

**THIRTIETH DAY**

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MORNING SESSION

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Senate Chamber, Olympia, Thursday, May 28, 2015

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

The Sergeant at Arms Color Guard consisting of Mr. Peter Steelquist and Mr. Jeremy Mohn, Assistants to Senator Nelson presented the Colors. Senator Pearson offered the prayer.

MOTION

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

MOTION

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

REPORTS OF STANDING COMMITTEES  
GUBERNATORIAL APPOINTMENTS

May 27, 2015

SGA 9136 DOUGLAS D PETERS, appointed on October 1, 2013, for the term ending December 31, 2018, as Member of the Parks and Recreation Commission. Reported by Committee on Natural Resources & Parks

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

Passed to Committee on Rules for second reading.

May 27, 2015

SGA 9162 BRADLEY F SMITH, reappointed on January 1, 2015, for the term ending December 31, 2020, as Member of the Fish and Wildlife Commission. Reported by Committee on Natural Resources & Parks

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

Passed to Committee on Rules for second reading.

May 27, 2015

SGA 9198 PATRICIA T LANTZ, reappointed on January 1, 2015, for the term ending December 31, 2020, as Member of the Parks and Recreation Commission. Reported by Committee on Natural Resources & Parks

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

Passed to Committee on Rules for second reading.

MOTION

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

Senator Fraser announced a meeting of the Senate Democratic Caucus immediately upon going at ease.

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

MOTION

At 10:07 a.m., on motion of Senator Fain, the Senate was declared to be at ease subject to the call of the President.

The Senate was called to order at 11:23 a.m. by President Owen.

MOTION

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

MESSAGE FROM THE HOUSE

May 27, 2015

MR. PRESIDENT:  
The House has passed:  
SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO. 1299,  
and the same is herewith transmitted.

BERNARD DEAN, Deputy Chief Clerk

MESSAGE FROM THE HOUSE

May 27, 2015

MR. PRESIDENT:  
The House has passed:  
ENGROSSED HOUSE BILL NO. 2214,  
and the same is herewith transmitted.

BERNARD DEAN, Deputy Chief Clerk

MOTION

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

INTRODUCTION AND FIRST READING OF HOUSE BILLS

2ESHB 1299 by House Committee on Transportation (originally sponsored by Representatives Clibborn and Fey)

AN ACT Relating to transportation funding and appropriations; amending RCW 43.19.642, 46.20.385, 46.63.170, 46.68.113, 47.28.030, 47.29.170, 47.56.403, and 47.56.876; amending 2012 c 74 s 11 (uncodified); amending 2015 c ... s 11 (uncodified); amending 2014 c 222 ss 101, 103, 104, 105, 201-205, 207-223, 301, 303-311, 401, 402, 404-407, and 601 (uncodified); amending 2013 c 306 s 206 (uncodified); reenacting and amending RCW 46.18.060;

adding a new section to 2013 c 306 (uncodified); creating new sections; making appropriations and authorizing expenditures for capital improvements; providing an effective date; providing contingent effective dates; and declaring an emergency.

2EHB 2214 by Representatives Reykdal, Taylor, Pettigrew, Shea, Gregory, G. Hunt, Pollet, Holy, Ryu, Haler, Sells, Santos, Farrell, Tarleton, Bergquist, Appleton, Moscoso, Takko, Peterson, Dunshee, Riccelli, Sawyer, Tharinger, Condotta, Gregerson, Stanford, Robinson, Fitzgibbon, Kilduff, Orwall, Ortiz-Self, Van De Wege, Goodman, Kirby, Blake, Wylie, Moeller, Fey, McBride, Hurst, Schmick, S. Hunt, Griffey and Young

AN ACT Relating to increasing academic rigor and streamlining assessment requirements for high school students; amending RCW 28A.655.061, 28A.230.090, 28A.655.066, 28A.655.068, 28A.655.070, 28A.230.125, 28A.320.195, and 28A.700.080; creating a new section; repealing RCW 28A.655.063, 28A.655.065, and 28A.655.066; and providing an effective date.

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

#### MOTION

Senator Fain moved that all measures listed on the Introduction and First Reading report be referred to the committees as designated with the exception of Second Engrossed Substitute House Bill No. 1299.

#### MOTION

Senator Rolfes moved to amend the motion by Senator Fain, that Second Engrossed House Bill 2214 be referred to the Committee on Ways & Means.

The President declared the question before the Senate to be the motion by Senator Rolfes that Second Engrossed House Bill No. 2214 be referred to the Committee on Ways & Means.

#### PARLIAMENTARY INQUIRY

Senator Fain: "Can you please restate what the question before the Senate is?"

#### REPLY BY THE PRESIDENT

President Owen: "Yes. The question before the senate, you had made the motion to refer the committees as designated on the fifth, reading of bills, and Senator Rolfes had moved that that be amended to refer Second Engrossed House Bill No. 2214 to the Committee on Ways & Means. The motion before the senate is the motion by Senator Rolfes."

Senator Fain spoke against the motion.  
Senators Rolfes and Chase spoke in favor of the motion.

#### MOTION

On motion of Senator Rivers, Senator Padden was excused.

Senators Fraser and McAuliffe spoke in favor of the motion.

#### MOTION

On motion of Senator Habib, Senator Jayapal was excused.

Senator Frockt spoke in favor of the motion.

Senator Nelson demanded a roll call.

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

The President declared the question before the Senate to be the motion by Senator Rolfes that Second Engrossed House Bill No. 2214 be referred to the Committee on Ways & Means.

The Secretary called the roll on the motion by Senator Rolfes, the motion failed and Second Engrossed House Bill No. 2214 was not referred to the Committee on Ways & Means by the following vote: Yeas, 21; Nays, 26; Absent, 0; Excused, 2.

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

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

Excused: Senators Jayapal and Padden

#### MOTIONS

On motion of Senator Fain, Second Engrossed House Bill No. 2214 was referred to the Committee on Early Learning & K-12 Education as designated on the Introduction and First Reading report.

On motion of Senator Fain, the rules were suspended and Second Engrossed Substitute House Bill No. 1299 was placed on the day's second reading calendar.

#### MOTION

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

#### MOTION

Senator McAuliffe moved adoption of the following resolution:

#### SENATE RESOLUTION

8683

By Senators McAuliffe, Jayapal, Mullet, Cleveland, Rolfes, Fraser, Ranker, Hasegawa, Sheldon, Parlette, Pedersen, Ericksen, Fain, Litzow, Warnick, Chase, Dandel, Hatfield, Billig, Nelson, Becker, Conway, Darneille, Hewitt, Dammeier, Bailey, Benton, and Kohl-Welles

WHEREAS, On April 25, 2015, a 7.8 magnitude earthquake shook and shattered Nepal 50 miles west of Kathmandu; and

WHEREAS, More than 7,500 people lost their lives, thousands were left homeless, and many more were grievously wounded in the earthquake, which was the most powerful earthquake in Nepal in over 80 years; and

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WHEREAS, Tent cities have been fashioned for the hundreds of thousands who have lost their homes or cannot return home for fear of aftershocks; and

WHEREAS, The destruction of Durbar squares laden with Hindu temples and Buddhist stupas in the Kathmandu Valley has resulted in irreparable damage to Nepal's cultural heritage; and

WHEREAS, Courageous first responders, the Government of Nepal and its military, and civilians have worked tirelessly and selflessly to save the lives of those stranded on mountain tops, cut off in remote villages, and buried under rubble; and

WHEREAS, Nepal is a country blessed by the awe-inspiring magnificence of snowcapped Himalayas, the glacial foaming of roaring rivers, and the cleansing purity of verdant valleys; and

WHEREAS, The people of Nepal are icons of bravery, and their homes legendary for their instant warmth and hospitality; and

WHEREAS, In the aftermath of this calamity, the thing that stands out is the instant compassion and can-do resourcefulness: The push cart vendor who gave all his fruit to tent city occupants, the selfless nurses and doctors working without rest, the thousands of volunteers braving the odds to work tirelessly through the night to rescue those trapped under rubble; and

WHEREAS, The full extent of the damage from this tragedy is still unknown; and

WHEREAS, The United States is home to more than 100,000 people of Nepali ancestry, with Seattle having one of the largest communities in the nation; and

WHEREAS, Nepali-Americans and others in Washington State have close family members and relatives who have been affected or lost in this tragedy, and are still coping with its after-effects; and

WHEREAS, There continue to be at least two Washingtonians—both recent high school graduates—who remain lost; and

WHEREAS, Several organizations based in Washington State have numerous staff members living in Nepal, contributing to relief efforts and also suffering the effects of the earthquake; and

WHEREAS, Even in the grim aftermath of this disaster, hope shines through for the people of Nepal;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate express its deepest and most heartfelt condolences for the people of Nepal's unfathomable loss, especially for those Washingtonians who are closely connected to Nepal; and

BE IT FURTHER RESOLVED, That the Washington State Senate thank those Washingtonians who contribute to and aid in the relief efforts in Nepal through financial contributions to reputable agencies, volunteering of their professional medical skills and time, and other contributions that help the health and safety of those affected.

Senator McAuliffe spoke in favor of adoption of the resolution.

MOMENT OF SILENCE

The Senate rose and observed a moment of silence in remembrance of the victims and survivors of the Gorkha earthquake which occurred on April 25, 2015 in Nepal.

Senators Benton, Fraser, Baumgartner spoke in favor of adoption of Senate Resolution No. 8683.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8683.

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

MOTION

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

THIRD READING

SENATE BILL NO. 5015, by Senators Honeyford and Ericksen.

Extending the dairy inspection program assessment expiration date.

The bill was read on Third Reading.

Senator Honeyford spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5015.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5015 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Jayapal and Padden

SENATE BILL NO. 5015, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

THIRD READING

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5177, by Senate Committee on Ways & Means (originally sponsored by Senators O'Ban and Darneille).

Improving timeliness of competency evaluation and restoration services.

The bill was read on Third Reading.

MOTION

On motion of Senator O'Ban, the rules were suspended and Engrossed Second Substitute Senate Bill No. 5177 was returned to second reading for the purpose of amendment.

SECOND READING

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5177, by Senate Committee on Ways & Means (originally sponsored by Senators O'Ban and Darneille)

Improving timeliness of competency evaluation and restoration services.

The measure was read the second time.

### MOTION

Senator O'Ban moved that the following striking amendment by Senators O'Ban and Darneille be adopted:

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** (1) The legislature finds that there are currently no alternatives to competency restoration provided in the state hospitals. Subject to the availability of amounts appropriated for this specific purpose, the legislature encourages the department of social and health services to develop, on a phased-in basis, alternative locations and increased access to competency restoration services under chapter 10.77 RCW for individuals who do not require inpatient psychiatric hospitalization level services.

(2) The department of social and health services shall work with counties and the court to develop a screening process to determine which individuals are safe to receive competency restoration treatment outside the state hospitals.

**NEW SECTION. Sec. 2.** A new section is added to chapter 10.77 RCW to read as follows:

Within twenty-four hours of the signing of a court order requesting the secretary to provide a competency evaluation or competency restoration treatment:

(1) The clerk of the court shall provide the court order and the charging documents, including the request for bail and certification of probable cause, to the state hospital. If the order is for competency restoration treatment and the competency evaluation was provided by a qualified expert or professional person who was not designated by the secretary, the clerk shall also provide the state hospital with a copy of all previous court orders related to competency or criminal insanity and a copy of any of the evaluation reports;

(2) The prosecuting attorney shall provide the discovery packet, including a statement of the defendant's criminal history, to the state hospital; and

(3) If the court order requires transportation of the defendant to a state hospital, the jail administrator shall provide the defendant's medical clearance information to the state hospital admission staff.

**NEW SECTION. Sec. 3.** A new section is added to chapter 10.77 RCW to read as follows:

(1) A city or county jail shall transport a defendant to a state hospital or other secure facility designated by the department within one day of receipt of an offer of admission of the defendant for competency evaluation or restoration services.

(2) City and county jails must cooperate with competency evaluators and the department to arrange for competency evaluators to have reasonable, timely, and appropriate access to defendants for the purpose of performing evaluations under this chapter to accommodate the seven-day performance target for completing competency evaluations for defendants in custody.

**Sec. 4.** RCW 10.77.084 and 2012 c 256 s 5 are each amended to read as follows:

(1)(a) If at any time during the pendency of an action and prior to judgment the court finds, following a report as provided in RCW 10.77.060, a defendant is incompetent, the court shall order the proceedings against the defendant be stayed except as provided in subsection (4) of this section.

(b) The court may order a defendant who has been found to be incompetent to undergo competency restoration treatment at a facility designated by the department if the defendant is eligible under RCW 10.77.086 or 10.77.088. At the end of ~~((the mental~~

~~health treatment and)) each competency restoration period((, if any)) or at any time a professional person determines competency has been, or is unlikely to be, restored, the defendant shall be returned to court for a hearing((-)), except that if the opinion of the professional person is that the defendant remains incompetent and the hearing is held before the expiration of the current competency restoration period, the parties may agree to waive the defendant's presence ~~((or)),~~ to remote participation by the defendant at a hearing, or to presentation of an agreed order ~~((if the recommendation of the evaluator is for the continuation of the stay of criminal proceedings, or if the opinion of the evaluator is that the defendant remains incompetent and there is no remaining restoration period, and the hearing is held prior to expiration of the defendant's authorized period of commitment, in which case))~~ in lieu of a hearing. The ~~((department))~~ facility shall promptly notify the court and all parties of the date ~~((of the defendant's admission and expiration of commitment))~~ on which the competency restoration period commences and expires so that a timely hearing date may be scheduled.~~

(c) If, ~~((after))~~ following notice and hearing((-) or entry of an agreed order under (b) of this subsection, the court finds that competency has been restored, the court shall lift the stay entered under (a) of this subsection ((shall be lifted)). If the court finds that competency has not been restored, the court shall dismiss the proceedings ((shall be dismissed)) without prejudice((-If the court concludes that competency has not been restored, but)), except that the court may order a further period of competency restoration treatment if it finds that further treatment within the time limits established by RCW 10.77.086 or 10.77.088 is likely to restore competency, ~~((the court may order that treatment for purposes of competency restoration be continued. Such treatment may not extend beyond the combination of time provided for in))~~ and a further period of treatment is allowed under RCW 10.77.086 or 10.77.088.

~~((or))~~ (d) If at any time during the proceeding the court finds, following notice and hearing, a defendant is not likely to regain competency, the court shall dismiss the proceedings ((shall be dismissed)) without prejudice and refer the defendant ((shall be evaluated)) for civil commitment evaluation or proceedings if appropriate under RCW 10.77.065, 10.77.086, or 10.77.088.

(2) If the defendant is referred for evaluation by a designated mental health professional under this chapter, the designated mental health professional shall provide prompt written notification of the results of the evaluation and whether the person was detained. The notification shall be provided to the court in which the criminal action was pending, the prosecutor, the defense attorney in the criminal action, and the facility that evaluated the defendant for competency.

(3) The fact that the defendant is unfit to proceed does not preclude any pretrial proceedings which do not require the personal participation of the defendant.

(4) A defendant receiving medication for either physical or mental problems shall not be prohibited from standing trial, if the medication either enables the defendant to understand the proceedings against him or her and to assist in his or her own defense, or does not disable him or her from so understanding and assisting in his or her own defense.

(5) At or before the conclusion of any commitment period provided for by this section, the facility providing evaluation and treatment shall provide to the court a written report of evaluation which meets the requirements of RCW 10.77.060(3). For defendants charged with a felony, the report following the second competency restoration period or first competency restoration period if the defendant's incompetence is determined to be solely due to a developmental disability or the evaluator concludes that the defendant is not likely to regain competency must include an

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assessment of the defendant's future dangerousness which is evidence-based regarding predictive validity.

**Sec. 5.** RCW 10.77.086 and 2013 c 289 s 2 are each amended to read as follows:

(1)(a)(~~i~~) If the defendant is charged with a felony and determined to be incompetent, until he or she has regained the competency necessary to understand the proceedings against him or her and assist in his or her own defense, (~~or has been determined unlikely to regain competency pursuant to RCW 10.77.084(1)(b),~~) but in any event for a period of no longer than ninety days, the court:

((~~ii~~)) (A) Shall commit the defendant to the custody of the secretary who shall place such defendant in an appropriate facility of the department for evaluation and treatment; or

((~~ii~~)) (B) May alternatively order the defendant to undergo evaluation and treatment at some other facility or provider as determined by the department, or under the guidance and control of a professional person. The facilities or providers may include community mental health providers or other local facilities that contract with the department and are willing and able to provide treatment under this section. During the 2015-2017 fiscal biennium, the department may contract with one or more cities or counties to provide competency restoration services in a city or county jail if the city or county jail is willing and able to serve as a location for competency restoration services and if the secretary determines that there is an emergent need for beds and documents the justification, including a plan to address the emergency. Patients receiving competency restoration services in a city or county jail must be physically separated from other populations at the jail and restoration treatment services must be provided as much as possible within a therapeutic environment.

(i) The ninety day period for evaluation and treatment under this subsection (1) includes only the time the defendant is actually at the facility and is in addition to reasonable time for transport to or from the facility.

(b) For a defendant whose highest charge is a class C felony, or a class B felony that is not classified as violent under RCW 9.94A.030, the maximum time allowed for the initial period of commitment for competency restoration is forty-five days. The forty-five day period includes only the time the defendant is actually at the facility and is in addition to reasonable time for transport to or from the facility.

(c) If the court determines or the parties agree that the defendant is unlikely to regain competency, the court may dismiss the charges without prejudice without ordering the defendant to undergo restoration treatment, in which case the court shall order that the defendant be referred for evaluation for civil commitment in the manner provided in subsection (4) of this section.

(2) On or before expiration of the initial period of commitment under subsection (1) of this section the court shall conduct a hearing, at which it shall determine whether or not the defendant is incompetent.

(3) If the court finds by a preponderance of the evidence that a defendant charged with a felony is incompetent, the court shall have the option of extending the order of commitment or alternative treatment for an additional period of ninety days, but the court must at the time of extension set a date for a prompt hearing to determine the defendant's competency before the expiration of the second restoration period. The defendant, the defendant's attorney, or the prosecutor has the right to demand that the hearing be before a jury. No extension shall be ordered for a second or third restoration period as provided in subsection (4) of this section if the defendant's incompetence has been determined by the secretary to be solely the result of a

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developmental disability which is such that competence is not reasonably likely to be regained during an extension. The ninety-day period includes only the time the defendant is actually at the facility and is in addition to reasonable time for transport to or from the facility.

(4) For persons charged with a felony, at the hearing upon the expiration of the second restoration period or at the end of the first restoration period((;-)) in the case of a defendant with a developmental disability, if the jury or court finds that the defendant is incompetent, or if the court or jury at any stage finds that the defendant is incompetent and the court determines that the defendant is unlikely to regain competency, the charges shall be dismissed without prejudice, and the court shall order the defendant be committed to a state hospital as defined in RCW 72.23.010 for up to seventy-two hours starting from admission to the facility, excluding Saturdays, Sundays, and holidays, for evaluation for the purpose of filing a civil commitment petition under chapter 71.05 RCW. The criminal charges shall not be dismissed if the court or jury finds that: (a) The defendant (i) is a substantial danger to other persons; or (ii) presents a substantial likelihood of committing criminal acts jeopardizing public safety or security; and (b) there is a substantial probability that the defendant will regain competency within a reasonable period of time. In the event that the court or jury makes such a finding, the court may extend the period of commitment for up to an additional six months. The six-month period includes only the time the defendant is actually at the facility and is in addition to reasonable time for transport to or from the facility.

**Sec. 6.** RCW 10.77.088 and 2007 c 375 s 5 are each amended to read as follows:

(1)(a) If the defendant is charged with a nonfelony crime which is a serious offense as identified in RCW 10.77.092 and found by the court to be not competent, then the court (~~shall order the secretary to place the defendant~~):

(i) (~~At a secure mental health facility in the custody of the department or an agency designated by the department for mental health treatment and restoration of competency-~~) Shall commit the defendant to the custody of the secretary who shall place such defendant in an appropriate facility of the department for evaluation and treatment;

(ii) May alternatively order the defendant to undergo evaluation and treatment at some other facility or provider as determined by the department, or under the guidance and control of a professional person. The facilities or providers may include community mental health providers or other local facilities that contract with the department and are willing and able to provide treatment under this section. During the 2015-2017 fiscal biennium, the department may contract with one or more cities or counties to provide competency restoration services in a city or county jail if the city or county jail is willing and able to serve as a location for competency restoration services and if the secretary determines that there is an emergent need for beds and documents the justification, including a plan to address the emergency. Patients receiving competency restoration services in a city or county jail must be physically separated from other populations at the jail and restoration treatment services must be provided as much as possible within a therapeutic environment. The placement under (a)(i) and (ii) of this subsection shall not exceed fourteen days in addition to any unused time of the evaluation under RCW 10.77.060. The court shall compute this total period and include its computation in the order. The fourteen-day period plus any unused time of the evaluation under RCW 10.77.060 shall be considered to include only the time the defendant is actually at the facility and shall be in addition to reasonable time for transport to or from the facility;

~~((iii))~~ (iii) May alternatively order that the defendant be placed on conditional release for up to ninety days for mental health treatment and restoration of competency; or

~~((iii))~~ (iv) May order any combination of this subsection.

(b) If the court has determined or the parties agree that the defendant is unlikely to regain competency, the court may dismiss the charges without prejudice without ordering the defendant to undergo restoration treatment, in which case the court shall order that the defendant be referred for evaluation for civil commitment in the manner provided in (c) of this subsection.

(c)(i) If the proceedings are dismissed under RCW 10.77.084 and the defendant was on conditional release at the time of dismissal, the court shall order the designated mental health professional within that county to evaluate the defendant pursuant to chapter 71.05 RCW. The evaluation may be conducted in any location chosen by the professional.

(ii) If the defendant was in custody and not on conditional release at the time of dismissal, the defendant shall be detained and sent to an evaluation and treatment facility for up to seventy-two hours, excluding Saturdays, Sundays, and holidays, for evaluation for purposes of filing a petition under chapter 71.05 RCW. The seventy-two-hour period shall commence upon the next nonholiday weekday following the court order and shall run to the end of the last nonholiday weekday within the seventy-two-hour period.

(2) If the defendant is charged with a nonfelony crime that is not a serious offense as defined in RCW 10.77.092:

The court may stay or dismiss proceedings and detain the defendant for sufficient time to allow the designated mental health professional to evaluate the defendant and consider initial detention proceedings under chapter 71.05 RCW. The court must give notice to all parties at least twenty-four hours before the dismissal of any proceeding under this subsection, and provide an opportunity for a hearing on whether to dismiss the proceedings.

**Sec. 7.** RCW 10.77.073 and 2013 c 284 s 1 are each amended to read as follows:

(1) The department shall reimburse a county for the cost of appointing a qualified expert or professional person under RCW 10.77.060(1)(a) subject to subsections (2) through (4) of this section if, at the time of a referral for an evaluation of competency to stand trial in a jail for an in-custody defendant, the department ~~((has not met))~~: (a) During the most recent quarter, did not perform at least one-third of the number of jail-based competency evaluations for in-custody defendants as were performed by qualified experts or professional persons appointed by the court in the referring county; or (b) did not meet the performance target for timely completion of competency evaluations under RCW 10.77.068(1)(a)(~~((iii))~~) (iii) during the most recent quarter in fifty percent of cases submitted by the referring county, as documented in the most recent quarterly report under RCW 10.77.068(3) or confirmed by records maintained by the department~~((, the department shall reimburse the county for the cost of appointing a qualified expert or professional person under RCW 10.77.060(1)(a) subject to subsections (2) and (3) of this section))~~.

(2) Appointment of a qualified expert or professional person under this section must be from a list of qualified experts or professional persons assembled with participation by representatives of the prosecuting attorney and the defense bar of the county. The qualified expert or professional person shall complete an evaluation and report that includes the components specified in RCW 10.77.060(3).

(3) The county shall provide a copy of the evaluation report to the applicable state hospital upon referral of the defendant for admission to the state hospital. The county shall ~~((maintain data~~

~~on the timeliness of competency evaluations completed under this section))~~);

(a) In consultation with the department, develop and maintain critical data elements, including data on the timeliness of competency evaluations completed under this section; and

(b) Share this data with the department upon the department's request.

(4) A qualified expert or professional person appointed by a court under this section must be compensated for competency evaluations in an amount that will encourage in-depth evaluation reports. Subject to the availability of amounts appropriated for this specific purpose, the department shall reimburse the county in an amount determined by the department to be fair and reasonable with the county paying any excess costs. The amount of reimbursement established by the department must at least meet the equivalent amount for evaluations conducted by the department.

~~((4)-(5))~~ (5) Nothing in this section precludes either party from objecting to the appointment of an evaluator on the basis that an inpatient evaluation is appropriate under RCW 10.77.060(1)(d).

~~((5)-(6))~~ (6) This section expires June 30, ~~((2016))~~ 2019.

**Sec. 8.** RCW 10.77.220 and 1982 c 112 s 3 are each amended to read as follows:

No person who is criminally insane confined pursuant to this chapter shall be incarcerated in a state correctional institution or facility ~~((PROVIDED, That nothing herein shall prohibit))~~. This section does not apply to confinement in a mental health facility located wholly within a correctional institution. Confinement of a person who is criminally insane in a county jail or other local facility while awaiting either placement in a treatment program or a court hearing pursuant to this chapter is permitted for no more than seven days.

**NEW SECTION. Sec. 9.** A new section is added to chapter 10.77 RCW to read as follows:

(1) If the issue of competency to stand trial is raised by the court or a party under RCW 10.77.060, the prosecutor may continue with the competency process or dismiss the charges without prejudice and refer the defendant for assessment by a mental health professional, chemical dependency professional, or developmental disabilities professional to determine the appropriate service needs for the defendant.

(2) This section does not apply to defendants with a current charge or prior conviction for a violent offense or sex offense as defined in RCW 9.94A.030, or a violation of RCW 9A.36.031(1)(d), (f), or (h).

**NEW SECTION. Sec. 10.** A new section is added to chapter 10.77 RCW to read as follows:

(1) In order to prioritize goals of accuracy, prompt service to the court, quality assurance, and integration with other services, an office of forensic mental health services is established within the department of social and health services. The office shall be led by a director on at least the level of deputy assistant secretary within the department who shall, after a reasonable period of transition, have responsibility for the following functions:

(a) Operational control of all forensic evaluation services, including specific budget allocation;

(b) Responsibility for training forensic evaluators;

(c) Development of a system to certify forensic evaluators, and to monitor the quality of forensic evaluation reports;

(d) Liaison with courts, jails, and community mental health programs to ensure proper flow of information, coordinate logistical issues, and solve problems in complex circumstances;

(e) Coordination with state hospitals to identify and develop best practice interventions and curricula for services that are unique to forensic patients;

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(f) Promotion of congruence across state hospitals where appropriate, and promotion of interventions that flow smoothly into community interventions;

(g) Coordination with regional support networks, behavioral health organizations, community mental health agencies, and the department of corrections regarding community treatment and monitoring of persons on conditional release;

(h) Oversight of forensic data collection and analysis statewide, and appropriate dissemination of data trends and recommendations; and

(i) Oversight of the development, implementation, and maintenance of community forensic programs and services.

(2) The office of forensic mental health services must have a clearly delineated budget separate from the overall budget for state hospital services.

**NEW SECTION. Sec. 11.** A new section is added to chapter 10.77 RCW to read as follows:

The secretary shall adopt rules as may be necessary to implement chapter . . . , Laws of 2015 1st sp. sess. (this act).

**NEW SECTION. Sec. 12.** By December 31, 2015, the administrative office of the courts shall develop and prepare standard forms for court orders for: (1) Forensic evaluation and competency restoration services under chapter 10.77 RCW; and (2) involuntary civil commitment under chapter 71.05 RCW. In developing the standard court order forms, the administrative office of the courts shall consult with representatives from the superior courts and county clerks, the department of social and health services including the state hospitals, the attorney general's office, prosecuting attorneys, defense attorneys, the Washington state association of counties, disability rights Washington, and tribal and community mental health groups.

**NEW SECTION. Sec. 13.** There is established a court video testimony work group, to be composed of representatives from the administrative office of the courts, the superior courts, the department of social and health services including the state hospitals, prosecuting attorneys, defense attorneys, the Washington state association of counties, the attorney general's office, and disability rights Washington. The purpose of the work group is to consider and facilitate the use of video testimony by state competency evaluators and other representatives of the department of social and health services and the state hospitals in court matters under chapter 10.77 RCW. The work group must consider the applicability of local rules and the confrontation rights of the defendant. The administrative office of the courts is requested to convene and provide staffing to the work group. The work group must complete its work by June 30, 2016.

**Sec. 14.** RCW 71.05.235 and 2008 c 213 s 5 are each amended to read as follows:

(1) If an individual is referred to a designated mental health professional under RCW 10.77.088(1)((~~b~~)) (c)(i), the designated mental health professional shall examine the individual within forty-eight hours. If the designated mental health professional determines it is not appropriate to detain the individual or petition for a ninety-day less restrictive alternative under RCW 71.05.230(4), that decision shall be immediately presented to the superior court for hearing. The court shall hold a hearing to consider the decision of the designated mental health professional not later than the next judicial day. At the hearing the superior court shall review the determination of the designated mental health professional and determine whether an order should be entered requiring the person to be evaluated at an evaluation and treatment facility. No person referred to an evaluation and treatment facility may be held at the facility longer than seventy-two hours.

(2) If an individual is placed in an evaluation and treatment facility under RCW 10.77.088(1)((~~b~~)) (c)(ii), a professional person shall evaluate the individual for purposes of determining whether to file a ninety-day inpatient or outpatient petition under chapter 71.05 RCW. Before expiration of the seventy-two hour evaluation period authorized under RCW 10.77.088(1)((~~b~~)) (c)(ii), the professional person shall file a petition or, if the recommendation of the professional person is to release the individual, present his or her recommendation to the superior court of the county in which the criminal charge was dismissed. The superior court shall review the recommendation not later than forty-eight hours, excluding Saturdays, Sundays, and holidays, after the recommendation is presented. If the court rejects the recommendation to unconditionally release the individual, the court may order the individual detained at a designated evaluation and treatment facility for not more than a seventy-two hour evaluation and treatment period and direct the individual to appear at a surety hearing before that court within seventy-two hours, or the court may release the individual but direct the individual to appear at a surety hearing set before that court within eleven days, at which time the prosecutor may file a petition under this chapter for ninety-day inpatient or outpatient treatment. If a petition is filed by the prosecutor, the court may order that the person named in the petition be detained at the evaluation and treatment facility that performed the evaluation under this subsection or order the respondent to be in outpatient treatment. If a petition is filed but the individual fails to appear in court for the surety hearing, the court shall order that a mental health professional or peace officer shall take such person or cause such person to be taken into custody and placed in an evaluation and treatment facility to be brought before the court the next judicial day after detention. Upon the individual's first appearance in court after a petition has been filed, proceedings under RCW 71.05.310 and 71.05.320 shall commence. For an individual subject to this subsection, the prosecutor or professional person may directly file a petition for ninety-day inpatient or outpatient treatment and no petition for initial detention or fourteen-day detention is required before such a petition may be filed.

The court shall conduct the hearing on the petition filed under this subsection within five judicial days of the date the petition is filed. The court may continue the hearing upon the written request of the person named in the petition or the person's attorney, for good cause shown, which continuance shall not exceed five additional judicial days. If the person named in the petition requests a jury trial, the trial shall commence within ten judicial days of the date of the filing of the petition. The burden of proof shall be by clear, cogent, and convincing evidence and shall be upon the petitioner. The person shall be present at such proceeding, which shall in all respects accord with the constitutional guarantees of due process of law and the rules of evidence pursuant to RCW 71.05.360 (8) and (9).

During the proceeding the person named in the petition shall continue to be detained and treated until released by order of the court. If no order has been made within thirty days after the filing of the petition, not including any extensions of time requested by the detained person or his or her attorney, the detained person shall be released.

(3) If a designated mental health professional or the professional person and prosecuting attorney for the county in which the criminal charge was dismissed or attorney general, as appropriate, stipulate that the individual does not present a likelihood of serious harm or is not gravely disabled, the hearing under this section is not required and the individual, if in custody, shall be released.

(4) The individual shall have the rights specified in RCW 71.05.360 (8) and (9).

**Sec. 15.** RCW 10.77.065 and 2014 c 10 s 3 are each amended to read as follows:

(1)(a)(i) The expert conducting the evaluation shall provide his or her report and recommendation to the court in which the criminal proceeding is pending. For a competency evaluation of a defendant who is released from custody, if the evaluation cannot be completed within twenty-one days due to a lack of cooperation by the defendant, the evaluator shall notify the court that he or she is unable to complete the evaluation because of such lack of cooperation.

(ii) A copy of the report and recommendation shall be provided to the designated mental health professional, the prosecuting attorney, the defense attorney, and the professional person at the local correctional facility where the defendant is being held, or if there is no professional person, to the person designated under (a)(iv) of this subsection. Upon request, the evaluator shall also provide copies of any source documents relevant to the evaluation to the designated mental health professional.

(iii) Any facility providing inpatient services related to competency shall discharge the defendant as soon as the facility determines that the defendant is competent to stand trial. Discharge shall not be postponed during the writing and distribution of the evaluation report. Distribution of an evaluation report by a facility providing inpatient services shall ordinarily be accomplished within two working days or less following the final evaluation of the defendant. If the defendant is discharged to the custody of a local correctional facility, the local correctional facility must continue the medication regimen prescribed by the facility, when clinically appropriate, unless the defendant refuses to cooperate with medication and an involuntary medication order by the court has not been entered.

(iv) If there is no professional person at the local correctional facility, the local correctional facility shall designate a professional person as defined in RCW 71.05.020 or, in cooperation with the regional support network, a professional person at the regional support network to receive the report and recommendation.

(v) Upon commencement of a defendant's evaluation in the local correctional facility, the local correctional facility must notify the evaluator of the name of the professional person, or person designated under (a)(iv) of this subsection, to receive the report and recommendation.

(b) If the evaluator concludes, under RCW 10.77.060(3)(f), the person should be evaluated by a designated mental health professional under chapter 71.05 RCW, the court shall order such evaluation be conducted prior to release from confinement when the person is acquitted or convicted and sentenced to confinement for twenty-four months or less, or when charges are dismissed pursuant to a finding of incompetent to stand trial.

(2) The designated mental health professional shall provide written notification within twenty-four hours of the results of the determination whether to commence proceedings under chapter 71.05 RCW. The notification shall be provided to the persons identified in subsection (1)(a) of this section.

(3) The prosecuting attorney shall provide a copy of the results of any proceedings commenced by the designated mental health professional under subsection (2) of this section to the secretary.

(4) A facility conducting a civil commitment evaluation under RCW 10.77.086(4) or 10.77.088(1)(~~(b))~~ (c)(ii) that makes a determination to release the person instead of filing a civil commitment petition must provide written notice to the prosecutor and defense attorney at least twenty-four hours prior to release. The notice may be given by electronic mail, facsimile,

or other means reasonably likely to communicate the information immediately.

(5) The fact of admission and all information and records compiled, obtained, or maintained in the course of providing services under this chapter may also be disclosed to the courts solely to prevent the entry of any evaluation or treatment order that is inconsistent with any order entered under chapter 71.05 RCW.

**Sec. 16.** RCW 10.77.065 and 2014 c 225 s 59 and 2014 c 10 s 3 are each reenacted and amended to read as follows:

(1)(a)(i) The expert conducting the evaluation shall provide his or her report and recommendation to the court in which the criminal proceeding is pending. For a competency evaluation of a defendant who is released from custody, if the evaluation cannot be completed within twenty-one days due to a lack of cooperation by the defendant, the evaluator shall notify the court that he or she is unable to complete the evaluation because of such lack of cooperation.

(ii) A copy of the report and recommendation shall be provided to the designated mental health professional, the prosecuting attorney, the defense attorney, and the professional person at the local correctional facility where the defendant is being held, or if there is no professional person, to the person designated under (a)(iv) of this subsection. Upon request, the evaluator shall also provide copies of any source documents relevant to the evaluation to the designated mental health professional.

(iii) Any facility providing inpatient services related to competency shall discharge the defendant as soon as the facility determines that the defendant is competent to stand trial. Discharge shall not be postponed during the writing and distribution of the evaluation report. Distribution of an evaluation report by a facility providing inpatient services shall ordinarily be accomplished within two working days or less following the final evaluation of the defendant. If the defendant is discharged to the custody of a local correctional facility, the local correctional facility must continue the medication regimen prescribed by the facility, when clinically appropriate, unless the defendant refuses to cooperate with medication and an involuntary medication order by the court has not been entered.

(iv) If there is no professional person at the local correctional facility, the local correctional facility shall designate a professional person as defined in RCW 71.05.020 or, in cooperation with the behavioral health organization, a professional person at the behavioral health organization to receive the report and recommendation.

(v) Upon commencement of a defendant's evaluation in the local correctional facility, the local correctional facility must notify the evaluator of the name of the professional person, or person designated under (a)(iv) of this subsection, to receive the report and recommendation.

(b) If the evaluator concludes, under RCW 10.77.060(3)(f), the person should be evaluated by a designated mental health professional under chapter 71.05 RCW, the court shall order such evaluation be conducted prior to release from confinement when the person is acquitted or convicted and sentenced to confinement for twenty-four months or less, or when charges are dismissed pursuant to a finding of incompetent to stand trial.

(2) The designated mental health professional shall provide written notification within twenty-four hours of the results of the determination whether to commence proceedings under chapter 71.05 RCW. The notification shall be provided to the persons identified in subsection (1)(a) of this section.

(3) The prosecuting attorney shall provide a copy of the results of any proceedings commenced by the designated mental health professional under subsection (2) of this section to the secretary.



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(4) A facility conducting a civil commitment evaluation under RCW 10.77.086(4) or 10.77.088(1)(~~(b))~~ (c)(ii) that makes a determination to release the person instead of filing a civil commitment petition must provide written notice to the prosecutor and defense attorney at least twenty-four hours prior to release. The notice may be given by electronic mail, facsimile, or other means reasonably likely to communicate the information immediately.

(5) The fact of admission and all information and records compiled, obtained, or maintained in the course of providing services under this chapter may also be disclosed to the courts solely to prevent the entry of any evaluation or treatment order that is inconsistent with any order entered under chapter 71.05 RCW.

**NEW SECTION. Sec. 17.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

**NEW SECTION. Sec. 18.** Section 15 of this act expires April 1, 2016.

**NEW SECTION. Sec. 19.** (1) Section 7 of this act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately.

(2) Sections 1 through 6 and 8 through 15 of this act are necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and take effect July 1, 2015.

(3) Section 16 of this act takes effect April 1, 2016.

**NEW SECTION. Sec. 20.** Section 1, chapter 253, Laws of 2015 is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect June 30, 2015."

Senators O'Ban and Darneille spoke in favor of adoption of the striking amendment.

The President declared the question before the Senate to be the adoption of the striking amendment by Senators O'Ban and Darneille to Engrossed Second Substitute Senate Bill No. 5177.

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

MOTION

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

On page 1, line 1 of the title, after "Relating to" strike the remainder of the title and insert "improving forensic mental health services; amending RCW 10.77.084, 10.77.086, 10.77.088, 10.77.073, 10.77.220, 71.05.235, and 10.77.065; reenacting and amending RCW 10.77.065; adding new sections to chapter 10.77 RCW; creating new sections; providing effective dates; providing expiration dates; and declaring an emergency."

MOTION

On motion of Senator O'Ban, the rules were suspended, Second Engrossed Second Substitute Senate Bill No. 5177 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators O'Ban, Darneille and Conway spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Second Engrossed Second Substitute Senate Bill No. 5177.

ROLL CALL

The Secretary called the roll on the final passage of Second Engrossed Second Substitute Senate Bill No. 5177 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 1; Absent, 0; Excused, 2.

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

Voting nay: Senator Hasegawa

Excused: Senators Jayapal and Padden

SECOND ENGROSSED SECOND SUBSTITUTE 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.

MOTION

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

SECOND READING

SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO. 1299, by House Committee on Transportation (originally sponsored by Representatives Clibborn and Fey)

Making transportation appropriations for the 2015-2017 fiscal biennium. Revised for 1st Substitute: Making transportation appropriations for the 2013-2015 and 2015-2017 fiscal biennia.

The measure was read the second time.

MOTION

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

On page 31, line 24, after "(I)." strike "Any" and insert "After the conditions specified in section 311(2)(b) of this act have been met, any"

On page 41, line 37, after "biennia." insert "Any federal funds gained through efficiencies, adjustments to the federal funds forecast, additional congressional action not related to a specific project or purpose, or the federal funds redistribution process for which safe routes to school projects are an eligible purpose must first be used for safe routes to school projects until total federal funding committed to projects in this program reaches \$11,400,000 during the 2015-2017 fiscal biennium. The legislature intends that the amount of federal funds provided in the 2011-2013 and 2013-2015 omnibus transportation appropriations acts constitutes the base level of federal funding for this program and as such the department must include at least \$11,400,000 in federal funds for this program in future budget submittals."

WITHDRAWAL OF AMENDMENT

On motion of Senator Billig, the amendment by Senator Billig on page 31, line 24 to Second Engrossed Substitute House Bill No. 1299 was withdrawn.

#### MOTION

On motion of Senator King, the rules were suspended, Second Engrossed Substitute House Bill No. 1299 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators King, Hobbs, Ranker, Conway and Billig spoke in favor of passage of the bill.

Senator King again spoke in favor of passage of the bill.

Senators Hasegawa and Ericksen spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Second Engrossed Substitute House Bill No. 1299.

#### ROLL CALL

The Secretary called the roll on the final passage of Second Engrossed Substitute House Bill No. 1299 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Jayapal and Padden

SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO. 1299, 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. 6125, by Senators Honeyford, Keiser and Warnick

Concerning emergency drought response.

#### MOTIONS

On motion of Senator Honeyford, Substitute Senate Bill No. 6125 was substituted for Senate Bill No. 6125 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Honeyford, the rules were suspended, Substitute Senate Bill No. 6125 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Honeyford and Keiser 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. 6125.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6125 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Jayapal and Padden

SUBSTITUTE SENATE BILL NO. 6125, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

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

#### THIRD READING

SUBSTITUTE SENATE BILL NO. 5317, by Senate Committee on Health Care (originally sponsored by Senators Frockt, Becker, Mullet, Miloscia, Jayapal, Dammeier, Kohl-Welles, Litzow, Pedersen, Hatfield, Keiser, Darneille, Rivers, McAuliffe, Hasegawa, Rolfes, Conway and Chase).

Requiring universal screening and provider payment for autism and developmental delays for children in medicaid programs.

The bill was read on Third Reading.

Senator Frockt 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. 5317.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5317 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Jayapal and Padden

SUBSTITUTE SENATE BILL NO. 5317, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### THIRD READING

SENATE BILL NO. 5761, by Senators Pearson, Hobbs, McCoy, Bailey and Benton.

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Providing for property tax exemption for the value of new construction of industrial/manufacturing facilities in targeted urban areas.

The bill was read on Third Reading.

MOTION

On motion of Senator Pearson, the rules were suspended and Senate Bill No. 5761 was returned to second reading for the purpose of amendment.

SECOND READING

SENATE BILL NO. 5761, by Senators Pearson, Hobbs, McCoy, Bailey and Benton

Providing for property tax exemption for the value of new construction of industrial/manufacturing facilities in targeted urban areas.

The measure was read the second time.

MOTION

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

On page 2, beginning on line 16, after "means" strike all material through "act" on line 19 and insert "any city that: (a) Has a population of at least eighteen thousand; and (b) is North or East of the largest city in the county in which the city is located and such county has a population of at least seven hundred thousand, but less than eight hundred thousand"

Senators Pearson and Chase spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of the amendment by Senator Pearson on page 2, line 16 to Senate Bill No. 5761.

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

MOTION

On motion of Senator Pearson, the rules were suspended, Engrossed Senate Bill No. 5761 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Pearson spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5761.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5761 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Jayapal and Padden  
 ENGROSSED SENATE BILL NO. 5761, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Fain announced a hearing by the Committee on Ways & Means shortly after 1:00 o'clock p.m., requesting senators stay near the floor for further floor action after the hearing.

MOTION

At 12:38 p.m., on motion of Senator Fain, the Senate was declared to be at ease subject to the call of the President.

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AFTERNOON SESSION

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The Senate was called to order at 4:01 p.m. by President Owen.

MOTION

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

SUPPLEMENTAL REPORTS OF STANDING COMMITTEES

May 28, 2015

SB 6050 Prime Sponsor, Senator Hill: Relating to fiscal matters. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 6050 be substituted therefor, and the substitute bill do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Bailey; Becker; Brown; Hewitt; O'Ban; Parlette; Schoesler and Warnick.

MINORITY recommendation: Do not pass. Signed by Senators Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Billig; Conway; Fraser; Hasegawa; Hatfield and Kohl-Welles.

Passed to Committee on Rules for second reading.

MOTION

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

MOTION

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

MESSAGE FROM THE HOUSE

May 28, 2015

MR. PRESIDENT:  
 The House has passed  
 SECOND ENGROSSED SECOND SUBSTITUTE  
 SENATE BILL NO. 5177.

and the same is herewith transmitted.

BARBARA BAKER, Chief Clerk

MESSAGE FROM THE HOUSE

May 28, 2015

MR. PRESIDENT:

The Speaker has signed:

SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO. 1299

and the same is herewith transmitted.

BARBARA BAKER, Chief Clerk

SIGNED BY THE PRESIDENT

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

SECOND ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5177.

SIGNED BY THE PRESIDENT

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

SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO. 1299.

MOTION

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

THIRD READING

SENATE BILL NO. 5079, by Senators O'Ban, Conway and Dammeier.

Requiring the department of social and health services to notify the military regarding child abuse and neglect allegations of families with an active military status.

The bill was read on Third Reading.

Senators O'Ban and Darneille spoke in favor of passage of the bill.

MOTION

On motion of Senator Mullet, Senators Billig, Chase and Ranker were excused.

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

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5079 and the bill passed the Senate by the following vote: Yeas, 43; Nays, 0; Absent, 1; Excused, 5.

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

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

Absent: Senator Rolfes

Excused: Senators Billig, Chase, Jayapal, Padden and Ranker  
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.

MOTION

At 4:07 p.m., on motion of Senator Fain, the Senate was declared to be at ease subject to the call of the President.

The Senate was called to order at 4:09 p.m. by President Owen.

MOTION

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

MESSAGE FROM THE HOUSE

May 28, 2015

MR. PRESIDENT:

The House has passed:

SUBSTITUTE HOUSE BILL NO. 1021,  
SUBSTITUTE HOUSE BILL NO. 1813,  
ENGROSSED HOUSE BILL NO. 1859

and the same are herewith transmitted.

BERNARD DEAN, Deputy Chief Clerk

MOTION

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

SUPPLEMENTAL INTRODUCTION AND FIRST READING OF HOUSE BILLS

SHB 1021 by House Committee on Public Safety (originally sponsored by Representatives Appleton, Orwall, Robinson, Bergquist, Cody, Hudgins, Senn, Santos and Fey)

AN ACT Relating to creating a silver alert system; amending RCW 13.60.010; and creating a new section.

SHB 1813 by House Committee on Appropriations (originally sponsored by Representatives Hansen, Magendanz, Reykdal, Muri, Tarleton, Zeiger, Lytton, Haler, Senn, Harmsworth, Tharinger, Young, Walkinshaw, Stanford, S. Hunt and Pollet)

AN ACT Relating to expanding computer science education; amending RCW 28A.660.045 and 28A.660.050; adding a new section to chapter 28A.230 RCW; and adding a new section to chapter 28A.410 RCW.

EHB 1859 by Representatives Kilduff, Smith and Dunshee

AN ACT Relating to the amendment, recodification, decodification, or repeal of statutes relating to state capital construction funds and accounts and bond authorizations that are inactive, obsolete, or no longer necessary for continued

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publication in the Revised Code of Washington; amending RCW 28A.525.200, 28B.10.851, 28B.14D.040, 28B.50.401, 35.21.900, 35A.40.050, 35A.79.020, 41.16.040, 43.70.900, 43.83.020, 43.83A.030, 43.83D.120, 43.83H.030, 43.83I.040, 43.99C.070, 43.99E.020, 43.99F.030, 43.99G.020, 43.99I.020, 43.99K.020, 43.99L.020, 43.99P.020, 43.99Q.020, 70.95.165, 70.95.267, 70.95.268, 79.17.120, 87.80.130, 90.38.900, 90.42.060, and 90.72.080; reenacting and amending RCW 43.99H.020; adding a new section to chapter 90.48 RCW; adding new sections to chapter 43.83 RCW; recodifying RCW 90.50.020, 28B.10.851, 28B.14.040, 43.75.225, 43.83A.030, 43.83H.030, 43.83I.040, 43.99E.020, 43.99F.030, and 43.99G.020; decodifying RCW 15.24.800, 15.24.802, 15.24.804, 15.24.806, 15.24.808, 15.24.810, 15.24.812, 15.24.814, 15.24.816, 15.24.818, 79.24.100, 79.24.110, 79.24.120, 79.24.130, 79.24.140, 79.24.150, 79.24.160, 79.24.652, 79.24.654, 79.24.656, 79.24.658, 79.24.660, 79.24.662, 79.24.664, 79.24.666, 79.24.668, 28A.525.210, 28A.525.212, 28A.525.214, 28A.525.216, 28A.525.218, 28A.525.220, 28A.525.222, 28A.525.230, 28A.525.240, 28A.525.250, 28A.525.260, 28A.525.270, 28A.525.280, 28A.525.290, 28A.525.300, 28B.50.403, 28B.50.404, 28B.50.405, 28B.50.406, 28B.50.407, 28B.56.010, 28B.56.020, 28B.56.040, 28B.56.050, 28B.56.070, 28B.56.080, 28B.56.090, 28B.56.100, 28B.56.110, 28B.56.120, 28B.57.010, 28B.57.020, 28B.57.030, 28B.57.040, 28B.57.060, 28B.57.070, 28B.57.080, 28B.57.090, 28B.57.100, 28B.58.010, 28B.58.020, 28B.58.030, 28B.58.040, 28B.58.050, 28B.58.060, 28B.58.070, 28B.58.080, 28B.58.090, 28B.59.010, 28B.59.020, 28B.59.030, 28B.59.040, 28B.59.050, 28B.59.060, 28B.59.070, 28B.59.080, 28B.59.090, 28B.59B.010, 28B.59B.020, 28B.59B.030, 28B.59B.040, 28B.59B.050, 28B.59B.060, 28B.59B.070, 28B.59B.080, 28B.59B.090, 28B.59C.010, 28B.59C.020, 28B.59C.030, 28B.59C.040, 28B.59C.050, 28B.59C.060, 28B.59C.070, 28B.59C.080, 28B.59D.010, 28B.59D.020, 28B.59D.030, 28B.59D.040, 28B.59D.050, 28B.59D.060, 28B.59D.070, 43.83I.010, 43.83I.020, 43.83I.030, 43.83I.050, 43.83I.060, 43.83I.100, 43.83I.110, 43.83I.120, 43.83I.130, 43.83I.140, 43.83I.150, 43.83I.160, 43.83I.162, 43.83I.164, 43.83I.168, 43.83I.170, 43.83I.172, 43.83I.174, 43.83I.176, 43.83I.178, 43.83I.180, 43.83I.182, 43.83I.184, 43.83I.186, 43.83I.188, 43.83I.190, 43.83I.192, 43.83I.194, 43.83I.900, 43.83I.910, 43.83I.912, 43.83I.914, 43.83I.915, 43.96B.200, 43.96B.205, 43.96B.210, 43.96B.215, 43.96B.220, 43.96B.225, 43.96B.230, 43.96B.235, 43.96B.240, 43.96B.245, 43.96B.900, 43.99C.010, 43.99C.015, 43.99C.020, 43.99C.025, 43.99C.030, 43.99C.035, 43.99C.045, 43.99C.047, 43.99C.050, 43.99C.055, 43.99C.060, 28B.10.850, 28B.10.852, 28B.10.853, 28B.10.854, 28B.10.855, 28B.106.005, 28B.106.010, 28B.106.020, 28B.106.030, 28B.106.040, 28B.106.050, 28B.106.060, 28B.106.070, 28B.106.080, 28B.106.901, 28B.106.902, 28B.13.010, 28B.13.020, 28B.13.030, 28B.13.040, 28B.13.050, 28B.13.060, 28B.13.900, 28B.14.010, 28B.14.020, 28B.14.030, 28B.14.040, 28B.14.050, 28B.14.060, 28B.14B.010, 28B.14B.020, 28B.14B.030, 28B.14B.040, 28B.14B.050, 28B.14B.060, 28B.14C.010, 28B.14C.020, 28B.14C.030, 28B.14C.040, 28B.14C.050, 28B.14C.060, 28B.14C.070, 28B.14C.080, 28B.14C.090, 28B.14C.100, 28B.14C.110, 28B.14C.120, 28B.14C.130, 28B.14C.140, 28B.14C.900, 28B.14D.010, 28B.14D.020, 28B.14D.030, 28B.14D.050, 28B.14D.060, 28B.14D.070,

28B.14D.080, 28B.14D.090, 28B.14D.900, 28B.14D.950, 28B.14E.010, 28B.14E.020, 28B.14E.030, 28B.14E.040, 28B.14E.050, 28B.14E.060, 28B.14E.950, 28B.14F.010, 28B.14F.020, 28B.14F.030, 28B.14F.040, 28B.14F.050, 28B.14F.060, 28B.14F.062, 28B.14F.064, 28B.14F.066, 28B.14F.068, 28B.14F.070, 28B.14F.072, 28B.14F.074, 28B.14F.076, 28B.14F.078, 28B.14F.950, 28B.14F.951, 28B.14F.952, 28B.14G.010, 28B.14G.020, 28B.14G.030, 28B.14G.040, 28B.14G.050, 28B.14G.060, 28B.14G.070, 28B.14G.080, 28B.14G.900, 28B.14G.950, 47.10.010, 47.10.020, 47.10.030, 47.10.040, 47.10.050, 47.10.060, 47.10.070, 47.10.080, 47.10.090, 47.10.100, 47.10.110, 47.10.120, 47.10.130, 47.10.140, 47.10.150, 47.10.160, 47.10.170, 47.10.180, 47.10.190, 47.10.200, 47.10.210, 47.10.220, 47.10.230, 47.10.240, 47.10.250, 47.10.260, 47.10.270, 47.10.280, 47.10.290, 47.10.300, 47.10.310, 47.10.320, 47.10.330, 47.10.340, 47.10.350, 47.10.360, 47.10.370, 47.10.380, 47.10.390, 47.10.400, 47.10.410, 47.10.420, 47.10.430, 47.10.440, 47.10.450, 47.10.460, 47.10.470, 47.10.480, 47.10.490, 47.10.500, 47.10.700, 47.10.702, 47.10.704, 47.10.706, 47.10.708, 47.10.710, 47.10.712, 47.10.714, 47.10.716, 47.10.718, 47.10.720, 47.10.722, 47.10.724, 47.10.726, 47.10.727, 47.10.728, 47.10.729, 47.10.730, 47.10.731, 47.10.732, 47.10.733, 47.10.734, 47.10.735, 47.10.736, 47.10.737, 47.10.738, 47.10.751, 47.10.752, 47.10.753, 47.10.754, 47.10.755, 47.10.756, 47.10.757, 47.10.758, 47.10.759, 47.10.760, 47.10.761, 47.10.762, 47.10.763, 47.10.764, 47.10.765, 47.10.766, 47.10.767, 47.10.768, 47.10.769, 47.10.770, 47.10.771, 37.14.010, 37.14.020, 37.14.030, 37.14.040, 37.14.050, 37.14.900, 70.48.270, 70.48.280, 70.48.310, 70.48.320, 72.19.070, 72.19.100, 72.19.110, 72.19.120, 72.19.130, 70.48A.010, 70.48A.020, 70.48A.030, 70.48A.040, 70.48A.050, 70.48A.060, 70.48A.070, 70.48A.080, 70.48A.090, 70.48A.900, 43.83.010, 43.83.030, 43.83.040, 43.83.050, 43.83.060, 43.83.062, 43.83.064, 43.83.066, 43.83.068, 43.83.070, 43.83.074, 43.83.076, 43.83.078, 43.83.082, 43.83.084, 43.83.090, 43.83.094, 43.83.096, 43.83.098, 43.83.102, 43.83.104, 43.83.110, 43.83.112, 43.83.114, 43.83.116, 43.83.118, 43.83.120, 43.83.122, 43.83.124, 43.83.126, 43.83.130, 43.83.132, 43.83.134, 43.83.136, 43.83.138, 43.83.140, 43.83.142, 43.83.144, 43.83.146, 43.83.148, 43.83.150, 43.83.152, 43.83.154, 43.83.156, 43.83.158, 43.83.160, 43.83.162, 43.83.164, 43.83.166, 43.83.168, 43.83.170, 43.83.172, 43.83.174, 43.83.176, 43.83.178, 43.83.180, 43.83.182, 43.83.184, 43.83.186, 43.83.188, 43.83.190, 43.83.192, 43.83.194, 43.83.196, 43.83.198, 43.83.200, 43.83.202, 43.83.204, 43.83.206, 43.83.208, 43.83.210, 43.99G.010, 43.99G.030, 43.99G.040, 43.99G.050, 43.99G.060, 43.99G.070, 43.99G.080, 43.99G.090, 43.99G.100, 43.99G.102, 43.99G.104, 43.99G.108, 43.99G.112, 43.99G.114, 43.99G.900, 43.99G.901, 43.31.956, 43.31.960, 43.31.962, 43.31.964, 43.83C.010, 43.83C.020, 43.83C.040, 43.83C.050, 43.83C.060, 43.83C.070, 43.83C.080, 43.83C.090, 43.83C.100, 43.83C.110, 43.99A.010, 43.99A.020, 43.99A.030, 43.99A.040, 43.99A.050, 43.99A.060, 43.99A.070, 43.99A.080, 43.99A.090, 43.99A.100, 43.99A.110, 43.99B.010, 43.99B.012, 43.99B.014, 43.99B.016, 43.99B.018, 43.99B.020, 43.99B.022, 43.99B.024, 43.99B.026, 43.99B.028, 43.99B.030, 43.99B.032, 43.99B.034, 43.99B.036, 43.99B.038, 43.99B.040, 43.99B.042, 79A.10.010, 79A.10.020, 79A.10.030, 79A.10.040, 79A.10.050, 79A.10.060, 79A.10.070, 79A.10.090, 77.90.010, 77.90.020,

77.90.030, 77.90.040, 77.90.050, 77.90.060, 77.90.070,  
 77.90.080, 43.83D.010, 43.83D.020, 43.83D.030,  
 43.83D.040, 43.83D.050, 43.83D.060, 43.83D.070,  
 43.83D.080, 43.83D.090, 43.83D.100, 43.83D.110,  
 43.83H.010, 43.83H.020, 43.83H.040, 43.83H.050,  
 43.83H.060, 43.83H.100, 43.83H.110, 43.83H.120,  
 43.83H.130, 43.83H.140, 43.83H.150, 43.83H.160,  
 43.83H.162, 43.83H.164, 43.83H.166, 43.83H.168,  
 43.83H.170, 43.83H.172, 43.83H.174, 43.83H.176,  
 43.83H.178, 43.83H.180, 43.83H.182, 43.83H.184,  
 43.83H.186, 43.83H.188, 43.83H.190, 43.83H.192,  
 43.83H.194, 43.83H.900, 43.83H.910, 43.83H.912,  
 43.83H.914, 43.83H.915, 43.75.200, 43.75.205, 43.75.215,  
 43.75.230, 43.75.235, 43.75.900, 43.75.910, 47.02.020,  
 47.02.030, 47.02.040, 47.02.050, 47.02.060, 47.02.070,  
 47.02.080, 47.02.090, 47.02.100, 47.02.110, 28B.20.750,  
 28B.20.751, 28B.20.752, 28B.20.753, 28B.20.754,  
 28B.20.755, 28B.20.756, 28B.20.757, 28B.20.758,  
 28B.20.759, 28B.30.600, 28B.30.602, 28B.30.604,  
 28B.30.606, 28B.30.608, 28B.30.610, 28B.30.612,  
 28B.30.614, 28B.30.616, 28B.30.618, 28B.30.619,  
 28B.30.620, 28B.31.010, 28B.31.020, 28B.31.030,  
 28B.31.050, 28B.31.060, 28B.31.070, 28B.31.080,  
 28B.31.090, 28B.31.100, 43.83A.010, 43.83A.020,  
 43.83A.040, 43.83A.050, 43.83A.060, 43.83A.070,  
 43.83A.080, 43.83A.090, 43.83A.100, 43.83A.110,  
 43.83A.900, 43.99F.010, 43.99F.020, 43.99F.040,  
 43.99F.050, 43.99F.060, 43.99F.070, 43.99F.080,  
 43.99F.090, 43.99F.100, 43.99F.110, 90.50.010, 90.50.030,  
 90.50.040, 90.50.050, 90.50.060, 90.50.080, 90.50.900,  
 43.83B.010, 43.83B.020, 43.83B.030, 43.83B.040,  
 43.83B.050, 43.83B.060, 43.83B.070, 43.83B.080,  
 43.83B.090, 43.83B.100, 43.83B.110, 43.83B.355,  
 43.83B.365, 43.83B.370, 43.83B.375, 43.99D.005,  
 43.99D.010, 43.99D.015, 43.99D.020, 43.99D.025,  
 43.99D.030, 43.99D.035, 43.99D.040, 43.99D.045,  
 43.99D.050, 43.99D.055, 43.99D.900, 43.99E.005,  
 43.99E.010, 43.99E.015, 43.99E.025, 43.99E.030,  
 43.99E.035, 43.99E.040, 43.99E.045, 43.99E.050,  
 43.99E.055, 43.99E.900, and 43.75.225; and repealing RCW  
 67.40.040.

#### MOTION

On motion of Senator Fain, the rules were suspended and Substitute House Bill No. 1021; Substitute House Bill No. 1813; and Engrossed House Bill No. 1859 were placed on the day's second reading calendar.

#### MOTION

At 4:11 p.m., on motion of Senator Fain, the Senate was declared to be at ease subject to the call of the President.

The Senate was called to order at 4:22 p.m. by President Owen.

#### MOTION

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

#### SECOND READING

SUBSTITUTE HOUSE BILL NO. 1813, by House Committee on Appropriations (originally sponsored by

Representatives Hansen, Magendanz, Reykdal, Muri, Tarleton, Zeiger, Lytton, Haler, Senn, Harmsworth, Tharinger, Young, Walkinshaw, Stanford, S. Hunt and Pollet)

Expanding computer science education.

The measure was read the second time.

#### MOTION

On motion of Senator Litzow, the rules were suspended, Substitute House Bill No. 1813 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Litzow spoke in favor of passage of the bill.

#### MOTION

On motion of Senator Habib, Senator McAuliffe was excused.

#### PARLIAMENTARY INQUIRY

Senator Kohl-Welles: "Well, it just says on here that this is in the yellow book, page 32. Do we have that? I can look online just wondering."

#### REPLY BY THE PRESIDENT

President Owen: "No, there is no yellow book. It's a mystery."

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1813.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1813 and the bill passed the Senate by the following vote: Yeas, 43; Nays, 0; Absent, 0; Excused, 6.

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

Excused: Senators Billig, Chase, Jayapal, McAuliffe, Padden and Ranker

SUBSTITUTE HOUSE BILL NO. 1813, 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

ENGROSSED HOUSE BILL NO. 1859, by Representatives Kilduff, Smith and Dunshee

Concerning the amendment, recodification, decodification, or repeal of statutes relating to state capital construction funds and accounts and bond authorizations that are inactive, obsolete, or no longer necessary for continued publication in the Revised Code of Washington.

The measure was read the second time.

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MOTION

On motion of Senator Honeyford, the rules were suspended, Engrossed House Bill No. 1859 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Honeyford spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed House Bill No. 1859.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 1859 and the bill passed the Senate by the following vote: Yeas, 43; Nays, 0; Absent, 0; Excused, 6.

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

Excused: Senators Billig, Chase, Jayapal, McAuliffe, Padden and Ranker

ENGROSSED HOUSE BILL NO. 1859, 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

SUBSTITUTE HOUSE BILL NO. 1021, by House Committee on Public Safety (originally sponsored by Representatives Appleton, Orwall, Robinson, Bergquist, Cody, Hudgins, Senn, Santos and Fey)

Creating a silver alert system.

The measure was read the second time.

MOTION

On motion of Senator Bailey, the rules were suspended, Substitute House Bill No. 1021 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Bailey spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1021.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1021 and the bill passed the Senate by the following vote: Yeas, 43; Nays, 0; Absent, 0; Excused, 6.

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

Excused: Senators Billig, Chase, Jayapal, McAuliffe, Padden and Ranker

SUBSTITUTE HOUSE BILL NO. 1021, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Fain announced the senate was awaiting the closing resolutions and a brief meeting of the Majority Coalition Caucus immediately upon going at ease.

MOTION

At 4:40 p.m., on motion of Senator Fain, the Senate was declared to be at ease subject to the call of the President.

The Senate was called to order at 4:54 p.m. by President Owen.

MOTION

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

MESSAGE FROM THE HOUSE

May 28, 2015

MR. PRESIDENT:

The House has passed:

SENATE BILL NO. 5015,

SUBSTITUTE SENATE BILL NO. 5317

and the same are herewith transmitted.

BERNARD DEAN, Deputy Chief Clerk

MESSAGE FROM THE HOUSE

May 28, 2015

MR. PRESIDENT:

The House has passed

SENATE BILL NO. 5079.

and the same is herewith transmitted.

BERNARD DEAN, Deputy Chief Clerk

MESSAGE FROM THE HOUSE

May 28, 2015

MR. PRESIDENT:

The House has passed

ENGROSSED SENATE BILL NO. 5761.

and the same is herewith transmitted.

BERNARD DEAN, Deputy Chief Clerk

SIGNED BY THE PRESIDENT

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

SENATE BILL NO. 5015,

SENATE BILL NO. 5079,

SUBSTITUTE SENATE BILL NO. 5317,

ENGROSSED SENATE BILL NO. 5761.

## MESSAGE FROM THE HOUSE

May 28, 2015

MR. PRESIDENT:

The Speaker has signed:

SENATE BILL NO. 5015,  
 SENATE BILL NO. 5079,  
 SECOND ENGROSSED SECOND SUBSTITUTE  
 SENATE BILL NO. 5177,  
 SUBSTITUTE SENATE BILL NO. 5317,  
 SENATE BILL NO. 5761

and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

## MESSAGE FROM THE HOUSE

May 28, 2015

MR. PRESIDENT:

The Speaker has signed:

SUBSTITUTE HOUSE BILL NO. 1021,  
 SUBSTITUTE HOUSE BILL NO. 1813,  
 ENGROSSED HOUSE BILL NO. 1859

and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

## SIGNED BY THE PRESIDENT

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

SUBSTITUTE HOUSE BILL NO. 1021,  
 SUBSTITUTE HOUSE BILL NO. 1813,  
 ENGROSSED HOUSE BILL NO. 1859.

## MESSAGE FROM THE HOUSE

May 28, 2015

MR. PRESIDENT:

The House has adopted:

HOUSE CONCURRENT RESOLUTION NO. 4407,  
 HOUSE CONCURRENT RESOLUTION NO. 4408

and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

## MOTION

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

SECOND SUPPLEMENTAL INTRODUCTION AND FIRST  
READING OF HOUSE BILLS

HCR 4407 by Representatives Sullivan and Kretz  
 Returning bills to their house of origin.

HCR 4408 by Representatives Sullivan and Kretz  
 Adjourning SINE DIE.

## MOTION

On motion of Senator Fain, the rules were suspended and  
 House Concurrent Resolution No. 4407 and House Concurrent  
 Resolution No. 4408 were placed on the day's second reading  
 calendar.

## MOTION

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

## SECOND READING

HOUSE CONCURRENT RESOLUTION NO. 4407, by  
 Representatives Sullivan and Kretz

Returning bills to their house of origin.

The measure was read the second time.

## MOTION

On motion of Senator Fain, the rules were suspended, House  
 Concurrent Resolution No. 4407 was advanced to third reading,  
 the second reading considered the third and the resolution was  
 placed on final passage.

The President declared the question before the Senate to be  
 the final passage of House Concurrent Resolution No. 4407.

HOUSE CONCURRENT RESOLUTION NO. 4407 having  
 received a majority was adopted by voice vote.

## SECOND READING

HOUSE CONCURRENT RESOLUTION NO. 4408, by  
 Representatives Sullivan and Kretz

Adjourning SINE DIE.

The measure was read the second time.

## MOTION

On motion of Senator Fain, the rules were suspended, House  
 Concurrent Resolution No. 4408 was advanced to third reading,  
 the second reading considered the third and the resolution was  
 placed on final passage.

The President declared the question before the Senate to be  
 the final passage of House Concurrent Resolution No. 4408.

HOUSE CONCURRENT RESOLUTION NO. 4408 having  
 received a majority was adopted by voice vote.

## MOTION

On motion of Senator Fain and without objection, all  
 measures on the second and third reading calendars and held at  
 the desk were referred to the Committee on Rules.

## MOTION

On motion of Senator Fain, the reading of the Journal for the  
 30<sup>th</sup> day of the 2015 First Special Session of the 64<sup>th</sup> Legislature  
 was dispensed with and it was approved.



THIRTIETH DAY, MAY 28, 2015

2015 1ST SPECIAL SESSION

ENGROSSED HOUSE BILL NO. 2151,  
HOUSE BILL NO. 2217.

MOTION

May 28, 2015

At 5:23 p.m., on motion of Senator Fain, the 2015 First Special Session of the Sixty-Fourth Legislature adjourned SINE DIE.

Under the provisions of HOUSE CONCURRENT RESOLUTION NO. 4407, the following House bill was returned to the House of Representatives:

SECOND ENGROSSED HOUSE BILL NO. 2214.

Under the provisions of HOUSE CONCURRENT RESOLUTION NO. 4407, the following House bills were returned to the House of Representatives:

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1174,  
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1491,  
SUBSTITUTE HOUSE BILL NO. 1570,  
SUBSTITUTE HOUSE BILL NO. 1676,  
SUBSTITUTE HOUSE BILL NO. 1696,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1713,  
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1825,  
SUBSTITUTE HOUSE BILL NO. 2107,  
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2136,

MR. PRESIDENT:

Under the provisions of HOUSE CONCURRENT RESOLUTION NO. 4407, the following Senate bills are returned to the Senate:

SECOND SUBSTITUTE SENATE BILL NO. 5105,  
SUBSTITUTE SENATE BILL NO. 5355,  
SENATE BILL NO. 5442,  
SUBSTITUTE SENATE BILL NO. 5681,  
ENGROSSED SENATE BILL NO. 5944,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 5954,  
SENATE BILL NO. 5978,  
ENGROSSED SENATE BILL NO. 6092,  
SUBSTITUTE SENATE BILL NO. 6125,  
and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

BRAD OWEN, President of the Senate

HUNTER G. GOODMAN, Secretary of the Senate



THIRTIETH DAY, MAY 28, 2015

2015 1ST SPECIAL SESSION

1021-S	Introduction & 1 <sup>st</sup> Reading .....	12	Second Reading .....	16
	Messages .....	12	4408	
	Other Action .....	14	Adopted.....	16
	President Signed.....	16	Introduction & 1 <sup>st</sup> Reading.....	16
	Second Reading.....	15	Messages.....	16
	Speaker Signed.....	16	Other Action .....	16
	Third Reading Final Passage .....	15	Second Reading .....	16
1174-S2E			5015	
	Other Action.....	17	Messages.....	15
1299-S			President Signed.....	15
	Messages .....	1	Speaker Signed .....	16
1299-SE2			Third Reading .....	3
	Introduction & 1 <sup>st</sup> Reading .....	1	Third Reading Final Passage.....	3
	Other Action .....	2, 10	5079	
	President Signed.....	12	Messages.....	15
	Second Reading.....	9	President Signed.....	15
	Speaker Signed.....	12	Speaker Signed .....	16
	Third Reading Final Passage .....	10	Third Reading .....	12
1491-S2E			Third Reading Final Passage.....	12
	Other Action.....	17	5105-S2	
1570-S			Messages.....	17
	Other Action.....	17	5177-S2E	
1676-S			Other Action .....	3, 9
	Other Action.....	17	Second Reading .....	3
1696-S			Third Reading .....	3
	Other Action.....	17	5177-S2E2	
1713-SE			Messages.....	11
	Other Action.....	17	President Signed.....	12
1813-S			Speaker Signed .....	16
	Introduction & 1 <sup>st</sup> Reading .....	12	Third Reading Final Passage.....	9
	Messages .....	12	5317-S	
	Other Action.....	14	Messages.....	15
	President Signed.....	16	President Signed.....	15
	Second Reading.....	14	Speaker Signed .....	16
	Speaker Signed.....	16	Third Reading .....	10
	Third Reading Final Passage .....	14	Third Reading Final Passage.....	10
1825-S2E			5355-S	
	Other Action.....	17	Messages.....	17
1859-E			5442	
	Introduction & 1 <sup>st</sup> Reading .....	12	Messages.....	17
	Messages .....	12	5681-S	
	Other Action.....	14	Messages.....	17
	President Signed.....	16	5761	
	Second Reading.....	14	Other Action .....	11
	Speaker Signed.....	16	Second Reading .....	11
	Third Reading Final Passage .....	15	Speaker Signed .....	16
2107-S			Third Reading .....	10
	Other Action.....	17	Third Reading Final Passage.....	11
2136-S2E			5761-E	
	Other Action.....	17	Messages.....	15
2151-E			President Signed.....	15
	Other Action.....	17	5944-E	
2214			Messages.....	17
	Messages .....	1	5954-SE	
2214-E2			Messages.....	17
	Introduction & 1 <sup>st</sup> Reading .....	2	5978	
	Other Action.....	2, 17	Messages.....	17
2217			6050	
	Other Action.....	17	Committee Report.....	11
4407			6092-E	
	Adopted.....	16	Messages.....	17
	Introduction & 1 <sup>st</sup> Reading .....	16	6125	
	Messages .....	16	Second Reading .....	10
	Other Action.....	16	6125-S	
			Messages.....	17

Second Reading .....	10	Committee Report .....	1
Third Reading Final Passage .....	10	FLAG BEARERS	
8683		Mohn, Mr. Jeremy .....	1
Adopted .....	3	Steelquist, Mr. Peter .....	1
Introduced .....	2	PRESIDENT OF THE SENATE	
9136 Douglas D. Peters		Reply by the President .....	2, 14
Committee Report .....	1	WASHINGTON STATE SENATE	
9162 Bradley F. Smith		Parliamentary Inquiry, Senator Fain .....	2
Committee Report .....	1	Parliamentary Inquiry, Senator Kohl-Welles .....	14
9198 Patricia T. Lantz			