

SIXTY FOURTH LEGISLATURE - REGULAR SESSION

FIFTY SEVENTH DAY

House Chamber, Olympia, Monday, March 7, 2016

The House was called to order at 1:00 p.m. by the Speaker (Representative Moeller presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Alyssa Mills and Sydney Norton. The Speaker (Representative Moeller presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Reverend Doctor William Adam, Senior Investigator, Office of the Attorney General and Chaplain for the Mason County Sheriff's Office, Washington.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGES FROM THE SENATE

March 4, 2016

MR. SPEAKER:

The Senate has passed:

SECOND SUBSTITUTE HOUSE BILL NO. 1408,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2323,
 HOUSE BILL NO. 2326,
 HOUSE BILL NO. 2391,
 HOUSE BILL NO. 2771,
 HOUSE BILL NO. 2842,
 SUBSTITUTE HOUSE BILL NO. 2876,
 ENGROSSED HOUSE BILL NO. 2883,
 HOUSE BILL NO. 2918,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

March 4, 2016

MR. SPEAKER:

The President has signed:

HOUSE BILL NO. 1022,
 SUBSTITUTE HOUSE BILL NO. 1111,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1213,
 HOUSE BILL NO. 1345,
 ENGROSSED HOUSE BILL NO. 1409,
 ENGROSSED HOUSE BILL NO. 1578,
 ENGROSSED HOUSE BILL NO. 1752,
 SUBSTITUTE HOUSE BILL NO. 1830,
 FOURTH SUBSTITUTE HOUSE BILL NO. 1999,
 HOUSE BILL NO. 2023,
 HOUSE BILL NO. 2262,
 HOUSE BILL NO. 2280,
 HOUSE BILL NO. 2309,
 HOUSE BILL NO. 2317,
 HOUSE BILL NO. 2322,
 HOUSE BILL NO. 2332,
 SUBSTITUTE HOUSE BILL NO. 2357,
 HOUSE BILL NO. 2360,
 HOUSE BILL NO. 2371,
 HOUSE BILL NO. 2384,
 HOUSE BILL NO. 2398,
 ENGROSSED HOUSE BILL NO. 2400,

HOUSE BILL NO. 2403,
 SUBSTITUTE HOUSE BILL NO. 2405,
 SUBSTITUTE HOUSE BILL NO. 2410,
 SUBSTITUTE HOUSE BILL NO. 2413,
 SUBSTITUTE HOUSE BILL NO. 2425,
 HOUSE BILL NO. 2432,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2433,
 SUBSTITUTE HOUSE BILL NO. 2443,
 HOUSE BILL NO. 2444,
 SUBSTITUTE HOUSE BILL NO. 2448,
 HOUSE BILL NO. 2457,
 HOUSE BILL NO. 2476,
 SUBSTITUTE HOUSE BILL NO. 2498,
 HOUSE BILL NO. 2516,
 HOUSE BILL NO. 2520,
 HOUSE BILL NO. 2521,
 SUBSTITUTE HOUSE BILL NO. 2539,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2540,
 HOUSE BILL NO. 2557,
 HOUSE BILL NO. 2565,
 HOUSE BILL NO. 2587,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2591,
 HOUSE BILL NO. 2597,
 SUBSTITUTE HOUSE BILL NO. 2598,
 HOUSE BILL NO. 2605,
 HOUSE BILL NO. 2623,
 HOUSE BILL NO. 2624,
 HOUSE BILL NO. 2634,
 HOUSE BILL NO. 2651,
 HOUSE BILL NO. 2663,
 SUBSTITUTE HOUSE BILL NO. 2678,
 SECOND SUBSTITUTE HOUSE BILL NO. 2726,
 ENGROSSED HOUSE BILL NO. 2745,
 SUBSTITUTE HOUSE BILL NO. 2765,
 HOUSE BILL NO. 2768,
 HOUSE BILL NO. 2772,
 HOUSE BILL NO. 2773,
 HOUSE BILL NO. 2781,
 HOUSE BILL NO. 2800,
 HOUSE BILL NO. 2807,
 HOUSE BILL NO. 2815,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2852,
 SUBSTITUTE HOUSE BILL NO. 2859,
 SUBSTITUTE HOUSE BILL NO. 2875,
 SUBSTITUTE HOUSE BILL NO. 2884,
 HOUSE BILL NO. 2886,
 SUBSTITUTE HOUSE BILL NO. 2900,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2925,
 and the same are herewith transmitted.

Hunter G. Goodman, Secretary

March 4, 2016

MR. SPEAKER:

The President has signed:

SENATE BILL NO. 5046,
 SECOND ENGROSSED SENATE BILL NO. 5251,
 SENATE BILL NO. 5581,
 ENGROSSED SENATE BILL NO. 5873,
 SENATE BILL NO. 6200,
 SENATE BILL NO. 6205,

SUBSTITUTE SENATE BILL NO. 6254,
 SENATE BILL NO. 6263,
 SENATE BILL NO. 6296,
 SENATE BILL NO. 6299,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6309,
 SENATE BILL NO. 6345,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6356,
 SUBSTITUTE SENATE BILL NO. 6363,
 SENATE BILL NO. 6371,
 SUBSTITUTE SENATE BILL NO. 6519,
 and the same are herewith transmitted.

Hunter G. Goodman, Secretary

SPEAKER'S PRIVILEGE

The Speaker (Representative Moeller presiding) introduced a group representing the Walla Walla Frontier Days, the oldest fair in the state of Washington, Walla Walla Frontier Queen Josilyn Fullerton, Princess Natalia Mauri, Princess Katie Woodhall, Director Charlie Barron and Royalty Advisor Cindy Granger to the Chamber and asked the members to acknowledge them.

The Speaker assumed the chair.

SIGNED BY THE SPEAKER

The Speaker signed the following bills:

SECOND SUBSTITUTE HOUSE BILL NO. 1408
 SECOND ENGROSSED SUBSTITUTE HOUSE
 BILL NO. 1553
 SUBSTITUTE HOUSE BILL NO. 2017
 HOUSE BILL NO. 2320
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2323
 HOUSE BILL NO. 2326
 SECOND SUBSTITUTE HOUSE BILL NO. 2335
 HOUSE BILL NO. 2350
 HOUSE BILL NO. 2391
 SUBSTITUTE HOUSE BILL NO. 2519
 SUBSTITUTE HOUSE BILL NO. 2541
 SUBSTITUTE HOUSE BILL NO. 2584
 SUBSTITUTE HOUSE BILL NO. 2730
 HOUSE BILL NO. 2741
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2746
 HOUSE BILL NO. 2771
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2785
 HOUSE BILL NO. 2838
 HOUSE BILL NO. 2842
 SUBSTITUTE HOUSE BILL NO. 2876
 ENGROSSED HOUSE BILL NO. 2883
 HOUSE BILL NO. 2918
 SENATE BILL NO. 5046
 SECOND ENGROSSED SENATE BILL NO. 5251
 SENATE BILL NO. 5581
 ENGROSSED SENATE BILL NO. 5873
 SENATE BILL NO. 6200
 SENATE BILL NO. 6205
 SUBSTITUTE SENATE BILL NO. 6254
 SENATE BILL NO. 6263
 SENATE BILL NO. 6296
 SENATE BILL NO. 6299

ENGROSSED SUBSTITUTE SENATE BILL NO.
 6309
 SENATE BILL NO. 6345
 ENGROSSED SUBSTITUTE SENATE BILL NO.
 6356
 SUBSTITUTE SENATE BILL NO. 6363
 SENATE BILL NO. 6371
 SUBSTITUTE SENATE BILL NO. 6519

The Speaker called upon Representative Moeller to preside.

SPEAKER'S PRIVILEGE

The Speaker (Representative Moeller presiding) introduced Dr. Bruce Shepard, President of Western Washington University and his wife Cindi Shepard to the Chamber and asked the members to acknowledge them.

There being no objection, the House advanced to the seventh order of business.

THIRD READING

MESSAGE FROM THE SENATE

March 2, 2016

MR. SPEAKER:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 2928, with the following amendment(s): 2928-S.E AMS NRP S4919.1 and the same are herewith transmitted.

Hunter G. Goodman, Secretary

Mr. Speaker:

The Senate has passed ESHB 2928 with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) The department of natural resources shall conduct a forest resiliency burning pilot project. The goal of the pilot project is to monitor and evaluate the benefits of forest resiliency burning and the impacts on ambient air quality. The department of natural resources is responsible for establishing the processes and procedures necessary to administer the pilot project, including the review and approval of qualifying forest resiliency burning proposals. The department of natural resources may consider forest resiliency burning proposals that include treatments to reduce fuel loads prior to burning, including the thinning of forest stands and grazing to clear brush.

(2) The department of natural resources must, as the primary focus of the pilot project, arrange with interested third parties to perform forest resiliency burning on land prone to forest or wildland fires in coordination

with the following forest health collaboratives as recognized by the United States forest service:

- (a) North Central Washington forest health collaborative;
 - (b) Northeast Washington forestry collaborative;
- and
- (c) Tapash sustainable forest collaborative.
- (3)(a) The department of natural resources must, as part of the pilot project, approve single day or multiple day forest resiliency burns if the burning is unlikely to significantly contribute to an exceedance of air quality standards established by chapter 70.94 RCW. Once approved, forest resiliency burns spanning multiple days may only be revoked or postponed midway through the duration of the approved burn if necessary for the safety of adjacent property or upon a determination by the department of natural resources or the department of ecology that the burn has significantly contributed to an exceedance of air quality standards under chapter 70.94 RCW.

(b) Approved forest resiliency burning must be initiated no later than twenty-four hours after being approved by the department of natural resources.

(4) Forest resiliency burning, when conducted under the pilot project authorized by this section, is not subject to the outdoor burning restrictions in RCW 70.94.6512 and 70.94.6514.

(5) The implementation of the pilot project authorized in this section is not:

- (a) Intended to require the department of natural resources to update the smoke management plan defined in RCW 70.94.6536. However, information obtained through the pilot project's implementation may be used to inform any future updates to the smoke management plan; and
- (b) Subject to the provisions of chapter 43.21C RCW.

(6) Forest resiliency burning, and the implementation of the pilot project authorized in this section, must not be conducted at a scale that would require a revision to the state implementation plan under the federal clean air act.

(7) The department of natural resources shall submit a report to the legislature, consistent with RCW 43.01.036, by December 1, 2018. The report must include information and analyses regarding the following elements:

- (a) The amount of forest resiliency burns proposed, approved, and conducted;
- (b) The quantity and severity of air quality exceedances by pollutant type;
- (c) A comparative analysis between the predicted smoke conditions and the actual smoke conditions observed on location by qualified meteorological personnel or trained prescribed burning professionals during the forest resiliency burn; and
- (d) Recommendations relating to continuing or expanding forest resiliency burning and creating forest resiliency burning as a new type of outdoor burning permitted by the department of natural resources.

(8) The report to the legislature required by this section may include recommendations for the updating of the smoke management plan defined in RCW 70.94.6536.

(9) For the purposes of this section, "forest resiliency burning" means silvicultural burning carried out under the supervision of qualified silvicultural, ecological, or fire management professionals and used to improve fire dependent ecosystems, mitigate wildfire potential, decrease forest susceptibility to forest insect or disease as defined in RCW 76.06.020, or otherwise enhance forest resiliency to fire.

(10) This section expires July 1, 2019.

NEW SECTION. Sec. 2. 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."

On page 1, line 3 of the title, after "fires;" strike the remainder of the title and insert "creating a new section; providing an expiration date; and declaring an emergency."

and the same is herewith transmitted.

Hunter G. Goodman Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House refused to concur in the Senate amendment to ESHB 2928 and asked the Senate to recede therefrom.

MESSAGE FROM THE SENATE

March 2, 2016

Mr. Speaker:

The Senate has passed ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2061 with the following amendment:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 43.20.050 and 2011 c 27 s 1 are each amended to read as follows:

(1)(a) The state board of health shall provide a forum for the development of public health policy in Washington state. It is authorized to recommend to the secretary means for obtaining appropriate citizen and professional involvement in all public health policy formulation and other matters related to the powers and duties of the department. It is further empowered to hold hearings and explore ways to improve the health status of the citizenry.

(b) In fulfilling its responsibilities under this subsection, the state board may create ad hoc committees or other such committees of limited duration as necessary.

(2) In order to protect public health, the state board of health shall:

(a) Adopt rules for group A public water systems, as defined in RCW 70.119A.020, necessary to ((assure)) ensure safe and reliable public drinking water and to protect the public health. Such rules shall establish requirements regarding:

(i) The design and construction of public water system facilities, including proper sizing of pipes and storage for the number and type of customers;

(ii) Drinking water quality standards, monitoring requirements, and laboratory certification requirements;

(iii) Public water system management and reporting requirements;

(iv) Public water system planning and emergency response requirements;

(v) Public water system operation and maintenance requirements;

(vi) Water quality, reliability, and management of existing but inadequate public water systems; and

(vii) Quality standards for the source or supply, or both source and supply, of water for bottled water plants;

(b)(i) Adopt rules as necessary for group B public water systems, as defined in RCW 70.119A.020. The rules shall, at a minimum, establish requirements regarding the initial design and construction of a public water system. The state board of health rules may waive some or all requirements for group B public water systems with fewer than five connections.

(ii) Irrespective of the rules adopted pursuant to (b)(i) of this subsection and consistent with section 2 of this act, until January 1, 2021, a county legislative authority of a county east of the crest of the Cascade mountains that is contiguous with the border with Canada and that has a population of less than fifty thousand residents may act to approve the operation of a group B public water system, as defined in RCW 70.119A.020, serving nine or fewer connections. A county legislative authority may choose to seek the advice of a local health jurisdiction, as defined in RCW 70.119A.020, in determining whether to approve the operation of a group B public water system under this section;

(c) Adopt rules and standards for prevention, control, and abatement of health hazards and nuisances related to the disposal of human and animal excreta and animal remains;

(d) Adopt rules controlling public health related to environmental conditions including but not limited to heating, lighting, ventilation, sanitary facilities, and cleanliness in public facilities including but not limited to food service establishments, schools, recreational facilities, and transient accommodations;

(e) Adopt rules for the imposition and use of isolation and quarantine;

(f) Adopt rules for the prevention and control of infectious and noninfectious diseases, including food and vector borne illness, and rules governing the receipt and conveyance of remains of deceased persons, and such other sanitary matters as may best be controlled by universal rule; and

(g) Adopt rules for accessing existing databases for the purposes of performing health related research.

(3) The state board shall adopt rules for the design, construction, installation, operation, and maintenance of those on site sewage systems with design flows of less than three thousand five hundred gallons per day.

(4) The state board may delegate any of its rule-adopting authority to the secretary and rescind such delegated authority.

(5) All local boards of health, health authorities and officials, officers of state institutions, police officers, sheriffs, constables, and all other officers and employees of the state, or any county, city, or township thereof, shall

enforce all rules adopted by the state board of health. In the event of failure or refusal on the part of any member of such boards or any other official or person mentioned in this section to so act, he or she shall be subject to a fine of not less than fifty dollars, upon first conviction, and not less than one hundred dollars upon second conviction.

(6) The state board may advise the secretary on health policy issues pertaining to the department of health and the state.

NEW SECTION. Sec. 2. A new section is added to chapter 36.01 RCW to read as follows:

(1)(a) The county legislative authority of a county east of the crest of the Cascade mountains that is contiguous with the border with Canada and that has a population of less than fifty thousand residents may act to approve the operation of a group B public water system, as defined in RCW 70.119A.020, serving nine or fewer connections if:

(i) The raw groundwater source does not meet local water quality standards; and

(ii) The system has provided evidence to the county legislative authority that the water provided meets local potable water quality standards at the point at which the water is delivered for potable use.

(b) A group B public water system that was authorized under the rules adopted pursuant to RCW 43.20.050, as of the effective date of this section, and that adds connections to the group B public water system, may receive approval from the county legislative authority pursuant to (a) of this section to expand the number of connections in the group B public water system, but only if the total number of connections does not exceed nine connections.

(2)(a) A group B public water system must submit test results to the county legislative authority by December 15th of each year demonstrating that the potable water delivered meets local potable water standards, if the group B public water system was approved by the county legislative authority under subsection (1) of this section. By December 15th of each year, a group B public water system must also provide a copy of the test results submitted to the county legislative authority to each customer connection served by the group B public water system. The county legislative authority must provide submitted test results to the local health jurisdiction.

(b) The county legislative authority must designate at least one county employee as a point of contact for questions, problems, and other issues relating to group B public water systems. The county legislative authority must provide a notice identifying the county's point of contact to a group B public water system owner and operator upon the system's approval under this section, and either party must notify the other if there is a change in ownership, operator, or the county's point of contact.

(3) Prior to a county's approval of a group B public water system where raw groundwater does not meet water quality standards under this section, the group B public water system must review alternate sources of water and share that review with its owners and the county. The alternative sources that a group B public water system should consider includes, but is not limited to, rainwater collection, truck and storage systems, or other nontraditional conveyance methods. The county legislative authority may require that a group B

public water system treat any alternative water sources that it relies upon.

(4) By January 15, 2019, a county that approves a group B public water system under the authority granted in this section must submit a report to the appropriate fiscal and policy committees of the legislature consistent with RCW 43.01.036. The report must summarize information pertinent to the county's implementation of this section, including but not limited to:

(a) The number of group B public water systems and associated new connections that were approved by the county legislative authority after January 1, 2016, under the authority granted in this section;

(b) The test results submitted to the county legislative authority under subsection (2) of this section and analysis of whether those test results indicate that group B public water systems delivered water that met local potable water quality standards; and

(c) The contaminants that were present in water sources used by the group B public water systems approved under this section and the types of treatment used to address each contaminant by the group B public water systems.

(5) For the purposes of this section "local potable water quality standards" means water quality standards that apply to private water wells exempted under RCW 90.44.050 that are located in the same county as the group B public water system, including but not limited to standards for known contaminants identified by and in consultation with a local health jurisdiction.

(6) The authority established in this section for a county legislative authority to approve a group B public water system expires January 1, 2021."

On page 1, line 3 of the title, after "standards;" strike the remainder of the title and insert "amending RCW 43.20.050; and adding a new section to chapter 36.01 RCW."

and the same is herewith transmitted.

Hunter Goodman, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2061 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Short and Fitzgibbon spoke in favor of the passage of the bill.

MOTION

On motion of Representative Harris, Representatives Stokesbary and Zeiger were excused.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 2061, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 2061, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 75; Nays, 21; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Blake, Buys, Caldier, Chandler, Clibborn, Condotta, DeBolt, Dent, Dye, Farrell, Fey, Fitzgibbon, Frame, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Hickel, Holy, Hurst, Johnson, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Moscoso, Muri, Nealey, Orcutt, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Reykdal, Rodne, Rossetti, Ryu, Sawyer, Schmick, Scott, Sells, Shea, Short, Smith, Springer, Stambaugh, Stanford, Sullivan, Tarleton, Van De Wege, Van Werven, Vick, Walsh, Wilcox, Wilson, Young and Mr. Speaker.

Voting nay: Representatives Bergquist, Cody, Dunshee, Goodman, Hudgins, Hunt, Jinkins, Kagi, Kilduff, Kuderer, Morris, Ormsby, Pollet, Riccelli, Robinson, Santos, Senn, Taylor, Tharinger, Walkinshaw and Wylie.

Excused: Representatives Stokesbary and Zeiger.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2061, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

March 2, 2016

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 2274 with the following amendment:

Strike everything after the enacting clause and insert the following:

"**Sec. 3.** RCW 46.12.650 and 2015 3rd sp.s. c 44 s 214 are each amended to read as follows:

(1) **Releasing interest.** An owner releasing interest in a vehicle shall:

(a) Sign the release of interest section provided on the certificate of title or on a release of interest document or form approved by the department;

(b) Give the certificate of title or most recent evidence of ownership to the person gaining the interest in the vehicle;

(c) Give the person gaining interest in the vehicle an odometer disclosure statement if one is required; and

(d) Report the vehicle sold as provided in subsection (2) of this section.

(2) **Report of sale.** An owner shall notify the department, county auditor or other agent, or subagent appointed by the director in writing within (~~twenty-one~~) five business days after a vehicle is or has been:

(a) Sold;

(b) Given as a gift to another person;

- (c) Traded, either privately or to a dealership;
- (d) Donated to charity;
- (e) Turned over to an insurance company or wrecking yard; or
- (f) Disposed of.

(3) **Report of sale properly filed.** A report of sale is properly filed if it is received by the department, county auditor or other agent, or subagent appointed by the director within ~~((twenty-one))~~ five business days after the date of sale or transfer and it includes:

- (a) The date of sale or transfer;
- (b) The owner's full name and complete, current address;
- (c) The full name and complete, current address of the person acquiring the vehicle, including street name and number, and apartment number if applicable, or post office box number, city or town, and postal code;
- (d) The vehicle identification number and license plate number;
- (e) A date or stamp by the department showing it was received on or before the ~~((twenty-first))~~ fifth business day after the date of sale or transfer; and
- (f) Payment of the fees required under RCW 46.17.050.

(4) **Report of sale - administration.** (a) The department shall:

- (i) Provide or approve reports of sale forms;
- (ii) Provide a system enabling an owner to submit reports of sale electronically;
- (iii) Immediately update the department's vehicle record when a report of sale has been filed;
- (iv) Provide instructions on release of interest forms that allow the seller of a vehicle to release their interest in a vehicle at the same time a financial institution, as defined in RCW 30A.22.040, releases its lien on the vehicle; and
- (v) Send a report to the department of revenue that lists vehicles for which a report of sale has been received but no transfer of ownership has taken place. The department shall send the report once each quarter.

(b) ~~((A report of sale that is received by the department, county auditor or other agent, or subagent appointed by the director after the twenty-first day becomes effective on the day it is received by the department, county auditor or other agent, or subagent appointed by the director.))~~ A report of sale is not proof of a completed vehicle transfer for purposes of the collection of expenses related to towing, storage, and auction of an abandoned vehicle in situations where there is no evidence indicating the buyer knew of or was a party to acceptance of the vehicle transfer. A contract signed by the prior owner and the new owner, a certificate of title, a receipt, a purchase order or wholesale order, or other legal proof or record of acceptance of the vehicle by the new owner may be provided to establish legal responsibility for the abandoned vehicle.

(5)(a) **Transferring ownership.** A person who has recently acquired a vehicle by purchase, exchange, gift, lease, inheritance, or legal action shall apply to the department, county auditor or other agent, or subagent appointed by the director for a new certificate of title within

fifteen days of delivery of the vehicle. A secured party who has possession of the certificate of title shall either:

- (i) Apply for a new certificate of title on behalf of the owner and pay the fee required under RCW 46.17.100; or
- (ii) Provide all required documents to the owner, as long as the transfer was not a breach of its security agreement, to allow the owner to apply for a new certificate of title.

(b) Compliance with this subsection does not affect the rights of the secured party.

(6) **Certificate of title delivered to secured party.** The certificate of title must be kept by or delivered to the person who becomes the secured party when a security interest is reserved or created at the time of the transfer of ownership. The parties must comply with RCW 46.12.675.

(7) **Penalty for late transfer.** A person who has recently acquired a motor vehicle by purchase, exchange, gift, lease, inheritance, or legal action who does not apply for a new certificate of title within fifteen calendar days of delivery of the vehicle is charged a penalty, as described in RCW 46.17.140, when applying for a new certificate of title. It is a misdemeanor to fail or neglect to apply for a transfer of ownership within forty-five days after delivery of the vehicle. The misdemeanor is a single continuing offense for each day that passes regardless of the number of days that have elapsed following the forty-five day time period.

(8) **Penalty for late transfer - exceptions.** The penalty is not charged if the delay in application is due to at least one of the following:

- (a) The department requests additional supporting documents;
- (b) The department, county auditor or other agent, or subagent fails to perform or is neglectful;
- (c) The owner is prevented from applying due to an illness or extended hospitalization;
- (d) The legal owner fails or neglects to release interest;
- (e) The owner did not know of the filing of a report of sale by the previous owner and signs an affidavit to the fact; or
- (f) The department finds other conditions exist that adequately explain the delay.

(9) **Review and issue.** The department shall review applications for certificates of title and issue certificates of title when it has determined that all applicable provisions of law have been complied with.

(10) **Rules.** The department may adopt rules as necessary to implement this section.

Sec. 4. RCW 46.55.105 and 2010 c 161 s 1119 are each amended to read as follows:

(1) Except as provided in subsection (4) of this section, the abandonment of any vehicle creates a prima facie presumption that the last registered owner of record is responsible for the abandonment and is liable for costs incurred in removing, storing, and disposing of the abandoned vehicle, less amounts realized at auction.

(2) If an unauthorized vehicle is found abandoned under subsection (1) of this section and removed at the

direction of law enforcement, the last registered owner of record is guilty of the traffic infraction of "littering—abandoned vehicle," unless the vehicle is redeemed as provided in RCW 46.55.120. In addition to any other monetary penalty payable under chapter 46.63 RCW, the court shall not consider all monetary penalties as having been paid until the court is satisfied that the person found to have committed the infraction has made restitution in the amount of the deficiency remaining after disposal of the vehicle under RCW 46.55.140.

(3) A vehicle theft report filed with a law enforcement agency relieves the last registered owner of liability under subsection (2) of this section for failure to redeem the vehicle. However, the last registered owner remains liable for the costs incurred in removing, storing, and disposing of the abandoned vehicle under subsection (1) of this section. Nothing in this section limits in any way the registered owner's rights in a civil action or as restitution in a criminal action against a person responsible for the theft of the vehicle.

(4) Properly filing a report of sale or transfer regarding the vehicle involved in accordance with RCW 46.12.650 (1) through (3) relieves the last registered owner of liability under subsections (1) and (2) of this section. However, if there is a reason to believe that a report of sale has been filed in which the reported buyer did not know of the alleged transfer or did not accept the vehicle transfer, the liability remains with the last registered owner to prove the vehicle transfer was made pursuant to a legal transfer or accepted by the person reported as the new owner on the report of sale. If the date of sale as indicated on the report of sale is ~~((on or))~~ before the date of impoundment, the buyer identified on the latest properly filed report of sale with the department is assumed liable for the costs incurred in removing, storing, and disposing of the abandoned vehicle, less amounts realized at auction. If the date of sale is after the date of impoundment, the previous registered owner is assumed to be liable for such costs. A licensed vehicle dealer is not liable under subsections (1) and (2) of this section if the dealer, as transferee or assignee of the last registered owner of the vehicle involved, has complied with the requirements of RCW 46.70.122 upon selling or otherwise disposing of the vehicle, or if the dealer has timely filed a transitional ownership record or report of sale under RCW 46.12.660. In that case the person to whom the licensed vehicle dealer has sold or transferred the vehicle is assumed liable for the costs incurred in removing, storing, and disposing of the abandoned vehicle, less amounts realized at auction.

(5) For the purposes of reporting notices of traffic infraction to the department under RCW 46.20.270 and 46.52.101, and for purposes of reporting notices of failure to appear, respond, or comply regarding a notice of traffic infraction to the department under RCW 46.63.070(6), a traffic infraction under subsection (2) of this section is not considered to be a standing, stopping, or parking violation.

(6) A notice of infraction for a violation of this section may be filed with a court of limited jurisdiction organized under Title 3, 35, or 35A RCW, or with a violations bureau subject to the court's jurisdiction.

(7)(a) A person named as a buyer in a report of sale filed under RCW 46.12.650(3) in which there was no

acceptance of the transfer has a cause of action against the person who filed the report to recover costs associated with towing, storage, auction, or any other damages incurred as a result of being named as the buyer in the report of sale, including reasonable attorneys' fees and litigation costs. The cause of action provided in this subsection (7)(a) is in addition to any other remedy available to the person at law or in equity.

(b) A person named as a seller in a report of sale filed under RCW 46.12.650(3) in which the named buyer falsely alleges that there was no acceptance of the transfer has a cause of action against the named buyer to recover damages incurred as a result of the allegation, including reasonable attorneys' fees and litigation costs. The cause of action in this subsection (7)(b) is in addition to any other remedy available to the person at law or in equity.

NEW SECTION. Sec. 5. A new section is added to chapter 46.64 RCW to read as follows:

If a court has declared that a fraudulent report of sale has been filed with the department, county auditor or other agent, or subagent appointed by the director, the court must notify the department in writing with a copy of the court order. Once notified, the department may remove the fraudulent report of sale from the vehicle record.

Sec. 6. RCW 19.16.250 and 2013 c 148 s 2 are each amended to read as follows:

No licensee or employee of a licensee shall:

(1) Directly or indirectly aid or abet any unlicensed person to engage in business as a collection agency in this state or receive compensation from such unlicensed person: PROVIDED, That nothing in this chapter shall prevent a licensee from accepting, as forwarder, claims for collection from a collection agency or attorney whose place of business is outside the state.

(2) Collect or attempt to collect a claim by the use of any means contrary to the postal laws and regulations of the United States postal department.

(3) Publish or post or cause to be published or posted, any list of debtors commonly known as "bad debt lists" or threaten to do so. For purposes of this chapter, a "bad debt list" means any list of natural persons alleged to fail to honor their lawful debts. However, nothing herein shall be construed to prohibit a licensee from communicating to its customers or clients by means of a coded list, the existence of a check dishonored because of insufficient funds, not sufficient funds or closed account by the financial institution servicing the debtor's checking account: PROVIDED, That the debtor's identity is not readily apparent: PROVIDED FURTHER, That the licensee complies with the requirements of subsection (10)(e) of this section.

(4) Have in his or her possession or make use of any badge, use a uniform of any law enforcement agency or any simulation thereof, or make any statements which might be construed as indicating an official connection with any federal, state, county, or city law enforcement agency, or any other governmental agency, while engaged in collection agency business.

(5) Perform any act or acts, either directly or indirectly, constituting the unauthorized practice of law.

(6) Advertise for sale or threaten to advertise for sale any claim as a means of endeavoring to enforce payment thereof or agreeing to do so for the purpose of soliciting claims, except where the licensee has acquired claims as an assignee for the benefit of creditors or where the licensee is acting under court order.

(7) Use any name while engaged in the making of a demand for any claim other than the name set forth on his or her or its current license issued hereunder.

(8) Give or send to any debtor or cause to be given or sent to any debtor, any notice, letter, message, or form, other than through proper legal action, process, or proceedings, which represents or implies that a claim exists unless it shall indicate in clear and legible type:

(a) The name of the licensee and the city, street, and number at which he or she is licensed to do business;

(b) The name of the original creditor to whom the debtor owed the claim if such name is known to the licensee or employee: PROVIDED, That upon written request of the debtor, the licensee shall provide this name to the debtor or cease efforts to collect on the debt until this information is provided;

(c) If the notice, letter, message, or form is the first notice to the debtor or if the licensee is attempting to collect a different amount than indicated in his or her or its first notice to the debtor, an itemization of the claim asserted must be made including:

(i) Amount owing on the original obligation at the time it was received by the licensee for collection or by assignment;

(ii) Interest or service charge, collection costs, or late payment charges, if any, added to the original obligation by the original creditor, customer or assignor before it was received by the licensee for collection, if such information is known by the licensee or employee: PROVIDED, That upon written request of the debtor, the licensee shall make a reasonable effort to obtain information on such items and provide this information to the debtor;

(iii) Interest or service charge, if any, added by the licensee or customer or assignor after the obligation was received by the licensee for collection;

(iv) Collection costs, if any, that the licensee is attempting to collect;

(v) Attorneys' fees, if any, that the licensee is attempting to collect on his or her or its behalf or on the behalf of a customer or assignor; and

(vi) Any other charge or fee that the licensee is attempting to collect on his or her or its own behalf or on the behalf of a customer or assignor;

(d) If the notice, letter, message, or form concerns a judgment obtained against the debtor, no itemization of the amounts contained in the judgment is required, except postjudgment interest, if claimed, and the current account balance;

(e) If the notice, letter, message, or form is the first notice to the debtor, an itemization of the claim asserted must be made including the following information:

(i) The original account number or redacted original account number assigned to the debt, if known to

the licensee or employee: PROVIDED, That upon written request of the debtor, the licensee must make a reasonable effort to obtain this information or cease efforts to collect on the debt until this information is provided; and

(ii) The date of the last payment to the creditor on the subject debt by the debtor, if known to the licensee or employee: PROVIDED, That upon written request of the debtor, the licensee must make a reasonable effort to obtain this information or cease efforts to collect on the debt until this information is provided.

(9) Communicate in writing with a debtor concerning a claim through a proper legal action, process, or proceeding, where such communication is the first written communication with the debtor, without providing the information set forth in subsection (8)(c) of this section in the written communication.

(10) Communicate or threaten to communicate, the existence of a claim to a person other than one who might be reasonably expected to be liable on the claim in any manner other than through proper legal action, process, or proceedings except under the following conditions:

(a) A licensee or employee of a licensee may inform a credit reporting bureau of the existence of a claim. If the licensee or employee of a licensee reports a claim to a credit reporting bureau, the licensee shall, upon receipt of written notice from the debtor that any part of the claim is disputed, notify the credit reporting bureau of the dispute by written or electronic means and create a record of the fact of the notification and when the notification was provided;

(b) A licensee or employee in collecting or attempting to collect a claim may communicate the existence of a claim to a debtor's employer if the claim has been reduced to a judgment;

(c) A licensee or employee in collecting or attempting to collect a claim that has not been reduced to judgment, may communicate the existence of a claim to a debtor's employer if:

(i) The licensee or employee has notified or attempted to notify the debtor in writing at his or her last known address or place of employment concerning the claim and the debtor after a reasonable time has failed to pay the claim or has failed to agree to make payments on the claim in a manner acceptable to the licensee, and

(ii) The debtor has not in writing to the licensee disputed any part of the claim: PROVIDED, That the licensee or employee may only communicate the existence of a claim which has not been reduced to judgment to the debtor's employer once unless the debtor's employer has agreed to additional communications.

(d) A licensee may for the purpose of locating the debtor or locating assets of the debtor communicate the existence of a claim to any person who might reasonably be expected to have knowledge of the whereabouts of a debtor or the location of assets of the debtor if the claim is reduced to judgment, or if not reduced to judgment, when:

(i) The licensee or employee has notified or attempted to notify the debtor in writing at his or her last known address or last known place of employment concerning the claim and the debtor after a reasonable time has failed to pay the claim or has failed to agree to make

payments on the claim in a manner acceptable to the licensee, and

(ii) The debtor has not in writing disputed any part of the claim.

(e) A licensee may communicate the existence of a claim to its customers or clients if the claim is reduced to judgment, or if not reduced to judgment, when:

(i) The licensee has notified or attempted to notify the debtor in writing at his or her last known address or last known place of employment concerning the claim and the debtor after a reasonable time has failed to pay the claim or has failed to agree to make payments on the claim in a manner acceptable to the licensee, and

(ii) The debtor has not in writing disputed any part of the claim.

(11) Threaten the debtor with impairment of his or her credit rating if a claim is not paid: PROVIDED, That advising a debtor that the licensee has reported or intends to report a claim to a credit reporting agency is not considered a threat if the licensee actually has reported or intends to report the claim to a credit reporting agency.

(12) Communicate with the debtor after notification in writing from an attorney representing such debtor that all further communications relative to a claim should be addressed to the attorney: PROVIDED, That if a licensee requests in writing information from an attorney regarding such claim and the attorney does not respond within a reasonable time, the licensee may communicate directly with the debtor until he or she or it again receives notification in writing that an attorney is representing the debtor.

(13) Communicate with a debtor or anyone else in such a manner as to harass, intimidate, threaten, or embarrass a debtor, including but not limited to communication at an unreasonable hour, with unreasonable frequency, by threats of force or violence, by threats of criminal prosecution, and by use of offensive language. A communication shall be presumed to have been made for the purposes of harassment if:

(a) It is made with a debtor or spouse in any form, manner, or place, more than three times in a single week, unless the licensee is responding to a communication from the debtor or spouse;

(b) It is made with a debtor at his or her place of employment more than one time in a single week, unless the licensee is responding to a communication from the debtor;

(c) It is made with the debtor or spouse at his or her place of residence between the hours of 9:00 p.m. and 7:30 a.m. A call to a telephone is presumed to be received in the local time zone to which the area code of the number called is assigned for landline numbers, unless the licensee reasonably believes the telephone is located in a different time zone. If the area code is not assigned to landlines in any specific geographic area, such as with toll-free telephone numbers, a call to a telephone is presumed to be received in the local time zone of the debtor's last known place of residence, unless the licensee reasonably believes the telephone is located in a different time zone.

(14) Communicate with the debtor through use of forms or instruments that simulate the form or appearance of judicial process, the form or appearance of government

documents, or the simulation of a form or appearance of a telegraphic or emergency message.

(15) Communicate with the debtor and represent or imply that the existing obligation of the debtor may be or has been increased by the addition of attorney fees, investigation fees, service fees, or any other fees or charges when in fact such fees or charges may not legally be added to the existing obligation of such debtor.

(16) Threaten to take any action against the debtor which the licensee cannot legally take at the time the threat is made.

(17) Send any telegram or make any telephone calls to a debtor or concerning a debt or for the purpose of demanding payment of a claim or seeking information about a debtor, for which the charges are payable by the addressee or by the person to whom the call is made: PROVIDED, That:

(a) This subsection does not prohibit a licensee from attempting to communicate by way of a cellular telephone or other wireless device: PROVIDED, That a licensee cannot cause charges to be incurred to the recipient of the attempted communication more than three times in any calendar week when the licensee knows or reasonably should know that the number belongs to a cellular telephone or other wireless device, unless the licensee is responding to a communication from the debtor or the person to whom the call is made.

(b) The licensee is not in violation of (a) of this subsection if the licensee at least monthly updates its records with information provided by a commercial provider of cellular telephone lists that the licensee in good faith believes provides reasonably current and comprehensive data identifying cellular telephone numbers, calls a number not appearing in the most recent list provided by the commercial provider, and does not otherwise know or reasonably should know that the number belongs to a cellular telephone.

(c) This subsection may not be construed to increase the number of communications permitted pursuant to subsection (13)(a) of this section.

(18) Call, or send a text message or other electronic communication to, a cellular telephone or other wireless device more than twice in any day when the licensee knows or reasonably should know that the number belongs to a cellular telephone or other wireless device, unless the licensee is responding to a communication from the debtor or the person to whom the call, text message, or other electronic communication is made. The licensee is not in violation of this subsection if the licensee at least monthly updates its records with information provided by a commercial provider of cellular telephone lists that the licensee in good faith believes provides reasonably current and comprehensive data identifying cellular telephone numbers, calls a number not appearing in the most recent list provided by the commercial provider, and does not otherwise know or reasonably should know that the number belongs to a cellular telephone. Nothing in this subsection may be construed to increase the number of communications permitted pursuant to subsection (13)(a) of this section.

(19) Intentionally block its telephone number from displaying on a debtor's telephone.

(20) In any manner convey the impression that the licensee is vouched for, bonded to or by, or is an instrumentality of the state of Washington or any agency or department thereof.

(21) Collect or attempt to collect in addition to the principal amount of a claim any sum other than allowable interest, collection costs or handling fees expressly authorized by statute, and, in the case of suit, attorney's fees and taxable court costs. A licensee may collect or attempt to collect collection costs and fees, including contingent collection fees, as authorized by a written agreement or contract, between the licensee's client and the debtor, in the collection of a commercial claim. The amount charged to the debtor for collection services shall not exceed thirty-five percent of the commercial claim.

(22) Procure from a debtor or collect or attempt to collect on any written note, contract, stipulation, promise or acknowledgment under which a debtor may be required to pay any sum other than principal, allowable interest, except as noted in subsection (21) of this section, and, in the case of suit, attorney's fees and taxable court costs.

(23) Bring an action or initiate an arbitration proceeding on a claim when the licensee knows, or reasonably should know, that such suit or arbitration is barred by the applicable statute of limitations.

(24) Upon notification by a debtor that the debtor disputes all debts arising from a series of dishonored checks, automated clearinghouse transactions on a demand deposit account, or other preprinted written instruments, initiate oral contact with a debtor more than one time in an attempt to collect from the debtor debts arising from the identified series of dishonored checks, automated clearinghouse transactions on a demand deposit account, or other preprinted written instruments when: (a) Within the previous one hundred eighty days, in response to the licensee's attempt to collect the initial debt assigned to the licensee and arising from the identified series of dishonored checks, automated clearinghouse transactions on a demand deposit account, or other preprinted written instruments, the debtor in writing notified the licensee that the debtor's checkbook or other series of preprinted written instruments was stolen or fraudulently created; (b) the licensee has received from the debtor a certified copy of a police report referencing the theft or fraudulent creation of the checkbook, automated clearinghouse transactions on a demand deposit account, or series of preprinted written instruments; (c) in the written notification to the licensee or in the police report, the debtor identified the financial institution where the account was maintained, the account number, the magnetic ink character recognition number, the full bank routing and transit number, and the check numbers of the stolen checks, automated clearinghouse transactions on a demand deposit account, or other preprinted written instruments, which check numbers included the number of the check that is the subject of the licensee's collection efforts; (d) the debtor provides, or within the previous one hundred eighty days provided, to the licensee a legible copy of a government-issued photo identification, which contains the debtor's signature and which was issued prior to the date of the theft or fraud identified in the police report; and (e) the debtor advised the licensee that the subject debt is disputed because the

identified check, automated clearinghouse transaction on a demand deposit account, or other preprinted written instrument underlying the debt is a stolen or fraudulently created check or instrument.

The licensee is not in violation of this subsection if the licensee initiates oral contact with the debtor more than one time in an attempt to collect debts arising from the identified series of dishonored checks, automated clearinghouse transactions on a demand deposit account, or other preprinted written instruments when: (i) The licensee acted in good faith and relied on their established practices and procedures for batching, recording, or packaging debtor accounts, and the licensee inadvertently initiates oral contact with the debtor in an attempt to collect debts in the identified series subsequent to the initial debt assigned to the licensee; (ii) the licensee is following up on collection of a debt assigned to the licensee, and the debtor has previously requested more information from the licensee regarding the subject debt; (iii) the debtor has notified the licensee that the debtor disputes only some, but not all the debts arising from the identified series of dishonored checks, automated clearinghouse transactions on a demand deposit account, or other preprinted written instruments, in which case the licensee shall be allowed to initiate oral contact with the debtor one time for each debt arising from the series of identified checks, automated clearinghouse transactions on a demand deposit account, or written instruments and initiate additional oral contact for those debts that the debtor acknowledges do not arise from stolen or fraudulently created checks or written instruments; (iv) the oral contact is in the context of a judicial, administrative, arbitration, mediation, or similar proceeding; or (v) the oral contact is made for the purpose of investigating, confirming, or authenticating the information received from the debtor, to provide additional information to the debtor, or to request additional information from the debtor needed by the licensee to accurately record the debtor's information in the licensee's records.

(25) Bring an action or initiate an arbitration proceeding on a claim for any amounts related to a transfer of sale of a vehicle when:

(a) The licensee has been informed or reasonably should know that the department of licensing transfer of sale form was filed in accordance with RCW 46.12.650 (1) through (3);

(b) The licensee has been informed or reasonably should know that the transfer of the vehicle either (i) was not made pursuant to a legal transfer or (ii) was not voluntarily accepted by the person designated as the purchaser/transferee; and

(c) Prior to the commencement of the action or arbitration, the licensee has received from the putative transferee a copy of a police report referencing that the transfer of sale of the vehicle either (i) was not made pursuant to a legal transfer or (ii) was not voluntarily accepted by the person designated as the purchaser/transferee.

(26) Submit an affidavit or other request pursuant to chapter 6.32 RCW asking a superior or district court to transfer a bond posted by a debtor subject to a money

judgment to the licensee, when the debtor has appeared as required.

Sec. 7. RCW 9.94A.753 and 2003 c 379 s 16 are each amended to read as follows:

This section applies to offenses committed after July 1, 1985.

(1) When restitution is ordered, the court shall determine the amount of restitution due at the sentencing hearing or within one hundred eighty days except as provided in subsection (7) of this section. The court may continue the hearing beyond the one hundred eighty days for good cause. The court shall then set a minimum monthly payment that the offender is required to make towards the restitution that is ordered. The court should take into consideration the total amount of the restitution owed, the offender's present, past, and future ability to pay, as well as any assets that the offender may have.

(2) During the period of supervision, the community corrections officer may examine the offender to determine if there has been a change in circumstances that warrants an amendment of the monthly payment schedule. The community corrections officer may recommend a change to the schedule of payment and shall inform the court of the recommended change and the reasons for the change. The sentencing court may then reset the monthly minimum payments based on the report from the community corrections officer of the change in circumstances.

(3) Except as provided in subsection (6) of this section, restitution ordered by a court pursuant to a criminal conviction shall be based on easily ascertainable damages for injury to or loss of property, actual expenses incurred for treatment for injury to persons, and lost wages resulting from injury. Restitution shall not include reimbursement for damages for mental anguish, pain and suffering, or other intangible losses, but may include the costs of counseling reasonably related to the offense. The amount of restitution shall not exceed double the amount of the offender's gain or the victim's loss from the commission of the crime.

(4) For the purposes of this section, for an offense committed prior to July 1, 2000, the offender shall remain under the court's jurisdiction for a term of ten years following the offender's release from total confinement or ten years subsequent to the entry of the judgment and sentence, whichever period ends later. Prior to the expiration of the initial ten-year period, the superior court may extend jurisdiction under the criminal judgment an additional ten years for payment of restitution. For an offense committed on or after July 1, 2000, the offender shall remain under the court's jurisdiction until the obligation is completely satisfied, regardless of the statutory maximum for the crime. The portion of the sentence concerning restitution may be modified as to amount, terms, and conditions during any period of time the offender remains under the court's jurisdiction, regardless of the expiration of the offender's term of community supervision and regardless of the statutory maximum sentence for the crime. The court may not reduce the total amount of restitution ordered because the offender may lack the ability to pay the total amount. The offender's

compliance with the restitution shall be supervised by the department only during any period which the department is authorized to supervise the offender in the community under RCW 9.94A.728, 9.94A.501, or in which the offender is in confinement in a state correctional institution or a correctional facility pursuant to a transfer agreement with the department, and the department shall supervise the offender's compliance during any such period. The department is responsible for supervision of the offender only during confinement and authorized supervision and not during any subsequent period in which the offender remains under the court's jurisdiction. The county clerk is authorized to collect unpaid restitution at any time the offender remains under the jurisdiction of the court for purposes of his or her legal financial obligations.

(5) Restitution shall be ordered whenever the offender is convicted of an offense which results in injury to any person or damage to or loss of property or as provided in subsection (6) of this section unless extraordinary circumstances exist which make restitution inappropriate in the court's judgment and the court sets forth such circumstances in the record. In addition, restitution shall be ordered to pay for an injury, loss, or damage if the offender pleads guilty to a lesser offense or fewer offenses and agrees with the prosecutor's recommendation that the offender be required to pay restitution to a victim of an offense or offenses which are not prosecuted pursuant to a plea agreement.

(6) Restitution for the crime of rape of a child in the first, second, or third degree, in which the victim becomes pregnant, shall include: (a) All of the victim's medical expenses that are associated with the rape and resulting pregnancy; and (b) child support for any child born as a result of the rape if child support is ordered pursuant to a civil superior court or administrative order for support for that child. The clerk must forward any restitution payments made on behalf of the victim's child to the Washington state child support registry under chapter 26.23 RCW. Identifying information about the victim and child shall not be included in the order. The offender shall receive a credit against any obligation owing under the administrative or superior court order for support of the victim's child. For the purposes of this subsection, the offender shall remain under the court's jurisdiction until the offender has satisfied support obligations under the superior court or administrative order for the period provided in RCW 4.16.020 or a maximum term of twenty-five years following the offender's release from total confinement or twenty-five years subsequent to the entry of the judgment and sentence, whichever period is longer. The court may not reduce the total amount of restitution ordered because the offender may lack the ability to pay the total amount. The department shall supervise the offender's compliance with the restitution ordered under this subsection.

(7) Regardless of the provisions of subsections (1) through (6) of this section, the court shall order restitution in all cases where the victim is entitled to benefits under the crime victims' compensation act, chapter 7.68 RCW. If the court does not order restitution and the victim of the crime has been determined to be entitled to benefits under the crime victims' compensation act, the department of labor and industries, as administrator of the crime victims'

compensation program, may petition the court within one year of entry of the judgment and sentence for entry of a restitution order. Upon receipt of a petition from the department of labor and industries, the court shall hold a restitution hearing and shall enter a restitution order.

(8) In addition to any sentence that may be imposed, an offender who has been found guilty of an offense involving fraud or other deceptive practice or an organization which has been found guilty of any such offense may be ordered by the sentencing court to give notice of the conviction to the class of persons or to the sector of the public affected by the conviction or financially interested in the subject matter of the offense by mail, by advertising in designated areas or through designated media, or by other appropriate means.

(9) This section does not limit civil remedies or defenses available to the victim, survivors of the victim, or offender including support enforcement remedies for support ordered under subsection (6) of this section for a child born as a result of a rape of a child victim. The court shall identify in the judgment and sentence the victim or victims entitled to restitution and what amount is due each victim. The state or victim may enforce the court-ordered restitution in the same manner as a judgment in a civil action. Restitution collected through civil enforcement must be paid through the registry of the court and must be distributed proportionately according to each victim's loss when there is more than one victim.

(10) If a person has caused a victim to lose money or property through the filing of a vehicle report of sale in which the designated buyer had no knowledge of the vehicle transfer or the fraudulent filing of the report of sale, upon conviction or when the offender pleads guilty and agrees with the prosecutor's recommendation that the offender be required to pay restitution to a victim, the court may order the defendant to pay an amount, fixed by the court, not to exceed double the amount of the defendant's gain or victim's loss from the filing of the vehicle report of sale in which the designated buyer had no knowledge of the vehicle transfer or the fraudulent filing of the report of sale. Such an amount may be used to provide restitution to the victim at the order of the court. It is the duty of the prosecuting attorney to investigate the alternative of restitution, and to recommend it to the court, when the prosecuting attorney believes that restitution is appropriate and feasible. If the court orders restitution, the court must make a finding as to the amount of the victim's loss due to the filing of the report of sale in which the designated buyer had no knowledge of the vehicle transfer or the fraudulent filing of the report of sale, and if the record does not contain sufficient evidence to support such finding, the court may conduct a hearing upon the issue. For purposes of this section, "loss" refers to the amount of money or the value of property or services lost."

On page 1, line 2 of the title, after "vehicle;" strike the remainder of the title and insert "amending RCW 46.12.650, 46.55.105, 19.16.250, and 9.94A.753; and adding a new section to chapter 46.64 RCW."

and the same is herewith transmitted.

Hunter Goodman , Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 2274 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Harmsworth and Clibborn spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2274, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2274, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Hickel, Holy, Hudgins, Hunt, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Kuderer, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Rossetti, Ryu, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Sullivan, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young and Mr. Speaker.

Excused: Representatives Stokesbary and Zeiger.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2274, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

March 2, 2016

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 2356 with the following amendment:

Strike everything after the enacting clause and insert the following:

"**Sec. 8.** RCW 48.110.015 and 2006 c 274 s 2 and 2006 c 36 s 16 are each reenacted and amended to read as follows:

(1) The following are exempt from this title:

- (a) Warranties;
 - (b) Maintenance agreements;
 - (c) Service contracts:
 - (i) Paid for with separate and additional consideration;
 - (ii) Issued at the point of sale, or within sixty days of the original purchase date of the property; and
 - (iii) On tangible property when the tangible property for which the service contract is sold has a purchase price of fifty dollars or less, exclusive of sales tax; and
 - (d) Agreements whereby a third party contracted by an employer provides mileage reimbursement and incidental maintenance and repairs to the employer's employees for personal vehicles used for business purposes, provided that such agreement does not provide indemnification or repairs for a loss caused by theft, collision, fire, or other peril typically covered in the comprehensive section of an automobile insurance policy.
 - (2) This chapter does not apply to:
 - (a) Vehicle mechanical breakdown insurance;
 - (b) Service contracts on tangible personal property purchased by persons who are not consumers; and
 - (c) Home heating fuel service contracts offered by home heating energy providers."
- On page 1, line 3 of the title, after "purposes;" strike the remainder of the title and insert "and reenacting and amending RCW 48.110.015."

and the same is herewith transmitted.

Hunter Goodman , Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to HOUSE BILL NO. 2356 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Kirby and Vick spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 2356, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2356, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Hickel, Holy, Hudgins, Hunt, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Kuderer, Lytton, MacEwen, Magendanz, Manweller,

McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Rossetti, Ryu, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Sullivan, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young and Mr. Speaker.

Excused: Representatives Stokesbary and Zeiger.

HOUSE BILL NO. 2356, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

March 1, 2016

Mr. Speaker:

The Senate has passed ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2375 with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 9. The legislature finds that the rapid pace of technological change and information computerization in the digital age generates a never ending sequence of anxiety inducing reports highlighting how the latest device or innovation is being used to harm consumers. The legislature finds that this generates an ongoing pattern of legislation being proposed to regulate each new technology. The legislature finds that a more systemic approach is needed to better protect consumers and address these rapidly advancing technologies. The legislature finds that the application of traditional criminal enforcement measures that apply long-standing concepts of trespass, fraud, and theft to activities in the electronic frontier has not provided the essential clarity, certainty, and predictability that regulators, entrepreneurs, and innovators need. The legislature finds that an integrated, comprehensive methodology, rather than a piecemeal approach, will provide significant economic development benefits by providing certainty to the innovation community about the actions and activities that are prohibited. Therefore, the legislature intends to create a new chapter of crimes to the criminal code to punish and deter misuse or abuse of technology, rather than the perceived threats of individual technologies. This new chapter of crimes has been developed from an existing and proven system of computer security threat modeling known as the STRIDE system.

The legislature intends to strike a balance between public safety and civil liberties in the digital world, including creating sufficient space for white hat security research and whistleblowers. The state whistleblower and public record laws prevent this act from being used to hide any deleterious actions by government officials under the guise of security. Furthermore, this act is not intended to

criminalize activity solely on the basis that it violates any terms of service.

The purpose of the Washington cybercrime act is to provide prosecutors the twenty-first century tools they need to combat twenty-first century crimes.

NEW SECTION. Sec. 10. This act may be known and cited as the Washington cybercrime act.

NEW SECTION. Sec. 11. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Access" means to gain entry to, instruct, communicate with, store data in, retrieve data from, or otherwise make use of any resources of electronic data, data network, or data system, including via electronic means.

(2) "Cybercrime" includes crimes of this chapter.

(3) "Data" means a digital representation of information, knowledge, facts, concepts, data software, data programs, or instructions that are being prepared or have been prepared in a formalized manner and are intended for use in a data network, data program, data services, or data system.

(4) "Data network" means any system that provides digital communications between one or more data systems or other digital input/output devices including, but not limited to, display terminals, remote systems, mobile devices, and printers.

(5) "Data program" means an ordered set of electronic data representing coded instructions or statements that when executed by a computer causes the device to process electronic data.

(6) "Data services" includes data processing, storage functions, internet services, email services, electronic message services, web site access, internet-based electronic gaming services, and other similar system, network, or internet-based services.

(7) "Data system" means an electronic device or collection of electronic devices, including support devices one or more of which contain data programs, input data, and output data, and that performs functions including, but not limited to, logic, arithmetic, data storage and retrieval, communication, and control. This term does not include calculators that are not programmable and incapable of being used in conjunction with external files.

(8) "Identifying information" means information that, alone or in combination, is linked or linkable to a trusted entity that would be reasonably expected to request or provide credentials to access a targeted data system or network. It includes, but is not limited to, recognizable names, addresses, telephone numbers, logos, HTML links, email addresses, registered domain names, reserved IP addresses, usernames, social media profiles, cryptographic keys, and biometric identifiers.

(9) "Malware" means any set of data instructions that are designed, without authorization and with malicious intent, to disrupt computer operations, gather sensitive information, or gain access to private computer systems. "Malware" does not include software that installs security

updates, removes malware, or causes unintentional harm due to some deficiency. It includes, but is not limited to, a group of data instructions commonly called viruses or worms, that are self-replicating or self-propagating and are designed to infect other data programs or data, consume data resources, modify, destroy, record, or transmit data, or in some other fashion usurp the normal operation of the data, data system, or data network.

(10) "White hat security research" means accessing a data program, service, or system solely for purposes of good faith testing, investigation, identification, and/or correction of a security flaw or vulnerability, where such activity is carried out, and where the information derived from the activity is used, primarily to promote security or safety.

(11) "Without authorization" means to knowingly circumvent technological access barriers to a data system in order to obtain information without the express or implied permission of the owner, where such technological access measures are specifically designed to exclude or prevent unauthorized individuals from obtaining such information, but does not include white hat security research or circumventing a technological measure that does not effectively control access to a computer. The term "without the express or implied permission" does not include access in violation of a duty, agreement, or contractual obligation, such as an acceptable use policy or terms of service agreement, with an internet service provider, internet web site, or employer. The term "circumvent technological access barriers" may include unauthorized elevation of privileges, such as allowing a normal user to execute code as administrator, or allowing a remote person without any privileges to run code.

NEW SECTION. Sec. 12. (1) A person is guilty of computer trespass in the first degree if the person, without authorization, intentionally gains access to a computer system or electronic database of another; and

(a) The access is made with the intent to commit another crime in violation of a state law not included in this chapter; or

(b) The violation involves a computer or database maintained by a government agency.

(2) Computer trespass in the first degree is a class C felony.

NEW SECTION. Sec. 13. (1) A person is guilty of computer trespass in the second degree if the person, without authorization, intentionally gains access to a computer system or electronic database of another under circumstances not constituting the offense in the first degree.

(2) Computer trespass in the second degree is a gross misdemeanor.

NEW SECTION. Sec. 14. (1) A person is guilty of electronic data service interference if the person maliciously and without authorization causes the transmission of data, data program, or other electronic

command that intentionally interrupts or suspends access to or use of a data network or data service.

(2) Electronic data service interference is a class C felony.

NEW SECTION. Sec. 15. (1) A person is guilty of spoofing if he or she, without authorization, knowingly initiates the transmission, display, or receipt of the identifying information of another organization or person for the purpose of gaining unauthorized access to electronic data, a data system, or a data network, and with the intent to commit another crime in violation of a state law not included in this chapter.

(2) Spoofing is a gross misdemeanor.

NEW SECTION. Sec. 16. (1) A person is guilty of electronic data tampering in the first degree if he or she maliciously and without authorization:

(a)(i) Alters data as it transmits between two data systems over an open or unsecure network; or

(ii) Introduces any malware into any electronic data, data system, or data network; and

(b)(i) Doing so is for the purpose of devising or executing any scheme to defraud, deceive, or extort, or commit any other crime in violation of a state law not included in this chapter, or of wrongfully controlling, gaining access to, or obtaining money, property, or electronic data; or

(ii) The electronic data, data system, or data network is maintained by a governmental agency.

(2) Electronic data tampering in the first degree is a class C felony.

NEW SECTION. Sec. 17. (1) A person is guilty of electronic data tampering in the second degree if he or she maliciously and without authorization:

(a) Alters data as it transmits between two data systems over an open or unsecure network under circumstances not constituting the offense in the first degree; or

(b) Introduces any malware into any electronic data, data system, or data network under circumstances not constituting the offense in the first degree.

(2) Electronic data tampering in the second degree is a gross misdemeanor.

NEW SECTION. Sec. 18. (1) A person is guilty of electronic data theft if he or she intentionally, without authorization, and without reasonable grounds to believe that he or she has such authorization, obtains any electronic data with the intent to:

(a) Devise or execute any scheme to defraud, deceive, extort, or commit any other crime in violation of a state law not included in this chapter; or

(b) Wrongfully control, gain access to, or obtain money, property, or electronic data.

(2) Electronic data theft is a class C felony.

NEW SECTION. Sec. 19. A person who, in the commission of a crime under this chapter, commits any other crime may be punished for that other crime as well as for the crime under this chapter and may be prosecuted for each crime separately.

Sec. 20. RCW 9A.52.010 and 2011 c 336 s 369 are each reenacted and amended to read as follows:

The following definitions apply in this chapter:

(1) (~~"Access" means to approach, instruct, communicate with, store data in, retrieve data from, or otherwise make use of any resources of a computer, directly or by electronic means.~~

(2) ~~"Computer program" means an ordered set of data representing coded instructions or statements that when executed by a computer cause the computer to process data.~~

(3) ~~"Data" means a representation of information, knowledge, facts, concepts, or instructions that are being prepared or have been prepared in a formalized manner and are intended for use in a computer.~~

(4) ~~"Enter." The word "enter" when constituting an element or part of a crime, shall include the entrance of the person, or the insertion of any part of his or her body, or any instrument or weapon held in his or her hand and used or intended to be used to threaten or intimidate a person or to detach or remove property((;)).~~

~~((5)) (2) "Enters or remains unlawfully." A person "enters or remains unlawfully" in or upon premises when he or she is not then licensed, invited, or otherwise privileged to so enter or remain.~~

A license or privilege to enter or remain in a building which is only partly open to the public is not a license or privilege to enter or remain in that part of a building which is not open to the public. A person who enters or remains upon unimproved and apparently unused land, which is neither fenced nor otherwise enclosed in a manner designed to exclude intruders, does so with license and privilege unless notice against trespass is personally communicated to him or her by the owner of the land or some other authorized person, or unless notice is given by posting in a conspicuous manner. Land that is used for commercial aquaculture or for growing an agricultural crop or crops, other than timber, is not unimproved and apparently unused land if a crop or any other sign of cultivation is clearly visible or if notice is given by posting in a conspicuous manner. Similarly, a field fenced in any manner is not unimproved and apparently unused land. A license or privilege to enter or remain on improved and apparently used land that is open to the public at particular times, which is neither fenced nor otherwise enclosed in a manner to exclude intruders, is not a license or privilege to enter or remain on the land at other times if notice of prohibited times of entry is posted in a conspicuous manner.

~~((6)) (3) "Premises" includes any building, dwelling, structure used for commercial aquaculture, or any real property.~~

Sec. 21. RCW 9.94A.515 and 2015 c 261 s 11 are each amended to read as follows:

| TABLE 2 CRIMES INCLUDED WITHIN EACH SERIOUSNESS LEVEL | |
|-------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| XVI | Aggravated Murder 1 (RCW 10.95.020) |
| XV | Homicide by abuse (RCW 9A.32.055) Malicious explosion 1 (RCW 70.74.280(1)) Murder 1 (RCW 9A.32.030) |
| XIV | Murder 2 (RCW 9A.32.050) Trafficking 1 (RCW 9A.40.100(1)) |
| XIII | Malicious explosion 2 (RCW 70.74.280(2)) Malicious placement of an explosive 1 (RCW 70.74.270(1)) |
| XII | Assault 1 (RCW 9A.36.011) Assault of a Child 1 (RCW 9A.36.120) Malicious placement of an imitation device 1 (RCW 70.74.272(1)(a)) Promoting Commercial Sexual Abuse of a Minor (RCW 9.68A.101) Rape 1 (RCW 9A.44.040) Rape of a Child 1 (RCW 9A.44.073) Trafficking 2 (RCW 9A.40.100(3)) |
| XI | Manslaughter 1 (RCW 9A.32.060) Rape 2 (RCW 9A.44.050) Rape of a Child 2 (RCW 9A.44.076) Vehicular Homicide, by being under the influence of intoxicating liquor or any drug (RCW 46.61.520) |
| X | Child Molestation 1 (RCW 9A.44.083) Criminal Mistreatment 1 (RCW 9A.42.020) Indecent Liberties (with forcible compulsion) (RCW 9A.44.100(1)(a)) Kidnapping 1 (RCW 9A.40.020) Leading Organized Crime (RCW 9A.82.060(1)(a)) Malicious explosion 3 (RCW 70.74.280(3)) Sexually Violent Predator Escape (RCW 9A.76.115) |
| IX | Abandonment of Dependent Person 1 (RCW 9A.42.060) |
| | Assault of a Child 2 (RCW 9A.36.130) |
| | Explosive devices prohibited (RCW 70.74.180) |
| | Hit and Run—Death (RCW 46.52.020(4)(a)) |
| | Homicide by Watercraft, by being under the influence of intoxicating liquor or any drug (RCW 79A.60.050) |
| | Inciting Criminal Profiteering (RCW 9A.82.060(1)(b)) |
| | Malicious placement of an explosive 2 (RCW 70.74.270(2)) |
| | Robbery 1 (RCW 9A.56.200) |
| | Sexual Exploitation (RCW 9.68A.040) |
| VIII | Arson 1 (RCW 9A.48.020) Commercial Sexual Abuse of a Minor (RCW 9.68A.100) Homicide by Watercraft, by the operation of any vessel in a reckless manner (RCW 79A.60.050) Manslaughter 2 (RCW 9A.32.070) Promoting Prostitution 1 (RCW 9A.88.070) Theft of Ammonia (RCW 69.55.010) Vehicular Homicide, by the operation of any vehicle in a reckless manner (RCW 46.61.520) |
| VII | Burglary 1 (RCW 9A.52.020) Child Molestation 2 (RCW 9A.44.086) Civil Disorder Training (RCW 9A.48.120) Dealing in depictions of minor engaged in sexually explicit conduct 1 (RCW 9.68A.050(1)) Drive-by Shooting (RCW 9A.36.045) Homicide by Watercraft, by disregard for the safety of others (RCW 79A.60.050) Indecent Liberties (without forcible compulsion) (RCW 9A.44.100(1) (b) and (c)) Introducing Contraband 1 (RCW 9A.76.140) Malicious placement of an explosive 3 (RCW 70.74.270(3)) |

| | |
|------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------|
| Negligently Causing Death By Use of a Signal Preemption Device (RCW 46.37.675) | 10.99.050, 26.09.300, 26.10.220, 26.26.138, 26.50.110, 26.52.070, or 74.34.145) |
| Sending, bringing into state depictions of minor engaged in sexually explicit conduct 1 (RCW 9.68A.060(1)) | Driving While Under the Influence (RCW 46.61.502(6)) |
| Unlawful Possession of a Firearm in the first degree (RCW 9.41.040(1)) | Extortion 1 (RCW 9A.56.120) |
| Use of a Machine Gun in Commission of a Felony (RCW 9.41.225) | Extortionate Extension of Credit (RCW 9A.82.020) |
| Vehicular Homicide, by disregard for the safety of others (RCW 46.61.520) | Extortionate Means to Collect Extensions of Credit (RCW 9A.82.040) |
| VI Bail Jumping with Murder 1 (RCW 9A.76.170(3)(a)) | Incest 2 (RCW 9A.64.020(2)) |
| Bribery (RCW 9A.68.010) | Kidnapping 2 (RCW 9A.40.030) |
| Incest 1 (RCW 9A.64.020(1)) | Perjury 1 (RCW 9A.72.020) |
| Intimidating a Judge (RCW 9A.72.160) | Persistent prison misbehavior (RCW 9.94.070) |
| Intimidating a Juror/Witness (RCW 9A.72.110, 9A.72.130) | Physical Control of a Vehicle While Under the Influence (RCW 46.61.504(6)) |
| Malicious placement of an imitation device 2 (RCW 70.74.272(1)(b)) | Possession of a Stolen Firearm (RCW 9A.56.310) |
| Possession of Depictions of a Minor Engaged in Sexually Explicit Conduct 1 (RCW 9.68A.070(1)) | Rape 3 (RCW 9A.44.060) |
| Rape of a Child 3 (RCW 9A.44.079) | Rendering Criminal Assistance 1 (RCW 9A.76.070) |
| Theft of a Firearm (RCW 9A.56.300) | Sending, Bringing into State Depictions of Minor Engaged in Sexually Explicit Conduct 2 (RCW 9.68A.060(2)) |
| Unlawful Storage of Ammonia (RCW 69.55.020) | Sexual Misconduct with a Minor 1 (RCW 9A.44.093) |
| V Abandonment of Dependent Person 2 (RCW 9A.42.070) | Sexually Violating Human Remains (RCW 9A.44.105) |
| Advancing money or property for extortionate extension of credit (RCW 9A.82.030) | Stalking (RCW 9A.46.110) |
| Bail Jumping with class A Felony (RCW 9A.76.170(3)(b)) | Taking Motor Vehicle Without Permission 1 (RCW 9A.56.070) |
| Child Molestation 3 (RCW 9A.44.089) | IV Arson 2 (RCW 9A.48.030) |
| Criminal Mistreatment 2 (RCW 9A.42.030) | Assault 2 (RCW 9A.36.021) |
| Custodial Sexual Misconduct 1 (RCW 9A.44.160) | Assault 3 (of a Peace Officer with a Projectile Stun Gun) (RCW 9A.36.031(1)(h)) |
| Dealing in Depictions of Minor Engaged in Sexually Explicit Conduct 2 (RCW 9.68A.050(2)) | Assault by Watercraft (RCW 79A.60.060) |
| Domestic Violence Court Order Violation (RCW 10.99.040, | Bribing a Witness/Bribe Received by Witness (RCW 9A.72.090, 9A.72.100) |
| | Cheating 1 (RCW 9.46.1961) |
| | Commercial Bribery (RCW 9A.68.060) |
| | Counterfeiting (RCW 9.16.035(4)) |
| | Endangerment with a Controlled Substance (RCW 9A.42.100) |
| | Escape 1 (RCW 9A.76.110) |

- Hit and Run—Injury (RCW 46.52.020(4)(b))
- Hit and Run with Vessel—Injury Accident (RCW 79A.60.200(3))
- Identity Theft 1 (RCW 9.35.020(2))
- Indecent Exposure to Person Under Age Fourteen (subsequent sex offense) (RCW 9A.88.010)
- Influencing Outcome of Sporting Event (RCW 9A.82.070)
- Malicious Harassment (RCW 9A.36.080)
- Possession of Depictions of a Minor Engaged in Sexually Explicit Conduct 2 (RCW 9.68A.070(2))
- Residential Burglary (RCW 9A.52.025)
- Robbery 2 (RCW 9A.56.210)
- Theft of Livestock 1 (RCW 9A.56.080)
- Threats to Bomb (RCW 9.61.160)
- Trafficking in Stolen Property 1 (RCW 9A.82.050)
- Unlawful factoring of a credit card or payment card transaction (RCW 9A.56.290(4)(b))
- Unlawful transaction of health coverage as a health care service contractor (RCW 48.44.016(3))
- Unlawful transaction of health coverage as a health maintenance organization (RCW 48.46.033(3))
- Unlawful transaction of insurance business (RCW 48.15.023(3))
- Unlicensed practice as an insurance professional (RCW 48.17.063(2))
- Use of Proceeds of Criminal Profiteering (RCW 9A.82.080 (1) and (2))
- Vehicle Prowling 2 (third or subsequent offense) (RCW 9A.52.100(3))
- Vehicular Assault, by being under the influence of intoxicating liquor or any drug, or by the operation or driving of a vehicle in a reckless manner (RCW 46.61.522)
- Viewing of Depictions of a Minor Engaged in Sexually Explicit Conduct 1 (RCW 9.68A.075(1))
- Willful Failure to Return from Furlough (RCW 72.66.060)
- III Animal Cruelty 1 (Sexual Conduct or Contact) (RCW 16.52.205(3))
- Assault 3 (Except Assault 3 of a Peace Officer With a Projectile Stun Gun) (RCW 9A.36.031 except subsection (1)(h))
- Assault of a Child 3 (RCW 9A.36.140)
- Bail Jumping with class B or C Felony (RCW 9A.76.170(3)(c))
- Burglary 2 (RCW 9A.52.030)
- Communication with a Minor for Immoral Purposes (RCW 9.68A.090)
- Criminal Gang Intimidation (RCW 9A.46.120)
- Custodial Assault (RCW 9A.36.100)
- Cyberstalking (subsequent conviction or threat of death) (RCW 9.61.260(3))
- Escape 2 (RCW 9A.76.120)
- Extortion 2 (RCW 9A.56.130)
- Harassment (RCW 9A.46.020)
- Intimidating a Public Servant (RCW 9A.76.180)
- Introducing Contraband 2 (RCW 9A.76.150)
- Malicious Injury to Railroad Property (RCW 81.60.070)
- Mortgage Fraud (RCW 19.144.080)
- Negligently Causing Substantial Bodily Harm By Use of a Signal Preemption Device (RCW 46.37.674)
- Organized Retail Theft 1 (RCW 9A.56.350(2))
- Perjury 2 (RCW 9A.72.030)
- Possession of Incendiary Device (RCW 9.40.120)
- Possession of Machine Gun or Short-Barreled Shotgun or Rifle (RCW 9.41.190)
- Promoting Prostitution 2 (RCW 9A.88.080)

- Retail Theft with Special Circumstances 1 (RCW 9A.56.360(2))
- Securities Act violation (RCW 21.20.400)
- Tampering with a Witness (RCW 9A.72.120)
- Telephone Harassment (subsequent conviction or threat of death) (RCW 9.61.230(2))
- Theft of Livestock 2 (RCW 9A.56.083)
- Theft with the Intent to Resell 1 (RCW 9A.56.340(2))
- Trafficking in Stolen Property 2 (RCW 9A.82.055)
- Unlawful Hunting of Big Game 1 (RCW 77.15.410(3)(b))
- Unlawful Imprisonment (RCW 9A.40.040)
- Unlawful Misbranding of Food Fish or Shellfish 1 (RCW 69.04.938(3))
- Unlawful possession of firearm in the second degree (RCW 9.41.040(2))
- Unlawful Taking of Endangered Fish or Wildlife 1 (RCW 77.15.120(3)(b))
- Unlawful Trafficking in Fish, Shellfish, or Wildlife 1 (RCW 77.15.260(3)(b))
- Unlawful Use of a Nondesignated Vessel (RCW 77.15.530(4))
- Vehicular Assault, by the operation or driving of a vehicle with disregard for the safety of others (RCW 46.61.522)
- Willful Failure to Return from Work Release (RCW 72.65.070)
- II Commercial Fishing Without a License 1 (RCW 77.15.500(3)(b))
- Computer Trespass 1 (~~(RCW 9A.52.110)~~) section 4 of this act)
- Counterfeiting (RCW 9.16.035(3))
- Electronic Data Service Interference (section 6 of this act)
- Electronic Data Tampering 1 (section 8 of this act)
- Electronic Data Theft (section 10 of this act)
- Engaging in Fish Dealing Activity Unlicensed 1 (RCW 77.15.620(3))
- Escape from Community Custody (RCW 72.09.310)
- Failure to Register as a Sex Offender (second or subsequent offense) (RCW 9A.44.130 prior to June 10, 2010, and RCW 9A.44.132)
- Health Care False Claims (RCW 48.80.030)
- Identity Theft 2 (RCW 9.35.020(3))
- Improperly Obtaining Financial Information (RCW 9.35.010)
- Malicious Mischief 1 (RCW 9A.48.070)
- Organized Retail Theft 2 (RCW 9A.56.350(3))
- Possession of Stolen Property 1 (RCW 9A.56.150)
- Possession of a Stolen Vehicle (RCW 9A.56.068)
- Retail Theft with Special Circumstances 2 (RCW 9A.56.360(3))
- Scrap Processing, Recycling, or Supplying Without a License (second or subsequent offense) (RCW 19.290.100)
- Theft 1 (RCW 9A.56.030)
- Theft of a Motor Vehicle (RCW 9A.56.065)
- Theft of Rental, Leased, ~~(or)~~ Lease-purchased, or Loaned Property (valued at ~~(one)~~ five thousand ~~(five hundred)~~ dollars or more) (RCW 9A.56.096(5)(a))
- Theft with the Intent to Resell 2 (RCW 9A.56.340(3))
- Trafficking in Insurance Claims (RCW 48.30A.015)
- Unlawful factoring of a credit card or payment card transaction (RCW 9A.56.290(4)(a))
- Unlawful Participation of Non-Indians in Indian Fishery (RCW 77.15.570(2))
- Unlawful Practice of Law (RCW 2.48.180)
- Unlawful Purchase or Use of a License (RCW 77.15.650(3)(b))
- Unlawful Trafficking in Fish, Shellfish, or Wildlife 2 (RCW 77.15.260(3)(a))

Unlicensed Practice of a Profession or Business (RCW 18.130.190(7))
 Voyeurism (RCW 9A.44.115)
 I Attempting to Elude a Pursuing Police Vehicle (RCW 46.61.024)
 False Verification for Welfare (RCW 74.08.055)
 Forgery (RCW 9A.60.020)
 Fraudulent Creation or Revocation of a Mental Health Advance Directive (RCW 9A.60.060)
 Malicious Mischief 2 (RCW 9A.48.080)
 Mineral Trespass (RCW 78.44.330)
 Possession of Stolen Property 2 (RCW 9A.56.160)
 Reckless Burning 1 (RCW 9A.48.040)
 Spotlighting Big Game 1 (RCW 77.15.450(3)(b))
 Suspension of Department Privileges 1 (RCW 77.15.670(3)(b))
 Taking Motor Vehicle Without Permission 2 (RCW 9A.56.075)
 Theft 2 (RCW 9A.56.040)
 Theft of Rental, Leased, ~~((or))~~ Lease-purchased, or Loaned Property (valued at ~~((two))~~ seven hundred fifty dollars or more but less than ~~((one))~~ five thousand ~~((five hundred))~~ dollars) (RCW 9A.56.096(5)(b))
 Transaction of insurance business beyond the scope of licensure (RCW 48.17.063)
 Unlawful Fish and Shellfish Catch Accounting (RCW 77.15.630(3)(b))
 Unlawful Issuance of Checks or Drafts (RCW 9A.56.060)
 Unlawful Possession of Fictitious Identification (RCW 9A.56.320)
 Unlawful Possession of Instruments of Financial Fraud (RCW 9A.56.320)
 Unlawful Possession of Payment Instruments (RCW 9A.56.320)

Unlawful Possession of a Personal Identification Device (RCW 9A.56.320)
 Unlawful Production of Payment Instruments (RCW 9A.56.320)
 Unlawful Releasing, Planting, Possessing, or Placing Deleterious Exotic Wildlife (RCW 77.15.250(2)(b))
 Unlawful Trafficking in Food Stamps (RCW 9.91.142)
 Unlawful Use of Food Stamps (RCW 9.91.144)
 Unlawful Use of Net to Take Fish 1 (RCW 77.15.580(3)(b))
 Unlawful Use of Prohibited Aquatic Animal Species (RCW 77.15.253(3))
 Vehicle Prowl 1 (RCW 9A.52.095)
 Violating Commercial Fishing Area or Time 1 (RCW 77.15.550(3)(b))

NEW SECTION. Sec. 22. The following acts or parts of acts are each repealed:

(1)RCW 9A.52.110 (Computer trespass in the first degree) and 1984 c 273 s 1;
 (2)RCW 9A.52.120 (Computer trespass in the second degree) and 1984 c 273 s 2; and
 (3)RCW 9A.52.130 (Computer trespass—Commission of other crime) and 1984 c 273 s 3.

NEW SECTION. Sec. 23. Sections 3 through 11 of this act constitute a new chapter in Title 9A RCW."

On page 1, line 1 of the title, after "cybercrime;" strike the remainder of the title and insert "amending RCW 9.94A.515; reenacting and amending RCW 9A.52.010; adding a new chapter to Title 9A RCW; creating new sections; repealing RCW 9A.52.110, 9A.52.120, and 9A.52.130; and prescribing penalties."

and the same is herewith transmitted.

Hunter Goodman, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2375 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Magendanz and Goodman spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 2375, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 2375, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Hickel, Holy, Hudgins, Hunt, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Kuderer, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Rossetti, Ryu, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Sullivan, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young and Mr. Speaker.

Excused: Representatives Stokesbary and Zeiger.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2375, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

March 2, 2016

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 2458 with the following amendment:

Strike everything after the enacting clause and insert the following:

"Sec. 24. RCW 69.70.010 and 2013 c 260 s 1 are each amended to read as follows:

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

(1) "Department" means the department of health.
 (2) "Drug manufacturer" means a facility licensed by the ~~((board of))~~ pharmacy quality assurance commission under chapter 18.64 RCW that engages in the manufacture of drugs or devices.

(3) "Drug wholesaler" means a facility licensed by the ~~((board of))~~ pharmacy quality assurance commission under chapter 18.64 RCW that buys drugs or devices for resale and distribution to corporations, individuals, or entities other than consumers.

(4) "Medical facility" means a hospital, pharmacy, nursing home, boarding home, adult family home, or medical clinic where the prescription drugs are under the control of a practitioner.

(5) "Person" means an individual, corporation, business trust, estate, trust, partnership, association, joint venture, government, governmental subdivision or agency, or any other legal or commercial entity.

(6) "Pharmacist" means a person licensed by the ~~((board of))~~ pharmacy quality assurance commission under chapter 18.64 RCW to practice pharmacy.

(7) "Pharmacy" means a facility licensed by the ~~((board of))~~ pharmacy quality assurance commission under chapter 18.64 RCW in which the practice of pharmacy is conducted.

(8) "Practitioner" has the same meaning as in RCW 69.41.010.

(9) "Prescribing practitioner" means a person authorized to issue orders or prescriptions for legend drugs as listed in RCW 69.41.030.

(10) "Prescription drugs" has the same meaning as "legend drugs" as defined in RCW 69.41.010. The term includes cancer drugs and antirejection drugs. The term does not include controlled substances.

(11) "Supplies" means the supplies necessary to administer prescription drugs that are donated under the prescription drug redistribution program.

(12) "Time temperature indicator" means a device or smart label that shows the accumulated time-temperature history of a product by providing a nonreversible, accurate record of temperature exposure through the entire supply chain.

(13) "Uninsured" means a person who:
(a) Does not have private or public health insurance; or

(b) Has health insurance, but the health insurance does not provide coverage for a particular drug that has been prescribed to the person.

Sec. 25. RCW 69.70.020 and 2013 c 260 s 2 are each amended to read as follows:

(1) Any practitioner, pharmacist, medical facility, drug manufacturer, or drug wholesaler may donate prescription drugs and supplies to a pharmacy for redistribution without compensation or the expectation of compensation to individuals who meet the prioritization criteria established in RCW 69.70.040. Donations of prescription drugs and supplies may be made on the premises of a pharmacy that elects to participate in the provisions of this chapter. A pharmacy that receives prescription drugs or supplies may distribute the prescription drugs or supplies to another pharmacy, pharmacist, or prescribing practitioner for use pursuant to the program.

(2) The person to whom a prescription drug was prescribed, or the person's representative, may donate prescription drugs under subsection (1) of this section if, as determined by the professional judgment of a pharmacist, the prescription drugs were stored under required temperature conditions using the prescription drugs' time temperature indicator information and the person, or the person's representative, has completed and signed a donor form, adopted by the department, to release the prescription drug for distribution under this chapter and certifying that

the donated prescription drug has never been opened, used, adulterated, or misbranded.

Sec. 26. RCW 69.70.040 and 2013 c 260 s 4 are each amended to read as follows:

Pharmacies, pharmacists, and prescribing practitioners that elect to dispense donated prescription drugs and supplies under this chapter shall give priority to individuals who are uninsured (~~(and at or below two hundred percent of the federal poverty level)~~). If an uninsured (~~(and low income)~~) individual has not been identified as in need of available prescription drugs and supplies, those prescription drugs and supplies may be dispensed to other individuals expressing need.

Sec. 27. RCW 69.70.050 and 2013 c 260 s 5 are each amended to read as follows:

(1) Prescription drugs or supplies may be accepted and dispensed under this chapter if all of the following conditions are met:

- (a) The prescription drug is in:
 - (i) Its original sealed and tamper evident packaging; or
 - (ii) An opened package if it contains single unit doses that remain intact;
- (b) The prescription drug bears an expiration date that is more than six months after the date the prescription drug was donated;
- (c) The prescription drug or supplies are inspected before the prescription drug or supplies are dispensed by a pharmacist employed by or under contract with the pharmacy, and the pharmacist determines that the prescription drug or supplies are not adulterated or misbranded;
- (d) The prescription drug or supplies are prescribed by a practitioner for use by an eligible individual and are dispensed by a pharmacist; and
- (e) Any other safety precautions established by the department have been satisfied.

(2)(a) If a person who donates prescription drugs or supplies to a pharmacy under this chapter receives a notice that the donated prescription drugs or supplies have been recalled, the person shall notify the pharmacy of the recall.

(b) If a pharmacy that receives and distributes donated prescription drugs to another pharmacy, pharmacist, or prescribing practitioner under this chapter receives notice that the donated prescription drugs or supplies have been recalled, the pharmacy shall notify the other pharmacy, pharmacist, or prescribing practitioner of the recall.

(c) If a person collecting or distributing donated prescription drugs or supplies under this chapter receives a recall notice from the drug manufacturer or the federal food and drug administration for donated prescription drugs or supplies, the person shall immediately remove all recalled medications from stock and comply with the instructions in the recall notice.

(3) Prescription drugs and supplies donated under this chapter may not be resold.

(4) Prescription drugs and supplies dispensed under this chapter shall not be eligible for reimbursement of the prescription drug or any related dispensing fees by any public or private health care payer.

(5) A prescription drug that can only be dispensed to a patient registered with the manufacturer of that drug, in accordance with the requirements established by the federal food and drug administration, may not be ~~((accepted or))~~ distributed under the program, unless the patient receiving the prescription drug is registered with the manufacturer at the time the drug is dispensed and the amount dispensed does not exceed the duration of the registration period.

Sec. 28. RCW 69.70.060 and 2013 c 260 s 6 are each amended to read as follows:

~~((1) The department must adopt rules establishing forms and procedures to: Reasonably verify eligibility and prioritize patients seeking to receive donated prescription drugs and supplies; and inform a person receiving prescription drugs donated under this program that the prescription drugs have been donated for the purposes of redistribution. A patient's eligibility may be determined by a form signed by the patient certifying that the patient is uninsured and at or below two hundred percent of the federal poverty level.~~

(2) The department may establish any other rules necessary to implement this chapter.) The department shall develop a form for persons to use when releasing prescription drugs for distribution and certifying the condition of the drugs, as provided in RCW 69.70.020(2).

Sec. 29. RCW 69.70.070 and 2013 c 260 s 7 are each amended to read as follows:

(1) A drug manufacturer acting in good faith may not, in the absence of a finding of gross negligence, be subject to criminal prosecution or liability in tort or other civil action, for injury, death, or loss to person or property for matters relating to the donation, acceptance, or dispensing of ~~((a))~~ any drug manufactured by the drug manufacturer that is donated by any person under the program including, but not limited to ~~((c))~~:

(a) Liability for failure to transfer or communicate product or consumer information or the expiration date of the donated prescription drug; and

(b) Liability related to prescription drugs that can only be dispensed to a patient registered with the manufacturer of that drug, in accordance with the requirements established by the federal food and drug administration.

(2) Any person or entity, other than a drug manufacturer subject to subsection (1) of this section, acting in good faith in donating, accepting, or distributing prescription drugs under this chapter is immune from criminal prosecution, professional discipline, or civil liability of any kind for any injury, death, or loss to any person or property relating to such activities other than acts or omissions constituting gross negligence or willful or wanton misconduct.

(3) The immunity provided under subsection (1) of this section does not absolve a drug manufacturer of a

criminal or civil liability that would have existed but for the donation, nor does such donation increase the liability of the drug manufacturer in such an action.

NEW SECTION. Sec. 30. This act may be known and cited as the cancer can't charitable pharmacy act.

NEW SECTION. Sec. 31. This act takes effect January 1, 2017."

On page 1, line 2 of the title, after "program," strike the remainder of the title and insert "amending RCW 69.70.010, 69.70.020, 69.70.040, 69.70.050, 69.70.060, and 69.70.070; creating a new section; and providing an effective date."

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 2458 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Parker and Cody spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2458, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2458, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Hickel, Holy, Hudgins, Hunt, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Kuderer, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Rossetti, Ryu, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Sullivan, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young and Mr. Speaker.

Excused: Representatives Stokesbary and Zeiger.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2458, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

March 1, 2016

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 2478 with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 32. (1) The state noxious weed control board shall conduct a pilot project that evaluates the options, methods, and costs of purposefully replacing pollen-rich and nectar-rich noxious weeds, such as knapweeds and nonnative thistles, which are productive forage plants for honey bees, with either native or noninvasive, nonnative forage plants that can produce similar levels of pollen and nectar with a similar bloom succession to support populations of honey bees and other pollinators. The goal of the pilot project is to develop optional guidance and best practices for landowners and land managers faced with the removal of noxious weeds. The pilot project must be developed to maximize the dual public benefits of reducing noxious weeds in Washington and supporting agricultural production through the maintenance of access to seasonally balanced pollen-rich and nectar-rich plants for honey bees and other pollinators.

(2)(a) In implementing the pilot project, the state noxious weed control board must coordinate with willing landowners to provide goods or services, such as plant starts and seed packs, necessary to replace noxious weeds with either native or noninvasive, nonnative plants or to create, in conjunction with noxious weed control efforts, new seasonally balanced forage patches for honey bees and other pollinators.

(b) Priority in participation in the pilot project must be given to interested private landowners located in areas where the dual benefits of the pilot project can be maximized. However, public landowners or managers may also be considered for participation. No landowner may be required to participate in the pilot project either directly or as a condition of a permit or other governmental action.

(3) The implementation details of the pilot project required by this section are at the sole discretion of the state noxious weed control board, including the selection of pilot project partners and participants. However, pilot project partners should be located in both eastern and western Washington. The state noxious weed control board:

(a) Shall coordinate with the county noxious weed control boards in which pilot projects are located, unless the county does not have a local noxious weed control board; and

(b) May coordinate with the state conservation commission or individual conservation districts in the implementation of the pilot project if the state noxious weed control board finds that coordination would be beneficial.

(4) The state noxious weed control board must issue a report to the legislature, consistent with RCW 43.01.036, that outlines the successes and challenges of the pilot project, including the development of the tools in this subsection. This report must be presented by October 31, 2020, and include:

- (a) A description of the following tools:
 - (i) A list of suitable pollen-rich forage plant alternatives to noxious weeds, taking into account traits such as nectar and pollen quality, bloom succession, growth requirements, and habitat type;
 - (ii) A list of seed and plant start suppliers that may be able to provide pollen-rich forage plant alternatives to noxious weeds. The list may only include suppliers who are willing to ensure the identity and purity of seed through appropriate testing performed or approved by the Washington state department of agriculture or by any other agency authorized under the laws of any state, territory, or possession that has standards and procedures approved by the United States secretary of agriculture to ensure the identity and purity of seed; and
 - (iii) A matrix, based on the pilot project, to provide guidelines to landowners and land managers when replacing noxious weeds or creating new pollen-rich forage patches;
 - (b) An assessment scale that may be used by landowners, land managers, and the apiary industry to rate the usefulness of the tools described in this subsection; and
 - (c) Any recommendations for extending the pilot project or using the lessons learned as part of Washington's overall noxious weed control strategy.
- (5) This section expires June 30, 2021.

Sec. 33. RCW 17.10.145 and 1997 c 353 s 18 are each amended to read as follows:

(1) All state agencies shall control noxious weeds on lands they own, lease, or otherwise control through integrated pest management practices. Agencies shall develop plans in cooperation with county noxious weed control boards to control noxious weeds in accordance with standards in this chapter.

(2) All state agencies' lands must comply with this chapter, regardless of noxious weed control efforts on adjacent lands.

(3) While conducting planned projects to ensure compliance with this chapter, all agencies must give preference, when deemed appropriate by the acting agency for the project and targeted resource management goals, to replacing pollen-rich or nectar-rich noxious weeds with native forage plants that are beneficial for all pollinators, including honey bees.

NEW SECTION. Sec. 34. A new section is added to chapter 43.220 RCW to read as follows:

Any corps project that involves the removal of noxious weeds must, when deemed appropriate for the project goals by the project sponsor, include the planting of pollen-rich and nectar-rich native plants to provide forage for all pollinators, including honey bees."

On page 1, line 3 of the title, after "pollinators;" strike the remainder of the title and insert "amending RCW 17.10.145; adding a new section to chapter 43.220 RCW; creating a new section; and providing an expiration date."

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED HOUSE BILL NO. 2478 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Peterson and Buys spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 2478, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2478, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; Nays, 1; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Hickel, Holy, Hudgins, Hunt, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kochmar, Kretz, Kristiansen, Kuderer, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Rossetti, Ryu, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Sullivan, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young and Mr. Speaker.

Voting nay: Representative Klippert.

Excused: Representatives Stokesbary and Zeiger.

ENGROSSED HOUSE BILL NO. 2478, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

March 2, 2016

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 2580 with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 35. The legislature finds that maintaining public trust and confidence in the safety of the community blood supply is important to the health care system. Patients in Washington needing lifesaving transfusions rightly expect safe blood and blood donors in Washington rightly expect their contributions will be managed with diligent care and compliance with all regulatory standards and expectations so their donation will benefit patients in need. The United States food and drug administration establishes regulations, good manufacturing practices, and guidance that defines the minimum standards for blood establishments and, in cases of repeated violations and noncompliance by licensed blood establishments, may impose measures that include fines, judicial consent decrees, and suspension or revocation of licensure. It is therefore the intent of the legislature that blood-collecting or distributing establishments be registered with the department of health to help ensure public transparency.

NEW SECTION. Sec. 36. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Blood-collecting or distributing establishment" or "establishment" means any organization that collects or distributes blood for allogeneic transfusion in Washington. This chapter does not apply to a hospital licensed under chapter 70.41 or 71.12 RCW unless the hospital collects blood directly from donors for the purpose of allogeneic transfusions. For the purposes of this chapter, "blood-collecting or distributing establishment" or "establishment" does not include organizations that collect source plasma for the production of plasma derivatives by fractionation.

(2) "Change in standing" means that a blood-collecting or distributing establishment is the subject of titled letters, fines, suspensions, or revocations of its United States food and drug administration license, or judicial consent decrees.

(3) "Department" means the Washington state department of health.

NEW SECTION. Sec. 37. (1) A blood-collecting or distributing establishment may not collect or distribute blood for transfusion in Washington, unless it is registered by the department.

(2) A blood-collecting or distributing establishment shall submit an application for registration to the department on a form prescribed by the department. The application must, at a minimum, contain the following information:

(a) The name, address, and telephone number of the blood-collecting or distributing establishment;

(b) A copy of the establishment's United States food and drug administration license, unless the applicant is a hospital that meets the criteria in section 2(1) of this act;

(c) A list of the establishment's clients in Washington;

(d) Any of the following issued upon, or active against, the establishment in the two years prior to the application:

(i) Titled letters, fines, or license suspensions or revocations issued by the United States food and drug administration; or

(ii) Judicial consent decrees; and

(e) Any other information required by the department.

(3) The department shall register a blood-collecting or distributing establishment if it holds a license issued by the United States food and drug administration, or if the applicant is a hospital that meets the criteria in section 2(1) of this act, and submits an application and fees as required by this section.

(4) The department shall deny or revoke the registration of an establishment upon a determination that it no longer holds a license issued by the United States food and drug administration.

(5) The department shall issue a summary suspension of the registration if the blood-collecting or distributing establishment no longer holds a license issued by the United States food and drug administration. The summary suspension remains in effect until proceedings under RCW 43.70.115 have been completed by the department. The issue in the proceedings is limited to whether the blood-collecting or distributing establishment is qualified to hold a registration under this section.

(6) A registration expires annually on the date specified on the registration. The department shall establish the administrative procedures and requirements for registration renewals, including a requirement that the establishment update the information provided under subsection (2) of this section both annually and within fourteen days of a change in standing of the establishment's United States food and drug administration license.

(7) An establishment applying for or renewing a registration under this section shall pay a fee in an amount set by the department in rule. In no case may the fee exceed the amount necessary to defray the costs of administering this chapter.

(8) This section does not apply in the case of individual patient medical need, as determined by a qualified provider.

NEW SECTION. Sec. 38. (1) The department shall create and maintain an online public registry of all registered blood-collecting or distributing establishments that supply blood products for transfusion in Washington.

(2) The department shall, within fourteen days of receipt, publish in the public registry the information received from each registered blood-collecting or distributing establishment under section 3 of this act, including changes in the standing of the establishment's United States food and drug administration license.

(3) The department shall notify all of a blood-collecting or distributing establishment's Washington clients within fourteen days of receiving notice under section 3 of this act that the establishment has experienced

a change in standing in its United States food and drug administration license or no longer holds a license issued by the United States food and drug administration.

NEW SECTION. Sec. 39. The department may, in the manner provided by law and upon the advice of the attorney general, who shall represent the department in the proceedings, maintain an action in the name of the state for an injunction or other process against any blood-collecting or distributing establishment to restrain or prevent the operation of the establishment without a registration issued under this chapter.

NEW SECTION. Sec. 40. Sections 1 through 5 of this act constitute a new chapter in Title 70 RCW."

On page 1, line 2 of the title, after "establishments;" strike the remainder of the title and insert "and adding a new chapter to Title 70 RCW."

and the same is herewith transmitted.

Hunter Goodman , Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 2580 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Cody and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2580, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2580, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Hickel, Holy, Hudgins, Hunt, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Kuderer, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Rossetti, Ryu, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Sullivan, Tarleton, Taylor, Tharinger, Van De

Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young and Mr. Speaker.

Excused: Representatives Stokesbary and Zeiger.

SUBSTITUTE HOUSE BILL NO. 2580, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

March 2, 2016

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 2694 with the following amendment:

Strike everything after the enacting clause and insert the following:

"Sec. 41. RCW 26.44.240 and 2008 c 232 s 2 are each amended to read as follows:

(1) During an emergency situation when a child must be placed in out-of-home care due to the absence of appropriate parents or custodians, the department shall, or an authorized agency of a federally recognized tribe may, request a federal name-based criminal history record check of each adult residing in the home of the potential placement resource. Upon receipt of the results of the name-based check, the department shall, or an authorized agency of a federally recognized tribe may, provide a complete set of each adult resident's fingerprints to the Washington state patrol for submission to the federal bureau of investigation within (~~fourteen~~) fifteen calendar days from the date the name search was conducted. The child shall be removed from the home immediately if any adult resident fails to provide fingerprints and written permission to perform a federal criminal history record check when requested.

(2) When placement of a child in a home is denied as a result of a name-based criminal history record check of a resident, and the resident contests that denial, the resident shall, within fifteen calendar days, submit to the department or an authorized agency of a federally recognized tribe a complete set of the resident's fingerprints with written permission allowing the department or an authorized agency of a federally recognized tribe to forward the fingerprints to the Washington state patrol for submission to the federal bureau of investigation.

(3) The Washington state patrol and the federal bureau of investigation may each charge a reasonable fee for processing a fingerprint-based criminal history record check.

(4) As used in this section, "emergency placement" refers to those limited instances when the department or an authorized agency of a federally recognized tribe is placing a child in the home of private individuals, including neighbors, friends, or relatives, as a result of a sudden unavailability of the child's primary caretaker."

On page 1, line 2 of the title, after "tribes;" strike the remainder of the title and insert "and amending RCW 26.44.240."

and the same is herewith transmitted.

Hunter Goodman, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to HOUSE BILL NO. 2694 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives DeBolt and Ryu spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 2694, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2694, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 93; Nays, 3; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Hickel, Holy, Hudgins, Hunt, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Kuderer, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Rossetti, Ryu, Santos, Sawyer, Schmick, Scott, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Sullivan, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young and Mr. Speaker.

Voting nay: Representatives McCaslin, Shea and Taylor.
Excused: Representatives Stokesbary and Zeiger.

HOUSE BILL NO. 2694, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

March 1, 2016

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 2749 with the following amendment:

Strike everything after the enacting clause and insert the following:

"Sec. 42. RCW 74.13.360 and 2013 c 205 s 4 are each amended to read as follows:

(1) No later than December 30, (~~2016~~) 2019:

(a) In the demonstration sites selected under RCW 74.13.368(4)(a), child welfare services shall be provided by supervising agencies with whom the department has entered into performance-based contracts. Supervising agencies may enter into subcontracts with other licensed agencies; and

(b) Except as provided in subsection (3) of this section, and notwithstanding any law to the contrary, the department may not directly provide child welfare services to families and children provided child welfare services by supervising agencies in the demonstration sites selected under RCW 74.13.368(4)(a).

(2) No later than December 30, (~~2016~~) 2019, for families and children provided child welfare services by supervising agencies in the demonstration sites selected under RCW 74.13.368(4)(a), the department is responsible for only the following:

(a) Monitoring the quality of services for which the department contracts under this chapter;

(b) Ensuring that the services are provided in accordance with federal law and the laws of this state, including the Indian child welfare act;

(c) Providing child protection functions and services, including intake and investigation of allegations of child abuse or neglect, emergency shelter care functions under RCW 13.34.050, and referrals to appropriate providers; and

(d) Issuing licenses pursuant to chapter 74.15 RCW.

(3) No later than December 30, (~~2016~~) 2019, for families and children provided child welfare services by supervising agencies in the demonstration sites selected under RCW 74.13.368(4)(a), the department may provide child welfare services only:

(a) For the limited purpose of establishing a control or comparison group as deemed necessary by the child welfare transformation design committee, with input from the Washington state institute for public policy, to implement the demonstration sites selected and defined pursuant to RCW 74.13.368(4)(a) in which the performance in achieving measurable outcomes will be compared and evaluated pursuant to RCW 74.13.370; or

(b) In an emergency or as a provider of last resort. The department shall adopt rules describing the circumstances under which the department may provide those services. For purposes of this section, "provider of last resort" means the department is unable to contract with a private agency to provide child welfare services in a particular geographic area or, after entering into a contract with a private agency, either the contractor or the department terminates the contract.

(4) For purposes of this chapter, on and after September 1, 2010, performance-based contracts shall be structured to hold the supervising agencies accountable for achieving the following goals in order of importance: Child safety; child permanency, including reunification; and child well-being.

(5) A federally recognized tribe located in this state may enter into a performance-based contract with the

department to provide child welfare services to Indian children whether or not they reside on a reservation. Nothing in this section prohibits a federally recognized Indian tribe located in this state from providing child welfare services to its members or other Indian children pursuant to existing tribal law, regulation, or custom, or from directly entering into agreements for the provision of such services with the department, if the department continues to otherwise provide such services, or with federal agencies.

Sec. 43. RCW 74.13.370 and 2012 c 205 s 9 are each amended to read as follows:

(1) Based upon the recommendations of the child welfare transformation design committee, including the two sets of outcomes developed by the committee under RCW 74.13.368(4)(b), the Washington state institute for public policy is to conduct a review of measurable effects achieved by the supervising agencies and compare those measurable effects with the existing services offered by the state. The report on the measurable effects shall be provided to the governor and the legislature no later than April 1, 2018.

(2) No later than December 1, 2014, the Washington state institute for public policy shall provide the legislature and the governor an initial report on the department's conversion to the use of performance-based contracts as provided in RCW 74.13B.020 and 74.13B.030. No later than ~~((June 30, 2016))~~ April 1, 2023, the Washington state institute for public policy shall provide the governor and the legislature with a second report on the extent to which the use of performance-based contracting has resulted in:

(a) Increased use of evidence-based, research-based, and promising practices; and

(b) Improvements in outcomes for children, including child safety, child permanency, including reunification, and child well-being.

(3) The department and network administrators shall respond to the Washington institute for public policy's request for data and other information with which to complete these reports in a timely manner.

(4) The Washington state institute for public policy must consult with a university-based child welfare research entity to evaluate performance-based contracting.

Sec. 44. RCW 74.13.372 and 2012 c 205 s 11 are each amended to read as follows:

Not later than June 1, ~~((2018))~~ 2023, the governor shall, based on the report by the Washington state institute for public policy, determine whether to expand chapter 520, Laws of 2009 to the remainder of the state or terminate chapter 520, Laws of 2009. The governor shall inform the legislature of his or her decision within seven days of the decision. The department shall, regardless of the decision of the governor regarding the delivery of child welfare services, continue to purchase services through the use of performance-based contracts."

On page 1, line 3 of the title, after "system;" strike the remainder of the title and insert "and amending RCW 74.13.360, 74.13.370, and 74.13.372."

and the same is herewith transmitted.

Hunter Goodman , Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED HOUSE BILL NO. 2749 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Kagi and Walsh spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 2749, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2749, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 91; Nays, 5; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Hickel, Hudgins, Hunt, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Kuderer, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Rossetti, Ryu, Santos, Sawyer, Schmic, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Sullivan, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie and Mr. Speaker.

Voting nay: Representatives Holy, Scott, Shea, Taylor and Young.

Excused: Representatives Stokesbary and Zeiger.

ENGROSSED HOUSE BILL NO. 2749, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the eleventh order of business.

POINT OF PERSONAL PRIVILEGE

Representative Harris: "Mr. Speaker, we are pleased to announce that the reason we have two members excused

today is that they are both at the hospital as their wives are giving birth today.”

There being no objection, the House reverted to the fourth order of business.

INTRODUCTION & FIRST READING

HB 3005 by Representative Young

AN ACT Relating to improving constituent access and representative engagement; adding a new section to chapter 44.04 RCW; and creating new sections.

Referred to Committee on State Government.

There being no objection, the bill listed on the day's introduction sheet under the fourth order of business was referred to the committees so designated.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 11:00 a.m., March 8, 2016, the 58th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

| | | |
|---------------------|---------------------|----|
| 1022 | Other Action..... | 13 |
| Messages..... | Messages..... | 12 |
| 1111-S | 2357-S | |
| Messages..... | Messages..... | 1 |
| 1213-S | 2360 | |
| Messages..... | Messages..... | 1 |
| 1345 | 2371 | |
| Messages..... | Messages..... | 1 |
| 1408-S2 | 2375-S2 | |
| Speaker Signed..... | Final Passage..... | 21 |
| Messages..... | Other Action..... | 20 |
| 1409 | Messages..... | 13 |
| Messages..... | 2384 | |
| 1553-S | Messages..... | 1 |
| Speaker Signed..... | 2391 | |
| 1578 | Speaker Signed..... | 2 |
| Messages..... | Messages..... | 1 |
| 1752 | 2398 | |
| Messages..... | Messages..... | 1 |
| 1830-S | 2400 | |
| Messages..... | Messages..... | 1 |
| 1999-S4 | 2403 | |
| Messages..... | Messages..... | 1 |
| 2017-S | 2405-S | |
| Speaker Signed..... | Messages..... | 1 |
| 2023 | 2410-S | |
| Messages..... | Messages..... | 1 |
| 2061-S2 | 2413-S | |
| Final Passage..... | Messages..... | 1 |
| Other Action..... | 2425-S | |
| Messages..... | Messages..... | 1 |
| 2262 | 2432 | |
| Messages..... | Messages..... | 1 |
| 2274-S | 2433-S | |
| Final Passage..... | Messages..... | 1 |
| Other Action..... | 2443-S | |
| Messages..... | Messages..... | 1 |
| 2280 | 2444 | |
| Messages..... | Messages..... | 1 |
| 2309 | 2448-S | |
| Messages..... | Messages..... | 1 |
| 2317 | 2457 | |
| Messages..... | Messages..... | 1 |
| 2320 | 2458-S | |
| Speaker Signed..... | Final Passage..... | 23 |
| 2322 | Other Action..... | 23 |
| Messages..... | Messages..... | 21 |
| 2323-S | 2476 | |
| Speaker Signed..... | Messages..... | 1 |
| Messages..... | 2478 | |
| 2326 | Final Passage..... | 24 |
| Speaker Signed..... | Other Action..... | 24 |
| Messages..... | Messages..... | 23 |
| 2332 | 2498-S | |
| Messages..... | Messages..... | 1 |
| 2335-S2 | 2516 | |
| Speaker Signed..... | Messages..... | 1 |
| 2350 | 2519-S | |
| Speaker Signed..... | Speaker Signed..... | 2 |
| 2356 | 2520 | |
| Final Passage..... | Messages..... | 1 |

| | | | | | |
|---------|---------------------|----|-------------|---------------------------------|------|
| 2521 | Messages..... | 1 | 2771 | Speaker Signed..... | 2 |
| 2539-S | Messages..... | 1 | 2772 | Messages..... | 1 |
| 2540-S | Messages..... | 1 | 2773 | Messages..... | 1 |
| 2541-S | Speaker Signed..... | 2 | 2781 | Messages..... | 1 |
| 2557 | Messages..... | 1 | 2785-S | Speaker Signed..... | 2 |
| 2565 | Messages..... | 1 | 2800 | Messages..... | 1 |
| 2580-S | Final Passage..... | 26 | 2807 | Messages..... | 1 |
| | Other Action..... | 26 | 2815 | Messages..... | 1 |
| | Messages..... | 24 | 2838 | Speaker Signed..... | 2 |
| 2584-S | Speaker Signed..... | 2 | 2842 | Speaker Signed..... | 2 |
| 2587 | Messages..... | 1 | | Messages..... | 1 |
| 2591-S | Messages..... | 1 | 2852-S | Messages..... | 1 |
| 2597 | Messages..... | 1 | 2859-S | Messages..... | 1 |
| 2598-S | Messages..... | 1 | 2875-S | Messages..... | 1 |
| 2605 | Messages..... | 1 | 2876-S | Speaker Signed..... | 2 |
| 2623 | Messages..... | 1 | | Messages..... | 1 |
| 2624 | Messages..... | 1 | 2883 | Speaker Signed..... | 2 |
| 2634 | Messages..... | 1 | | Messages..... | 1 |
| 2651 | Messages..... | 1 | 2884-S | Messages..... | 1 |
| 2663 | Messages..... | 1 | 2886 | Messages..... | 1 |
| 2678-S | Messages..... | 1 | 2900-S | Messages..... | 1 |
| 2694 | Final Passage..... | 27 | 2918 | Speaker Signed..... | 2 |
| | Other Action..... | 27 | | Messages..... | 1 |
| | Messages..... | 26 | 2925-S | Messages..... | 1 |
| 2726-S2 | Messages..... | 1 | 2928-S..... | | 2, 3 |
| 2730-S | Speaker Signed..... | 2 | 3005 | Introduction & 1st Reading..... | 29 |
| 2741 | Speaker Signed..... | 2 | 5046 | Speaker Signed..... | 2 |
| 2745 | Messages..... | 1 | | Messages..... | 1 |
| 2746-S | Speaker Signed..... | 2 | 5251 | Speaker Signed..... | 2 |
| 2749 | Final Passage..... | 28 | | Messages..... | 1 |
| | Other Action..... | 28 | 5581 | Speaker Signed..... | 2 |
| | Messages..... | 27 | | Messages..... | 1 |
| 2765-S | Messages..... | 1 | 5873 | Speaker Signed..... | 2 |
| 2768 | Messages..... | 1 | | Messages..... | 1 |
| | Messages..... | 1 | 6200 | Speaker Signed..... | 2 |

| | | | |
|----------------------|---|-------------------------------------------------|----|
| Messages..... | 1 | Speaker Signed..... | 2 |
| 6205 | | Messages | 2 |
| Speaker Signed | 2 | 6356-S | |
| Messages..... | 1 | Speaker Signed..... | 2 |
| 6254-S | | Messages | 2 |
| Speaker Signed | 2 | 6363-S | |
| Messages..... | 2 | Speaker Signed..... | 2 |
| 6263 | | Messages | 2 |
| Speaker Signed | 2 | 6371 | |
| Messages..... | 2 | Speaker Signed..... | 2 |
| 6296 | | Messages | 2 |
| Speaker Signed | 2 | 6519-S | |
| Messages..... | 2 | Speaker Signed..... | 2 |
| 6299 | | Messages | 2 |
| Speaker Signed | 2 | HOUSE OF REPRESENTATIVES | |
| Messages..... | 2 | Personal Privilege, Representative Harris | 28 |
| 6309-S | | SPEAKER OF THE HOUSE (Representative Moeller | |
| Speaker Signed | 2 | presiding) | |
| Messages..... | 2 | Speaker's Privilege | 2 |
| 6345 | | | |