

SIXTY EIGHTH LEGISLATURE - REGULAR SESSION

NINETY FOURTH DAY

House Chamber, Olympia, APRIL 12, 2023

The House was called to order at 10:00 a.m. by the Speaker (Representative Bronoske 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 Simone Reck and Jack Flores. The Speaker (Representative Bronoske presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Pastor Chuck Slocum, Pennensula Lutheran Church, Gig Harbor.

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

RESOLUTION

HOUSE RESOLUTION NO. 2023-4635, by Representatives Leavitt, Bronoske, Eslick, Tharinger, Ryu, Chambers, Barnard, Kloba, Rule, and Slatter

WHEREAS, The Curtis Senior High School Girls Bowling Team has had an outstanding season, demonstrating great sportsmanship, teamwork, and dedication; and

WHEREAS, The team has won ten games this season and advanced to third place in the South Puget Sound League (SPSL); and

WHEREAS, The team placed second in the SPSL League Tournament; and

WHEREAS, The team won the Washington Interscholastic Activities Association State Tournament (WIAA) for the first time in school history; and

WHEREAS, The individual players Sienna Stoner and Megan Lelli have demonstrated exceptional sportsmanship throughout the tournament; and

WHEREAS, The team has represented the school with pride and perseverance during several difficult and close games; and

WHEREAS, The team has inspired their fellow students and brought the community together in support of their efforts; and

WHEREAS, The team has demonstrated tremendous perseverance and commitment to achieving their goals, including overcoming obstacles and challenges, and exhibiting resilience in the face of adversity; and

WHEREAS, The coaching staff of the Curtis Senior High School Girls Bowling Team has provided exemplary leadership, guidance, and mentorship to the players, instilling in them a sense of discipline, hard work, and commitment;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives hereby congratulate the Curtis Senior High School Girls Bowling Team for their outstanding achievements and extend its warmest appreciation to the players, coaches, and support staff for their hard work, dedication, and outstanding sportsmanship throughout the season; and

BE IT FURTHER RESOLVED, That the Washington State House of Representatives recognize the successes and accomplishments of the Curtis Senior High School Girls Bowling Team as a source of pride and inspiration for the entire school community; and

BE IT FURTHER RESOLVED, That the Washington State House of Representatives commend the team for their excellent performance, sportsmanship, and leadership, and for representing their school and community with distinction and honor; and wish the team continued success and look forward to their future accomplishments both on and off the bowling lanes.

HOUSE RESOLUTION NO. 4635 was adopted.

RESOLUTION

HOUSE RESOLUTION NO. 2023-4634, by Representatives Leavitt, Bronoske, Eslick, Tharinger, Ryu, Chambers, Barnard, Kloba, Rule, and Slatter

WHEREAS, The Curtis Senior High School Boys Varsity Basketball Team has had an outstanding season to win their second consecutive state basketball championship in the South Puget Sound League (SPSL) and West Central District (WCD); and

WHEREAS, The team has a combined win-loss record off 55 wins and six losses over the last two seasons; and

WHEREAS, The team has the most wins in school history with 28 wins; and

WHEREAS, The team has demonstrated great ambition, sportsmanship, and dedication in achieving the title of returning champions and ranking 36 in the nation; and

WHEREAS, The team has demonstrated an unwavering commitment to continuing Curtis Senior High School's rich history as state champions; and

WHEREAS, The team has served as positive role models for their school and the community by donating over 2,000 pounds of food to local food banks; and

WHEREAS, The coaching staff of the Curtis Senior High School Boys Varsity Basketball Team has provided exemplary leadership, guidance, and mentorship to the players, instilling in them a sense of discipline, hard work, and commitment;

NOW, THEREFORE, BE IT RESOLVED, That the Washington House of Representatives hereby congratulate the Curtis Senior High School Boys Varsity Basketball Team for their outstanding achievements and extend its warmest appreciation to the players, coaches, support staff, and families who have contributed to the success of the team; and

BE IT FURTHER RESOLVED, That the Washington House of Representatives recognize the successes and accomplishments of the Curtis Senior High School Boys Varsity Basketball Team as a source of pride and inspiration for the entire school community; and

BE IT FURTHER RESOLVED, That the Washington House of Representatives commend the team for their excellent performance, sportsmanship, and leadership, and for representing their school and community with distinction and honor; and wish the team continued success and look forward to their future accomplishments both on and off the court.

HOUSE RESOLUTION NO. 4634 was adopted.

SPEAKER'S PRIVILEGE

The Speaker (Representative Bronoske presiding) recognized the Curtis High School state championship teams and asked the Chamber to acknowledge their achievements.

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

MESSAGE FROM THE SENATE

Tuesday, April 11, 2023

Mme. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1175

SUBSTITUTE HOUSE BILL NO. 1213
 HOUSE BILL NO. 1232
 SECOND SUBSTITUTE HOUSE BILL NO. 1322
 HOUSE BILL NO. 1536
 HOUSE BILL NO. 1552
 SUBSTITUTE HOUSE BILL NO. 1570
 HOUSE BILL NO. 1742
 SUBSTITUTE HOUSE BILL NO. 1753
 SUBSTITUTE HOUSE JOINT MEMORIAL NO. 4001

and the same are herewith transmitted.

Colleen Rust, Deputy Secretary

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

SECOND READING

SUBSTITUTE SENATE BILL NO. 5114, by Senate Committee on Human Services (originally sponsored by Wilson, C., Trudeau, Frame, Hasegawa, Kuderer, Liias, Lovelett, Nguyen, Nobles, Pedersen, Randall, Saldaña, Stanford, Valdez, Warnick and Wellman)

Supporting adults with lived experience of sex trafficking.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Orwall and Eslick spoke in favor of the passage of the bill.

MOTIONS

On motion of Representative Ramel, Representatives Hackney and Ortiz-Self were excused.

On motion of Representative Griffey, Representative Dye was excused.

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

Representative Graham spoke against the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5114.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5114, and the bill passed the House by the following vote: Yeas, 94; Nays, 1; Absent, 0; Excused, 3

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Calder, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Gregerson, Griffey, Hansen, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Orcutt, Ormsby, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representative Graham

Excused: Representatives Dye, Hackney and Ortiz-Self

SUBSTITUTE SENATE BILL NO. 5114, having received the necessary constitutional majority, was declared passed.

ENGROSSED SENATE BILL NO. 5130, by Senators Frame, Dhingra, Nobles, Pedersen, Randall and Wilson, C.

Concerning assisted outpatient treatment.

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Appropriations was before the House for purpose of amendment. For Committee amendment, see Journal, Day 86, Tuesday, April 4, 2023.

Representative Cheney moved the adoption of amendment (588) to the committee striking amendment:

On page 5, after line 7, insert the following:

"Sec. 2. RCW 71.05.240 and 2022 c 210 s 12 are each amended to read as follows:

(1) If a petition is filed for up to 14 days of involuntary treatment, 90 days of less restrictive alternative treatment, or 18 months of less restrictive alternative treatment under RCW 71.05.148, the court shall hold a probable cause hearing within 120 hours of the initial detention under RCW 71.05.180, or at a time scheduled under RCW 71.05.148.

(2) If the petition is for mental health treatment, the court or the prosecutor at the time of the probable cause hearing and before an order of commitment is entered shall inform the person both orally and in writing that the failure to make a good faith effort to seek voluntary treatment as provided in RCW 71.05.230 will result in the loss of his or her firearm rights if the person is subsequently detained for involuntary treatment under this section.

(3) If the person or his or her attorney alleges, prior to the commencement of the hearing, that the person has in good faith volunteered for treatment, the petitioner must show, by preponderance of the evidence, that the person has not in good faith volunteered for appropriate treatment. In order to qualify as a good faith volunteer, the person must abide by procedures and a treatment plan as prescribed by a treatment facility and professional staff.

(4) (a) Subject to (b) of this subsection, at the conclusion of the probable cause hearing, if the court finds by a preponderance of the evidence that a person detained for behavioral health treatment, as the result of a behavioral health disorder, presents a likelihood of serious harm, or is gravely disabled, and, after considering less restrictive alternatives to involuntary detention and treatment, finds that no such alternatives are in the best interests of such person or others, the court shall order that such person be detained for involuntary treatment not to exceed 14 days in a facility licensed or certified to provide treatment by the department or under RCW 71.05.745.

(b) A court may only order commitment to a secure withdrawal management and stabilization facility or approved substance

use disorder treatment program if there is an available facility with adequate space for the person.

(c) At the conclusion of the probable cause hearing, if the court finds by a preponderance of the evidence that a person detained for behavioral health treatment, as the result of a behavioral health disorder, presents a likelihood of serious harm or is gravely disabled, but that treatment in a less restrictive setting than detention is in the best interest of such person or others, the court shall order an appropriate less restrictive alternative course of treatment for up to ninety days.

(d) If the court finds by ~~((a preponderance of the))~~ clear, cogent, and convincing evidence that a person subject to a petition under RCW 71.05.148, as the result of a behavioral health disorder, is in need of assisted outpatient treatment, the court shall order an appropriate less restrictive alternative course of treatment for up to 18 months.

(5) An order for less restrictive alternative treatment must name the behavioral health service provider responsible for identifying the services the person will receive in accordance with RCW 71.05.585, and must include a requirement that the person cooperate with the treatment recommendations of the behavioral health service provider.

(6) The court shall notify the person orally and in writing that if involuntary treatment is sought beyond the 14-day inpatient or 90-day less restrictive treatment period, the person has the right to a full hearing or jury trial under RCW 71.05.310. If the commitment is for mental health treatment, the court shall notify the person orally and in writing that the person is barred from the possession of firearms and that the prohibition remains in effect until a court restores his or her right to possess a firearm under RCW 9.41.047.

(7) If the court does not issue an order to detain or commit a person under this section, the court shall issue an order to dismiss the petition.

(8) Nothing in this section precludes the court from subsequently modifying the terms of an order for less restrictive alternative treatment under RCW 71.05.590(3).

Sec. 3. RCW 71.05.240 and 2022 c 210 s 13 are each amended to read as follows:

(1) If a petition is filed for up to 14 days of involuntary treatment, 90 days of less restrictive alternative treatment, or 18 months of less restrictive alternative treatment under RCW 71.05.148, the court shall hold a probable cause hearing within 120 hours of the initial detention under RCW 71.05.180, or at a time scheduled under RCW 71.05.148.

(2) If the petition is for mental health treatment, the court or the prosecutor at the time of the probable cause hearing and before an order of commitment is entered shall inform the person both orally and in writing that the failure to make a good faith effort to seek voluntary treatment as provided in RCW 71.05.230 will result in the loss of his or her firearm rights if the

person is subsequently detained for involuntary treatment under this section.

(3) If the person or his or her attorney alleges, prior to the commencement of the hearing, that the person has in good faith volunteered for treatment, the petitioner must show, by preponderance of the evidence, that the person has not in good faith volunteered for appropriate treatment. In order to qualify as a good faith volunteer, the person must abide by procedures and a treatment plan as prescribed by a treatment facility and professional staff.

(4)(a) At the conclusion of the probable cause hearing, if the court finds by a preponderance of the evidence that a person detained for behavioral health treatment, as the result of a behavioral health disorder, presents a likelihood of serious harm, or is gravely disabled, and, after considering less restrictive alternatives to involuntary detention and treatment, finds that no such alternatives are in the best interests of such person or others, the court shall order that such person be detained for involuntary treatment not to exceed fourteen days in a facility licensed or certified to provide treatment by the department or under RCW 71.05.745.

(b) At the conclusion of the probable cause hearing, if the court finds by a preponderance of the evidence that a person detained for behavioral health treatment, as the result of a behavioral health disorder, presents a likelihood of serious harm or is gravely disabled, but that treatment in a less restrictive setting than detention is in the best interest of such person or others, the court shall order an appropriate less restrictive alternative course of treatment for up to ninety days.

(c) If the court finds by ~~((a preponderance of the))~~ clear, cogent, and convincing evidence that a person subject to a petition under RCW 71.05.148, as the result of a behavioral health disorder, is in need of assisted outpatient treatment, the court shall order an appropriate less restrictive alternative course of treatment for up to 18 months.

(5) An order for less restrictive alternative treatment must name the behavioral health service provider responsible for identifying the services the person will receive in accordance with RCW 71.05.585, and must include a requirement that the person cooperate with the treatment recommendations of the behavioral health service provider.

(6) The court shall notify the person orally and in writing that if involuntary treatment is sought beyond the 14-day inpatient or 90-day less restrictive treatment period, such person has the right to a full hearing or jury trial under RCW 71.05.310. If the commitment is for mental health treatment, the court shall also notify the person orally and in writing that the person is barred from the possession of firearms and that the prohibition remains in effect until a court restores his or her right to possess a firearm under RCW 9.41.047.

(7) If the court does not issue an order to detain or commit a person under this

section, the court shall issue an order to dismiss the petition.

(8) Nothing in this section precludes the court from subsequently modifying the terms of an order for less restrictive alternative treatment under RCW 71.05.590(3)."

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

On page 43, line 36, after "Sections" insert "2,"

On page 44, line 1, after "Sections" insert "3,"

Representatives Cheney and Farivar spoke in favor of the adoption of the amendment to the committee striking amendment.

Amendment (588) to the committee striking amendment was adopted.

Representative Stonier moved the adoption of amendment (600) to the committee striking amendment:

On page 44, after line 17 of the striking amendment, insert the following:

"NEW SECTION. Sec. 15. This act takes effect July 1, 2025."

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

Representatives Stonier and Walsh spoke in favor of the adoption of the amendment to the committee striking amendment.

Amendment (600) to the committee striking amendment was adopted.

The committee striking amendment, as amended, was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representative Farivar spoke in favor of the passage of the bill.

Representatives Walsh and Jacobsen spoke against the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 5130, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 5130, as amended by the House, and the bill passed the House by the following vote: Yeas, 57; Nays, 39; Absent, 0; Excused, 2

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hansen, Harris, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Ormsby, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Chandler, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Gohner, Graham, Griffey, Hutchins,

Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representatives Hackney and Ortiz-Self

ENGROSSED SENATE BILL NO. 5130, as amended by the House, having received the necessary constitutional majority, was declared passed.

SECOND SUBSTITUTE SENATE BILL NO. 5593, by Senate Committee on Ways & Means (originally sponsored by Liias, Holy, Mullet, Lovick and Wilson, C.)

Improving equity in the transfer of student data between K-12 schools and institutions of higher education.

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Appropriations was not adopted. For Committee amendment, see Journal, Day 86, Tuesday, April 4, 2023.

With the consent of the House, amendment (591) was withdrawn.

There being no objection, the committee striking amendment by the Committee on Education was before the House for purpose of amendment. For Committee amendment, see Journal, Day 73, Wednesday, March 22, 2023.

With the consent of the House, amendment (625) was withdrawn.

Representative Rude moved the adoption of amendment (687) to the committee striking amendment:

On page 1, line 13 of the striking amendment, after "education" insert ", including institutions of higher education that are participating in data-sharing agreements under subsection (5) of this section,"

On page 1, after line 32 of the striking amendment, insert the following:

"(5) Four-year, not-for-profit institutions of higher education that are authorized to participate in state financial aid programs under chapter 28B.92 RCW, were founded in or before 1910 or are located on tribal land and are minority-serving institutions, and are not subject to subsection (1) of this section may enter into data-sharing agreements with the office of the superintendent of public instruction to facilitate the transfer of high school student directory information collected under section 2 of this act for the purposes of informing Washington high school students of postsecondary educational opportunities available in the state."

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

On page 2, line 16 of the striking amendment, after "education" strike all material through "RCW 28B.10.016"

On page 2, line 33 of the striking amendment, after "education" strike all material through "RCW 28B.10.016"

On page 2, beginning on line 38 of the striking amendment, after "section" strike all material through "guardians" on page 3, line 3 and insert ":

(a) "Directory information" means the names, addresses, email addresses, and telephone numbers of students and their parents or legal guardians;

(b) "Institutions of higher education" has the same meaning as in RCW 28B.10.016. However, for purposes of data-sharing agreements authorized under section 1(5) of this act, "institutions of higher education" means four-year, not-for-profit institutions of higher education that: Are authorized to participate in state financial aid programs under chapter 28B.92 RCW; were founded in or before 1910 or are located on tribal land and are minority-serving institutions; and are not subject to section 1(1) of this act; and

(c) "Statewide student identifier" has the same meaning as in section 1 of this act"

Representatives Rude, Corry, Couture, Volz, Jacobsen, Chambers, McEntire, Christian, Griffey, Volz (again), Ybarra, Harris, Chambers (again) and Walsh spoke in favor of the adoption of the amendment to the committee striking amendment.

Representatives Santos, Paul and Pollet spoke against the adoption of the amendment to the committee striking amendment.

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (687) to the committee striking amendment and the amendment was not adopted by the following vote: Yeas, 45; Nays, 52; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Chandler, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mena, Mosbrucker, Orcutt, Riccelli, Robertson, Rude, Rule, Sandlin, Schmick, Schmidt, Shavers, Steele, Stokesbary, Stonier, Volz, Walsh, Waters, Wilcox and Ybarra

Voting Nay: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Hansen, Kloba, Leavitt, Lekanoff, Macri, Morgan, Ormsby, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Ryu, Santos, Senn, Simmons, Slatter, Springer, Stearns, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Excused: Representative Ortiz-Self

Amendment (687) to the committee striking amendment was not adopted.

The Speaker (Representative Bronoske presiding) called upon Representative Orwall to preside.

Representative Stearns moved the adoption of amendment (670) to the committee striking amendment:

On page 1, line 13, after "education" insert ", including federally designated minority serving institutions of higher education that are participating in data-sharing agreements under subsection (4) of this section,"

On page 1, after line 29, insert the following:

"(4) Federally designated minority serving institutions of higher education that are bachelor degree-granting institutions and not subject to subsection (1) of this section may enter into data-sharing agreements with the office of the superintendent of public instruction to facilitate the transfer of high school student directory information collected under section 2 of this act for the purpose of informing Washington high school students of postsecondary educational opportunities available in the state."

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

On page 2, line 16, after "education" strike ", as defined under RCW 28B.10.016" and insert "in accordance with section 1 of this act"

On page 2, line 32, after "(a)" strike "College" and insert "Providing information related to college"

On page 2, line 33, after "education" strike ", as defined under RCW 28B.10.016" and insert "in accordance with section 1 of this act"

Beginning on page 2, line 38, after "section" strike all material through "guardians" on page 3, line 3 and insert ":

(a) "Directory information" means the names, addresses, email addresses, and telephone numbers of students and their parents or legal guardians; and

(b) "Statewide student identifier" has the same meaning as in section 1 of this act"

Representatives Stearns and Rude spoke in favor of the adoption of the amendment to the committee striking amendment.

Representatives Sandlin and Christian spoke against the adoption of the amendment to the committee striking amendment.

Division was demanded and the demand was sustained. The Speaker (Representative Orwall presiding) divided the House. The result was 60 - YEAS; 37 - NAYS.

Amendment (670) to the committee striking amendment was adopted.

Representative Santos moved the adoption of amendment (612) to the committee striking amendment:

On page 2, line 9, after "in" strike "2023" and insert "2024"

Representatives Santos and Rude spoke in favor of the adoption of the amendment to the committee striking amendment.

Amendment (612) to the committee striking amendment was adopted.

The committee striking amendment, as amended, was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Santos, Rude and Leavitt spoke in favor of the passage of the bill.

Representative Christian spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Second Substitute Senate Bill No. 5593, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute Senate Bill No. 5593, as amended by the House, and the bill passed the House by the following vote: Yeas, 89; Nays, 8; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chapman, Cheney, Chopp, Connors, Corry, Cortes, Couture, Davis, Doglio, Donaghy, Duerr, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Gregerson, Griffey, Hackney, Hansen, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Ormsby, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie and Mme. Speaker

Voting Nay: Representatives Chandler, Christian, Dent, Dye, Graham, Low, Orcutt and Ybarra

Excused: Representative Ortiz-Self

SECOND SUBSTITUTE SENATE BILL NO. 5593, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5069, by Senators Rivers, Keiser, King, Stanford, Conway, Holy and Van De Wege

Allowing interstate cannabis agreements.

The bill was read the second time.

Representative Wylie moved the adoption of amendment (584):

On page 2, at the beginning of line 2, strike "health under RCW 15.125.020 and" and insert "agriculture under RCW 15.125.020, by the department of health under RCW"

Representatives Wylie and Chambers spoke in favor of the adoption of the amendment.

Amendment (584) was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Wylie and Chambers spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5069, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5069, as amended by the House, and the bill passed the House by the following vote: Yeas, 71; Nays, 26; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Barkis, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers,

Chandler, Chapman, Cheney, Chopp, Cortes, Doglio, Donaghy, Duerr, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Hansen, Harris, Hutchins, Jacobsen, Kloba, Lekanoff, Low, Macri, McEntire, Mena, Morgan, Ormsby, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Waters, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Abbarno, Barnard, Christian, Connors, Corry, Couture, Davis, Dent, Dye, Goehner, Graham, Griffey, Klicker, Kretz, Leavitt, Maycumber, McClintock, Mosbrucker, Orcutt, Robertson, Schmidt, Steele, Stokesbary, Volz, Walsh and Wilcox

Excused: Representative Ortiz-Self

SENATE BILL NO. 5069, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5606, by Senators Lovick, Conway, Keiser, Valdez and Wilson, C.

Detering illegal racing.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hackney, Walsh, Abbarno, Jacobsen, Griffey, Sandlin, Chambers, Cheney, Corry, McEntire, Dent, Low, Harris, Connors, Barkis, Christian, Couture, Volz and Ybarra spoke in favor of the passage of the bill.

Representative Graham spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5606.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5606, and the bill passed the House by the following vote: Yeas, 93; Nays, 4; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chandler, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Gregerson, Griffey, Hackney, Hansen, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Orcutt, Ormsby, Orwall, Paul, Peterson, Pollet, Ramel, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Chapman, Graham, Ramos and Santos

Excused: Representative Ortiz-Self

SENATE BILL NO. 5606, having received the necessary constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5583, by Senate Committee on Transportation (originally sponsored by Liias, Wilson, C., Kauffman, Valdez, Lovelett, Lovick, Nguyen and Nobles)

Improving young driver safety.

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Transportation was not adopted. For Committee amendment, see Journal, Day 86, Tuesday, April 4, 2023.

Representative Donaghy moved the adoption of the striking amendment (684):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The department of licensing shall develop a comprehensive implementation plan for the expansion of the current driver training education requirement to obtain a driver's license to persons between the ages of 18 and 24. The target date for implementation of the new driver training education expansion is July 1, 2026. The driver training education expansion plan must be provided to the transportation committees of the legislature by October 1, 2024, and must include, but need not be limited to, the following:

(1) Consideration of courses that could satisfy the new driver training education requirement, including a condensed course option and a self-paced, online course option, with attention to the educational value, monetary and time costs required, and possible accessibility constraints for each course option considered;

(2) An assessment of public and private resources necessary to support the new driver training education requirement to ensure sufficient course availability and accessibility. The assessment must include, but need not be limited to, an inventory of the current number, and an estimate of the increased number required to meet the anticipated need, of the following:

(a) Licensed driver training schools and traffic safety education programs in the state, by geographical region;

(b) Licensed driver training school and traffic safety education instructors;

(c) Licensed driver trainer instructors; and

(d) Driver training education course spaces available per year, by course option and for both classroom and behind-the-wheel instruction;

(3) In consultation with the office of equity, evaluation of access to driver training education courses and consideration of opportunities to improve access to driver training education for young drivers. The assessment must address, but should not be limited to, potential obstacles for young drivers for whom the cost of driver training education may pose a hardship, obstacles related to accessibility for young drivers who reside in rural areas, and obstacles for young drivers whose primary language is not English. The assessment must also include strategies that can be used to mitigate these potential obstacles, including possible exceptions to, or substitutions for, a driver training education requirement in cases where access-related obstacles cannot be overcome, such as when a behind-the-wheel driver training program may not be available within a reasonable distance of a person's residence;

(4) A plan for broad and accessible public outreach and education to communicate to Washington state residents new driver training education requirements, including a plan for the development of tools to assist residents in accessing driver training education courses that meet the new requirements;

(5) Collaboration with educational service districts to determine the extent to which educational service districts can facilitate the coordination between school districts or secondary schools of a school district and driver training schools to increase access to driver training education courses by students who reside within the boundaries of an applicable school district;

(6) An examination of opportunities to address the financial need of persons for whom the cost of driver training education courses licensed by the department of licensing may pose a hardship, through a voucher or other financial assistance program. The examination must include quantified estimates of the extent to which the cost of driver training education could pose a significant obstacle, as well as possible approaches to help reduce or eliminate this obstacle;

(7) An examination, in consultation with the office of the superintendent of public instruction, of opportunities to address the financial need of students for whom the cost of driver training education offered as part of a traffic safety education program may pose a hardship, through a grant or other financial assistance program. The examination must include quantified estimates of the extent to which the cost of driver training education could pose a significant obstacle, as well as possible approaches to help reduce or eliminate this obstacle; and

(8) An assessment of approaches used by other states that require driver training by persons age 18 and older, including examination of how this has impacted traffic safety in the state and the extent to which the requirement may have decreased access to driver's licenses, including through examination of the rate of driver's license holders by age and other demographic characteristics compared to that of neighboring, or otherwise similarly situated, states.

Sec. 2. RCW 46.20.075 and 2011 c 60 s 44 are each amended to read as follows:

(1) An intermediate license authorizes the holder to drive a motor vehicle under the conditions specified in this section. An applicant for an intermediate license must be at least ~~((sixteen))~~ 16 years of age and:

(a) Have possessed a valid instruction permit for a period of not less than six months;

(b) Have passed a driver licensing examination administered by the department;

(c) Have passed a course of driver's education in accordance with the standards established in RCW 46.20.100;

(d) Present certification by his or her parent, guardian, or employer to the department stating (i) that the applicant has had at least ~~((fifty))~~ 50 hours of

driving experience, (~~ten~~)10 of which were at night, during which the driver was supervised by a person at least (~~twenty-one~~)21 years of age who has had a valid driver's license for at least three years, and (ii) that the applicant has not been issued a notice of traffic infraction or cited for a traffic violation that is pending at the time of the application for the intermediate license;

(e) Not have been convicted of or found to have committed a traffic violation within the last six months before the application for the intermediate license; and

(f) Not have been adjudicated for an offense involving the use of alcohol or drugs during the period the applicant held an instruction permit.

(2) For the first six months after the issuance of an intermediate license or until the holder reaches (~~eighteen~~)18 years of age, whichever occurs first, the holder of the license may not operate a motor vehicle that is carrying any passengers under the age of (~~twenty~~)20 who are not members of the holder's immediate family (~~as defined in RCW 42.17A.005~~). For the remaining period of the intermediate license, the holder may not operate a motor vehicle that is carrying more than three passengers who are under the age of (~~twenty~~)20 who are not members of the holder's immediate family.

(3) The holder of an intermediate license may not operate a motor vehicle between the hours of 1 a.m. and 5 a.m. except (a) when the holder is accompanied by (~~a parent, guardian, or~~) a licensed driver who is at least (~~twenty-five~~)25 years of age, or (b) for school, religious, or employment activities for the holder or a member of the holder's immediate family as defined in this section.

(4) The holder of an intermediate license may not operate a moving motor vehicle while using a wireless communications device unless the holder is using the device to report illegal activity, summon medical or other emergency help, or prevent injury to a person or property.

(5) It is a traffic infraction for the holder of an intermediate license to operate a motor vehicle in violation of the restrictions imposed under this section.

(6) Except for a violation of subsection (4) of this section, enforcement of this section by law enforcement officers may be accomplished only as a secondary action when a driver of a motor vehicle has been detained for a suspected violation of this title or an equivalent local ordinance or some other offense.

(7) An intermediate licensee may drive at any hour without restrictions on the number of passengers in the vehicle if necessary for agricultural purposes.

(8) An intermediate licensee may drive at any hour without restrictions on the number of passengers in the vehicle if, for the (~~twelve-month~~)12-month period following the issuance of the intermediate license, he or she:

(a) Has not been involved in an accident involving only one motor vehicle;

(b) Has not been involved in an accident where he or she was cited in connection with

the accident or was found to have caused the accident;

(c) Has not been involved in an accident where no one was cited or was found to have caused the accident; and

(d) Has not been convicted of or found to have committed a traffic offense described in chapter 46.61 RCW or violated restrictions placed on an intermediate licensee under this section.

(9) For the purposes of this section, "immediate family" means an individual's spouse or domestic partner, child, stepchild, grandchild, parent, stepparent, grandparent, brother, half-brother, sister, or half-sister of the individual, including foster children living in the household, and the spouse or the domestic partner of any such person, and a child, stepchild, grandchild, parent, stepparent, grandparent, brother, half-brother, sister, or half-sister of the individual's spouse or domestic partner, and the spouse or the domestic partner of any such person.

Sec. 3. RCW 46.82.280 and 2017 c 197 s 8 are each amended to read as follows:

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

(1) "Behind-the-wheel instruction" means instruction in an approved driver training school instruction vehicle according to and inclusive of the required curriculum. Behind-the-wheel instruction is characterized by driving experience.

(2) "Classroom" means a space dedicated to and used exclusively by a driver training instructor for the instruction of students. With prior department approval, a branch office classroom may be located within alternative facilities, such as a public or private library, school, community college, college or university, or a business training facility.

(3) "Classroom instruction" means that portion of a traffic safety education course that is characterized by in-person classroom-based student instruction or virtual classroom-based student instruction with a live instructor using the required curriculum conducted by or under the direct supervision of a licensed instructor or licensed instructors. Classroom instruction may include self-paced, online components as authorized and certified by the department of licensing.

(4) "Director" means the director of the department of licensing of the state of Washington.

(5) "Driver training education course" means a course of instruction in traffic safety education approved and licensed by the department of licensing that consists of classroom and behind-the-wheel instruction that follows the approved curriculum.

(6) "Driver training school" means a commercial driver training school engaged in the business of giving instruction, for a fee, in the operation of automobiles.

(7) "Enrollment" means the collecting of a fee or the signing of a contract for a driver training education course. "Enrollment" does not include the collecting of names and contact information for

enrolling students once a driver training school is licensed to instruct.

(8) "Fraudulent practices" means any conduct or representation on the part of a driver training school owner or instructor including:

(a) Inducing anyone to believe, or to give the impression, that a license to operate a motor vehicle or any other license granted by the director may be obtained by any means other than those prescribed by law, or furnishing or obtaining the same by illegal or improper means, or requesting, accepting, or collecting money for such purposes;

(b) Operating a driver training school without a license, providing instruction without an instructor's license, verifying enrollment prior to being licensed, misleading or false statements on applications for a commercial driver training school license or instructor's license or on any required records or supporting documentation;

(c) Failing to fully document and maintain all required driver training school records of instruction, school operation, and instructor training;

(d) Issuing a driver training course certificate without requiring completion of the necessary behind-the-wheel and classroom instruction.

(9) "Instructor" means any person employed by or otherwise associated with a driver training school to instruct persons in the operation of an automobile.

(10) "Owner" means an individual, partnership, corporation, association, or other person or group that holds a substantial interest in a driver training school.

(11) "Person" means any individual, firm, corporation, partnership, or association.

(12) "Place of business" means a designated location at which the business of a driver training school is transacted or its records are kept.

(13) "Student" means any person enrolled in an approved driver training course.

(14) "Substantial interest holder" means a person who has actual or potential influence over the management or operation of any driver training school. Evidence of substantial interest includes, but is not limited to, one or more of the following:

(a) Directly or indirectly owning, operating, managing, or controlling a driver training school or any part of a driver training school;

(b) Directly or indirectly profiting from or assuming liability for debts of a driver training school;

(c) Is an officer or director of a driver training school;

(d) Owning ~~((ten))~~ 10 percent or more of any class of stock in a privately or closely held corporate driver training school, or five percent or more of any class of stock in a publicly traded corporate driver training school;

(e) Furnishing ~~((ten))~~ 10 percent or more of the capital, whether in cash, goods, or services, for the operation of a driver training school during any calendar year; or

(f) Directly or indirectly receiving a salary, commission, royalties, or other form

of compensation from the activity in which a driver training school is or seeks to be engaged.

Sec. 4. RCW 46.82.330 and 2017 c 197 s 10 are each amended to read as follows:

(1) The application for an instructor's license shall document the applicant's fitness, knowledge, skills, and abilities to teach the classroom and behind-the-wheel instruction portions of a driver training education program in a commercial driver training school.

(2) An applicant shall be eligible to apply for an original instructor's certificate if the applicant possesses and meets the following qualifications and conditions:

(a) Has been licensed to drive for five or more years and possesses a current and valid Washington driver's license or is a resident of a jurisdiction immediately adjacent to Washington state and possesses a current and valid license issued by such jurisdiction, and does not have on his or her driving record any of the violations or penalties set forth in (a)(i), (ii), or (iii) of this subsection. The director shall have the right to examine the driving record of the applicant from the department of licensing and from other jurisdictions and from these records determine if the applicant has had:

(i) Not more than one moving traffic violation within the preceding twelve months or more than two moving traffic violations in the preceding ~~((twenty-four))~~ 24 months;

(ii) No drug or alcohol-related traffic violation or incident within the preceding three years. If there are two or more drug or alcohol-related traffic violations in the applicant's driving history, the applicant is no longer eligible to be a driving instructor; and

(iii) No driver's license suspension, cancellation, revocation, or denial within the preceding two years, or no more than two of these occurrences in the preceding five years;

(b) Is a high school graduate or the equivalent and at least ~~((twenty-one))~~ 21 years of age;

(c) Has completed an acceptable application on a form prescribed by the director;

(d) Has satisfactorily completed a course of instruction in the training of drivers acceptable to the director that is no less than ~~((sixty))~~ 60 hours in length and includes instruction in classroom and behind-the-wheel teaching methods and supervised practice behind-the-wheel teaching of driving techniques; and

(e) Has paid an examination fee as set by rule of the department and has successfully completed an instructor's examination.

(3) The department may develop rules to establish alternative pathways to licensure to substitute for subsection (2) of this section provided the alternative pathways enable the department to assess the applicant's fitness, knowledge, skill, and ability to teach the classroom and behind-the-wheel instruction portions of a driver training education program, and provided

behind-the-wheel instructor certification include behind-the-wheel teaching methods and supervised practice behind-the-wheel teaching of driving techniques.

NEW SECTION. Sec. 5. A new section is added to chapter 46.82 RCW to read as follows:

(1) By January 1, 2025, the department must publish on its website an interactive map of all driver training education course providers and providers of a traffic safety education program as defined in RCW 28A.220.020, including driver, motorcyclist, and commercial driver training and testing providers certified by the department. The interactive map, at a minimum, must provide training and testing provider names, locations, contact information, course and program pricing, and services offered by language.

(2) Each driving training education course and traffic safety education program provider must report course and program pricing to the department on an annual basis.

NEW SECTION. Sec. 6. A new section is added to chapter 39.19 RCW to read as follows:

The office shall develop a program to foster the development of women, minority-owned, and veteran-owned licensed driver training schools in the state, including through instruction on topics relevant to owning and operating a licensed driver training school, and shall report to the transportation committees of the legislature by October 1, 2024, with an update on program implementation and administration."

Correct the title.

Representatives Donaghy and Hutchins spoke in favor of the adoption of the striking amendment.

The striking amendment (684) was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Donaghy, Hutchins, Jacobsen and Christian spoke in favor of the passage of the bill.

Representative Caldier spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5583, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5583, as amended by the House, and the bill passed the House by the following vote: Yeas, 93; Nays, 4; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Hansen, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena,

Morgan, Mosbrucker, Orcutt, Ormsby, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Caldier, Rude, Volz and Walsh
Excused: Representative Ortiz-Self

ENGROSSED SUBSTITUTE SENATE BILL NO. 5583, as amended by the House, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Orwall presiding) called upon Representative Bronoske to preside.

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

MESSAGES FROM THE SENATE

Tuesday, April 11, 2023

Mme. Speaker:

The Senate has passed:

HOUSE BILL NO. 1230
HOUSE BILL NO. 1575
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1678

and the same are herewith transmitted.

Colleen Rust, Deputy Secretary

Wednesday, April 12, 2023

Mme. Speaker:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 1084
SUBSTITUTE HOUSE BILL NO. 1132
SECOND SUBSTITUTE HOUSE BILL NO. 1176
HOUSE BILL NO. 1221
HOUSE BILL NO. 1407
SUBSTITUTE HOUSE BILL NO. 1435
SECOND SUBSTITUTE HOUSE BILL NO. 1477
HOUSE BILL NO. 1512
SECOND SUBSTITUTE HOUSE BILL NO. 1580
HOUSE BILL NO. 1684
HOUSE BILL NO. 1772

and the same are herewith transmitted.

Colleen Rust, Deputy Secretary

Wednesday, April 12, 2023

Mme. Speaker:

The President has signed:

SECOND SUBSTITUTE HOUSE BILL NO. 1013
HOUSE BILL NO. 1046
SECOND SUBSTITUTE HOUSE BILL NO. 1122
SUBSTITUTE HOUSE BILL NO. 1171
SECOND SUBSTITUTE HOUSE BILL NO. 1204
HOUSE BILL NO. 1237
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1251
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1329
HOUSE BILL NO. 1334
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1394
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1469
SUBSTITUTE HOUSE BILL NO. 1501
SECOND SUBSTITUTE HOUSE BILL NO. 1728

and the same are herewith transmitted.

Colleen Rust, Deputy Secretary

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

SECOND READING

SECOND SUBSTITUTE SENATE BILL NO. 5555, by Senate Committee on Ways & Means (originally sponsored by Randall, Dhingra, Hasegawa, Keiser, Nguyen, Nobles, Valdez and Wilson, C.)

Creating the profession of certified peer specialists.

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Appropriations was before the House for purpose of amendment. For Committee amendment, see Journal, Day 86, Tuesday, April 4, 2023.

Representative Chambers moved the adoption of amendment (656) to the committee striking amendment:

On page 9, after line 35 of the striking amendment, insert the following:

"NEW SECTION. **Sec. 12.** (1) The department, in coordination with the health care authority and in consultation with the Washington state institute for public policy, shall conduct a cost-benefit analysis of the use of certified peer specialists in behavioral health treatment teams for persons with behavioral health conditions. The analysis shall monitor medical assistance clients at up to five behavioral health agencies between January 1, 2026, and December 31, 2026, and measure the outcomes for those clients whose care included a certified peer specialist providing peer support services. The outcomes to be considered shall include those measured by the Washington state institute for public policy in its prior studies on peer supports. In addition to other taxpayer costs, the analysis of the costs shall include costs associated with payments for peer support services to medical assistance clients and taxpayer support for certified peer specialist training and licensing costs that are not covered by fees charged to certified peer specialists. The analysis shall consider the effect of peer support services on the areas considered by the Washington state institute for public policy in its prior studies on peer supports, including crime, employment, hospitalization, emergency department visits, homelessness, and behavioral health services.

(2) The department shall submit a report of the findings of the cost-benefit analysis in subsection (1) of this section to the governor and the committees of the legislature with jurisdiction over health matters by October 1, 2027."

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

On page 26, line 36 of the striking amendment, after "through" strike "12" and insert "13"

Correct the title.

Representative Chambers spoke in favor of the adoption of the amendment to the committee striking amendment.

Representative Davis spoke against the adoption of the amendment to the committee striking amendment.

Amendment (656) to the committee striking amendment was not adopted.

The committee striking amendment by the Committee on Appropriations was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Davis and Eslick spoke in favor of the passage of the bill.

Representative Schmick spoke against the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Second Substitute Senate Bill No. 5555, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute Senate Bill No. 5555, as amended by the House, and the bill passed the House by the following vote: Yeas, 63; Nays, 34; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Barkis, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chandler, Chapman, Chopp, Corry, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregoran, Griffey, Hackney, Hansen, Harris, Kloba, Lekanoff, Macri, Mena, Morgan, Ormsby, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Ryu, Santos, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barnard, Caldier, Chambers, Cheney, Christian, Connors, Couture, Dent, Dye, Goehner, Graham, Hutchins, Jacobsen, Klicker, Kretz, Leavitt, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Rule, Sandlin, Schmick, Steele, Stokesbary, Walsh, Waters, Wilcox and Ybarra

Excused: Representative Ortiz-Self

SECOND SUBSTITUTE SENATE BILL NO. 5555, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5392, by Senators Schoesler and Pedersen

Concerning overpayments for certain matters.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Walsh, Hansen and Christian spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Senate Bill No. 5392.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5392, and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Hansen, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Orcutt, Ormsby, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representative Walen
Excused: Representative Ortiz-Self

SENATE BILL NO. 5392, having received the necessary constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5301, by Senate Committee on Housing (originally sponsored by Mullet, Kuderer, Nguyen and Wilson, C.)

Concerning housing programs administered by the department of commerce.

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Capital Budget was adopted. For Committee amendment, see Journal, Day 86, Tuesday, April 4, 2023.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Alvarado and Steele spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5301, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5301, as amended by the House, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Hansen, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Orcutt, Ormsby, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Ortiz-Self

ENGROSSED SUBSTITUTE SENATE BILL NO. 5301, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5058, by Senators Padden, Pedersen, Billig, Fortunato, Holy, Short and Wilson, L.

Exempting buildings with 12 or fewer units that are no more than two stories from the definition of multiunit residential building.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Walsh, Hansen, Riccelli, Schmidt and Christian spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Senate Bill No. 5058.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5058, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Hansen, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Orcutt, Ormsby, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Ortiz-Self

SENATE BILL NO. 5058, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5316, by Senators Wilson, C., Billig and Nobles

Concerning background check and licensing fees for programs administered by the department of children, youth, and families.

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Appropriations was before the House for purpose of amendment. For Committee amendment, see Journal, Day 86, Tuesday, April 4, 2023.

Representative Senn moved the adoption of amendment (601) to the committee striking amendment:

On page 9, beginning on line 14 of the striking amendment, strike all of sections 5 and 6

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

Representatives Senn and Eslick spoke in favor of the adoption of the amendment to the committee striking amendment.

Amendment (601) to the committee striking amendment was adopted.

The committee striking amendment, as amended, was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Senn, Eslick and Corry spoke in favor of the passage of the bill.

Representative Walsh spoke against the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Senate Bill No. 5316, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5316, as amended by the House, and the bill passed the House by the following vote: Yeas, 87; Nays, 10; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Gregerson, Griffey, Hackney, Hansen, Harris, Hutchins, Jacobsen, Kloba, Kretz, Leavitt, McClintock, Mena, Morgan, Mosbrucker, Orcutt, Ormsby, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Christian, Dye, Graham, Klicker, Low, McEntire, Schmick, Schmidt, Volz and Walsh

Excused: Representative Ortiz-Self

SENATE BILL NO. 5316, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5398, by Senate Committee on Human Services (originally sponsored by MacEwen and Wilson, L.)

Concerning domestic violence funding allocation.

The bill was read the second time.

Representative Couture moved the adoption of amendment (561):

On page 2, line 1, after "December 1," strike all material through "formulation" and insert "2024, the work group shall develop funding"

On page 2, line 5, after "regarding" strike "to implement the formula" and insert "whether to implement the funding"

On page 2, line 8, after "July 1," strike "2024" and insert "2025"

On page 2, line 9, after "August 1," strike "2024" and insert "2025"

Representatives Couture and Senn spoke in favor of the adoption of the amendment.

Amendment (561) was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Eslick, Senn and Griffey spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5398, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5398, as amended by the House, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Hansen, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Orcutt, Ormsby, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Ortiz-Self

SUBSTITUTE SENATE BILL NO. 5398, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5323, by Senators MacEwen, Conway, Lovick, Mullet and Randall

Concerning the department of veterans affairs.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Volz and Reeves spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Senate Bill No. 5323.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5323, and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Hansen, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Orcutt, Ormsby, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representative Walsh

Excused: Representative Ortiz-Self

SENATE BILL NO. 5323, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5350, by Senators Conway, Hasegawa, Lovick, Robinson, Wagoner, Pedersen, Keiser, Randall, Van De Wege, Liias, Cleveland, Frame, Hawkins, Holy, Hunt, Kuderer, Lovelett, Mullet, Muzzall, Nguyen, Nobles, Saldaña, Shewmake, Stanford, Trudeau, Valdez, Warnick, Wilson, C. and Wilson, L.

Providing a benefit increase to certain retirees of the public employees' retirement system plan 1 and the teachers' retirement system plan 1.

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Appropriations was before the House for purpose of amendment. For Committee amendment, see Journal, Day 79, Tuesday, March 28, 2023.

With the consent of the House, amendment (653) was withdrawn.

Representative Orcutt moved the adoption of amendment (654) to the committee striking amendment:

On page 1, beginning on line 7 of the striking amendment after "; providing" strike "a one-time cost-of-living adjustment helps" and insert "two cost-of-living adjustments is intended to help"

On page 2, line 14 of the striking amendment, after "(5)" insert "Beneficiaries who are receiving a monthly benefit from the teachers' retirement system plan 1 on July 1, 2023, shall receive, effective July 1, 2024, an increase to their monthly benefit of three percent multiplied by the beneficiaries' monthly benefit, not to exceed \$110.00.

(6)"

On page 2, line 38 of the striking amendment, after "(5)" insert "Beneficiaries who are receiving a monthly benefit from the public employees' retirement system plan 1 on July 1, 2023, shall receive, effective July 1, 2024, an increase to their monthly benefit of three percent multiplied by the beneficiaries' monthly benefit, not to exceed \$110.00.

(6)"

Representative Orcutt spoke in favor of the adoption of the amendment to the committee striking amendment.

Representative Fitzgibbon spoke against the adoption of the amendment to the committee striking amendment.

Amendment (654) to the committee striking amendment was not adopted.

The committee striking by the Committee on Appropriations was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Leavitt and Stokesbary spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Senate Bill No. 5350, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5350, as amended by the House, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Hansen, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Orcutt, Ormsby, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Ortiz-Self

SENATE BILL NO. 5350, as amended by the House, having received the necessary constitutional majority, was declared passed.

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

MOTION

There being no objection, the Committee on Rules was relieved of the following bills and the bills were placed on the second reading calendar:

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5001
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5315
SUBSTITUTE SENATE BILL NO. 5687

The Speaker (Representative Bronoske presiding) called upon Representative Orwall to preside.

MOTION

There being no objection, the Committee on Rules was relieved of the following bills and the bills were placed on the second reading calendar:

SECOND SUBSTITUTE SENATE BILL NO. 5103
SUBSTITUTE SENATE BILL NO. 5156
SUBSTITUTE SENATE BILL NO. 5358

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

SECOND READING

SECOND SUBSTITUTE SENATE BILL NO. 5048, by Senate Committee on Ways & Means (originally sponsored by Mullet, Rolfes, Billig, Hasegawa, Hawkins, Holy, Liias, Nguyen, Pedersen, Valdez, Wagoner, Warnick, Wellman and Wilson, C.)

Eliminating college in the high school fees.

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Appropriations was before the House for

purpose of amendment. For Committee amendment, see Journal, Day 86, Tuesday, April 4, 2023.

With the consent of the House, amendment (686) was withdrawn.

Representative Corry moved the adoption of amendment (685) to the committee striking amendment:

On page 2, line 4 of the striking amendment, after "(6)" insert

"Subject to the availability of amounts appropriated for this specific purpose, the student achievement council shall select one private not-for-profit four-year institution of higher education to participate in a pilot program to provide ten college in the high school courses consistent with this act. The institution selected should have demonstrated experience in offering college in the high school programs at public high schools in Washington.

(a) State appropriations for the college in the high school pilot program to the institution of higher education selected under this subsection shall be calculated as follows: Up to ten college in the high school courses, funded at a rate of \$6,000 per college in the high school course administered by the institution.

(b) The student achievement council shall administer the pilot program.

(c) The pilot program expires on June 30, 2025.

(7) "

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

On page 2, line 15 of the striking amendment, after "RCW" strike "28B.10.016" and insert "28B.92.030(4) "

On page 5, line 18 of the striking amendment, after "RCW" strike "28B.10.016" and insert "~~(28B.10.016)~~ 28B.92.030(4) "

Representative Corry spoke in favor of the adoption of the amendment to the committee striking amendment.

Representative Slatter spoke against the adoption of the amendment to the committee striking amendment.

Amendment (685) to the committee striking amendment was not adopted.

Representative Corry moved the adoption of amendment (741) to the committee striking amendment:

On page 5, at the beginning of line 11 of the striking amendment, strike "(13)" and insert "~~(13)~~ (11)(a) State universities, regional universities, and the state college, as defined in RCW 28B.10.016, offering college in the high school courses shall coordinate with an organization representing the presidents of the public four-year institutions of higher education, and the community and technical colleges offering college in the high school courses shall coordinate with the state board for community and technical colleges to each prepare a report, each disaggregated by institution of higher education, that includes:

(i) Data about student participation rates, award of high school credit, award of postsecondary credit at an institution of higher education, academic performance, and subsequent enrollment in an institution of higher education;

(ii) Geographic data on college in the high school courses, including the name, number, location of courses, and student enrollment disaggregated by school districts and high schools;

(iii) Data on college in the high school student demographics, including race, ethnicity, gender, and receipt of free or reduced-price lunch; and

(iv) Recommendations on additional categories of data reporting and disaggregation.

(b) Beginning September 1, 2024, and each year thereafter, the reports must be submitted to the appropriate committees of the legislature in accordance with RCW 43.01.036.

(12) "

Representatives Corry and Slatter spoke in favor of the adoption of the amendment to the committee striking amendment.

Amendment (741) to the committee striking amendment was adopted.

The committee striking amendment, as amended, was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Paul and Ybarra spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Second Substitute Senate Bill No. 5048, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute Senate Bill No. 5048, as amended by the House, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Hansen, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Orcutt, Ormsby, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Ortiz-Self

SECOND SUBSTITUTE SENATE BILL NO. 5048, as amended by the House, having received the necessary constitutional majority, was declared passed.

SECOND SUBSTITUTE SENATE BILL NO. 5412, by Senate Committee on Transportation (originally sponsored by Salomon, Liias, Kuderer, Lovelett, Mullet and Pedersen)

Reducing local governments' land use permitting workloads.

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Local Government was before the House for purpose of amendment. For Committee amendment, see Journal, Day 79, Tuesday, March 28, 2023.

With the consent of the House, amendment (696) was withdrawn.

Representative Duerr moved the adoption of amendment (737) to the committee striking amendment:

On page 2, beginning on line 17, after "chapter." strike all material through "The" on line 29 and insert "For purposes of this section, "middle housing" has the same meaning as in RCW 36.70A.030 as amended by chapter . . . (Engrossed Second Substitute House Bill No. 1110), Laws of 2023. Jurisdictions shall satisfy the following criteria prior to the adoption of the categorical exemption under this subsection (3):

(a) The city or county shall find the"

On page 2, beginning on line 35, after "or" strike all material through "adoption" on line 37 and insert "county has prepared environmental analysis that considers the proposed use or density and intensity of use in the area proposed for an exemption under this section and analyzes multimodal transportation impacts, including impacts to neighboring jurisdictions, transit facilities, and the state transportation system.

(i) Such environmental analysis shall include documentation that the requirements for environmental analysis, protection, and mitigation for impacts to elements of the environment have been adequately addressed for the development exempted. The requirements may be addressed in locally adopted comprehensive plans, subarea plans, adopted development regulations, other applicable local ordinances and regulations, or applicable state and federal regulations. The city, town, or county must document its consultation with the department of transportation on impacts to state-owned transportation facilities including consideration of whether mitigation is necessary for impacts to transportation facilities.

(ii) Before finalizing the environmental analysis pursuant to (b)(i) of this subsection (3), the local government shall provide a minimum of 60 days' notice to affected tribes, relevant state agencies, other jurisdictions that may be impacted, and the public. If a local government identifies that mitigation measures are necessary to address specific probable adverse impacts, the local government must address those impacts by requiring mitigation identified in the environmental analysis pursuant to this subsection (3)(b) through locally adopted comprehensive plans, subarea plans, development regulations, or other applicable local ordinances and regulations. Mitigation measures shall be

detailed in an associated environmental determination.

(iii) The categorical exemption is effective 30 days following action by a local government pursuant to (b)(ii) of this subsection (3)."

On page 2, line 38, after "(4)" insert "All project actions that propose to develop one or more residential housing or middle housing units within a city west of the crest of the Cascade mountains with a population of 700,000 or more are categorically exempt from the requirements of this chapter.

(5)"

Correct any internal references accordingly.

On page 3, line 1, after "43.21C.110(1)(a)." insert "Nothing in this section shall invalidate categorical exemptions or environmental review procedures adopted by a local government under a planned action pursuant to RCW 43.21C.440."

Representatives Duerr and Goehner spoke in favor of the adoption of the amendment to the committee striking amendment.

Amendment (737) to the committee striking amendment was adopted.

The committee striking amendment, as amended, was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Duerr and Goehner spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Second Substitute Senate Bill No. 5412, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute Senate Bill No. 5412, as amended by the House, and the bill passed the House by the following vote: Yeas, 95; Nays, 2; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Calder, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Hansen, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Orcutt, Ormsby, Orwall, Paul, Peterson, Ramel, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Pollet and Ramos

Excused: Representative Ortiz-Self

SECOND SUBSTITUTE SENATE BILL NO. 5412, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE JOINT MEMORIAL NO. 8001, by Senators Hasegawa, Kuderer, Wellman, Nguyen, Keiser, Conway,

Dhingra, Frame, Hunt, Lias, Lovelett, Nobles, Saldaña, Stanford, Trudeau and Wilson, C.

Concerning a national infrastructure bank.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Hackney spoke in favor of the passage of the bill.

Representative Corry spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Joint Memorial No. 8001.

ROLL CALL

The Clerk called the roll on the final passage of Senate Joint Memorial No. 8001, and the bill passed the House by the following vote: Yeas, 57; Nays, 40; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Hansen, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Ormsby, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Chandler, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representative Ortiz-Self

SENATE JOINT MEMORIAL NO. 8001, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5330, by Senators Torres, Muzzall, Shewmake, Van De Wege, Warnick, Kuderer and Lovick

Concerning the Washington pesticide application act.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Dent and Reeves spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5330.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5330, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Hansen, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt,

Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Orcutt, Ormsby, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Ortiz-Self

SENATE BILL NO. 5330, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5687, by Senate Committee on Ways & Means (originally sponsored by Van De Wege)

Creating and supporting postsecondary wrestling grant programs.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Ybarra, Slatter and McClintock spoke in favor of the passage of the bill.

Representatives Orcutt and Jacobsen spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5687.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5687, and the bill passed the House by the following vote: Yeas, 80; Nays, 17; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chandler, Chapman, Cheney, Chopp, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Gregerson, Griffey, Hackney, Hansen, Harris, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Ormsby, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rule, Ryu, Santos, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Barnard, Caldier, Chambers, Christian, Connors, Corry, Dye, Graham, Hutchins, Jacobsen, McEntire, Orcutt, Rude, Sandlin, Schmick, Steele and Walsh

Excused: Representative Ortiz-Self

SUBSTITUTE SENATE BILL NO. 5687, having received the necessary constitutional majority, was declared passed.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5001, by Senate Committee on Transportation (originally sponsored by Hawkins, Hunt, Nguyen and Wilson, J.)

Concerning public facility districts created by at least two city or county legislative authorities.

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Local Government was before the House for purpose of amendment. For Committee amendment, see Journal, Day 82, Friday, March 31, 2023.

Representative Orcutt moved the adoption of amendment (554) to the committee striking amendment:

On page 9, after line 20, insert the following:

"Sec. 4. RCW 35.57.030 and 1999 c 165 s 3 are each amended to read as follows:

(1) To carry out the purpose of this chapter, a public facilities district may issue general obligation bonds, not to exceed an amount, together with any outstanding nonvoter-approved general obligation indebtedness, equal to one-half of one percent of the value of the taxable property within the district, as the term "value of the taxable property" is defined in RCW 39.36.015. A facilities district additionally may issue general obligation bonds for capital purposes only, together with any outstanding general obligation indebtedness, not to exceed an amount equal to one and one-fourth percent of the value of the taxable property within the district, as the term "value of the taxable property" is defined in RCW 39.36.015, when authorized by the voters of the public facilities district pursuant to Article VIII, section 6 of the state Constitution, and to provide for the retirement thereof by taxes authorized in chapter 165, Laws of 1999.

(2) General obligation bonds may be issued with a maturity of up to thirty years, and shall be issued and sold in accordance with the provisions of chapter 39.46 RCW.

(3) The general obligation bonds may be payable from the operating revenues of the public facilities district in addition to the tax receipts of the district.

(4) A public facilities district formed under RCW 35.57.010(1)(f) may not issue bonds under this section after July 1, 2023, if doing so would cause the scheduled annual principal and interest payments on the aggregate debt issued by the district under this section in any fiscal year to equal or exceed 80 percent of the annual tax revenue that the district projects, on or prior to the date of issuance of the bonds, to collect in such fiscal year under the sales and use tax authorized in RCW 82.14.048. Nothing in this section limits the amount of revenue that a public facilities district may use to make principal and interest payments on the aggregate debt issued by the district under this section."

Representatives Orcutt and Berg spoke in favor of the adoption of the amendment to the committee striking amendment.

Amendment (554) to the committee striking amendment was adopted.

The committee striking amendment, as amended, was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Goehner and Doglio spoke in favor of the passage of the bill.

Representative Orcutt spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Second Substitute Senate Bill No. 5001, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5001, as amended by the House, and the bill passed the House by the following vote: Yeas, 91; Nays, 6; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Calder, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Gregerson, Griffey, Hackney, Hansen, Harris, Hutchins, Klicker, Kloba, Kretz, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Ormsby, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Graham, Jacobsen, Leavitt, Orcutt, Volz and Walsh

Excused: Representative Ortiz-Self

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5001, as amended by the House, having received the necessary constitutional majority, was declared passed.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5315, by Senate Committee on Ways & Means (originally sponsored by Wilson, C., Billig, Hasegawa, Keiser, Kuderer, Nguyen, Nobles, Pedersen and Valdez)

Concerning nonpublic agencies operating special education programs for students with disabilities.

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Education was not adopted. For Committee amendment, see Journal, Day 80, Wednesday, March 29, 2023.

There being no objection, the committee striking amendment by the Committee on Appropriations was not adopted. For Committee amendment, see Journal, Day 86, Tuesday, April 4, 2023.

Representative Santos moved the adoption of the striking amendment (739):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1)(a)(i) The legislature finds that the federal individuals with disabilities education act, Title 20 U.S.C. Sec. 1400 et seq., establishes duties for the state education agency, which is the office of the superintendent of public instruction in Washington, with respect to students with disabilities who are placed in a private school or facility by a school district or other public agency as a means of providing special education and related services.

(ii) Since 2006, the federal implementing regulations of the federal individuals with disabilities education act have required that the office of the superintendent of

public instruction ensure that a student with a disability who is placed in a private school or facility by a school district or other public agency:

(A) Is provided special education and related services in conformance with an individualized education program that meets the requirements of federal law and at no cost to the student's parents;

(B) Is provided an education that meets the standards that apply to education provided by a school district or other public agency; and

(C) Has all of the rights of a student with a disability who is served by a school district or other public agency.

(iii) Since 2006, the federal implementing regulations of the federal individuals with disabilities education act have required that the office of the superintendent of public instruction, in implementing the requirements described in (a)(ii) of this subsection:

(A) Monitor compliance through procedures such as written reports, on-site visits, and parent questionnaires;

(B) Disseminate copies of applicable standards to each private school and facility to which a school district or other public agency has placed a student with a disability; and

(C) Provide an opportunity for those private schools and facilities to participate in the development and revision of state standards that apply to them.

(iv) The federal implementing regulations of the federal individuals with disabilities education act require the state to monitor implementation of the individuals with disabilities education act to improve educational results and functional outcomes for all students with disabilities. The state must use indicators to measure school district performance, identify areas of noncompliance, and use appropriate enforcement mechanisms, such as technical assistance, corrective action, or withholding funds.

(b) The legislature acknowledges that it has not codified the requirements described in (a) of this subsection into state statute. Therefore, the legislature intends to codify the duty and authority of the superintendent of public instruction to establish standards for approving, monitoring, and investigating education centers, which are private schools and facilities, approved by the office of the superintendent of public instruction, that contract with school districts to provide special education and related services to students with disabilities placed in the education centers by school districts. The legislature also intends to codify the requirement that these standards must ensure that any students with disabilities placed in education centers by school districts have the same rights, protections, and access to special education and related services that they would have if served by school districts.

(2) (a) (i) The federal implementing regulations of the federal individuals with disabilities education act specify that, when a school district or other public agency has placed a student with

disabilities in a private school or facility, responsibility for compliance with the federal individuals with disabilities education act remains with the school district or other public agency and with the office of the superintendent of public instruction.

(ii) State statute permits school districts to contract with private schools or facilities approved by the office of the superintendent of public instruction to operate special education programs for students with disabilities and specifies that the approval standards must conform substantially to those of special education programs in the school districts.

(iii) Rules of the office of the superintendent of public instruction specify the minimum elements of the written contract that must be made between a school district and the private school or facility. In addition, these rules specify that the school district remains responsible for ensuring that any student placed in the private school or facility is provided a free appropriate public education in conformance with the individualized education program developed by the school district.

(b) The legislature intends to codify the responsibilities of school districts placing students with disabilities in education centers, including specifying minimum contract and parent notification requirements.

(3) In addition, the legislature intends to ensure accountability is properly exercised and shared by directing the state auditor to conduct a performance audit of the system for overseeing education centers that provide special education services to students with disabilities, as well as requiring school districts contracting with education centers to report concerns about education overbilling to the office of the superintendent of public instruction and the office of the state auditor.

Sec. 2. RCW 28A.155.090 and 2007 c 115 s 11 are each amended to read as follows:

The superintendent of public instruction shall have the duty and authority, through the administrative section or unit for the education of children with ~~((disabling conditions))~~ disabilities, to:

(1) Assist school districts in the formation of programs to meet the needs of children with disabilities;

(2) Develop interdistrict cooperation programs for children with disabilities as authorized in RCW 28A.225.250;

(3) Provide, upon request, to parents or guardians of children with disabilities, information as to the special education programs for students with disabilities offered within the state;

(4) Assist, upon request, the parent or guardian of any child with disabilities in the placement of any child with disabilities who is eligible for but not receiving special educational services for children with disabilities;

(5) Approve school district and agency programs as being eligible for special

excess cost financial aid to students with disabilities;

(6) Establish standards for approving, monitoring, and investigating education centers, as defined in section 3 of this act, that contract with school districts under RCW 28A.155.060 to provide special education and related services to children with disabilities. The standards must ensure that any children with disabilities placed in education centers by school districts have the same rights, protections, and access to special education and related services that they would have if served by a school district;

(7) Consistent with the provisions of RCW 28A.150.390, 28A.160.030, and 28A.155.010 through 28A.155.160, and part B of the federal individuals with disabilities education improvement act, administer administrative hearings and other procedures to ensure procedural safeguards of children with disabilities; and

((7+)) (8) Promulgate such rules as are necessary to implement part B of the federal individuals with disabilities education improvement act or other federal law providing for special education services for children with disabilities and the several provisions of RCW 28A.150.390, 28A.160.030, and 28A.155.010 through 28A.155.160 and to ensure appropriate access to and participation in the general education curriculum and participation in statewide assessments for all students with disabilities.

NEW SECTION. Sec. 3. A new section is added to chapter 28A.205 RCW to read as follows:

(1) "Education center" as used in this chapter means one of the following types of entities approved by the office of the superintendent of public instruction to contract with school districts to provide specific types of educational programs and related services to students whose needs are not being met by their resident school district:

(a) A private school in Washington approved by the state board of education under chapter 28A.195 RCW;

(b) An out-of-state public or private school; or

(c) A licensed facility, such as a hospital or mental health or behavioral health treatment facility.

(2) An education center is not a common school as defined in RCW 28A.150.020.

NEW SECTION. Sec. 4. A new section is added to chapter 28A.205 RCW to read as follows:

(1) The office of the superintendent of public instruction may approve schools and facilities to operate as education centers for a period of up to three years. For schools and facilities with multiple locations, the office of the superintendent of public instruction must approve each location independently.

(2) The office of the superintendent of public instruction shall establish a process for schools and facilities to apply for approval to operate specific types of

educational programs and related services as education centers.

(3) To qualify for approval or reapproval, an applicant must, at a minimum, meet the following requirements:

(a) Offer a program of basic education that will provide:

(i) Opportunities for students to meet the goals of RCW 28A.150.210, in accordance with an individual assessment of student strengths and needs as determined by the placing school districts, and any other requirements established by contract; and

(ii) Opportunities for students in grades nine through 12 to either meet high school graduation requirements under RCW 28A.230.090 or to earn a high school equivalency certificate under RCW 28B.50.536 or laws of the state in which the applicant is located;

(b) Maintain applicable facility licenses and applicable agency approvals of the state in which the applicant is located;

(c) Employ or contract with teachers and related services staff who meet the licensing requirements of the state in which the applicant is located;

(d) Meet applicable fire codes of the local fire marshal or the fire marshal of the state in which the applicant is located;

(e) Meet applicable health and safety standards of the local jurisdiction and state in which the applicant is located;

(f) Demonstrate through audits that the applicant is financially stable and has accounting systems that allow for separation of school district funds, including financial safeguards in place to track revenues and expenditures associated with contracted placements to ensure that funds are used to provide education and related services to students placed in the school or facility by the school district;

(g) Demonstrate that the applicant has procedures in place that address staff employment and contracting, including checking personal and professional references, conducting state and federal criminal background checks, and conducting regular staff evaluations that address staff competencies;

(h) Provide assurance that the applicant will meet all requirements of this chapter applicable to education centers during the period of approval;

(i) Maintain a policy of nondiscrimination and provide procedural safeguards for students and their families; and

(j) Pass an on-site inspection conducted by the office of the superintendent of public instruction that confirms that the health and safety of the facilities, the staffing qualifications and levels, and the procedural safeguards are sufficient to provide a safe and appropriate learning environment for students.

(4) The office of the superintendent of public instruction must prohibit education centers from charging tuition or fees to students placed in the education center by a school district.

NEW SECTION. Sec. 5. A new section is added to chapter 28A.205 RCW to read as follows:

(1) On its webpage related to education centers, the office of the superintendent of public instruction shall publish guidelines for individuals to report education centers for noncompliance with local, state, or federal laws or for violation of students rights. At a minimum, the guidelines must include instructions for submitting complaints to the resident school district and for using the special education community complaint processes, when applicable.

(2) The office of the superintendent of public instruction shall monitor and investigate education centers and the school districts contracting with education centers for compliance with the requirements of this chapter using data and other information submitted by school districts and education centers, information gathered during on-site visits, complaints, and other information and data.

(3) The office of the superintendent of public instruction may suspend, revoke, or refuse to renew approval of an education center if the education center:

(a) Fails to maintain approval standards under section 4 of this act;

(b) Violates the rights of students placed in the education center by a school district;

(c) Fails to adhere to applicable local, state, and federal laws, including health, safety, and civil rights laws;

(d) Fails to comply with contract requirements under section 6 of this act; or

(e) Refuses to implement any corrective actions ordered by the office of the superintendent of public instruction.

NEW SECTION. Sec. 6. A new section is added to chapter 28A.205 RCW to read as follows:

(1) Each school district that chooses to contract with an education center must enter into a written contract with the education center to establish the responsibilities of the school district and the education center and set forth the rights of students placed in the education center by the school district.

(2) The contract must, at a minimum, include the following elements:

(a) The names of the parties involved and the name of the student placed in the education center by the school district;

(b) The locations and settings of the education and related services to be provided;

(c)(i) A description of the opportunities for the student to meet a program of basic education that meets the goals of RCW 28A.150.210, in accordance with an individual assessment of student strengths and needs initially performed by the placing school districts and updated by the education center; and

(ii) When applicable, a description of the opportunities for the student to either meet high school graduation requirements under RCW 28A.230.090 or to earn a high school equivalency certificate under RCW

28B.50.536 or laws of the state in which the education center is located;

(d) A schedule, of at least once per academic term, for the education center to provide to the school district student progress reports. The progress reports must describe how the student is meeting personalized learning outcomes;

(e) The total contract cost and applicable charge and reimbursement systems, including billing and payment procedures;

(f) Acknowledgment that the education center is responsible for full reimbursement to the school district of any overpayments determined to have been made by the school district;

(g) Acknowledgment that the education center has a list of staff members providing the education and related services and a copy of the license that qualifies each staff member to provide the services;

(h) Acknowledgment that staff of the education center are regularly trained on the following topics:

(i) The constitutional and civil rights of students in schools;

(ii) Child and adolescent development;

(iii) Trauma-informed approaches to working with children and youth;

(iv) Cultural competency, diversity, equity, and inclusion, including best practices for interacting with students from particular backgrounds, including English learner, LGBTQ, immigrant, female, and nonbinary students. For the purposes of this subsection, "cultural competency," "diversity," "equity," and "inclusion" have the same meanings as in RCW 28A.415.443;

(v) Student isolation and restraint requirements under RCW 28A.600.485; and

(vi) The federal family educational rights and privacy act (Title 20 U.S.C. Sec. 1232g) requirements including limits on access to and dissemination of student records for noneducational purposes;

(i) Acknowledgment that the school district and education center have clearly established their respective responsibilities and processes for student data collection and reporting;

(j) Acknowledgment that the education center will promptly submit to the school district any complaints it receives;

(k) Acknowledgment that the education center will submit other information required by the school district or the office of the superintendent of public instruction;

(l) Acknowledgment that the education center must comply with student isolation and restraint requirements under RCW 28A.600.485;

(m) Acknowledgment that the education center must provide notifications to the school district and the office of the superintendent of public instruction as required under section 8 of this act; and

(n) Acknowledgment that the school district must provide the office of the superintendent of public instruction with the opportunity to review the contract and related documentation upon request.

(3) Each school district contracting with an education center to provide special education and related services to students with disabilities placed in education

centers by school districts must additionally include the elements described in RCW 28A.155.060 in the written contract.

(4) Each school district contracting with an education center shall report to the office of the superintendent of public instruction and the office of the Washington state auditor any concerns the school district has about overbilling by an education center.

NEW SECTION. Sec. 7. A new section is added to chapter 28A.205 RCW to read as follows:

Each school district contracting with an education center shall provide the following documents to the parents or guardians of each student placed in the education center by the school district:

(1) A summary of the school district and education center's responsibilities and processes for reporting incidents of student isolation and restraint under RCW 28A.600.485; and

(2) A copy of the school district's and the education center's complaint processes and, if applicable, instructions for accessing the office of the superintendent of public instruction's special education community complaint processes.

NEW SECTION. Sec. 8. A new section is added to chapter 28A.205 RCW to read as follows:

(1)(a) An education center shall notify the office of the superintendent of public instruction and every school district with which it contracts of any major program changes that occur during the approval period, including adding or eliminating services or changing the type of programs available to students.

(b) The office of the superintendent of public instruction shall review these program changes with affected school districts to determine whether the education center remains able to provide the contracted services.

(2) An education center shall promptly notify the office of the superintendent of public instruction, every school district with which it contracts, and every parent or guardian of an affected student of any conditions that would affect the education center's ability to continue to provide the contracted services.

(3) An education center shall promptly notify the office of the superintendent of public instruction and every school district with which it contracts of any complaints it receives regarding services to students, as well as any law enforcement incident reports involving the education center and its enrolled students.

NEW SECTION. Sec. 9. A new section is added to chapter 28A.205 RCW to read as follows:

(1) The office of the superintendent of public instruction shall notify the state board of education if any education center that is also a private school approved by the state board of education under chapter 28A.195 RCW is investigated for

noncompliance, is directed to complete corrective action, or fails to maintain approval under section 4 of this act.

(2) The state board of education shall notify the office of the superintendent of public instruction of any unresolved concerns, deficiencies, or deviations related to an education center that is also a private school approved by the state board of education under chapter 28A.195 RCW.

NEW SECTION. Sec. 10. A new section is added to chapter 28A.205 RCW to read as follows:

The office of the superintendent of public instruction shall adopt rules under chapter 34.05 RCW for the implementation of this chapter.

Sec. 11. RCW 28A.155.060 and 2007 c 115 s 6 are each amended to read as follows:

(1) For the purpose of carrying out the provisions of RCW 28A.155.020 through 28A.155.050, the board of directors of every school district shall be authorized to contract with ~~((agencies approved by the superintendent of public instruction for operating special education programs for students with disabilities. Approval standards for such agencies shall conform substantially with those of special education programs in the common schools))~~ education centers approved under section 4 of this act to provide special education and related services to students with disabilities placed in education centers by school districts.

(2) A school district contracting with an education center under this section must enter into a written contract with the education center as required under section 6 of this act, and additionally include the following elements in the contract:

(a) An agreement by the education center to employ or contract with at least one licensed teacher with a special education endorsement;

(b) Acknowledgment that the staff of the education center are regularly trained on the following topics:

(i) Recognizing and responding to student mental health issues; and

(ii) Educational rights of students with disabilities, the relationship of disability to behavior, and best practices for interacting with students with disabilities; and

(c) Acknowledgment that the education center must comply with all relevant Washington state and federal laws that are applicable to the school district.

(3) A school district contracting with an education center under this section shall remain responsible for ensuring that the students with disabilities placed in the education center by the school district are:

(a) Provided a free appropriate public education in accordance with the federal individuals with disabilities education act, Title 20 U.S.C. Sec. 1400 et seq. and this chapter;

(b) Provided with special education and related services at no cost to the student's parents and in conformance with an individualized education program as required

by law, including evaluations and individualized education program team meetings that meet all applicable requirements; and

(c) Provided with an opportunity to participate in Washington state and school district assessments.

(4) For the purposes of this section, "education center" has the same meaning as in section 3 of this act.

Sec. 12. RCW 28A.155.210 and 2013 c 202 s 3 are each amended to read as follows:

~~A ((school that is required to develop an)) student's individualized education program ((as required by federal law)) must include ((within the plan)) procedures for notification of a parent or guardian regarding the use of restraint or isolation under RCW 28A.600.485. If a student is placed in an education center under RCW 28A.155.060, the student's individualized education program must also specify any additional procedures required to ensure the education center fully complies with RCW 28A.600.485.~~

NEW SECTION. Sec. 13. A new section is added to chapter 28A.155 RCW to read as follows:

(1) Beginning December 1, 2023, and in compliance with RCW 43.01.036, the office of the superintendent of public instruction shall annually submit a report to the education committees of the legislature regarding student placements at education centers under RCW 28A.155.060. A summary of the report, including a link to the full report content, must also be posted on the office of the superintendent of public instruction's website. The report must include:

(a) The academic progress of students receiving special education services from education centers, using the results of the two most recent state assessments;

(b) The graduation rates of students who have received special education services from education centers;

(c) The rate at which students receiving special education services from education centers return to their resident school districts;

(d) Data on student restraint and isolation incidents, discipline, and attendance at education centers; and

(e) Any corrective action or change in an education center's approval status, as ordered by the office of the superintendent of public instruction.

(2) The data published under subsection (1) of this section must be disaggregated by education centers when it is possible to do so without disclosing, directly or indirectly, a student's personally identifiable information as protected under the federal family educational rights and privacy act (Title 20 U.S.C. Sec. 1232g).

NEW SECTION. Sec. 14. (1) The state auditor shall conduct a performance audit of the approval, monitoring, and investigation of education centers as defined in section 3 of this act and school districts that

contract with education centers under RCW 28A.155.060. As appropriate, the state auditor shall make recommendations for improving the system for overseeing education centers that provide special education and related services to students with disabilities placed in the education center by a school district. The state auditor may conduct the performance audit at a sample of school districts and education centers as needed.

(2) By November 30, 2026, and in compliance with RCW 43.01.036, the state auditor shall report the performance audit's findings and recommendations to the governor and the education committees of the legislature.

(3) This section expires August 1, 2027.

NEW SECTION. Sec. 15. The following acts or parts of acts are each repealed:

(1) RCW 28A.205.010 ("Education center," "basic academic skills," defined—Certification as education center and withdrawal of certification) and 2006 c 263 s 408, 2005 c 497 s 214, 1999 c 348 s 2, 1993 c 211 s 1, 1990 c 33 s 180, 1983 c 3 s 38, & 1977 ex.s. c 341 s 1;

(2) RCW 28A.205.020 (Common school dropouts—Reimbursement) and 1999 c 348 s 3, 1997 c 265 s 7, 1993 c 211 s 2, 1990 c 33 s 181, 1979 ex.s. c 174 s 1, & 1977 ex.s. c 341 s 2;

(3) RCW 28A.205.030 (Reentry of prior dropouts into common schools, rules—Eligibility for test to earn a high school equivalency certificate) and 2013 c 39 s 6;

(4) RCW 28A.205.040 (Fees—Rules—Priority for payment—Review of records) and 2013 c 39 s 7, 2006 c 263 s 412, 1999 c 348 s 4, 1990 c 33 s 183, 1979 ex.s. c 174 s 2, & 1977 ex.s. c 341 s 4;

(5) RCW 28A.205.050 (Rules) and 2005 c 497 s 215, 1995 c 335 s 201, 1993 c 211 s 4, 1990 c 33 s 184, & 1977 ex.s. c 341 s 5;

(6) RCW 28A.205.070 (Allocation of funds—Criteria—Duties of superintendent) and 2006 c 263 s 409, 1993 c 211 s 6, 1990 c 33 s 185, & 1985 c 434 s 3;

(7) RCW 28A.205.080 (Legislative findings—Distribution of funds—Cooperation with school districts) and 1997 c 265 s 8, 1993 c 211 s 7, 1990 c 33 s 186, & 1987 c 518 s 220; and

(8) RCW 28A.205.090 (Inclusion of education centers program in biennial budget request—Quarterly plans—Funds—Payment) and 1993 c 211 s 8, 1990 c 33 s 187, & 1985 c 434 s 4."

Correct the title.

Representatives Santos and Couture spoke in favor of the adoption of the striking amendment.

The striking amendment (739) was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Santos and Couture spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Second Substitute Senate Bill No. 5315, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5315, as amended by the House, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Hansen, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Orcutt, Ormsby, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Ortiz-Self

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5315, as amended by the House, having received the necessary constitutional majority, was declared passed.

SECOND SUBSTITUTE SENATE BILL NO. 5103, by Senate Committee on Ways & Means (originally sponsored by Muzzall, Cleveland and Rivers)

Concerning payment to acute care hospitals for difficult to discharge medicaid patients.

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Appropriations was before the House for purpose of amendment. For Committee amendment, see Journal, Day 94, Wednesday, April 12, 2023.

Representative Riccelli moved the adoption of amendment (682) to the committee striking amendment:

On page 5, after line 13 of the striking amendment, insert the following:

"NEW SECTION. Sec. 2. By December 1, 2023, the health care authority shall submit a report to the fiscal committees of the legislature containing information about the rate established in RCW 74.09.520(12) and the services that are included in the rate."

Representatives Riccelli and Schmick spoke in favor of the adoption of the amendment to the committee striking amendment.

Amendment (682) to the committee striking amendment was adopted.

The committee striking amendment, as amended, was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

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

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Second Substitute Senate Bill No. 5103, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute Senate Bill No. 5103, as amended by the House, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Hansen, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Orcutt, Ormsby, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Ortiz-Self

SECOND SUBSTITUTE SENATE BILL NO. 5103, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5358, by Senate Committee on State Government & Elections (originally sponsored by Gildon, Nobles, Conway, Holy, Lovelett, Nguyen, Randall, Torres, Wagoner, Wellman, Wilson, C. and Wilson, L.)

Expanding veterans' services and programs.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Chambers, Shavers and Christian spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5358.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5358, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Hansen, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Orcutt, Ormsby, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Ortiz-Self

SUBSTITUTE SENATE BILL NO. 5358, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5156, by Senate Committee on Labor & Commerce (originally sponsored by Torres, Dhingra, Hasegawa, Hunt, Muzzall, Nobles, Randall,

Rolfes, Schoesler, Shewmake, Wagoner, Warnick, Wellman and Wilson, L.)

Expanding the farm internship program.

The bill was read the second time.

There being no objection, the committee striking amendment by the Committee on Labor & Workplace Standards was before the House for purpose of amendment. For Committee amendment, see Journal, Day 80, Wednesday, March 29, 2023.

Representative Connors moved the adoption of amendment (666) to the committee striking amendment:

On page 1, line 22 of the striking amendment, after "(2)" insert "(a)"

On page 1, line 23 of the striking amendment, after "section." insert the following:
"(b)"

On page 1, line 26 of the striking amendment, after "who" insert ", in addition to meeting the farm's qualifications applicable to all intern applicants, also"

On page 1, line 28 of the striking amendment, after "farmworker." insert "If a farm is employing only one intern and the farm does not receive any applications from individuals who meet the criteria set forth in this subsection, the requirement of this subsection does not apply. If a farm is employing more than one intern, the farm must employ at least one intern who meets the criteria set forth in this subsection."

On page 2, beginning on line 22 of the striking amendment, after "(e)" strike all material through "application" on line 24 and insert "If subsection (2)(b) of this section applies, the farm has included in the application either: (i)"

On page 2, line 28 of the striking amendment, after "farmworker;" insert "or (ii) an attestation that the farm is employing only one intern and the farm did not receive any applications from individuals who meet the criteria set forth in subsection (2)(b) of this section"

Representatives Connors and Berry spoke in favor of the adoption of the amendment to the committee striking amendment.

Amendment (666) to the committee striking amendment was adopted.

The committee striking amendment, as amended, was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Connors and Berry spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5156, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5156, as amended by the House, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Gohner, Goodman, Graham, Gregerson, Griffey, Hackney, Hansen, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Orcutt, Ormsby, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Ortiz-Self

SUBSTITUTE SENATE BILL NO. 5156, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5403, by Senators Schoesler, Wellman, Torres, Boehnke, Muzzall, Dozier, Kuderer, Randall, Wilson, C. and Wilson, L.

Establishing school district depreciation subfunds for the purposes of preventative maintenance.

The bill was read the second time.

With the consent of the House, amendment (663) was withdrawn.

Representative Santos moved the adoption of amendment (697):

On page 3, line 10, after "(e)" strike "A" and insert "For school districts of the second class as defined by RCW 28A.300.065, a"

On page 3, at the beginning of line 12, insert "second class"

On page 3, line 21, after "districts" insert "of the second class"

Representatives Santos and Rude spoke in favor of the adoption of the amendment.

Amendment (697) was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Dye and Santos spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5403, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5403, as amended by the House, and the bill passed the House by the following vote: Yeas, 89; Nays, 8; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Bergquist, Berry, Bronoske, Caldier, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye,

Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Hansen, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Orcutt, Ormsby, Orwall, Paul, Peterson, Pollet, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Street, Taylor, Thai, Tharinger, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Berg, Callan, Leavitt, Ramel, Rule, Shavers, Stonier and Timmons

Excused: Representative Ortiz-Self

SENATE BILL NO. 5403, as amended by the House, having received the necessary constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5599, by Senate Committee on Human Services (originally sponsored by Liias, Wilson, C., Dhingra, Lovelett, Nguyen and Randall)

Supporting youth and young adults seeking protected health care services.

The bill was read the second time.

The Speaker (Representative Orwall presiding) called upon Representative Bronoske to preside.

MOTION

On motion of Representative Griffey, Representative Sandlin was excused.

There being no objection, the committee striking amendment by the Committee on Human Services, Youth, & Early Learning was before the House for purpose of amendment. For Committee amendment, see Journal, Day 80, Wednesday, March 29, 2023.

With the consent of the House, amendments (659), (701) and (703) were withdrawn.

Representative Couture moved the adoption of amendment (671) to the committee striking amendment:

On page 1, line 3 of the striking amendment, after "**Sec. 1.**" insert "(1)"

On page 1, after line 14 of the striking amendment, insert the following:

"(2) The legislature finds that, based on the United States Supreme Court ruling in *Troxel v. Granville*, 530 U.S. 57 (2000), the Constitution permits a State to interfere with the right of parents to rear their children only to prevent harm or potential harm to a child. Any legislation that goes further fails that standard because it requires no threshold showing of harm."

Representative Couture spoke in favor of the adoption of the amendment to the committee striking amendment.

Representative Taylor spoke against the adoption of the amendment to the committee striking amendment.

Amendment (671) to the committee striking amendment was not adopted.

Representative Griffey moved the adoption of amendment (699) to the committee striking amendment:

On page 1, line 3 of the striking amendment, after "**Sec. 1.**" insert "(1)"

On page 1, after line 14 of the striking amendment, insert the following:

"(2) The legislature finds that parental or guardian oversight for youth with medical or mental health conditions is important to ensure follow through with homecare instructions and to offer guidance. The brains of youth are still developing and the support of older family members is essential in preventing unnecessary harm."

Representatives Griffey and Caldier spoke in favor of the adoption of the amendment to the committee striking amendment.

Representative Macri spoke against the adoption of the amendment to the committee striking amendment.

Amendment (699) to the committee striking amendment was not adopted.

Representative Goehner moved the adoption of amendment (706) to the committee striking amendment:

On page 1, line 3 of the striking amendment, after "**Sec. 1.**" insert "(1)"

On page 1, after line 14 of the striking amendment, insert the following:

"(2) The legislature finds that close family bonds are essential for the positive mental health outcomes in transgender youth. Having a support system ensures safety, emotional support, and a sense of belonging for youth who are at a particularly vulnerable time in their lives."

Representative Goehner spoke in favor of the adoption of the amendment to the committee striking amendment.

Representative Cortes spoke against the adoption of the amendment to the committee striking amendment.

Amendment (706) to the committee striking amendment was not adopted.

Representative Chambers moved the adoption of amendment (707) to the committee striking amendment:

On page 1, line 3 of the striking amendment, after "**Sec. 1.**" insert "(1)"

On page 1, after line 14 of the striking amendment, insert the following:

"(2) The legislature finds that parents serve as role models and buffers for youths who may be embarking on life-altering or dangerous journeys. The Constitutional right to parent stems from a desire to protect our youth and offer invaluable guidance."

Representative Chambers spoke in favor of the adoption of the amendment to the committee striking amendment.

Representative Rule spoke against the adoption of the amendment to the committee striking amendment.

Amendment (707) to the committee striking amendment was not adopted.

Representative Jacobsen moved the adoption of amendment (698) to the committee striking amendment:

On page 2, line 32 of the striking amendment, after "minor" insert "age 16 or 17"

On page 7, line 27 of the striking amendment, after "child" insert "age 16 or 17"

On page 8, line 3 of the striking amendment, after "youth" insert "age 16 or 17"

On page 8, line 16 of the striking amendment, after "youth" insert "who is age 16 or 17"

Representatives Jacobsen, Walsh and Couture spoke in favor of the adoption of the amendment to the committee striking amendment.

Representative Senn spoke against the adoption of the amendment to the committee striking amendment.

Amendment (698) to the committee striking amendment was not adopted.

Representative Walsh moved the adoption of amendment (702) to the committee striking amendment:

On page 2, line 33 of the striking amendment, after "services" insert "and the parent has provided permission for the shelter or organization not to notify the parent"

Representatives Walsh, Walsh (again) and Caldier spoke in favor of the adoption of the amendment to the committee striking amendment.

Representative Senn spoke against the adoption of the amendment to the committee striking amendment.

Amendment (702) to the committee striking amendment was not adopted.

Representative Rule moved the adoption of amendment (692) to the committee striking amendment:

On page 2, line 37 of the striking amendment, after "(3)" insert "(a)"

On page 2, after line 40 of the striking amendment, insert the following:

"(b) When the department receives a report under subsection (1) of this section for a minor who is seeking or receiving protected health care services, it shall:

(i) Offer to make referrals on behalf of the minor for appropriate behavioral health services; and

(ii) Offer services designed to resolve the conflict and accomplish a reunification of the family."

Representatives Rule and Couture spoke in favor of the adoption of the amendment to the committee striking amendment.

Amendment (692) to the committee striking amendment was adopted.

Representative Corry moved the adoption of amendment (708) to the committee striking amendment:

On page 2, beginning on line 27 of the striking amendment, after "to" strike all material through "Circumstances" on line 29 and insert ", circumstances"

On page 2, beginning on line 31 of the striking amendment, after "26.44.020" strike all material through "74.09.875" on line 36

On page 8, beginning on line 16 of the striking amendment, after "means" strike all material through "74.09.875" on line 21 and insert "there are circumstances that indicate that notifying the parent or legal guardian will subject the minor to abuse or neglect as defined in RCW 26.44.020"

Representatives Corry, Maycumber and Walsh spoke in favor of the adoption of the amendment to the committee striking amendment.

Representative Macri spoke against the adoption of the amendment to the committee striking amendment.

Division was demanded and the demand was sustained. The Speaker (Representative Bronoske presiding) divided the House. The result was 38 - YEAS; 56 - NAYS.

Amendment (708) to the committee striking amendment was not adopted.

Representative Couture moved the adoption of amendment (658) to the committee striking amendment:

On page 2, beginning on line 34 of the striking amendment, after "means" strike all material through "74.09.875" on line 36 and insert "abortion as defined in RCW 9.02.170 and gender-affirming treatment.

(e) "Gender-affirming treatment" means age-appropriate counseling and support services for youth and young adults experiencing gender dysphoria"

On page 8, beginning on line 19 of the striking amendment, after "means" strike all material through "74.09.875" on line 21 and insert "abortion as defined in RCW 9.02.170 and gender-affirming treatment.

(E) "Gender-affirming treatment" means age-appropriate counseling and support services for youth and young adults experiencing gender dysphoria"

With the consent of the House, amendment (658) was withdrawn.

Representative Dent moved the adoption of amendment (700) to the committee striking amendment:

On page 3, beginning on line 10 of the striking amendment, strike all of Section 3

Representatives Dent and Corry spoke in favor of the adoption of the amendment to the committee striking amendment.

Representative Callan spoke against the adoption of the amendment to the committee striking amendment.

Amendment (700) to the committee striking amendment was not adopted.

Representative Couture moved the adoption of amendment (742) to the committee striking amendment:

On page 9, after line 32 of the striking amendment, insert the following:

"NEW SECTION. Sec. 4.

(1) The office of homeless youth prevention and protection programs shall contract with an outside entity to:

(a) Gather data regarding the number of unsheltered homeless youth under age 18 in Washington state; and

(b) Develop recommendations for supporting unsheltered homeless youth under age 18 in Washington state.

(2) By July 1, 2024, and in compliance with RCW 43.01.036, the office of homeless youth prevention and protection programs shall submit the information and recommendations described in subsection (1) of this section to the appropriate committees of the legislature."

Representatives Couture and Cortes spoke in favor of the adoption of the amendment to the committee striking amendment.

Amendment (742) to the committee striking amendment was adopted.

Representative Walsh moved the adoption of amendment (662) to the committee striking amendment:

On page 9, after line 32, insert the following:

"**Sec. 4.** RCW 26.44.020 and 2021 c 215 s 142 and 2021 c 67 s 3 are each reenacted and amended to read as follows:

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

(1) "Abuse or neglect" means sexual abuse, sexual exploitation, or injury of a child by any person under circumstances which cause harm to the child's health, welfare, or safety, excluding conduct permitted under RCW 9A.16.100; or the negligent treatment or maltreatment of a child by a person responsible for or providing care to the child. An abused child is a child who has been subjected to child abuse or neglect as defined in this section.

(2) "Child" or "children" means any person under the age of eighteen years of age.

(3) "Child forensic interview" means a developmentally sensitive and legally sound method of gathering factual information regarding allegations of child abuse, child neglect, or exposure to violence. This interview is conducted by a competently trained, neutral professional utilizing techniques informed by research and best practice as part of a larger investigative process.

(4) "Child protective services" means those services provided by the department designed to protect children from child abuse and neglect and safeguard such children from future abuse and neglect, and conduct investigations of child abuse and neglect reports. Investigations may be conducted regardless of the location of the alleged abuse or neglect. Child protective services includes referral to services to ameliorate conditions that endanger the welfare of children, the coordination of necessary programs and services relevant to the prevention, intervention, and treatment of child abuse and neglect, and services to children to ensure that each child has a permanent home. In determining whether protective services should be provided, the department shall not decline to provide such

services solely because of the child's unwillingness or developmental inability to describe the nature and severity of the abuse or neglect.

(5) "Child protective services section" means the child protective services section of the department.

(6) "Child who is a candidate for foster care" means a child who the department identifies as being at imminent risk of entering foster care but who can remain safely in the child's home or in a kinship placement as long as services or programs that are necessary to prevent entry of the child into foster care are provided, and includes but is not limited to a child whose adoption or guardianship arrangement is at risk of a disruption or dissolution that would result in a foster care placement. The term includes a child for whom there is reasonable cause to believe that any of the following circumstances exist:

(a) The child has been abandoned by the parent as defined in RCW 13.34.030 and the child's health, safety, and welfare is seriously endangered as a result;

(b) The child has been abused or neglected as defined in this chapter and the child's health, safety, and welfare is seriously endangered as a result;

(c) There is no parent capable of meeting the child's needs such that the child is in circumstances that constitute a serious danger to the child's development;

(d) The child is otherwise at imminent risk of harm.

(7) "Children's advocacy center" means a child-focused facility in good standing with the state chapter for children's advocacy centers and that coordinates a multidisciplinary process for the investigation, prosecution, and treatment of sexual and other types of child abuse. Children's advocacy centers provide a location for forensic interviews and coordinate access to services such as, but not limited to, medical evaluations, advocacy, therapy, and case review by multidisciplinary teams within the context of county protocols as defined in RCW 26.44.180 and 26.44.185.

(8) "Clergy" means any regularly licensed or ordained minister, priest, or rabbi of any church or religious denomination, whether acting in an individual capacity or as an employee or agent of any public or private organization or institution.

(9) "Court" means the superior court of the state of Washington, juvenile department.

(10) "Department" means the department of children, youth, and families.

(11) "Experiencing homelessness" means lacking a fixed, regular, and adequate nighttime residence, including circumstances such as sharing the housing of other persons due to loss of housing, economic hardship, fleeing domestic violence, or a similar reason as described in the federal McKinney-Vento homeless assistance act (Title 42 U.S.C., chapter 119, subchapter I) as it existed on January 1, 2021.

(12) "Family assessment" means a comprehensive assessment of child safety, risk of subsequent child abuse or neglect, and family strengths and needs that is

applied to a child abuse or neglect report. Family assessment does not include a determination as to whether child abuse or neglect occurred, but does determine the need for services to address the safety of the child and the risk of subsequent maltreatment.

(13) "Family assessment response" means a way of responding to certain reports of child abuse or neglect made under this chapter using a differential response approach to child protective services. The family assessment response shall focus on the safety of the child, the integrity and preservation of the family, and shall assess the status of the child and the family in terms of risk of abuse and neglect including the parent's or guardian's or other caretaker's capacity and willingness to protect the child and, if necessary, plan and arrange the provision of services to reduce the risk and otherwise support the family. No one is named as a perpetrator, and no investigative finding is entered in the record as a result of a family assessment.

(14) "Founded" means the determination following an investigation by the department that, based on available information, it is more likely than not that child abuse or neglect did occur.

(15) "Inconclusive" means the determination following an investigation by the department of social and health services, prior to October 1, 2008, that based on available information a decision cannot be made that more likely than not, child abuse or neglect did or did not occur.

(16) "Institution" means a private or public hospital or any other facility providing medical diagnosis, treatment, or care.

(17) "Law enforcement agency" means the police department, the prosecuting attorney, the state patrol, the director of public safety, or the office of the sheriff.

(18) "Malice" or "maliciously" means an intent, wish, or design to intimidate, annoy, or injure another person. Such malice may be inferred from an act done in willful disregard of the rights of another, or an act wrongfully done without just cause or excuse, or an act or omission of duty betraying a willful disregard of social duty.

(19) "Negligent treatment or maltreatment" means an act or a failure to act, or the cumulative effects of a pattern of conduct, behavior, or inaction, that evidences a serious disregard of consequences of such magnitude as to constitute a clear and present danger to a child's health, welfare, or safety, including but not limited to conduct prohibited under RCW 9A.42.100. When considering whether a clear and present danger exists, evidence of a parent's substance abuse as a contributing factor to negligent treatment or maltreatment shall be given great weight. The fact that siblings share a bedroom is not, in and of itself, negligent treatment or maltreatment. Poverty, experiencing homelessness, lack of adequate affirmation of a child, or exposure to domestic violence as defined in RCW 7.105.010 that is perpetrated against

someone other than the child does not constitute negligent treatment or maltreatment in and of itself.

(20) "Pharmacist" means any registered pharmacist under chapter 18.64 RCW, whether acting in an individual capacity or as an employee or agent of any public or private organization or institution.

(21) "Practitioner of the healing arts" or "practitioner" means a person licensed by this state to practice podiatric medicine and surgery, optometry, chiropractic, nursing, dentistry, osteopathic medicine and surgery, or medicine and surgery or to provide other health services. The term "practitioner" includes a duly accredited Christian Science practitioner. A person who is being furnished Christian Science treatment by a duly accredited Christian Science practitioner will not be considered, for that reason alone, a neglected person for the purposes of this chapter.

(22) "Prevention and family services and programs" means specific mental health prevention and treatment services, substance abuse prevention and treatment services, and in-home parent skill-based programs that qualify for federal funding under the federal family first prevention services act, P.L. 115-123. For purposes of this chapter, prevention and family services and programs are not remedial services or family reunification services as described in RCW 13.34.025(2).

(23) "Professional school personnel" include, but are not limited to, teachers, counselors, administrators, child care facility personnel, and school nurses.

(24) "Psychologist" means any person licensed to practice psychology under chapter 18.83 RCW, whether acting in an individual capacity or as an employee or agent of any public or private organization or institution.

(25) "Screened-out report" means a report of alleged child abuse or neglect that the department has determined does not rise to the level of a credible report of abuse or neglect and is not referred for investigation.

(26) "Sexual exploitation" includes: (a) Allowing, permitting, or encouraging a child to engage in prostitution by any person; or (b) allowing, permitting, encouraging, or engaging in the obscene or pornographic photographing, filming, or depicting of a child by any person.

(27) "Sexually aggressive youth" means a child who is defined in RCW 74.13.075(1)(b) as being a sexually aggressive youth.

(28) "Social service counselor" means anyone engaged in a professional capacity during the regular course of employment in encouraging or promoting the health, welfare, support, or education of children, or providing social services to adults or families, including mental health, drug and alcohol treatment, and domestic violence programs, whether in an individual capacity, or as an employee or agent of any public or private organization or institution.

(29) "Unfounded" means the determination following an investigation by the department that available information indicates that, more likely than not, child abuse or neglect did not occur, or that there is insufficient

evidence for the department to determine whether the alleged child abuse did or did not occur."

Representatives Walsh, Schmidt, Dye, Chambers, Hutchins, Walsh (again), Calder and Abbarno spoke in favor of the adoption of the amendment to the committee striking amendment.

Representatives Senn and Taylor spoke against the adoption of the amendment to the committee striking amendment.

Amendment (662) to the committee striking amendment was not adopted.

Representative Eslick moved the adoption of amendment (657) to the committee striking amendment:

On page 1 of the striking amendment, strike all material after line 2 and insert the following:

"NEW SECTION. Sec.

(1) The office of homeless youth prevention and protection programs shall contract with an outside entity to:

(a) Gather data regarding the number of unsheltered homeless youth in Washington state; and

(b) Develop recommendations for supporting unsheltered homeless youth in Washington state.

(2) By December 1, 2023, and in compliance with RCW 43.01.036, the office of homeless youth prevention and protection programs shall submit the information and recommendations described in subsection (1) of this section to the appropriate committees of the legislature.

Correct the title."

Representative Eslick spoke in favor of the adoption of the amendment to the committee striking amendment.

Representative Senn spoke against the adoption of the amendment to the committee striking amendment.

Amendment (657) to the committee striking amendment was not adopted.

Representative Couture moved the adoption of amendment (660) to the committee striking amendment:

Beginning on page 1, line 3, strike all material through "programs." on page 9, line 32 and insert the following:

"NEW SECTION. Sec. 1. The legislature finds that unsheltered homelessness for youth poses a serious threat to their health and safety. The Trevor project has found that one in three transgender youth report attempting suicide. Homelessness amongst transgender youth can further endanger an already at-risk population. The legislature further finds that youth accessing shelter face additional risk and dangers. Youth seeking certain medical services are especially at risk and vulnerable. Therefore, the legislature intends to create a process where these youth and their families are connected with appropriate counseling services and the payment for those services is provided either by a family's existing health insurance or by the department of children, youth, and families.

Sec. 2. RCW 13.32A.030 and 2020 c 51 s 1 are each reenacted and amended to read as follows:

As used in this chapter the following terms have the meanings indicated unless the context clearly requires otherwise:

(1) "Abuse or neglect" means the injury, sexual abuse, sexual exploitation, negligent treatment, or maltreatment of a child by any person under circumstances that indicate the child's health, welfare, and safety is harmed, excluding conduct permitted under RCW 9A.16.100. An abused child is a child who has been subjected to child abuse or neglect as defined in this section.

(2) "Administrator" means the individual who has the daily administrative responsibility of a crisis residential center, or his or her designee.

(3) "At-risk youth" means a juvenile:

(a) Who is absent from home for at least seventy-two consecutive hours without consent of his or her parent;

(b) Who is beyond the control of his or her parent such that the child's behavior endangers the health, safety, or welfare of the child or any other person; or

(c) Who has a substance abuse problem for which there are no pending criminal charges related to the substance abuse.

(4) "Child," "juvenile," "youth," and "minor" mean any unemancipated individual who is under the chronological age of eighteen years.

(5) "Child in need of services" means a juvenile:

(a) Who is beyond the control of his or her parent such that the child's behavior endangers the health, safety, or welfare of the child or any other person;

(b) Who has been reported to law enforcement as absent without consent for at least twenty-four consecutive hours on two or more separate occasions from the home of either parent, a crisis residential center, an out-of-home placement, or a court-ordered placement; and

(i) Has exhibited a serious substance abuse problem; or

(ii) Has exhibited behaviors that create a serious risk of harm to the health, safety, or welfare of the child or any other person;

(c)(i) Who is in need of: (A) Necessary services, including food, shelter, health care, clothing, or education; or (B) services designed to maintain or reunite the family;

(ii) Who lacks access to, or has declined to use, these services; and

(iii) Whose parents have evidenced continuing but unsuccessful efforts to maintain the family structure or are unable or unwilling to continue efforts to maintain the family structure; or

(d) Who is a "sexually exploited child."

(6) "Child in need of services petition" means a petition filed in juvenile court by a parent, child, or the department seeking adjudication of placement of the child.

(7) "Crisis residential center" means a secure or semi-secure facility established pursuant to chapter 74.13 RCW.

(8) "Custodian" means the person or entity that has the legal right to custody of the child.

(9) "Department" means the department of children, youth, and families.

(10) "Extended family member" means an adult who is a grandparent, brother, sister, stepbrother, stepsister, uncle, aunt, or first cousin with whom the child has a relationship and is comfortable, and who is willing and available to care for the child.

(11) "Family reconciliation services" means services provided by culturally relevant, trauma-informed community-based entities under contract with the department, or provided directly by the department, designed to assess and stabilize the family with the goal of resolving crisis and building supports, skills, and connection to community networks and resources including, but not limited to:

(a) Referrals for services for suicide prevention, psychiatric or other medical care, psychological care, behavioral health treatment, legal assistance, or educational assistance;

(b) Parent training;

(c) Assistance with conflict management or dispute resolution; or

(d) Other social services, as appropriate to meet the needs of the child and the family.

(12) "Gender-affirming treatment" means health services or products that support and affirm an individual's gender identity, including social, psychological, behavioral, and medical or surgical interventions. Gender-affirming care services include, but are not limited to, evaluation and treatments for gender dysphoria, gender-affirming hormone therapy, and gender-affirming surgical procedures.

(13) "Guardian" means the person or agency that (a) has been appointed as the guardian of a child in a legal proceeding other than a proceeding under chapter 13.34 RCW, and (b) has the legal right to custody of the child pursuant to such appointment. The term "guardian" does not include a "dependency guardian" appointed pursuant to a proceeding under chapter 13.34 RCW.

~~((13))~~ (14) "Multidisciplinary team" means a group formed to provide assistance and support to a child who is an at-risk youth or a child in need of services and his or her parent. The team must include the parent, a department caseworker, a local government representative when authorized by the local government, and when appropriate, members from the mental health and substance abuse disciplines. The team may also include, but is not limited to, the following persons: Educators, law enforcement personnel, probation officers, employers, church persons, tribal members, therapists, medical personnel, social service providers, placement providers, and extended family members. The team members must be volunteers who do not receive compensation while acting in a capacity as a team member, unless the member's employer chooses to provide compensation or the member is a state employee.

~~((14))~~ (15) "Out-of-home placement" means a placement in a foster family home or group care facility licensed pursuant to chapter 74.15 RCW or placement in a home, other than that of the child's parent, guardian, or legal custodian, not required

to be licensed pursuant to chapter 74.15 RCW.

~~((15))~~ (16) "Parent" means the parent or parents who have the legal right to custody of the child. "Parent" includes custodian or guardian.

~~((16))~~ (17) "Protected health care services" means gender-affirming treatment and reproductive health care services that are lawful in the state of Washington.

(18) "Reproductive health care services" means all services, care, or products of a medical, surgical, psychiatric, therapeutic, mental health, behavioral health, diagnostic, preventative, rehabilitative, supportive, counseling, referral, prescribing, or dispensing nature relating to the human reproductive system including, but not limited to, all services, care, and products relating to pregnancy, assisted reproduction, contraception, miscarriage management, or the termination of a pregnancy, including self-managed terminations.

(19) "Secure facility" means a crisis residential center, or portion thereof, that has locking doors, locking windows, or a secured perimeter, designed and operated to prevent a child from leaving without permission of the facility staff.

~~((17))~~ (20) "Semi-secure facility" means any facility, including but not limited to crisis residential centers or specialized foster family homes, operated in a manner to reasonably assure that youth placed there will not run away. Pursuant to rules established by the department, the facility administrator shall establish reasonable hours for residents to come and go from the facility such that no residents are free to come and go at all hours of the day and night. To prevent residents from taking unreasonable actions, the facility administrator, where appropriate, may condition a resident's leaving the facility upon the resident being accompanied by the administrator or the administrator's designee and the resident may be required to notify the administrator or the administrator's designee of any intent to leave, his or her intended destination, and the probable time of his or her return to the center.

~~((18))~~ (21) "Sexually exploited child" means any person under the age of eighteen who is a victim of the crime of commercial sex abuse of a minor under RCW 9.68A.100, promoting commercial sexual abuse of a minor under RCW 9.68A.101, or promoting travel for commercial sexual abuse of a minor under RCW 9.68A.102.

~~((19))~~ (22) "Staff secure facility" means a structured group care facility licensed under rules adopted by the department with a ratio of at least one adult staff member to every two children.

~~((20))~~ (23) "Temporary out-of-home placement" means an out-of-home placement of not more than fourteen days ordered by the court at a fact-finding hearing on a child in need of services petition.

Sec. 3. RCW 13.32A.082 and 2013 c 4 s 2 are each amended to read as follows:

(1)(a) Except as provided in (b) of this subsection, any person, unlicensed youth shelter, or runaway and homeless youth program that, without legal authorization, provides shelter to a minor and that knows at the time of providing the shelter that the minor is away from a lawfully prescribed residence or home without parental permission, shall promptly report the location of the child to the parent, the law enforcement agency of the jurisdiction in which the person lives, or the department.

(b)(i) If a licensed overnight youth shelter, or another licensed organization with a stated mission to provide services to homeless or runaway youth and their families, shelters a child and knows at the time of providing the shelter that the child is away from a lawfully prescribed residence or home without parental permission, it must contact the youth's parent within seventy-two hours, but preferably within twenty-four hours, following the time that the youth is admitted to the shelter or other licensed organization's program. The notification must include the whereabouts of the youth, a description of the youth's physical and emotional condition, and the circumstances surrounding the youth's contact with the shelter or organization. If there are compelling reasons not to notify the parent, the shelter or organization must instead notify the department. If the shelter or organization shelters a youth and the shelter or organization is aware that the youth is seeking or receiving protected health care services, the shelter or organization shall notify the department so that the department can connect the youth and family with appropriate counseling services as described under section 4 of this act.

(ii) At least once every eight hours after learning that a youth receiving services or shelter under this section is away from home without permission, the shelter or organization staff must consult the information that the Washington state patrol makes publicly available under RCW 43.43.510(2). If the youth is publicly listed as missing, the shelter or organization must immediately notify the department of its contact with the youth listed as missing. The notification must include a description of the minor's physical and emotional condition and the circumstances surrounding the youth's contact with the shelter or organization.

(c) Reports required under this section may be made by telephone or any other reasonable means.

(2) Unless the context clearly requires otherwise, the definitions in this subsection apply throughout this section.

(a) "Shelter" means the person's home or any structure over which the person has any control.

(b) "Promptly report" means to report within eight hours after the person has knowledge that the minor is away from a lawfully prescribed residence or home without parental permission.

(c) "Compelling reasons" include, but are not limited to, circumstances that indicate that notifying the parent or legal guardian

will subject the minor to abuse or neglect as defined in RCW 26.44.020.

(3) When the department receives a report under subsection (1) of this section, it shall make a good faith attempt to notify the parent that a report has been received and offer services designed to resolve the conflict and accomplish a reunification of the family.

(4) Nothing in this section prohibits any person, unlicensed youth shelter, or runaway and homeless youth program from immediately reporting the identity and location of any minor who is away from a lawfully prescribed residence or home without parental permission more promptly than required under this section.

NEW SECTION. Sec. 4. A new section is added to chapter 13.32A RCW to read as follows:

(1) The department, in coordination with the health care authority and managed care organizations, shall:

(a) Identify appropriate counseling services for youth seeking or receiving protected health care services and their family members;

(b) Develop and implement a referral system to connect youth and families with a child seeking or receiving protected health care services who are referred to the department under RCW 13.32A.082 with appropriate counseling services; and

(c) Provide payment for appropriate counseling services for youth seeking or receiving protected health care services and their family members if those counseling services are not covered by the youth or family member's medical assistance program under chapter 74.09 RCW or a private health plan according to rules established under subsection (2) of this section.

(2) The department has the authority to develop rules to implement this section, including rules to determine:

(a) Whether the department should provide payment for counseling services for a youth or family member because they are not enrolled in a medical assistance program under chapter 74.09 RCW or do not have health insurance coverage that will cover the counseling services; and

(b) The appropriate frequency and length of counseling services for which the department will provide payment."

Representatives Couture and Walsh spoke in favor of the adoption of the amendment to the committee striking amendment.

Representative Cortes spoke against the adoption of the amendment to the committee striking amendment.

Amendment (660) to the committee striking amendment was not adopted.

Division was demanded and the demand was sustained. The Speaker (Representative Bronoske presiding) divided the House. The result was 58 - YEAS; 36 - NAYS.

The committee striking amendment, as amended, was adopted.

The Speaker assumed the chair.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

COLLOQUY

Representative McClintock: “Thank you Madame Speaker. I rise to ask if the Chair of the Human Services, Youth, and Early Learning Committee will yield to a question?”

Speaker: “Will the good member from the 41st yield to a question from the member from the 18th?”

Representative Senn: “Yes.”

Representative McClintock: “Current law requires a youth shelter or other similar organization to notify a parent or legal guardian of a minor’s entry into the shelter or other similar organization, except in cases where there are “compelling reasons” not to provide such notice and instead notify the Department of Children Youth and Families. RCW 13.32A.082(2)(c) currently provides that compelling reasons “include, but are not limited to,” potential abuse or neglect of the minor by the parent or legal guardian.

The bill adds seeking or receiving “protected health care services” to the definition of “compelling reasons.” “Protected health care services” under the bill means gender affirming treatment as defined in RCW 74.09.675 and reproductive health care services as defined in RCW 74.09.875.

Given the language “including but not limited to” in existing law, my question is this: Is the intent of the bill to expand the “compelling reasons” for which a parent or legal guardian does not receive notice of the minor’s entry into a youth shelter or similar organization beyond seeking or receiving ‘protected health care services’?”

Representative Senn: “Thank you for the question, good member from the 18th. No. The intent of this bill is to expand the ‘compelling reasons’ not to notify the parent or legal guardian of the minor’s entry into a youth shelter or other similar organization and instead notify the Department only to circumstances in which the minor seeks or receives “protected health care services” as specified in the bill.”

Representatives Senn, Rule, Macri, Thai, Stonier and Taylor spoke in favor of the passage of the bill.

Representatives Eslick, Abbarno, Chambers, Graham, Corry, Schmidt, Jacobsen, Low, Cortes, Walsh, Rude, Christian, Barnard, Dent, Hutchins, Cheney and Couture spoke against the passage of the bill.

The Speaker stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5599, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5599, as amended by the House, and the bill passed the House by the following vote: Yeas, 57; Nays, 39; Absent, 0; Excused, 2

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Hansen, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Ormsby, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Chandler, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock,

McEntire, Mosbrucker, Orcutt, Robertson, Rude, Schmick, Schmidt, Steele, Stokesbary, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representatives Ortiz-Self and Sandlin

ENGROSSED SUBSTITUTE SENATE BILL NO. 5599, as amended by the House, having received the necessary constitutional majority, was declared passed.

SPEAKER’S PRIVILEGE

The Speaker thanked the members of the body for the robust debate over the last few days as today was the last day to pass opposite house bills. The Speaker also acknowledged and thanked the entire legislative staff for all of their hard work and asked the Chamber to acknowledge them.

There being no objection, the House adjourned until 1:00 p.m., Thursday, April 13, 2023, the 95th Day of the 2023 Regular Session.

LAURIE JINKINS, Speaker

BERNARD DEAN, Chief Clerk

INDEX

1013-S2	4634	Introduced.	1
Messages.	10	Adopted.	1
1046	4635	Introduced.	1
Messages.	10	Adopted.	1
1084-S	5001-S2	Second Reading.	17
Messages.	10	Amendment Offered.	18
1122-S2		Third Reading Final Passage.	18
Messages.	10	Other Action.	14
1132-S	5048-S2	Second Reading.	14
Messages.	10	Amendment Offered.	15
1171-S		Third Reading Final Passage.	15
Messages.	10		
1175-S	5058	Second Reading.	12
Messages.	1	Third Reading Final Passage.	12
1176-S2	5069	Second Reading.	6
Messages.	10	Amendment Offered.	6
1204-S2		Third Reading Final Passage.	6
Messages.	10		
1213-S	5103-S2	Second Reading.	24
Messages.	2	Amendment Offered.	24
1221		Third Reading Final Passage.	24
Messages.	10	Other Action.	14
1230	5114-S	Second Reading.	2
Messages.	10	Third Reading Final Passage.	2
1232	5130	Second Reading.	2
Messages.	2	Amendment Offered.	2, 4
1237		Third Reading Final Passage.	4
Messages.	10		
1251-S	5156-S	Second Reading.	24
Messages.	10	Amendment Offered.	25
1322-S2		Third Reading Final Passage.	25
Messages.	2	Other Action.	14
1329-S	5301-S	Second Reading.	12
Messages.	10	Third Reading Final Passage.	12
1334	5315-S2	Second Reading.	18
Messages.	10	Amendment Offered.	18
1394-S		Third Reading Final Passage.	23
Messages.	10	Other Action.	14
1407	5316	Second Reading.	12
Messages.	10	Amendment Offered.	12
1435-S		Third Reading Final Passage.	13
Messages.	10		
1469-S	5323	Second Reading.	13
Messages.	10	Third Reading Final Passage.	13
1477-S2	5330	Second Reading.	17
Messages.	10	Third Reading Final Passage.	17
1501-S	5350	Second Reading.	14
Messages.	10	Amendment Offered.	14
1512		Third Reading Final Passage.	14
Messages.	10		
1536	5358-S	Second Reading.	24
Messages.	2	Third Reading Final Passage.	24
1552		Other Action.	14
Messages.	2		
1570-S	5392	Second Reading.	11
Messages.	2	Third Reading Final Passage.	12
1575	5398-S	Second Reading.	13
Messages.	10	Amendment Offered.	13
1580-S2		Third Reading Final Passage.	13
Messages.	10		
1678-S	5403	Second Reading.	25
Messages.	10		
1684			
Messages.	10		
1728-S2			
Messages.	10		
1742			
Messages.	2		
1753-S			
Messages.	2		
1772			
Messages.	10		
4001-S			
Messages.	2		

	Amendment Offered.	25
	Third Reading Final Passage.	25
5412-S2	Second Reading.	15
	Amendment Offered.	16
	Third Reading Final Passage.	16
5555-S2	Second Reading.	11
	Amendment Offered.	11
	Third Reading Final Passage.	11
5583-S	Second Reading.	6
	Amendment Offered.	7
	Third Reading Final Passage.	10
5593-S2	Second Reading.	4
	Amendment Offered.	4, 5
	Third Reading Final Passage.	5
5599-S	Second Reading.	26
	Amendment Offered.	26–28, 30
	Third Reading Final Passage.	33
5606	Second Reading.	6
	Third Reading Final Passage.	6
5687-S	Second Reading.	17
	Third Reading Final Passage.	17
	Other Action.	14
8001	Second Reading.	16
	Third Reading Final Passage.	17
SPEAKER OF THE HOUSE (Representative Bronoske presiding)		
	Speaker's Privilege.	1
SPEAKER OF THE HOUSE (Speaker Jenkins presiding)		
	Speaker's Privilege.	33

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