name of each deceased person, date of ~~((cremation or))~~ interment or reduction, and name and address of the funeral establishment.

Sec. 30. RCW 68.50.270 and 2005 c 365 s 148 are each amended to read as follows:

The person or persons determined under RCW 68.50.160 as having authority to order ~~((cremation shall be))~~ reduction is entitled to possession of the ~~((cremated))~~ postreduction human remains without further intervention by the state or its political

subdivisions.

Sec. 31. RCW 68.64.120 and 2008 c 139 s 13 are each amended to read as follows:

(1) When a hospital refers an individual at or near death to a procurement organization, the organization shall make a reasonable search of the records of the department of licensing and any donor registry that it knows exists for the geographical area in which the individual resides to ascertain whether the individual has made an anatomical gift.

(2) A procurement organization must be allowed reasonable access to information in the records of the department of licensing to ascertain whether an individual at or near death is a donor.

(3) When a hospital refers an individual at or near death to a procurement organization, the organization may conduct any reasonable examination necessary to ensure the medical suitability of a part that is or could be the subject of an anatomical gift for transplantation, therapy, research, or education from a donor or a prospective donor. During the examination period, measures necessary to ensure the medical suitability of the part may not be withdrawn unless the hospital or procurement organization knows that the individual expressed a contrary intent.

(4) Unless prohibited by law other than this chapter, at any time after a donor's death, the person to which a part passes under RCW 68.64.100 may conduct any reasonable examination necessary to ensure the medical suitability of the body or part for its intended purpose.

(5) Unless prohibited by law other than this chapter, an examination under subsection (3) or (4) of this section may include an examination of all medical records of the donor or prospective donor.

(6) Upon the death of a minor who was a donor or had signed a refusal, unless a procurement organization knows the minor is emancipated, the procurement organization shall conduct a reasonable search for the parents of the minor and provide the parents with an opportunity to revoke or amend the anatomical gift or revoke the refusal.

(7) Upon referral by a hospital under subsection (1) of this section, a procurement organization shall make a reasonable search for any person listed in RCW 68.64.080 having priority to make an anatomical gift on behalf of a prospective donor. If a procurement organization receives information that an anatomical gift to any other person was made, amended, or revoked, it shall promptly advise the other person of all relevant information.

(8) Subject to RCW 68.64.100(9), 68.64.190, and 68.64.901, the rights of the person to which a part passes under RCW 68.64.100 are superior to the rights of all others with respect to the part. The person may accept or reject an anatomical gift in whole or in part. Subject to the terms of the document of gift and this chapter, a person that accepts an anatomical gift of an entire body may allow embalming, burial, or ~~((cremation))~~ reduction, and use of remains in a funeral service. If the gift is of a part, the person to which the part passes under RCW 68.64.100, upon the death of the donor and before embalming, burial, or ~~((cremation, shall))~~ reduction must cause the part to be removed without unnecessary mutilation.

(9) Neither the physician who attends the decedent at death nor the physician who determines the time of the decedent's death may participate in the procedures for removing or transplanting a part from the decedent.

(10) A physician or technician may remove a donated part from the body of a donor that the physician or technician is qualified to remove.

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Sec. 32. RCW 70.15.010 and 2018 c 184 s 2 are each amended to read as follows:

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

- (1) "Department" means the department of health.
- (2) "Disaster relief organization" means an entity that provides emergency or disaster relief services that include health or veterinary services provided by volunteer health practitioners and that:
 - (a) Is designated or recognized as a provider of those services pursuant to a disaster response and recovery plan adopted by an agency of the federal government or the department; or
 - (b) Regularly plans and conducts its activities in coordination with an agency of the federal government or the department.
- (3) "Emergency" means an event or condition that is an emergency, disaster, or public health emergency under chapter 38.52 RCW.
- (4) "Emergency declaration" means a proclamation of a state of emergency issued by the governor under RCW 43.06.010.
- (5) "Emergency management assistance compact" means the interstate compact approved by congress by P.L. 104-321, 110 Stat. 3877, RCW 38.10.010.
- (6) "Entity" means a person other than an individual.
- (7) "Health facility" means an entity licensed under the laws of this or another state to provide health or veterinary services.
- (8) "Health practitioner" means an individual licensed under the laws of this or another state to provide health or veterinary services.
- (9) "Health services" means the provision of treatment, care, advice or guidance, or other services, or supplies, related to the health or death of individuals or human populations, to the extent necessary to respond to an emergency, including:
 - (a) The following, concerning the physical or mental condition or functional status of an individual or affecting the structure or function of the body:
 - (i) Preventive, diagnostic, therapeutic, rehabilitative, maintenance, or palliative care; and
 - (ii) Counseling, assessment, procedures, or other services;
 - (b) Sale or dispensing of a drug, a device, equipment, or another item to an individual in accordance with a prescription; and
 - (c) Funeral, ~~(cremation)~~ reduction as defined in section 12 of this act, cemetery, or other mortuary services.
- (10) "Host entity" means an entity operating in this state which uses volunteer health practitioners to respond to an emergency.
- (11) "License" means authorization by a state to engage in health or veterinary services that are unlawful without the authorization. The term includes authorization under the laws of this state to an individual to provide health or veterinary services based upon a national certification issued by a public or private entity.
- (12) "Person" means an individual, corporation, business trust, trust, partnership, limited liability company, association, joint venture, public corporation, government or governmental subdivision, agency, or instrumentality, or any other legal or commercial entity.
- (13) "Scope of practice" means the extent of the authorization to provide health or veterinary services granted to a health practitioner by a license issued to the practitioner in the state in which the principal part of the practitioner's services are rendered, including any conditions imposed by the licensing authority.
- (14) "State" means a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or any territory or insular possession subject to the jurisdiction of the United States.

(15) "Veterinary services" means the provision of treatment, care, advice or guidance, or other services, or supplies, related to the health or death of an animal or to animal populations, to the extent necessary to respond to an emergency, including:

- (a) Diagnosis, treatment, or prevention of an animal disease, injury, or other physical or mental condition by the prescription, administration, or dispensing of vaccine, medicine, surgery, or therapy;
- (b) Use of a procedure for reproductive management; and
- (c) Monitoring and treatment of animal populations for diseases that have spread or demonstrate the potential to spread to humans.

(16) "Volunteer health practitioner" means a health practitioner who provides health or veterinary services, whether or not the practitioner receives compensation for those services. The term does not include a practitioner who receives compensation pursuant to a preexisting employment relationship with a host entity or affiliate which requires the practitioner to provide health services in this state, unless the practitioner is not a resident of this state and is employed by a disaster relief organization providing services in this state while an emergency declaration is in effect.

Sec. 33. RCW 70.58.230 and 2009 c 231 s 4 are each amended to read as follows:

It ~~((shall be))~~ is unlawful for any person to inter, deposit in a vault, grave, or tomb, ~~((cremate))~~ reduce as defined in section 12 of this act, or otherwise dispose of, or disinter or remove from one registration district to another, or hold for more than three business days after death, the human remains of any person whose death occurred in this state or any human remains which shall be found in this state, without obtaining, from the local registrar of the district in which the death occurred or in which the human remains were found, a permit for the burial, disinterment, or removal of the human remains. However, a licensed funeral director or embalmer of this state or a funeral establishment licensed in another state contiguous to Washington, with a current certificate of removal registration issued by the director of the department of licensing, may remove human remains from the district where the death occurred to another registration district or Oregon or Idaho without having obtained a permit but in such cases the funeral director or embalmer ~~((shall))~~ must at the time of removing human remains file with or mail to the local registrar of the district where the death occurred a notice of removal upon a blank to be furnished by the state registrar. The notice of removal ~~((shall))~~ must be signed or electronically approved by the funeral director or embalmer and ~~((shall))~~ must contain the name and address of the local registrar with whom the certificate of death will be filed and the burial-transit permit secured. Every local registrar, accepting a death certificate and issuing a burial-transit permit for a death that occurred outside his or her district, ~~((shall be))~~ is entitled to a fee of one dollar to be paid by the funeral director or embalmer at the time the death certificate is accepted and the permit is secured. It ~~((shall be))~~ is unlawful for any person to bring into or transport within the state or inter, deposit in a vault, grave, or tomb, or cremate or otherwise dispose of human remains of any person whose death occurred outside this state unless the human remains are accompanied by a removal or transit permit issued in accordance with the law and health regulations in force where the death occurred, or unless a special permit for bringing the human remains into this state ~~((shall be))~~ is obtained from the state registrar.

Sec. 34. RCW 70.58.260 and 2009 c 231 s 7 are each amended to read as follows:

It ~~((shall be))~~ is unlawful for any person in charge of any

premises in which bodies of deceased persons are interred, cremated, or otherwise permanently disposed of, to permit the interment, ~~((cremation))~~ reduction as defined in section 12 of this act, or other disposition of any body upon such premises unless it is accompanied by a burial, removal, or transit permit as provided in this chapter. It ~~((shall be))~~ is the duty of the person in charge of any such premises to, in case of the interment, ~~((cremation))~~ reduction as defined in section 12 of this act, or other disposition of human remains therein, endorse upon the permit the date and character of such disposition, over his or her signature or electronic approval, to return all permits so endorsed to the local registrar of the district in which the death occurred within ten days from the date of such disposition, and to keep a record of all human remains disposed of on the premises under his or her charge, stating, in each case, the name of the deceased person, if known, the place of death, the date of burial or other disposition, and the name and address of the undertaker, which record ~~((shall))~~ must at all times be open to public inspection, and it ~~((shall be))~~ is the duty of every undertaker, or person acting as such, when burying human remains in a cemetery or burial grounds having no person in charge, to sign or electronically approve the burial, removal, or transit permit, giving the date of burial, write across the face of the permit the words "no person in charge", and file the burial, removal, or transit permit within ten days with the registrar of the district in which the death occurred.

Sec. 35. RCW 70.95K.010 and 1994 c 165 s 2 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) "Biomedical waste" means, and is limited to, the following types of waste:

(a) "Animal waste" is waste animal carcasses, body parts, and bedding of animals that are known to be infected with, or that have been inoculated with, human pathogenic microorganisms infectious to humans.

(b) "Biosafety level 4 disease waste" is waste contaminated with blood, excretions, exudates, or secretions from humans or animals who are isolated to protect others from highly communicable infectious diseases that are identified as pathogenic organisms assigned to biosafety level 4 by the centers for disease control, national institute of health, biosafety in microbiological and biomedical laboratories, current edition.

(c) "Cultures and stocks" are wastes infectious to humans and includes specimen cultures, cultures and stocks of etiologic agents, wastes from production of biologicals and serums, discarded live and attenuated vaccines, and laboratory waste that has come into contact with cultures and stocks of etiologic agents or blood specimens. Such waste includes but is not limited to culture dishes, blood specimen tubes, and devices used to transfer, inoculate, and mix cultures.

(d) "Human blood and blood products" is discarded waste human blood and blood components, and materials containing free-flowing blood and blood products.

(e) "Pathological waste" is waste human source biopsy materials, tissues, and anatomical parts that emanate from surgery, obstetrical procedures, and autopsy. "Pathological waste" does not include teeth, human corpses, remains, and anatomical parts that are intended for interment or ~~((cremation))~~ reduction as defined in section 12 of this act.

(f) "Sharps waste" is all hypodermic needles, syringes with needles attached, IV tubing with needles attached, scalpel blades, and lancets that have been removed from the original sterile package.

(2) "Local government" means city, town, or county.

(3) "Local health department" means the city, county, city-county, or district public health department.

(4) "Person" means an individual, firm, corporation, association, partnership, consortium, joint venture, commercial entity, state government agency, or local government.

(5) "Treatment" means incineration, sterilization, or other method, technique, or process that changes the character or composition of a biomedical waste so as to minimize the risk of transmitting an infectious disease.

(6) "Residential sharps waste" has the same meaning as "sharps waste" in subsection (1) of this section except that the sharps waste is generated and prepared for disposal at a residence, apartment, dwelling, or other noncommercial habitat.

(7) "Sharps waste container" means a leak-proof, rigid, puncture-resistant red container that is taped closed or tightly lidded to prevent the loss of the residential sharps waste.

(8) "Mail programs" means those programs that provide sharps users with a multiple barrier protection kit for the placement of a sharps container and subsequent mailing of the wastes to an approved disposal facility.

(9) "Pharmacy return programs" means those programs where sharps containers are returned by the user to designated return sites located at a pharmacy to be transported by a biomedical or solid waste collection company approved by the utilities and transportation commission.

(10) "Drop-off programs" means those program sites designated by the solid waste planning jurisdiction where sharps users may dispose of their sharps containers.

(11) "Source separation" has the same meaning as in RCW 70.95.030.

(12) "Unprotected sharps" means residential sharps waste that are not disposed of in a sharps waste container.

Sec. 36. RCW 70.95M.090 and 2003 c 260 s 10 are each amended to read as follows:

Nothing in this chapter applies to ~~((crematories as that term is defined in RCW 68.04.070))~~ reduction facilities as defined in section 13 of this act.

Sec. 37. RCW 73.08.070 and 2005 c 250 s 5 are each amended to read as follows:

(1) The legislative authority for each county must designate a proper authority to be responsible, at the expense of the county, for the ~~((burial or cremation))~~ lawful disposition of the remains of any deceased indigent veteran or deceased family member of an indigent veteran who died without leaving means sufficient to defray funeral expenses. The costs of such a ~~((burial or cremation))~~ disposition may not exceed the limit established by the county legislative authority nor be less than three hundred dollars.

(2) If the deceased has relatives or friends who desire to conduct the ~~((burial or cremation))~~ disposition of such deceased ~~((person))~~ person's remains, then a sum not to exceed the limit established by the county legislative authority nor less than three hundred dollars ~~((shall))~~ must be paid to the relatives or friends by the county auditor, or by the chief financial officer in a county operating under a charter. Payment ~~((shall))~~ must be made to the relatives or friends upon presenting to the auditor or chief financial officer due proof of the death, ~~((burial or cremation)),~~ disposition of the remains, and expenses incurred.

(3) Expenses incurred for the ~~((burial or cremation))~~ disposition of the remains of a deceased indigent veteran or the deceased family member of an indigent veteran as provided by this section ~~((shall))~~ must be paid from the veterans' assistance fund authorized by RCW 73.08.080.

(4) Remains has the same meaning as provided in RCW

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68.04.020.

Sec. 38. RCW 73.08.080 and 2013 c 123 s 2 are each amended to read as follows:

(1) The legislative authority in each county must levy, in addition to the taxes now levied by law, a tax in a sum equal to the amount ~~((which)) that~~ would be raised by not less than one and one-eighth cents per thousand dollars of assessed value, and not greater than twenty-seven cents per thousand dollars of assessed value against the taxable property of their respective counties, to be levied and collected as now prescribed by law for the assessment and collection of taxes, for the purpose of creating a veterans' assistance fund. Expenditures from the veterans' assistance fund, and interest earned on balances from the fund, may be used only for:

(a) The veterans' assistance programs authorized by RCW 73.08.010;

(b) The ~~((burial or cremation))~~ lawful disposition of the remains as defined in RCW 68.04.020 of a deceased indigent veteran or deceased family member of an indigent veteran as authorized by RCW 73.08.070; and

(c) The direct and indirect costs incurred in the administration of the fund as authorized by subsection (2) of this section.

(2) If the funds on deposit in the veterans' assistance fund, less outstanding warrants, on the first Tuesday in September exceed the lesser of the expected yield of one and one-eighth cents per thousand dollars of assessed value against the taxable property of the county or the expected yield of a levy determined as set forth in subsection (5) of this section, the county legislative authority may levy a lesser amount than would otherwise be required under subsection (1) or (5) of this section.

(3) The direct and indirect costs incurred in the administration of the veterans' assistance fund must be computed by the county auditor, or the chief financial officer in a county operating under a charter, not less than annually. Following the computation of these direct and indirect costs, an amount equal to these costs may then be transferred from the veterans' assistance fund to the county current expense fund.

(4) The amount of a levy allocated to the purposes specified in this section may be reduced in the same proportion as the regular property tax levy of the county is reduced by chapter 84.55 RCW.

(5)(a) The amount of a levy allocated to the purposes specified in this section may be modified from the amount required by subsection (1) of this section as follows:

(i) If the certified levy is reduced from the preceding year's certified levy, the amount of the levy allocated to the purposes specified in this section may be reduced by no more than the same percentage as the certified levy is reduced from the preceding year's certified levy;

(ii) If the certified levy is increased from the preceding year's certified levy, the amount of the levy allocated to the purposes specified in this section may not be less than the base allocation increased by the same percentage as the certified levy is increased from the preceding year's certified levy. However, the amount of the levy allocated to the purposes specified in this section does not have to be increased under this subsection (5)(a)(ii) for the portion of a certified levy increase resulting from a voter-approved increase under RCW 84.55.050 that is dedicated to a specific purpose; or

(iii) If the certified levy is unchanged from the preceding year's certified levy, the amount of the levy allocated to the purposes specified in this section must be equal to or greater than the base allocation.

(b) For purposes of this subsection, the following definitions apply:

(i) "Base allocation" means the most recent allocation that was

not reduced under subsection (2) of this section.

(ii) "Certified levy" means the property tax levy for general county purposes certified to the county assessor as required by RCW 84.52.070, excluding any amounts certified under chapters 84.69 and 84.68 RCW.

(6) Subsections (2), (4), and (5) of this section do not preclude a county from increasing the levy amount in subsection (1) of this section to an amount that is greater than the change in the regular county levy.

Sec. 39. RCW 18.39.010 and 2009 c 102 s 1 are each reenacted and amended to read as follows:

The definitions in this section and in chapter 68.04 RCW apply throughout this chapter unless the context clearly requires otherwise.

(1) "Board" means the funeral and cemetery board created pursuant to RCW 18.39.173.

(2) "Director" means the director of licensing.

(3) "Embalmer" means a person engaged in the profession or business of disinfecting and preserving human remains for transportation or final disposition.

(4) "Funeral director" means a person engaged in the profession or business of providing for the care, shelter, transportation, and arrangements for the disposition of human remains that may include arranging and directing funeral, memorial, or other services.

(5) "Funeral establishment" means a place of business licensed in accordance with RCW 18.39.145, that provides for any aspect of the care, shelter, transportation, embalming, preparation, and arrangements for the disposition of human remains and includes all areas of such entity and all equipment, instruments, and supplies used in the care, shelter, transportation, preparation, and embalming of human remains.

(6) "Funeral merchandise or services" means those services normally performed and merchandise normally provided by funeral establishments, including the sale of burial supplies and equipment, but excluding the sale by a cemetery of lands or interests therein, services incidental thereto, markers, memorials, monuments, equipment, crypts, niches, or vaults.

(7) "Licensee" means any person or entity holding a license, registration, endorsement, or permit under this chapter issued by the director.

(8) "Prearrangement funeral service contract" means any contract under which, for a specified consideration, a funeral establishment promises, upon the death of the person named or implied in the contract, to furnish funeral merchandise or services.

(9) "Public depositary" means a public depositary defined by RCW 39.58.010 or a state or federally chartered credit union.

(10) "Two-year college course" means the completion of sixty semester hours or ninety quarter hours of college credit, including the satisfactory completion of certain college courses, as set forth in this chapter.

Words used in this chapter importing the singular may be applied to the plural of the person or thing, words importing the plural may be applied to the singular, and words importing the masculine gender may be applied to the female.

Sec. 40. RCW 18.39.170 and 2005 c 365 s 12 are each amended to read as follows:

~~((There shall be appointed by))~~ The director must appoint an agent whose title ~~((shall be))~~ is "inspector of funeral establishments, ~~((crematories,))~~ reduction facilities, funeral directors, and embalmers of the state of Washington." ~~((No))~~ A person ~~((shall be))~~ is not eligible for such appointment unless he or she has been a licensed funeral director and embalmer in the

state of Washington, with a minimum experience of not less than five consecutive years.

- (1) The inspector (~~(shall)~~) must:
 - (a) Serve at the pleasure of the director; and
 - (b) At all times be under the supervision of the director.
- (2) The inspector is authorized to:
 - (a) Enter the office, premises, establishment, or place of business, where funeral directing, embalming, or (~~(cremation))~~ reduction is carried on for the purpose of inspecting the premises;
 - (b) Inspect the licenses and registrations of funeral directors, embalmers, funeral director interns, and embalmer interns;
 - (c) Serve and execute any papers or process issued by the director under authority of this chapter; and
 - (d) Perform any other duty or duties prescribed or ordered by the director.

Sec. 41. RCW 18.39.217 and 2009 c 102 s 4 are each amended to read as follows:

(1) A license or endorsement issued (~~(by the board or)~~) under this chapter or chapter 18.39 or 68.05 RCW is required in order to operate a (~~(crematory))~~ reduction facility or conduct a (~~(cremation))~~ reduction.

(2) Conducting a (~~(cremation))~~ reduction without a license or endorsement is a misdemeanor. Each such (~~(cremation))~~ action is a separate violation.

Sec. 42. RCW 18.39.410 and 2016 c 81 s 9 are each amended to read as follows:

In addition to the unprofessional conduct described in RCW 18.235.130, the board may take disciplinary action and may impose any of the sanctions specified in RCW 18.235.110 for the following conduct, acts, or conditions, except as provided in RCW 9.97.020:

(1) Solicitation of human remains by a licensee, registrant, endorsement, or permit holder, or agent, assistant, or employee of the licensee, registrant, endorsement, or permit holder whether the solicitation occurs after death or while death is impending. This chapter does not prohibit general advertising or the sale of prearrangement funeral service contracts;

(2) Solicitation may include employment of solicitors, payment of commission, bonus, rebate, or any form of gratuity or payment of a finders fee, referral fee, or other consideration given for the purpose of obtaining or providing the services for human remains or where death is impending;

(3) Acceptance by a licensee, registrant, endorsement, or permit holder or other employee of a funeral establishment of a commission, bonus, rebate, or gratuity in consideration of directing business to a cemetery, (~~(crematory))~~ reduction facility, mausoleum, columbarium, florist, or other person providing goods and services to the disposition of human remains;

(4) Using a casket or part of a casket that has previously been used as a receptacle for, or in connection with, the burial or other disposition of human remains without the written consent of the person lawfully entitled to control the disposition of remains of the deceased person in accordance with RCW 68.50.160. This subsection does not prohibit the use of rental caskets, such as caskets of which the outer shell portion is rented and the inner insert that contains the human remains is purchased and used for the disposition, that are disclosed as such in the statement of funeral goods and services;

(5) Violation of a state law, municipal law, or county ordinance or regulation affecting the handling, custody, care, transportation, or disposition of human remains, except as provided in RCW 9.97.020;

(6) Refusing to promptly surrender the custody of human remains upon the expressed order of the person lawfully entitled

to its custody under RCW 68.50.160;

(7) Selling, or offering for sale, a share, certificate, or an interest in the business of a funeral establishment, or in a corporation, firm, or association owning or operating a funeral establishment that promises or purports to give to purchasers a right to the services of a licensee, registrant, endorsement, or permit holder at a charge or cost less than offered or given to the public;

(8) Violation of any state or federal statute or administrative ruling relating to funeral practice, except as provided in RCW 9.97.020;

(9) Knowingly concealing information concerning a violation of this title.

NEW SECTION. Sec. 43. This act takes effect May 1, 2020."

On page 1, line 1 of the title, after "remains;" strike the remainder of the title and insert "amending RCW 68.04.020, 68.04.080, 68.04.120, 68.04.170, 68.04.260, 68.04.270, 68.05.175, 68.05.195, 68.05.205, 68.05.245, 68.24.010, 68.24.150, 68.50.108, 68.50.110, 68.50.130, 68.50.140, 68.50.160, 68.50.170, 68.50.185, 68.50.240, 68.50.270, 68.64.120, 70.15.010, 70.58.230, 70.58.260, 70.95K.010, 70.95M.090, 73.08.070, 73.08.080, 18.39.170, 18.39.217, and 18.39.410; reenacting and amending RCW 18.39.010; adding new sections to chapter 68.04 RCW; repealing RCW 68.05.390; providing an effective date; and prescribing penalties."

MOTION

Senator Fortunato moved that the following amendment no. 009 by Senator Fortunato to amendment no. 004 be adopted:

On page 2, line 8 of the amendment, after "soil." insert "The process must maintain a minimum C:N ratio (carbon to nitrogen) of twenty-five parts carbon to one part nitrogen, or 25:1 to complete composability."

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

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

The President declared the question before the Senate to be the adoption of amendment no. 009 by Senator Fortunato on page 2, line 8 to amendment no. 004.

The motion by Senator Fortunato did not carry and amendment no. 009 was not adopted by voice vote.

MOTION

Senator Padden moved that the following amendment no. 010 by Senator Padden to amendment no. 004 be adopted:

On page 21, after line 29 of the amendment, insert the following:

NEW SECTION. Sec. 43. A new section is added to chapter 18.39 RCW to read as follows:

The department of health must conduct a study to determine the environmental effects on municipal water systems from alkaline hydrolysis as defined in section 3 of this act."

Re-number the remaining section consecutively and correct any internal references accordingly.

On page 22, line 6 of the title amendment, after "68.04 RCW;" insert "adding a new section to chapter 18.39 RCW;"

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

SECOND READING

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

SENATE BILL NO. 5177, by Senators Braun and Takko

Concerning cemetery district withdrawal of territory.

The President declared the question before the Senate to be the adoption of amendment no. 010 by Senator Padden on page 21, after line 29 to amendment no. 004.

The measure was read the second time.

The motion by Senator Padden did not carry and amendment no. 010 was not adopted by voice vote.

MOTION

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

On motion of Senator Braun, the rules were suspended, Senate Bill No. 5177 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 adoption of striking amendment no. 004 by Senators Pedersen, Keiser and King to Substitute Senate Bill No. 5001.

Senators Braun and Takko spoke in favor of passage of the bill.

The motion by Senator Pedersen carried and striking amendment no. 004 was adopted by voice vote.

MOTION

MOTION

On motion of Senator Rivers, Senator Padden was excused.

On motion of Senator Pedersen, the rules were suspended, Engrossed Substitute Senate Bill No. 5001 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 Senate Bill No. 5177.

Senator Pedersen spoke in favor of passage of the bill.

ROLL CALL

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5001.

The Secretary called the roll on the final passage of Senate Bill No. 5177 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, McCoy, Mullet, Nguyen, O'Ban, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

ROLL CALL

Excused: Senators Lovelett, Padden and Sheldon

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5001 and the bill passed the Senate by the following vote: Yeas, 36; Nays, 11; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, King, Kuderer, Liias, McCoy, Mullet, Nguyen, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Takko, Van De Wege, Wagoner, Walsh, Wellman, Wilson, C., Wilson, L. and Zeiger

SENATE BILL NO. 5177, 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.

Voting nay: Senators Bailey, Becker, Ericksen, Fortunato, Hawkins, Holy, Honeyford, O'Ban, Padden, Short and Warnick

MOTION

Excused: Senators Lovelett and Sheldon

At 12:57 p.m., on motion of Senator Liias, the Senate adjourned until 12:00 o'clock noon Thursday, February 7, 2019.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5001, 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.

CYRUS HABIB, President of the Senate

BRAD HENDRICKSON, Secretary of the Senate

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5001-S	Introduction & 1st Reading.....	2
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5079	Introduction & 1st Reading.....	2
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5151	Introduction & 1st Reading.....	2
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5230	Introduction & 1st Reading.....	2
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5249	Introduction & 1st Reading.....	2
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5272	Introduction & 1st Reading.....	2
Committee Report.....	1	
5360	Introduction & 1st Reading.....	2
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5372	Introduction & 1st Reading.....	2
Committee Report.....	1	
5550	Introduction & 1st Reading.....	2
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5716	Introduction & 1st Reading.....	2
Second Reading	8	
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5830	Introduction & 1st Reading.....	2
5831	Introduction & 1st Reading.....	2
5832	Introduction & 1st Reading.....	2
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